

Jackson County Board of Commissioners Meetings Minutes
January 2, 2007 - Organizational Meeting
Jackson County Commissioners Chambers: 9:00 a.m.

CALL TO ORDER:

Sandy Crowley, Jackson County Clerk, called the January 2, 2007 Organization Meeting of the Jackson County Board of Commissioners to order at 9:03 a.m.

INVOCATION:

Cmr. Herl

PLEDGE OF ALLEGIANCE

ROLL CALL: (12) Present. Cmr. Herl, Lutchka, Brittain, Duckham, Poleski, Videto, Shotwell, Mahoney, Brown, Smith, Way & Elwell.

APPROVAL OF AGENDA:

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

PUBLIC COMMENT:

None

ADMINISTRATION OF OATH OF OFFICE:

Sandy Crowley administered the oath of office to all commissioners.

ELECTION OF CHAIRPERSON:

Moved by Mahoney, supported by Elwell, to Adopt Resolution (01-07.2) to Elect the Chairperson for a One-Year Term. Cmr. Lutchka thinks that it should be a two-year term instead of a one-year term because of the search for the administrator and also to avoid the posturing that occurs all year long to gain support for the following year. Cmr. Mahoney feels that a One-Year term is best suited. She hopes that before the end of this year an administrator will be selected. She feels if we continue with the process as it is designed, someone should be on board by October or November. She thinks that all year long a chairperson should be doing what they are suppose do so that the board can make a decision as to whether they want that continuing leadership. If they don't, she doesn't want to be stuck with them for two years. She is supporting the resolution because she thinks it helps to hold people accountable. Cmr. Elwell agrees with Cmr. Mahoney's comments and hopes the other commissioners will support it. Roll Call: (9) Yeas. Cmr. Herl, Brittain, Duckham, Poleski, Mahoney, Brown, Smith, Way & Elwell. (3) Nays. Cmr. Lutchka, Videto & Shotwell. Motion carried.

Moved by Lutchka to Nominate Steve Shotwell for Chairperson. Moved by Duckham to Nominate Todd Brittain. Moved by Mahoney to Close Nominations and Allow Each Candidate Time to Speak to the Commission. Cmr. Shotwell said that for the last three years, he has worked in a leadership role, whether it was as Chair of Personnel & Finance or working as Vice Chair or Chair. He has worked diligently to communicate with his fellow commissioners and will make a better effort this next year to do the same thing. He was asked by Cmr. Poleski to document where the county board is currently at and also what is going on in the county. He sent that communication out via e-mail and also had it placed in each commissioner's mailbox this morning so everyone could review the direction that the previous commission has intended the new commission to follow. He will follow that agenda and make sure that the minority voice is always heard but that the majority is what the action is taken on. He hopes that he has their support for this next year. Cmr. Brittain feels that there isn't a lot of continuity on the board. He is an independent so he doesn't have to stick to party affiliation. He thinks he would bring fairness and balance to the board, plus he has the time to put into it. He knows that Steve has made mistakes and has admitted to them. If Steve is elected Chair, he wishes him the best and hopes that he follows through with their wishes. Roll Call: (9) Shotwell. Cmr. Herl, Lutchka, Poleski, Videto, Shotwell, Mahoney, Brown, Way & Elwell. (3) Brittain. Cmr. Brittain, Duckham & Smith.

Chairman Shotwell thanked the Board for their support.

ELECTION OF VICE CHAIRPERSON:

Moved by Lutchka to Nominate Cliff Herl for Vice Chairperson. Moved by Brown to Nominate Gail Mahoney. Moved by Brittain to Nominate David Elwell. Roll Call: Herl (4). Cmr. Lutchka, Videto, Shotwell & Herl. Elwell (4). Cmr. Brittain, Duckham, Poleski, Elwell. Mahoney (4). Cmr. Mahoney, Brown, Smith & Way. Tie. *Moved by*

Mahoney, supported by Duckham, to allow candidates time to speak. Cmr. Mahoney said she has worked very hard to bring together the commission. She feels that Steve needs someone to level him and to help bring a spirit of twelve to the commission. She said we have experienced the power of three and it's not effective. She doesn't want to do things after decisions have been made or to bring things to the commission that have already been decided. She feels she could bring something to the commission and will work hard as a Vice Chair. Cmr. Elwell agrees with Cmr. Mahoney about the need for communication and he has talked with Chairman Shotwell about that. He feels another important aspect of the Vice Chair's position is attendance and dedication. He provided a letter to each commissioner by e-mail and in their mailbox about his arguments for selecting him as Vice Chair. A large part of it is dedication. He has had perfect attendance at the regular Board of Commissioner meetings. He hasn't missed one in six years and that includes the two years that he was on his hiatus from the board. He has also had perfect attendance at all of the Standing Committees he was appointed to. His life has put him in leadership positions both in his prior term as Vice Chair on the Board of Commissioners, as President of his Union representing fellow officers of Blackman Township and as Board President where he voluntarily serves at the Westwood Credit Union. That is a position that he was elected to by his peers. He is as dedicated as any other commissioner here and also he has the life experience and dedication to be able to assist and move the county forward. Cmr. Herl thinks that communication is one of the main issues and he feels it was brought forward. He was on the GIS Committee and followed it for about nine years. The Addressing Ordinance was passed last year and he was on that committee to help direct that through the Board. The Farm Preservation Ordinance was also passed last year and he helped to guide it through the Board. The Policy Manual update was an issue he brought forward and now he sees that a lot of people want to be involved with it. He has attended Chamber Meetings but missed the last two due to conflicts of other committees that he is on. He has asked and had the Emergency Management Team go to Maryland for training. When he was Chair, Steve was the Vice Chair and he felt they worked really well together. They had meetings every Friday, which they continued when Steve became the Chair and he was the Vice Chair. He is retired and has the time to put toward the Board. He is happy to serve and will do that in any way that he can. *Moved by Poleski, supported by Elwell, to take a Ten Minute recess.* Motion failed. (3) Yeas. Cmr. Duckham, Poleski & Elwell. (9) Nays. Cmr. Herl, Lutchka, Brittain, Videto, Shotwell, Mahoney, Brown, Smith & Way. *Roll Call for Vice Chair:* Mahoney (5). Cmr. Poleski, Mahoney, Brown, Smith & Way. Herl (4). Cmr. Videto, Herl, Lutchka & Shotwell. Elwell (3) Cmr. Brittain, Duckham & Elwell. Cmr. Mahoney & Herl move forward. Cmr. Elwell drops out. *Roll Call:* Mahoney (6). Cmr. Poleski, Mahoney, Brown, Smith, Way & Brittain. Herl (6). Cmr. Duckham, Videto, Elwell, Herl, Lutchka & Shotwell. Tie. *Roll Call:* Mahoney (6). Cmr. Poleski, Mahoney, Brown, Smith, Way & Brittain. Herl (6). Cmr. Videto, Elwell, Herl, Lutchka, Duckham & Shotwell. Tie. *Roll Call:* Herl (7). Videto, Elwell, Herl, Lutchka, Brittain, Duckham & Shotwell. Mahoney (5) Cmr. Mahoney, Brown, Smith, Way & Poleski.

Vice Chairman Herl thanked the Board for their support.

APPROVE BOARD RULES:

Moved by Mahoney, supported by Herl, to Approve the Board Rules. Motion Carried.

DESIGNATION OF STANDING COMMITTEE APPOINTMENTS:

Chairman Shotwell asked for a five minute recess to discuss the appointments with the Vice Chair and then they will be handed out to everybody.

Meeting called back to order by Chairman Shotwell at 9:32 a.m. He apologized for the spelling errors.

Moved by Mahoney, supported by Herl, to Accept as Standing Committees for the next two years. (Handout) Motion carried.

COMMISSIONER APPOINTMENTS TO OTHER BOARDS/COMMITTEES:

A. Airport Board: *Moved by Way to Nominate Earl Poleski.* *Moved by Smith to Nominate Phil Duckham.* *Roll Call:* Poleski (8). Cmr. Herl, Lutchka, Poleski, Videto, Shotwell, Mahoney, Brown & Way. Duckham (3). Cmr. Brittain, Duckham, Smith & Elwell. Poleski appointed to the Airport Board to fill out the balance of Phil Berkemeier's term.

B. Board of Public Works: Chairman Shotwell read the names for nominations: Earl Poleski and Phil Duckham. *Roll Call:* Duckham (10). Cmr. Herl, Lutchka, Brittain, Duckham, Videto, Shotwell, Mahoney, Brown, Smith & Elwell. Poleski (2). Cmr. Poleski & Way. Duckham was appointed to the Board of Public Works.

C. Cascades Renovation Project Commission: Cmr. Herl asked if they will be voting for two commissioners. Cmr. Brittain feels that having two commissioners is not necessary because it's more of a committee of public input rather than commissioner input. Cmr. Lutchka asked if the creation of the committee was predetermined and if there are two commissioners in the way it was set up. Chairman Shotwell said that is correct. It was passed by a resolution of this board. Cmr. Mahoney reminded everyone that the county has a lot of money invested and feels

they do need commissioners there. Cmr. Elwell asked if Cmr. Wilson was appointed as a citizen appointment after his term ended and said that if it's possible to switch to a citizen appointment, he would support that. He thinks Wilson was a big part of getting it moving and he thinks he would be a good addition to it. He said if we need to put it off to review what needs to be done to make it a citizen appointment, he would support it. Chairman Shotwell stated that at this time the resolution states that there are to be two commissioners on it. It would have to action after this meeting to change it. He asked the board to consider the two candidates and then they can take the action appropriately later if so need be. *Moved by Elwell, supported by Duckham, to Only Appoint One Position and Postpone the Second Position.* Roll Call: (6) Yeas. Cmr. Brittain, Duckham, Videto, Brown, Smith, & Elwell. (6) Nays. Cmr. Herl, Lutchka, Poleski, Shotwell, Mahoney & Way. Tie vote. Motion Fails. *Moved by Mahoney to Nominate Mike Brown. Moved by Poleski to Nominate Mike Way. Moved by Mahoney, supported by Brittain, to Close Nominations and Cast a Unanimous Ballot for Mike Brown and Mike Brown.* Motion carried.

D. Community Corrections Advisory Board: *Moved by Lutchka to Nominate David Elwell. Moved by Shotwell, supported by Duckham to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

E. Emergency Management Advisory: Cmr. Smith withdrew her name from the recommendations. *Moved by Mahoney to Nominate Mike Brown. Moved by Lutchka to Nominate Cliff Herl.* Roll Call: Herl (7). Cmr. Herl, Lutchka, Videto, Shotwell, Smith, Way & Elwell. Brown (5). Cmr. Brittain, Duckham, Poleski, Mahoney & Brown. Herl is appointed.

F. EMS Commission: *Moved by Duckham to Nominate Pat Smith. Moved by Mahoney to Nominate Earl Poleski.* Roll Call: Smith (10). Cmr. Herl, Lutchka, Brittain, Duckham, Videto, Shotwell, Mahoney, Brown, Smith & Way. Poleski (2). Cmr. Poleski & Elwell. Smith is appointed.

G. Fair Board: *Moved by Mahoney to Nominate Jim Videto.* Motion carried.

H. Federal Emergency Management Agency: One nomination: Mike Brown. *Moved by Mahoney, supported by Brittain, to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

I. Hospital Finance Authority: *Moved by Herl, to Nominate Gail Mahoney. Moved by Lutchka, to Nominate Earl Poleski.* Roll Call: Mahoney (7). Cmr. Herl, Duckham, Videto, Shotwell, Mahoney, Brown & Smith. Poleski (5). Cmr. Lutchka, Brittain, Poleski, Way & Elwell. Mahoney is appointed.

J. Intergovernmental Committee: Chairman Shotwell said that under Chairman Herl's guidance, he recommended that the commissioners that wanted to participate, be allowed to do so. Chairman Shotwell's recommendation would be for that to continue. *Moved by Mahoney, supported by Brittain, to allow any commissioner that wants to participate on the Intergovernmental Committee be allowed to do so.* Cmr. Herl said the reason he did that when he was Chairman was because there are a lot of times that the committee members can't make it and by allowing this, we get a broad vision of what is going on within the county because the city and the county each participate. He feels the more people that show up, the better. Motion carried.

K. Judge's Meetings: Chairman Shotwell advised that the Judge's meetings are assigned to the Chairman of County Agencies not County Affairs.

L. Land Bank Authority: One nomination: Mike Brown. *Moved by Mahoney, supported by Herl, to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

M. LifeWays: One nomination: Gail Mahoney. *Moved by Chairman Shotwell to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

N. Mid-South Substance Abuse Commission: One applicant: Gail Mahoney. Chairman Shotwell said this is informational only.

O. Parks: *Moved by Smith to Nominate Todd Brittain. Moved by Poleski to Nominate Mike Way. Moved by Herl to Nominate Mike Brown.* Roll Call: Way (5). Cmr. Poleski, Videto, Shotwell, Mahoney & Way. Brittain (4). Cmr. Brittain, Duckham, Smith & Elwell. Brown (3). Cmr. Herl, Lutchka & Brown. Roll Call: Way (7). Cmr. Herl, Lutchka, Poleski, Videto, Shotwell, Mahoney & Way. Brittain (5). Cmr. Brittain, Duckham, Brown, Smith & Elwell. Mike Way is appointed.

P. Policy Committee: Cmr. Lutchka said this was started as an Ad Hoc committee and the make up at that point was three commissioners, the Chairman, Vice Chairman and the Administrator. He asked if it is changing now to be an appointed committee. Acting Administrator Randy Treacher said it was not made up of the Chair and the Vice Chair; it was only three commissioners, the Administrator and the Deputy Administrator. The Chair and the Vice Chair can attend, as they can with all committees, and they have been doing just that. Cmr. Herl withdrew his name since he can sit on it as the Vice Chair. Treacher clarified the "To Be Determined" listed in the packet as being the resignation of Cmr. Gumbert, who is not yet replaced. Cmr. Elwell asked why the terms expire at different times. Treacher said that the terms were staggered specifically. Mahoney and Elwell nominated. Cmr. Mahoney stated she will take the 2008 term and let Cmr. Elwell take the 2009 term. Motion carried.

Q. Region 2 Planning: Videto, Herl & Mahoney nominated. *Moved by Poleski, to Nominate Mike Way.* *Moved by Mahoney, supported by Duckham, to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

R. South Central Michigan Works: *Moved by Mahoney, to Nominate Phil Duckham as an alternate.* *Moved by Mahoney, supported by Poleski, to Accept the Three Main Members, Herl, Smith & Videto and Phil Duckham as the Alternate.* Motion carried.

S. Traffic Safety: Cmr. Herl stated that this term does not come up until 2009. Chairman Shotwell said that he received a clarification from Sue that the end of the new term will end in 2009. We will be going back and picking up the other two that we thought we weren't supposed to be voting on. Smith nominated. *Moved by Mahoney, supported by Brittain, to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

T. Health Department Food Protection Hearing Board, Human Services Coordinating Alliance, MALPH and Sanitary Code Board of Appeals: Per Chairman Shotwell, these appointments belong to the Human Services Commission and are for information only.

Chairman Shotwell asked for a recess at 10:03 a.m. to receive clarification. The meeting reconvened at 10:05 a.m. Acting Administrator Treacher provided an explanation of the conversation they just had. It is his understanding from the authority of LifeWays, that there is an Attorney General Opinion that exists that says a county commissioner cannot serve on the Substance Abuse Commission as well as the Mental Health Authority. He does not currently have that AG's opinion but is getting it. It is Treacher's recommendation that rather than create a conflict, that we hold on the Mid-South Appointment until the January or February meeting of the Board of Commissioners. It will depend on how soon the clarification can be obtained. Cmr. Herl said it will affect the entire LifeWays' Board because there are other commissioners from other counties that sit on it as well. Chairman Shotwell said that is correct and that opinion was rendered because of a commissioner from Hillsdale serving the Board. He was asked to step aside from his board assignments, so he had to choose. Chairman Shotwell said he wants to actually read the document first to make sure but his understanding is that it is correct that as a commissioner, you cannot serve on both bodies. *Moved by Duckham, supported by Brittain, to Postpone the Appointment to Mid-South Substance Abuse Commission.* Cmr. Mahoney appreciates the commission postponing the appointment so it can be looked at more thoroughly. Motion carried.

A. Airport Board: *Returning to fill Cmr. Lutchka's spot.* *Moved by Shotwell to Nominate David Lutchka.* *Moved by Mahoney to Close Nominations and Cast a Unanimous Ballot.* Motion carried.

Cmr. Duckham asked if we need to back up and suspend the LifeWays appointment of Cmr. Mahoney until the decision is made. Chairman Shotwell responded no because at this time she is an expired term member from Mid-South so right now it is vacant. She does represent the commissioners on the LifeWays Board but at this time she is not in conflict.

APPROVE MEETING SCHEDULES FOR 2007:

Cmr. Brittain suggested that the Personnel & Finance Meetings be moved to Mondays as opposed to being on the same day as the rest of the Committees. He has spoken with a few commissioners about this already and some of them would not be able to attend the meeting on a Tuesday but said they would be able to on a Monday. He is wondering if all four meetings can be held on the same day so other commissioners could attend, even though they may not sit on the committee. Chairman Shotwell said he will have the Administration look at that and return an answer to the committee. Acting Administrator Treacher drew everyone's attention to page 14 of their packets. He said that what that action will do by virtue of adopting that schedule is to make the Policy Committee a regular committee that will be meeting for this year. He wants to make sure that it's noticed because there is enough work that the Policy Committee will need to meet at least twelve times and possibly even more often. He wants everyone to understand that it will not be an Ad Hoc Committee; it will be a regular committee at least for the year 2007. *Moved by Shotwell to Approve the Meeting Schedules for 2007.* Motion carried unanimously.

ADOPT RESOLUTION (01-07.1) TO WAIVE ADMINISTRATION FEE AND INTEREST FOR SENIOR CITIZENS:

Moved by Herl, supported by Mahoney, to Adopt Resolution (01-07.1) to Waive Administration Fee and Interest for Senior Citizens. Roll Call. (12) Yeas. Motion carried unanimously.

APPOINT THE COUNTY ADMINISTRATOR/CONTROLLER AS THE FREEDOM OF INFORMATION OFFICER AS REQUIRED BY STATE STATUTE:

Moved by Lutchka, supported by Poleski, to Adopt the County Administrator/Controller as the Freedom of Information Officer as Required by the State Statute. Motion carried unanimously.

APPROVE LIST OF 2007 ATTORNEYS:

Moved by Mahoney, supported by Herl, to Approve list of 2007 Attorneys. (11) Yeas. (1) Nay. Cmr. Britain. Motion carried.

PUBLIC COMMENT:

None.

ADJOURN:

The January 2, 2007 Organizational Meeting of the Jackson County Board of Commissioners was adjourned at 10:13 a.m. by Chairman Shotwell.

Steve Shotwell – Chairman, Jackson County Board of Commissioners

Sandy Crowley – Jackson County Clerk

Respectfully submitted by Amanda L. Rutan – Chief Deputy County Clerk