

MINUTES
JACKSON COUNTY BOARD OF COMMISSIONERS BOARD MEETING
ANNUAL MEETING
October 18, 2011
7:00 p.m.
County Commission Chambers

1. **CALL TO ORDER** – Chairman Steve Shotwell called the October 18, 2011, Jackson County Board of Commissioners Annual Meeting to order at 7:00 p.m.

2. **INVOCATION** – by Commissioner Cliff Herl

3. **PLEDGE OF ALLEGIANCE** – by Chairman Steve Shotwell

4. **ROLL CALL** – County Clerk Amanda Riska

(11) Present. Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Way, Elwell, and Shotwell.

(1) Absent. Commissioner Smith.

5. **APPROVAL OF AGENDA**

Moved by Mahoney, supported by Duckham for Approval of the Agenda. Motion carried.

6. **AWARDS & RECOGNITIONS**

A. **Proclamation Honoring Hanover Township's 175 Years of Government Service**

7. **COMMUNICATIONS/PETITIONS** – None.

8. **SPECIAL ORDERS/PUBLIC HEARINGS**

A. **Brownfield Plan – 3535 Francis Street, Summit Township**

No public comment.

B. **Brownfield Plan – 1721 Probert Road, Summit Township**

No public comment.

9. **PUBLIC COMMENTS**

Brad Williams asked for support to be reappointed to the DHS Board.

John Tallis, Hanover Township Supervisor, spoke about the Open House being held in Hanover Township on October 23rd to recognize the Township's 175th Birthday.

Roger Warren asked for support to be reappointed to the Board of County Canvassers.

Sandra Marsh asked for support to be appointed to the Board of County Canvassers.

10. **SPECIAL MEETINGS OF STANDING COMMITTEES** – None.

11. **MINUTES** - Minutes of the 9/20/11 Regular Meeting of the Jackson County Board of Commissioners

Moved by Videto, supported by Mahoney to Approve the Minutes of the 9/20/11 Regular Meeting of the Jackson County Board of Commissioners. Motion carried.

12. **CONSENT AGENDA**

A. **County Policy**

1. **Revised/New Policies**

- a. **Administrative Policy 5160** (revised)
- b. **Board Rule 4045** (new)

B. **County Affairs & Agencies**

2. **Airport**

- a. **Donation of Concrete Materials and Installation Labor by R. W. Mercer Company for Aviation Heritage Park**
- b. **Resolution (10-11.33) Authorizing the County Board of Commissioners Chair, James E. Shotwell, Jr., to Sign MDOT Contract #3011-0525 (Federal Project #B-26-0051-3011 for Preliminary Engineering Runway 7-25 and Paint Markings for Runway 6-24**

3. **Equalization - Apportionment Report**

4. **Friend of the Court Reorganization**

5. **Drain Commission 2010 Annual Report**

C. **Human Services** – None.

D. **Personnel & Finance**

6. **Resolution (10-11.31) Adopting Amended and Restated Health Plan**

7. **Approve Service contract Between Jackson County Employees' Retirement System and Jackson County, Michigan**

8. **Waive Personnel Policy 3100 to Allow for the Administrator/Controller to Conduct the Recruitment and Selection of the County Equalization Director with the Board of Commissioners Ratifying the Selection**

9. **Budget Adjustments**

- a. **Register of Deeds**
- b. **Department on Aging**

E. **Other Business**

10. **Claims dated 9/1/11 – 9/30/11**

13. **STANDING COMMITTEES**

A. **County Policy – Commissioner Dave Elwell** – None.

B. **County Affairs & Agencies – Commissioner Dave Lutchka**

1. **Appointments**

- a. **Board of County Canvassers** – two public members, terms to 10/2015
(one Republican and one Democratic member)

Commissioner Lutchka stated that the committee recommended Roger Warren (Rep). No other nominations from the floor. Roger Warren appointed.

Commissioner Lutchka stated that the committee recommended Sandra Marsh (Dem). No other nominations from the floor. Sandra Marsh appointed.

- b. **Department of Human Services** - one public member, term to 10/2014

Commissioner Lutchka stated that the committee recommended Brad Williams. No other nominations from the floor. Brad Williams appointed.

- c. **Land Bank Authority** – one commissioner member, term to 10/2015

Commissioner Lutchka stated that the committee recommended Carl Rice, Jr. No other nominations from the floor. Carl Rice, Jr. appointed.

C. **Human Services – Commissioner Jon Williams** - None.

D. **Personnel and Finance – Commissioner Jim Videto** – None.

14. **UNFINISHED BUSINESS** – None.

15. **NEW BUSINESS**

A. **Resolution (10-11.34) Approving a Brownfield Plan by the County of Jackson Pursuant to and in Accordance with the Provisions of Act 381 of the Public Acts of the State of Michigan of 1996, as Amended – 3535 Francis Street, Summit Township**

Moved by Lutchka, supported by Duckham to Approve Resolution (10-11.34) Approving a Brownfield Plan by the County of Jackson Pursuant to and in Accordance with the Provisions of Act 381 of the Public Acts of the State of Michigan of 1996, as Amended – 3535 Francis Street, Summit Township. Roll Call: (11) Yeas. Motion carried.

- B. Resolution (10-11.35) Approving a Brownfield Plan by the County of Jackson Pursuant to and in Accordance with the Provisions of Act 381 of the Public Acts of the State of Michigan of 1996, as Amended – 1721 Probert Road, Summit Township**

Moved by Mahoney, supported by Lutchka to Approve Resolution (10-11.35) Approving a Brownfield Plan by the County of Jackson Pursuant to and in Accordance with the Provisions of Act 381 of the Public Acts of the State of Michigan of 1996, as Amended – 1721 Probert Road, Summit Township. Roll call: (11) Yeas. Motion carried.

16. PUBLIC COMMENTS

Brad Williams thanked the Commissioners for his reappointment to the DHS Board.

Roger Warren thanked the Commissioners for his reappointment to the Board of County Canvassers.

Sandra Marsh thanked the Commissioners for her appointment to the Board of County Canvassers.

17. COMMISSIONER COMMENTS

Commissioner Duckham would like to make sure a letter of thanks/appreciation gets sent to R.W. Mercer Company for their donation.

Commissioner Elwell asked the Chairman for an update on the Storm Water Fee. The Chairman advised that the process is still moving forward.

Commissioner Williams would like to make sure the process the Policy Committee is currently working on to standardize the submission of resolutions gets added to the agenda.

18. CLOSED SESSION

A. Union Negotiations Parameters

Moved by Videto, supported by Mahoney to go into Closed Session at 7:16 p.m. Motion carried.

Moved by Mahoney, supported by Duckahm to return from Closed Session at 8:11 p.m. Motion carried.

19. ADJOURNMENT

Chairman Shotwell adjourned the October 18, 2011, Annual Meeting of the Jackson County Board of Commissioners at 8:12 p.m.

James E. Shotwell – Chairman, Jackson County Board of Commissioners

Amanda L. Riska – County Clerk



Jackson County

RESOLUTION (10-11.31) TO BE ADOPTED BY THE BOARD OF COMMISSIONERS

A Meeting of the Board of Commissioners of the County of Jackson (the "Company") was held on October 18, 2011. Sufficient members were present to constitute a quorum of the Commissioners. Following a reading of the Plan and an extensive discussion concerning the provisions, the following resolutions were, upon motion duly made, unanimously adopted:

RESOLVED, the County of Jackson Group Health Plan for Non-POAM Employees and the County of Jackson Group Health Plan for POAM Employees ("Plans") are adopted in the attached form, effective as of the dates contained therein.

RESOLVED FURTHER, that Michael Overton, County Administrator/Controller, is authorized and directed on behalf of the Company to execute all documents that are necessary for the formal adoption of the Plans.

I certify that the above is a true and complete record of action taken by the Board of Commissioners of the County of Jackson on the 18th day of October, 2011.

By: Amanda L. Riska
Amanda L. Riska, County Clerk

RESOLUTION (10-11.33)
AUTHORIZING THE COUNTY BOARD OF COMMISSIONERS
CHAIR, James E. Shotwell Jr. TO SIGN MDOT CONTRACT
#2011-0525 (FEDERAL PROJECT #B-26-0051-3011),
For Preliminary Engineering Runway 7-25
And Paint Markings for Runway 6-24

WHEREAS, The FAA has indicated that Runway 6-24 at the Jackson County Airport does not have required "safety areas" at the ends and approaches; and

WHEREAS, Because of FAA Runway Safety Requirements, a new Runway 7-25 will be constructed; and

WHEREAS, Preliminary engineering for Runway 7-25 is required and necessary so that a proper runway design can be completed; and

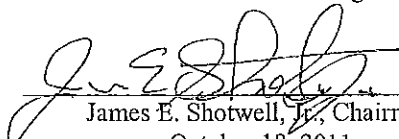
WHEREAS, Existing Runway 6-24 requires new paint markings in order to maintain FAA approval for the ILS system and to maintain a safe runway; and

WHEREAS, Grant funds in the amount of \$300,000 were allocated by the Michigan Office of Aeronautics with an allocation of \$285,000 Federal; \$7,500 State and \$7,500 Local match amounts are required for the referenced projects; and

WHEREAS, The Jackson County Board of Commissioners has legal authority to approve this resolution and sponsor contract; and

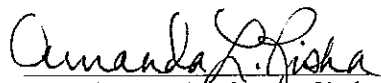
WHEREAS, James E. Shotwell, Jr., is the Chairman of the Jackson County Board of Commissioners and has authority to sign such resolution and contract; and

NOW, THEREFORE, BE IT RESOLVED, that the Jackson County Board of Commissioners approves of the referenced grant and contract authorizes James E. Shotwell Jr. to sign on behalf of the Jackson County Board of Commissioners.


James E. Shotwell, Jr., Chairman
October 18, 2011

STATE OF MICHIGAN)
) ss.
COUNTY OF JACKSON)

I, Amanda L. Riska, the duly qualified and acting Clerk of the County of Jackson, Michigan, do hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the County Board of Commissioners of the County of Jackson, State of Michigan, at a regular meeting held on October 18, 2011 at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act No. 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


Amanda L. Riska, County Clerk

Date: 10-19-2011

JACKSON COUNTY, MICHIGAN

RESOLUTION (10-11.34)
APPROVING A BROWNFIELD PLAN
BY THE COUNTY OF JACKSON
PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
~~OF THE STATE OF MICHIGAN OF 1996, AS AMENDED~~

At a regular meeting of the Board of Commissioners of Jackson County, Michigan, held in the County Tower Building located at 120 W. Michigan Ave., Jackson, Michigan, on the 18th day of October 2011, at 7:00 p.m.

PRESENT: (11) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Way, Elwell, and Shotwell.

ABSENT: (1) Commissioner Smith

MOTION BY: Commissioner Lutchka

SUPPORTED BY: Commissioner Duckham

WHEREAS, the Jackson County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of Jackson County (the "Authority") and have designated that all related activities shall proceed through the BRA; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the Jackson County Board of Commissioners, the Brownfield plan (the "Plan") attached hereto, to be carried out within Summit Township, relating to the redevelopment project proposed by Farewell Healing Center, located at 3535 Francis Street in Summit Township, (the "Site"), as more particularly described and shown in Figures 1 & 2 and Attachment "A" contained within the attached Plan; and

WHEREAS, the Jackson County Board of Commissioners and the County's taxing entities has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13 (13) of the Act; and

WHEREAS, the Jackson County Board of Commissioners has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;

- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and will not require the Authority to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. School taxes will not be captured in accordance with Plan; and

WHEREAS, as a result of its review of the Plan, the Jackson County Board of Commissioners concurs with approval of the Plan.

NOW, THEREFORE, BE IT RESOLVED THAT:

- 1. **Plan Approved.** Pursuant to the authority vested in the Jackson County Board of Commissioners by the Act, the Plan is hereby approved in the form attached to this Resolution.
- 2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
- 3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: (11) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Way, Elwell, and Shotwell.

NAYES: (0)

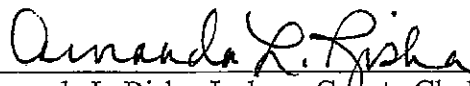
ABSTAINED: (0)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF JACKSON) ss:

I, Amanda L. Riska, the undersigned, the fully qualified Clerk of Jackson County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners of Jackson County at a regular meeting held on the 18th day of October, 2011, the original of which resolution is on file in my office.

~~IN WITNESS WHEREOF, I have hereunto set my official signature this~~ 19th ~~day of~~
October, 2011.



Amanda L. Riska, Jackson County Clerk

JACKSON COUNTY, MICHIGAN

RESOLUTION (10-11.35)
APPROVING A BROWNFIELD PLAN
BY THE COUNTY OF JACKSON
PURSUANT TO AND IN ACCORDANCE WITH
THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS
~~OF THE STATE OF MICHIGAN OF 1996, AS AMENDED~~

At a regular meeting of the Board of Commissioners of Jackson County, Michigan, held in the County Tower Building located at 120 W. Michigan Ave., Jackson, Michigan, on the 18th day of October 2011, at 7:00 p.m.

PRESENT: (11) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Way, Elwell, and Shotwell.

ABSENT: (1) Commissioner Smith.

MOTION BY: Commissioner Mahoney.

SUPPORTED BY: Commissioner Lutchka.

WHEREAS, the Jackson County Board of Commissioners, pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"), have formally resolved to participate in the Brownfield Redevelopment Authority (BRA) of Jackson County (the "Authority") and have designated that all related activities shall proceed through the BRA; and

WHEREAS, the Authority, pursuant to and in accordance with Section 13 of the Act, has reviewed, adopted and recommended for approval by the Jackson County Board of Commissioners, the Brownfield plan (the "Plan") attached hereto, to be carried out within Summit Township, relating to the redevelopment project proposed by Bennett Holdings/Stone Village Condo Project, located at 1721 Probert Road in Summit Township, (the "Site"), as more particularly described and shown in Figures 1 & 2 and Attachment "A" contained within the attached Plan; and

WHEREAS, the Jackson County Board of Commissioners and the County's taxing entities has reviewed the Plan, and have been provided a reasonable opportunity to express their views and recommendations regarding the Plan and in accordance with Sections 13 (13) of the Act; and

WHEREAS, the Jackson County Board of Commissioners has made the following determinations and findings:

- A. The Plan constitutes a public purpose under the Act;
- B. The Plan meets all of the requirements for a Brownfield plan set forth in Section 13 of the Act;

- C. The proposed method of financing the costs of the eligible activities, as described in the Plan, is feasible and will not require the Authority to arrange the financing;
- D. The costs of the eligible activities proposed in the Plan are reasonable and necessary to carry out the purposes of the Act;
- E. School taxes will not be captured in accordance with Plan; and

~~WHEREAS, as a result of its review of the Plan, the Jackson County Board of Commissioners concurs with approval of the Plan.~~

NOW, THEREFORE, BE IT RESOLVED THAT:

1. **Plan Approved.** Pursuant to the authority vested in the Jackson County Board of Commissioners by the Act, the Plan is hereby approved in the form attached to this Resolution.
2. **Severability.** Should any section, clause or phrase of this Resolution be declared by the courts to be invalid, the same shall not affect the validity of this Resolution as a whole nor any part thereof other than the part so declared to be invalid.
3. **Repeals.** All resolutions or parts of resolutions in conflict with any of the provisions of this Resolution are hereby repealed.

AYES: (11) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Way, Elwell, and Shotwell.

NAYES: (0)

ABSTAINED: (0)

RESOLUTION DECLARED ADOPTED.

STATE OF MICHIGAN)
COUNTY OF JACKSON) ss:

I, Amanda L. Riska, the undersigned, the fully qualified Clerk of Jackson County, State of Michigan, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners of Jackson County at a regular meeting held on the 18th day of October, 2011, the original of which resolution is on file in my office.

~~IN WITNESS WHEREOF, I have hereunto set my official signature this~~ 19th day of October, 2011.

Amanda L. Riska
Amanda L. Riska, Jackson County Clerk