

**MINUTES**  
**JACKSON COUNTY BOARD OF COMMISSIONERS BOARD MEETING**  
**February 15, 2011**  
**7:00 p.m.**  
**County Commission Chambers**

1. **CALL TO ORDER** – Chairman Steve Shotwell called the February 15, 2011, Jackson County Board of Commissioners Meeting to order at 7:00 p.m.
2. **INVOCATION** – *by Commissioner Carl Rice, Jr.*
3. **PLEDGE OF ALLEGIANCE** – *by Chairman Shotwell*
4. **ROLL CALL** – *County Clerk Amanda Riska*

(11) Present at time of Roll Call. Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Williams, Smith, Way, Elwell, and Shotwell. Commissioner Mahoney arrived at 7:04 p.m.

5. **APPROVAL OF AGENDA**

*Moved by Videto, supported by Way for Approval of the Agenda.* Motion carried unanimously.

6. **AWARDS & RECOGNITIONS** – None.

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

8. **SPECIAL ORDERS/PUBLIC HEARINGS**

**A. Proposed Revisions to Animal Control and Protection Ordinance**

Cindy Eby asked for more changes to the ordinance.

Robin Robe-Foote was in support of being more accountable for pet owners.

Joyce Kelly – owners are responsible for pet behaviors.

Bonnie Johnson – disagrees with classification and against insurance

Dave Cox – against provisions for free ranging chickens

Del Anteau – against adding more laws.

Dr. Owings – page 24-25 confusion between dangerous and potentially dangerous. Would like more input before board approves.

Oliver Lindsey – submitted written testimony and would like to make the ordinance harder on those that violate. Moved by Mahoney, supported by Way to receive documentation.

Tony Travino – spoke to the public hearing.

Charles Finch – need to respect rights of owners.

Tammy Weenik – advocates more dog training rather than ordinance revisions.

Ron Acton – supports problem dogs being trained.

Kathy Schwab – does not believe loose dogs should be punished, policy does not stop attacks.

Mike Lauer – believes the ordinance classifies too many animals dangerous.

Jill Johnson – requests a committee to consider changes.

Elizabeth Carroll – breeds are not good predictors of violence.

J.C. Smith – thinks owners should be held responsible and would like the board to take more time to review the policy before passing.

*Moved by Mahoney, supported by Herl to End the Public Hearing.* Roll Call: (12) Yeas.  
Motion carried unanimously.

9. **PUBLIC COMMENTS**

J.C. Smith presented a document to the committee on Agenda 21 – sustainability. Moved by Videto, supported by Duckham to receive documentation.

10. **SPECIAL MEETINGS OF STANDING COMMITTEES**

11. **MINUTES** - Minutes of the 1/3/11 Organizational and 1/18/11 Regular Meetings of the Jackson County Board of Commissioners

Cmr. Lutchka made a correction to the 1/18/11 Minutes under 10. A. 1. The minutes should have stated that the meeting adjourned briefly to allow for the members of the County Policy Committee to meet, not Police Committee.

*Moved by Videto, supported by Duckham to Approve the Minutes of the 1/3/11 Organizational and the Amended Minutes of the 1/18/11 Regular Meeting of the Jackson County Board of Commissioners.* Motion carried unanimously.

12. **CONSENT AGENDA**

*Moved by Mahoney, supported by Williams for Approval of the Consent Agenda.* Roll Call: (12) Yeas. Motion carried unanimously.

A. **County Policy** – None.

B. **County Affairs & Agencies**

1. **Circuit Court – Felony Defendant Contracts – Category 1**

2. **Parks – Approval of Designation of Capital Improvement Funds in the Amount of \$100,000 for Swains Lake Campground Shower/Restroom Facility**

C. Human Services

3. **Local Health Department Grant Contract between the Michigan Department of Natural Resources and Environment (DNRE) and Jackson County Health Department**

D. Personnel & Finance

4. **Sheriff Patrol Vehicle Purchases**
5. **Carryover Requests – District Court, Circuit Court, Parks, IT**
6. **Health Department Request for Two Part-Time Social Workers (MIHP)**
7. **Revised Pension System By-Laws 2011-1**
8. **Confirmation of Audit Firm of Rehmann Robson for the Road Commission for the Period 2010-2013**
9. **Resolution (02-11.6) Authorizing the Jackson County Board of Commissioners to Approve Addendum to Lease No. 11221-2006 Between the County of Jackson, Michigan, and the State of Michigan (Department of Corrections)**
10. **Budget Adjustments**
  - a. **Health Department**
  - b. **Treasurer's Office**
11. **Claims dated 1/1/11 – 1/31/11**

13. **STANDING COMMITTEES**

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

1. **Proposed Revisions to Animal Control and Protection Ordinance**

Discussion held.

*Moved by Elwell, supported by Herl to **Approve Proposed Revisions to Animal Control and Protection Ordinance.** Roll Call: (7) Yeas. Commissioners Herl, Lutchka, Alexander, Shotwell, Mahoney, Way, and Elwell. (5) Nays. Commissioners Rice, Duckham, Videto, Williams, and Smith. Motion carried.*

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

**1. Appointments**

**a. Brownfield Redevelopment Authority**

- Three public members, terms to 3/2014

Cmr. Lutchka stated that the committee recommended James Dunn, Dan Greer, and Natalie Stopyak. No other nominations from the floor. **James Dunn, Dan Greer, and Natalie Stopyak appointed.**

**b. MSU Extension District Advisory Council**

- One Commissioner member, term indefinite

Chairman Shotwell stated that the committee recommended James Videto. No other nominations from the floor. **James Videto appointed.**

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

**D. Personnel and Finance – Commissioner Jim Videto**

**1. Administrator/Controller Search**

*Moved by Videto, supported by Mahoney to **Enter into Contractual Agreement with Springsted, Inc. for Executive Search Services for County Administrator/Controller.***  
Roll Call: (12) Yeas. Motion carried unanimously.

**14. UNFINISHED BUSINESS – None.**

**15. PUBLIC COMMENTS**

Sharon Renier was against the actions taken by the Board. Supports Ad Hoc Committee.

Jim Spink – encouraged including agricultural community on the Ad Hoc Committee.

**16. NEW BUSINESS**

Moved by Way, supported by Elwell to **Form Ad Hoc Committee to Look Further at the Animal Control and Protection Ordinance.** Motion carried unanimously.

**1. Board Retreat – Session 3**

Adam Brown presented options for the 2012 Budget. The Board agreed unanimously to 1) reaffirm the Board's strategic priorities, 2) approve the 2012 target of \$41,358,252, 3) approve the creation of Contingency 1 and Contingency 2 as presented, and 4) allow the Interim Administrator Controller to prepare a legislative agenda for Board approval.

17. **COMMISSIONER COMMENTS**

Cmr. Williams appreciated leadership and staff for being in good financial state.

Cmr. Lutchka announced RED days and requested volunteers.

Chairman Shotwell made an announcement regarding the Citizen of the Year dinner. He also thanked everyone for attending the meeting, and the commissioners for their work on the budget and their support for hiring search firm.

18. **CLOSED SESSION** – None.

19. **ADJOURNMENT**

Chairman Shotwell adjourned the February 15, 2011 Meeting of the Jackson County Board of Commissioners at 9:46 p.m.

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

Amanda L. Riska – County Clerk

Respectfully submitted by Carrienne VanDusseldorp – Chief Deputy County Clerk

**RESOLUTION (02-11.6)**

**Authorizing the Jackson County Board of Commissioners Chair,  
James E. Shotwell, Jr., to Sign Addendum to Lease No. 11221-  
2006 Between the County of Jackson, Michigan, and the State of  
Michigan (Department of Corrections)**

**WHEREAS**, the County of Jackson has vacant space in the Northlawn Building where the State of Michigan Department of Corrections (DOC) Parole Unit is already leasing space; and

**WHEREAS**, the Department of Corrections Parole Unit requested additional space due to increased activity; and

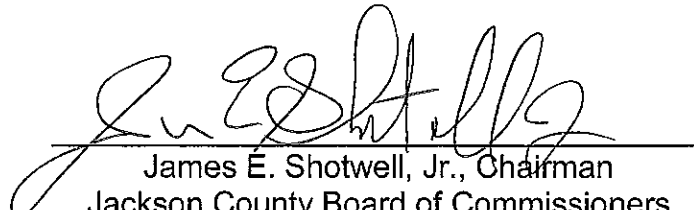
**WHEREAS**, the 1,757 square feet of vacant space at the Northlawn building will meet the needs of the Department of Corrections; and

**WHEREAS**, leasing the additional space to the DOC will increase the county's rent revenue by \$1,196.47 monthly through September 2012, and then by \$1,243.77 monthly through the end of the lease in April 2017; and

**WHEREAS**, because this request involved only revenue and no additional expense, the contract was executed; and

**WHEREAS**, the State of Michigan Department of Corrections Parole Unit requests a resolution from the County to validate the contract.

**NOW, THEREFORE, BE IT RESOLVED**, that the Jackson County Board of Commissioners hereby approves the Addendum to Lease No. 11221-2006 between the County of Jackson, Michigan, and the State of Michigan Department of Corrections Parole Unit and authorizes Board Chair James E. Shotwell, Jr., to sign on behalf of the Jackson County Board of Commissioners

  
James E. Shotwell, Jr., Chairman  
Jackson County Board of Commissioners  
February 15, 2011



**ADDENDUM TO LEASE**

between

**COUNTY OF JACKSON  
A Governmental Unit**

and the

**STATE OF MICHIGAN**

**ADDENDUM # 1**, to Lease No. 11221-2006, by and between County of Jackson as Lessor, whose address is Jackson County Tower Building, 120 West Michigan Avenue, Jackson, Michigan 49201, and the State of Michigan for the Department of Corrections, as Lessee, for property located at Northlawn Building, 1697 Lansing Avenue, 1<sup>st</sup> and 2<sup>nd</sup> floor, Jackson, Michigan.

The purpose of this Addendum is to provide for expansion of an additional 1,757 usable square feet on the second (2nd) floor for a revised total of 6,373 usable square feet of office space on the 1<sup>st</sup> and 2<sup>nd</sup> floors and to adjust the rent accordingly, and update the current notification provision of the lease.

**The following Article II, Paragraph 2.1A, shall be added to this Lease:**

2.1A - Effective July 1, 2010 or upon completion of renovations through April 30, 2017, the Lessor leases to the Lessee and additional 1757 usable square feet of space on the 2<sup>nd</sup> floor for a revised total of 6373 square feet located on the first and second floors, referred to as the "Leased premises", which is outlined on a plan attached as Enclosure "A-1". This square footage is based upon the A.N.S.I. Z65.1 - 1996 method for calculating space.

**Article V, Paragraph 5.4, 5.4A, of this Lease, is deleted in its entirety with the following text being inserted in lieu thereof:**

5.4 - The Lessee shall pay to the Lessor as annual rent consideration for the Leased premises from 12:01 a.m. October 1, 2009, through 11:59 p.m. June 30, 2010, at the rate of Thirty Seven Thousand Seven Hundred Ten and 36/100 dollars (\$37,710.36) per year, payable in installments of Three Thousand One Hundred FortyTwo and 53/100 dollars (\$3,142.53) per month.

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5.4A - The Lessee shall pay to the Lessor as annual rent consideration for the Leased premises from 12:01 a.m. July 1, 2010, through 11:59 p.m. September 30, 2012, at the rate of Fifty Two Thousand Sixty Eight and 00/100 dollars (\$52,068) per year, payable in installments of Four Thousand Three Hundred Thirty Nine and 00/100 dollars (\$4,339) per month.

5.4B - The Lessee shall pay to the Lessor as annual rent consideration for the Leased premises from 12:01 a.m. October 1, 2012, through 11:59 p.m. April 30, 2017, at the rate of Fifty Four Thousand One Hundred Forty Four and 00/100 dollars (\$54,144) per year, payable in installments of Four Thousand Five Hundred Twelve and 00/100 dollars (\$4,512) per month.

**Article XII, Paragraph 12.1, of this Lease, is deleted in its entirety with the following text being inserted in lieu thereof:**

12.1 - Any notice to Lessee required by this Lease shall be complete if submitted in writing and transmitted by personal delivery (with signed delivery receipt), or certified or registered mail return receipt requested. Unless either party notifies the other in writing of a different mailing address, notice to the Lessor and/or Lessee shall be transmitted to:

**Lessor**

County of Jackson  
Jackson County Tower Building  
120 West Michigan Avenue  
  
Jackson, Michigan 49201  
E-mail: rtreache@co.jackson.mi.us  
Telephone: 517-768-6624  
Fax: 517-708-4755

**Lessee**

Deborah M. Roberts, Interim Director  
Real Estate Division  
Michigan Department of Technology,  
Management & Budget  
530 West Allegan Street  
Lansing MI 48933

**CC to Department of Corrections**

Department of Corrections  
Finance  
Grandview Plaza – 5<sup>th</sup> Floor  
2060 East Michigan Avenue  
Lansing, Michigan 48913

The notice shall be deemed effective as of Noon, Eastern Time on the third business day following the date of mailing, if transmitted by mail. Business day is defined as any day other than a Saturday, Sunday, legal holiday, or day preceding a legal holiday. A receipt from a U.S. Postal Service, or successor agency, performing such function shall be conclusive evidence of the date of mailing.

This Lease Addendum shall not be binding or effective on either party until approved by the Lessor, Lessee, Department of Attorney General, Department of Technology, Management & Budget, Building Committee of the State Administrative Board, and the State Administrative Board. If this Lease or any subsequent amendments to it fall within the requirements of 1984 PA 131, as amended, MCL 18.1101 et seq. (Management and Budget Act), this Lease and any subsequent amendments to it shall also require



approval of the Joint Capital Outlay Subcommittee of the Legislature. The effective date of this Lease Addendum is the date that the last State Governmental approval is obtained as set forth on the signature page.


The Lease terms, as modified by Addendum, apply to any renewal options, if exercised.

Except as herein provided, all other provisions of the original Lease apply to this Addendum.

**Add Enclosure A-1, 1 page.**

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessor: County of Jackson

 Date: 10/22/10  
Signature

Print Name: James E. Shotwell, Jr.  
Title: Chairman

State of Michigan, County of Jackson.

The forgoing instrument was acknowledged before me on this 22<sup>nd</sup> day of Oct;

2010, by James E. Shotwell, Jr.  
The Chairman of the Board of County Commissioners, Jackson County.

Seni K. Johnson, Notary Public in the County of Jackson.

Acting in the County of Jackson, State of Michigan.

My commission expires 8-22-2013.

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee: Department of Corrections:

\_\_\_\_\_  
Signature Date: \_\_\_\_\_

Print Name:  
Title:

State of Michigan, County of \_\_\_\_\_.

The forgoing instrument was acknowledged before me on this \_\_\_\_\_ day of \_\_\_\_\_,

2010, by \_\_\_\_\_  
Type or print name(s) of person(s) signing this document

the \_\_\_\_\_, for the Michigan Department of Corrections.

\_\_\_\_\_, Notary Public in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_, State of Michigan.

My commission expires \_\_\_\_\_.

IN WITNESS WHEREOF, the parties to this Lease subscribe their names on the date set forth below:

Lessee:

\_\_\_\_\_ Date: \_\_\_\_\_

Signature

Deborah M. Roberts  
Interim Director, Real Estate Division  
Department of Technology, Management & Budget

State of Michigan, County of Ingham

The foregoing instrument was acknowledged before me on this \_\_\_\_ day of \_\_\_\_\_, 2010, by Deborah M. Roberts, Interim Director of the Real Estate Division of the Michigan Department of Technology, Management & Budget.

\_\_\_\_\_, Notary Public in the County of \_\_\_\_\_.

Acting in the County of \_\_\_\_\_, State of Michigan.

My commission expires \_\_\_\_\_.

This Lease Addendum has been approved as to legal form by the Michigan Attorney General \_\_\_\_\_

This Lease was approved by the Michigan State Administrative Board on