

Jackson County Board of Commissioners Meetings Minutes
January 17, 2006 - Regular Meeting
Jackson County Commissioners Chambers: 7:00 p.m.

CALL TO ORDER:

Chairman Steve Shotwell called the January 17, 2006 meeting of the Jackson County Board of Commissioners to order at 7:00 p.m.

INVOCATION:

Comr. Reynolds

PLEDGE OF ALLEGIANCE

ROLL CALL:

(11) Present. Comrs. Herl, Lutchka, Duckham, Reynolds, Videto, Mahoney, Berkemeier, Smith, Wilson, Gumbert, & Shotwell (1) Absent. Comr. Brittain

APPROVAL OF AGENDA:

Moved by Mahoney supported by Berkemeier to Approve the Agenda as Published. Motion carried.

AWARDS & RECOGNITIONS:

A. Quarterly Report on Economic Development Services-Prefaced by Bob Elliott, Administrator/Controller. Report given by Steve Czarnecki, President and CEO of the Enterprise Group (EG) and David Miller. *Moved by Reynolds supported by Wilson to Accept the Communication from the EG.* Motion carried. David Miller summarized the successes of the EG with two handouts. Reynolds was under the impression that the Armory Arts Project was a three or four phase project and she heard that they are combining phases one and two. Mr. Czarnecki explained that the expectation this summer was to begin construction on two things; the studio space and living quarters.

B. Employee of the Month for January 2006-Tricia Commet, Activity Specialist, Department on Aging. Presented by Chairman Shotwell with comments by Kristy Smith, Director Department on Aging and Julie Weisbrod.

COMMUNICATIONS & PETITIONS:

Chairman Shotwell asked Judy Dynnik, Executive Director of the Jackson County Volunteers to End Pound Seizure and Judy Reynolds, Chair of County Agencies to come forward. Judy Dynnik presented a \$500 gift card for the purchase of a digital camera for the Animal Shelter. They feel that this will speed up the procedure for neglect and abuse cases.

SPECIAL ORDER/PUBLIC HEARINGS:

None

PUBLIC COMMENT:

Public comment began at 7:47 p.m. with Frank Donovan introducing himself as a Democratic candidate for the District 4 Commission Seat.

Judy Dynnick explained how personal her quest to end pound seizure is by telling how, as a young woman, her dog saved her.

Nancy Camden shared her belief that dogs have been designated as companion animals and therefore should not be used in research. All animals deserve a humane death.

Public comment closed at 7:56 p.m.

SPECIAL MEETINGS OF STANDING COMMITTEES:

None

MINUTES:

Moved by Mahoney supported by Reynolds to Approve the Minutes of the December 13, 2005 meeting of the

JacksonCounty Board of Commissioners. Lutchka asked for a correction on page 7, A2b that reflects that 13 commissioners voted instead of 12. Motion carried.

CONSENT AGENDA:

Moved by Mahoney supported by Reynolds to Approve Consent Agenda Items A through E as follows:
Lutchka requested to remove 12D3 and Wilson requested to remove 12D2.

A. CountyAffairs:

1. ***The Appointment of Administrator/Controller as Jackson County Representative to the BlackmanCharterTownship Downtown Development Authority***

B. County Agencies:

1. ***Establish Public Hearing on Adoption of Pawnbroker Ordinance for 7:15 p.m. on Tuesday, February 21, 2006***

C. Human Services: None

D. Personnel & Finance:

1. ***Budget Adjustment – Parks Department for Irrigation System Control Replacement***

2. ***Proposal for Creation of a New Part-Time Immunization Nurse in the Health Department***

3. ***Establish a Committee of the Whole Meeting for Discussion on Board Rules as Proposed by the Ad Hoc Committee on Policies to be Held at the 6 th Floor Conference Room in the County Tower Building from 4:00-6:00 p.m. on January 25, 2006***

4. ***Establish a Committee of the Whole Meeting for Discussion on Tax Abatements and Land Bank Operations to be Held at the Commission Chambers in the County Tower Building from 6:00-9:00 p.m. on February 23, 2006***

E. Claims:

1. ***Claims dated 12/01/05 – 12/31/05 as presented to and approved by the Standing Committees.***

Motion carried.

STANDING COMMITTEES:

A. CountyAffairs – Commissioner Dave Lutchka

1. County Affairs 1/09/06 Meeting Minutes-no action required.

B. County Agencies – Commissioner Judy Reynolds

1. County Agencies 1/09/06 Meeting Minutes – no action required

C. Human Services – Commissioner Phil Berkemeier

1. Human Service 1/09/06 Meeting Minutes – no action required

D. Personnel and Finance- Commissioner James Videto

Consent Agenda Item D2-*Moved by Videto supported by Berkemeier to Approve the Proposal for the Creation of a New Part-Time Immunization Nurse in the Health Department.* Wilson has a problem with creating new positions while at the same time the Administrator's office is eliminating jobs through attrition. This position will amount to approximately one more shot per hour. Wilson feels that we need to ask our fine employees of the Health Department to do the same as the rest of the County and do more with less. Wilson will be voting no. Berkemeier was present at the committee meeting that Health Officer Ron Grimes made the presentation, and it is within the parameters of the county's strategy.

Mahoney stressed how important it is to keep the level up of immunizations in Jackson County. Lutchka asked if a report was given on how this situation would be handled if the position were not approved. Bob answered that they have been utilizing casuals. Smith said that she had taken her granddaughter for her immunizations. There were three people ahead of her and they waited for over 20 minutes. In that time three more families came in with numerous children; the clinic was to be closed at 4:00 p.m., but Smith is certain that nurse didn't get out of there until well after 5:00 p.m. Duckham feels they should explore other options with present employees. Wilson asked if

the cost provided was for nine months or twelve months. Ron Grimes only presented nine months because that's the amount of time left for the year. Roll call: (9) Yeas. Cmsrs. Herl, Lutchka, Reynolds, Videto, Mahoney, Berkemeier, Smith, & Gumbert, & Shotwell. (2) Nays. Cmsrs. Duckham and Wilson. Motion carried.

Videto said that the reason the Consent Agenda Item 12D3, to establish a Committee of the Whole meeting on Wednesday January 25, 2006, was pulled is that there is a conflict with a Chamber event. *Moved by Gumbert supported by Herl to Establish a Committee of the Whole meeting on Thursday January 26, 2006.* Reynolds expressed concern that meeting would conflict with another meeting. *Herl moved the meeting be rescheduled to Tuesday, January 24, 2006 from 5:00 p.m. to 7:00 p.m.* Shotwell asked if that could be considered a friendly amendment, to which Gumbert agreed. Motion carried.

1. Personnel & Finance 1/10/06 Meeting Minutes- No action required.

2. *Moved by Videto supported by Reynolds to Adopt Resolution (01-06.02), LifeWaysBuilding Project, Authorizing the Hearing to Comply with the Requirements of the Internal Revenue Code of 1986, as Amended.* Roll call: (11) Yeas. Motion carried unanimously.

3. *Moved by Videto supported by Mahoney to Adopt Resolution (01-06.3) LifeWaysBuilding Project, Approving Sublease.* Roll call: (11) Yeas. Motion carried unanimously.

4. *Moved by Videto supported by Mahoney to Approve the Independent Contract Agreement between the Jackson County Circuit/Family/Probate Courts, the Jackson County Intermediate School District, and Highfields, In., (2006) – PROPs.* Roll call: (9) Yeas. Cmsrs. Herl, Lutchka, Duckham, Reynolds, Videto, Mahoney, Berkemeier, Smith, & Shotwell. (2) Nays. Cmsrs. Wilson & Gumbert. Motion carried.

UNFINISHED BUSINESS:

1. Commissioner Appointment to Fair Board:

Wilson nominated Lutchka, Duckham nominated Reynolds, and Videto nominated Mahoney. Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, & Gumbert. (3) Lutchka. Cmsrs. Lutchka, Wilson, & Shotwell. (1) Reynolds. Cmr. Duckham. Reynolds was out of the room during this vote. Reynolds was eliminated. Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, & Gumbert. (5) Lutchka. Cmsrs. Lutchka, Duckham, Reynolds, Wilson, & Shotwell. Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, Gumbert. (5) Lutchka. Cmsrs. Lutchka, Duckham, Reynolds, Wilson, & Shotwell. Another Roll call vote will be cast at the end of the meeting.

NEW BUSINESS:

Wilson offered a Resolution in appreciation and support of President Bush and his response to the global threat of terror; Duckham supported this. Mahoney said that the Jackson County unemployment rate is almost double the national average so she will not be supporting this Resolution. Videto has a problem as he is representing all the citizens of Jackson County and he did not have an opportunity to discuss this in committee. Gumbert wanted to know why this didn't come through committee. Wilson explained that it was discussed at the Republican Committee meeting. Our state and local government are trying to secure a visit to Jackson County by President Bush on February 25, 2006 by showing our support for him with this Resolution, and we would also like a letter from the Chair. Wilson did fax the Resolution so that everyone would have a chance to review it before the meeting. Wilson asked the Board to keep in mind that they are a republican dominated Board and they represent the traditional views of republicans in this community because we have been elected to. Due to the timing, we needed to bring this forward tonight in order to help get President Bush to come into Jackson County on February 25, 2006. *Moved by Gumbert supported by Mahoney to send this Resolution to Committee.* Roll call: (7) Yeas. Cmsrs. Herl, Lutchka, Reynolds, Videto, Mahoney, Smith & Gumbert. (4) Nays. Cmsrs. Duckham, Berkemeier, Wilson, & Shotwell.

Wilson would like clarification from the Administrator on residency requirements for County Commissioners. Shotwell said that had been taken care of by the County Clerk. Everyone should have a copy either via e-mail or in his or her boxes.

Herl expresses concern over a meeting conflict on February 23 between the meeting on Community Planning and the Committee of the Whole. Bob clarifies that the Community Planning meeting is at 4:00 p.m. and the Committee of the Whole is from 6:00 p.m. until 9:00 p.m.

Moved by Reynolds supported by Gumbert to go into Closed Session for the Purpose of Discussing Written Opinion of Legal Counsel Regarding Land Acquisition for County Purposes. Motion carried.

The Jackson County Board of Commissioners went into Closed Session at 8:26 p.m.

Moved by Gumbert supported by Mahoney to Reconvene Open Session. Motion carried. The Jackson County Board of Commissioners Reconvened Open Session at 9:07 p.m.

Commissioner Appointment to the Fair Board: Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, & Gumbert. (5) Lutchka. Cmsrs. Lutchka, Duckham, Reynolds, Wilson, & Shotwell. Wilson asked if it would be possible to table this until the next meeting because we seem to be in a deadlock? Shotwell responds that per Board policy, we must go three rounds at the end of the meeting. Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, & Gumbert. (5) Lutchka. Cmsrs. Lutchka, Duckham, Reynolds, Wilson, & Shotwell. Roll call: (6) Mahoney. Cmsrs. Herl, Videto, Mahoney, Berkemeier, Smith, & Gumbert. (5) Lutchka. Cmsrs. Lutchka, Duckham, Reynolds, Wilson, & Shotwell. Reynolds asked if there was a rule to prohibit the Board from changing the vote to the majority? Shotwell answered that Peter Cohl said that every action this Board takes is a majority of the members seated unless it states for 2/3's. Videto asked if Mahoney remains in the seat until it comes before the Board again? Bob answered that Mahoney continues to serve until a successor is chosen and qualified. The matter will stay under "Unfinished Business". Herl interjected that he had talked with Randy and Randy agrees with what Bob said. Wilson feels that the term has expired.

PUBLIC COMMENT:

None

COMMISSIONER COMMENT:

Berkemeier said that he has been under considerable pressure to change his vote. The fair is wonderful, but it also encompasses the entire community. We have farmers on the board, but without Gail, we have no minority representation, and that is helpful and significant. As a Commissioner serving on a board we develop expertise. We should be able to look to our fellow Commissioners for support. In this area, political affiliation doesn't come into play. Wilson feels that this is a republican dominated commission that has been elected to protect republicans. We have an obligation to put republicans on boards. This is grass roots politics at a local level. Why put a democrat on a board for more exposure to possibly beat a republican in an election year? Wilson feels that Lutchka would do just as good of a job as Mahoney, and perhaps it is time for a change. There has been discussion before pertaining to how long one should remain in a given seat. Gumbert was a Member of the Fair Board for over five years and felt that she brought a lot to the table. She enjoyed working with Mahoney and felt that she brought a great deal to the table also, not only as far as her diversity, but by bringing her job experiences, right down to coming in on her day off and showing people how to make the fair run better. She has gone above and beyond and continues to do that. Gumbert will not make this a personal issue, but when she is challenged as to her republican beliefs and ideals, she is surprised that the people challenging her had radio ads out two years ago for a democrat. Now they are telling her how to be a good republican. You need to be consistent. Lutchka likened the Board to a mountain lion and it's prey. In order for the lion to survive, it must run as fast as the slowest prey. In order for the prey to survive, it must run faster than the fastest mountain lion. We must all hit the floor running and not look back. Duckham feels that we have the choice of two excellent candidates. We have two types of entertainment venues to consider. We could have a have carnival, which is games, and rides, and food; or we can have a fair which is games, and rides, and food, plus an agricultural setting also. Fairs have historically been from an agricultural setting and we need to keep that in mind. Our fair needs an agricultural push; otherwise it's just a carnival.

Smith would like to say goodbye to Brian Wheeler, as this is his last night here.

ADJOURNMENT:

Moved by Gumbert supported by Videto to Adjourn to the Call of the Chair. Motion carried. The January 17, 2006 meeting of the Jackson County Board of Commissioners was adjourned at 9:24 p.m.

Steve Shotwell-Chairman, Jackson County Board of Commissioners
Sandy Crowley-Jackson County Clerk
Respectfully submitted by Erin Foster-Chief Deputy County Clerk