

Jackson County Board of Commissioners Meetings Minutes
April 17, 2007 - Regular Meeting
Jackson County Commissioners Chambers: 7:00 p.m.

CALL TO ORDER:

The meeting was called to order by Chairman, James E. Shotwell, Jr., at 7:00 p.m.

INVOCATION

Commissioner Videto

PLEDGE OF ALLEGIANCE

ROLL CALL - Sandra L. Crowley, County Clerk

Roll Call: (12) Present: Cmrs. Herl, Lutchka, Brittain, Duckham, Poleski, Videto, Mahoney, Brown, Smith, Way, Elwell & Shotwell. Absent: None

APPROVAL OF AGENDA

Chairman Shotwell asked for approval of the agenda to include the handout on their desks which is the Jackson County Economic Proposals-Revised District Court Probation Agents Negotiations.

Moved by Mahoney, supported by Brittain to approve the Agenda as Published. Motion carried unanimously.

AWARDS & RECOGNITIONS

None

COMMUNICATIONS/PETITIONS

None

SPECIAL ORDERS/PUBLIC HEARINGS

None

PUBLIC COMMENT

James Cyphers spoke regarding the transportation that won't be available next month. Please work with JTA and explore all of the options.

Philip Lancaster - Blackman Township is concerned that his transportation options will soon go away. He needs JTA to get around. No cabs have lifts in them. He'd like to go to football games and out to dinner just like the rest of you do. People will be isolated with no transportation.

Estelle Graves - Leoni Township quoted, "If there is no good - then evil prevails." We need to find a way to get these people to and from their jobs. We cannot give up.

William Snyder asked for reappointment to the Region 2 Area Agency on Aging.

John Wilson opposes financial assistance from Jackson County taxpayers to Ramco. Call their bluff and vote no on Ramco subsidies.

Dewey Graves - Leoni Township spoke regarding JTA millage concerns and would appreciate more information as to what's going on.

Public Comment was closed at 7:21 p.m.

SPECIAL MEETINGS OF STANDING COMMITTEES

None

MINUTES:

A. Minutes of the 3/20/07 Regular Board Meeting

Moved by Mahoney, supported by Herl to receive the 3/20/07 Minutes of the Regular Board Meeting of the Jackson County Board of Commissioners. Motion carried unanimously.

CONSENT AGENDA

Moved by Mahoney, supported by Lutchka to Accept the Consent Agenda Items A through E as follows:

A. County Affairs

1. Receive the Register of Deeds 2006 Annual report (provided under separate cover)

B. County Agencies

None

C. Human Services

None

D. Personnel & Finance

2. Budget Adjustments:

a. 12th District Court (page 17)

b. Circuit-Family-Probate Courts (page 18)

c. Fleet/facilities - capital Improvements (page 19)

E. Claims

3. Claims dated 3/1/07 - 3/31/07 as presented to and approved by the Standing Committees

Motion carried unanimously.

STANDING COMMITTEES:

A. County Affairs - Commissioner Lutchka

1. Appointment to Mid-south Substance Abuse Commission (MSSAC) - One Commissioner member, term to 1/09.

Moved by Lutchka, supported by Mahoney to appoint Commissioner Poleski to MSSAC. No other nominations from the floor. Motion carried unanimously.

2. Appointment to Region 2 Area Agency on Aging - One Commissioner member, term to 4/2009.

Moved by Lutchka, supported by Mahoney to appoint Pat Smith to Region 2 Area Agency on Aging. No other nominations from the floor. Motion carried unanimously.

3. Appointment to Region 2 Area Agency on Aging - One public member, term to 4/2009.

Moved by Lutchka, supported by Mahoney to appoint William Snyder to Region 2 Area Agency on Aging. No other nominations from the floor. Motion carried unanimously.

4. Appointments to Emergency Management Advisory Council - Ten members: Sheriff, City Police Chief, City Fire Chief, State Police Jackson Post Commander, Township Fire Chief, Township Police Chief, Emergency Medical Services Provider, Rep. of Jackson County Medical Control and two Public members, terms to 4/2009.

Moved by Lutchka, supported by Mahoney to appoint John Worden and Scott Krebill as the two Public members; Sheriff - Dan Heyns; City Police - Lt. Aaron Kantor; City Fire Assistant - Chief Brian Thurston; Michigan State Police - Lt. Jim Shaw; Township Fire - Jim Hesselgrave; Township Police - Michael Curry; EMS - Dirk Borton; and Medical Examiner - Jill Glair. No other nominations from the floor. Motion carried unanimously.

5. Resolution (04-07.16) Approving a Grant Application to the Michigan Natural Resources Trust Fund (MNRTF) for the Cascades Park Urban Fishing Project.

Moved by Lutchka, supported by Mahoney to adopt Resolution (04-07.16) Approving a Grant Application to the Michigan Natural Resources Trust Fund (MNRTF) for the Cascades Park Urban Fishing Project.

Roll Call: (12) Yeas. Motion carried unanimously.

B. County Agencies - Commissioner Mahoney

1. (2nd Reading) - Adopt a County Fee of \$20 for a Same Day Marriage License (excluding military personnel) Payable to the General Fund.

Moved by Mahoney, supported by Way to Adopt a County Fee of \$20 for a Same Day Marriage License (excluding military personnel) Payable to the General Fund.

Comr. Brittain will be opposing this. Comr. Elwell wanted to clarify this fee. Normally an out-of state license costs \$30 and an in-state is \$20. This Same Day Marriage License Fee is in addition to those fees.

Commissioner Mahoney accepts this addition to her original Motion. Roll Call: (11) Yeas; (1) Nay - Comr. Brittain. Motion carried.

2. Approve Budget Adjustment of \$50,000 for Traffic Safety Enforcement Project.

Moved by Mahoney, supported by Lutchka to Approve the Budget Adjustment of \$50,000 for Traffic Safety Enforcement Project.

Discussion/Comments:

Comr. Way was asked by a constituent tonight who was adamant to persuade the Commission not to pass this for a number of different reasons. Way asked how many officers are dedicated strictly to road patrol. Shotwell responded that it was going to be overtime available to the Sheriff and local law enforcement and wouldn't create any new positions. Way asked again if there are any dedicated officers out there right now just for road patrol, or rather traffic enforcement or do they do multiple tasks.

Comr. Mahoney responded that when the Sheriff came to the Committee Meeting to discuss this, they were advised that right now there are no dedicated officers on patrol to watch traffic. This would give us 1,000 hours to do this specifically so that if a fire happens, this person is going to stay right there and see how many people speed off to the fire. They won't go to the fire and try to take care of the issues there.

Comr. Way asked if this \$50,000 would cover not only the County Sheriff but split up between the City and Townships also? Shotwell responded that it was available to them through the grant process.

Comr. Herl noted that the traffic accident count has been going up per the Sheriff.

Comr. Duckham supports this for other things, but not this. People are traveling less miles. (The rest of Comr. Duckham's response is inaudible due to microphone problems)

Comr. Smith thinks it's a good idea. People run lights all the time and if this is going to enforce this, she's all for it.

Comr. Elwell noted that more and more is being pushed back onto local law enforcement agencies. The number of officers has dropped dramatically in the state. What you find now is a lower number of officers running from complaint to complaint without time to work adequate traffic enforcement. The dollar loss from accidents is greater than the dollar loss from larcenies and break-ins and many other things. This is a legitimate and appropriate thing to do.

Comr. Poleski sat on the committee that suggested this. He is opposed to this if the sole purpose is to raise revenue, however, supports it if the purpose is to improve traffic safety and to have more police on the streets, especially in light of the reduced state-enforcement effort. He's in favor of this particular grant on the short-term experimental basis that we are suggesting tonight.

Comr. Mahoney advised that the Sheriff will give the Commissioners a specific report on this so we can review it and see if it has been successful.

Comr. Brittain has a problem with speed traps, not the traffic safety issue. Fines should be stiffer for the guilty parties that get into the accidents. He will be opposing this.

Comr. Brown sat in on the meeting also and it was nothing about speed traps; just safety for our community. This was going to be one officer and he wouldn't have to handle any other calls.

Chairman Shotwell asks for a vote.

Roll Call: (10) Yeas; (2) Nays - Brittain and Duckham. Motion carried.

C. Human Services - Commissioner Mike Way

1. 2nd Reading to Approve Cremation Fee of \$50.

Moved by Way, supported by Mahoney to Approve the Cremation Fee of \$50.

Roll Call: (12) Yeas. Motion carried unanimously.

2. Approve County Contribution of \$40,000 for Community Health Assessment

Moved by Way, supported by Mahoney to Approve the County Contribution of \$40,000 for Community Health Assessment.

Cmr. Way noted that this is coming from the Health Department's Budget, not the County's.
Roll Call: (12) Yeas. Motion carried unanimously.

D. Personnel and Finance - Commissioner James Videto

No matters to come before the Board.

UNFINISHED BUSINESS

A. Revised Policies

1. 2nd Reading - Board Rules Policy No. 4040 - Agenda

Moved by Mahoney, supported by Lutchka to Approve the Agenda correction to Board Rules Policy No. 4040. Motion carried unanimously.

2. 2nd Reading - Board Rules Policy No. 4070 - Committees

Moved by Mahoney, supported by Herl to Approve Board Rules Policy No. 4070. Motion carried unanimously.

3. New Fiscal Policy No. 1150 - Full Faith and Credit

Moved by Mahoney, supported by Herl to Approve New Fiscal Policy No. 1150 - Full Faith and Credit.

Discussion/Comments:

Cmr. Herl noted that the commissioners received an addition to this being "K". Should this be added on to that as an amendment or is it in the motion itself?

Randy Treacher responded that it was the Policy Committee's recommendation to add that, yes. That was an error on my part that it wasn't added, but, today the Drain Commissioner who has been working with us on that policy, came to me with an Amended "K". He's added some language that the Policy Committee needs to look at. There is some legitimacy as to what he's proposing. There will be a project coming to you between now and the next meeting and you have the option of doing a couple of things. One is to pass the policy without "K", you can pass the policy with "K" as proposed, or you can wait until the next meeting. The proposal by the Drain Commissioner does need to be reviewed.

Cmr. Herl suggests passing the policy without "K" and then we can review this and add it later. It is something the county has needed.

Cmr. Poleski noted that this attachment "K" is a requirement that everyone who is associated with the granting of credit for which the county is expected to give it's full faith and credit is expected to represent that they have had nothing but the county's best interest in mind. He opposes passing this policy without having this language included, but he would be agreeable to amending the policy in the future if we find there's something that needs to be changed.

Cmr. Mahoney agrees with Poleski. The whole intent is to say that we don't want anyone acting that would not have the county's best interest in mind. She believes the policy should be passed with "K" in. The Policy Committee meets tomorrow so we would bring back a recommendation to the Board to amend "K".

Cmr. Lutchka thinks "K" should be in it.

Moved by Mahoney, supported by Poleski to Amend the Motion to add Item "K" that was in your boxes to Policy No. 1150.

Roll Call on Amendment: (12) Yeas. Motion carried unanimously.

Roll Call on Policy No. 1150 with Amendment as worded: (12) Yeas. Motion carried unanimously.

NEW BUSINESS

A. Calling a Special Meeting of the Board of Commissioners for the Equalization Report and other items to be held in the Commission chambers at the County Tower Building at 8:00 a.m. on Saturday, April 28, 2007.

Moved by Mahoney, supported by Poleski to meet on Friday morning, April 27, at 7:30 a.m. to hold a Special Meeting of the Board of Commissioners for the Equalization Report and other items to be held in the Commission Chambers at the County Tower Building.

Chairman Shotwell announced that the first Item died for lack of support and we now have a new Motion and support on the floor to meet Friday morning. (10) Yeas; (2) Nays - Brittain and Videto.
Motion carried

UNFINISHED BUSINESS, revisited

Cmr. Brittain spoke with regards to Attorney Peter Cohl's Opinion on the Road Commission issue about their benefits, wages, vehicles and their health package retirement. This needs to be addressed and set a time-line. They have all these benefits without our approval and have had them for all these years. We've asked them to do a number of things, like the vehicles they're driving around to put emblems on them so we even know they are county vehicles. Now they've got road commission vehicles with no emblems and we've never given them approval to purchase those vehicles to drive and take home and use for their personal use. This has nothing to do with the investigation.

Moved by Brittain, supported by Mahoney to address this Opinion by Peter Cohl by next month.

Discussion/Comments:

Cmr. Elwell asked Randy when the Road Commission investigation will be done. Will it be done by next month?

Treacher responded that he talked to the officer assigned and the officer didn't know when he'd get his answers.

Cmr. Elwell opposes to setting a dead-line on when to act on this benefit thing until the investigation is done. He also believes the two are linked.

Cmr. Videto noted that we have the information and we need to do our part in a timely fashion, but he has a problem with the time-line. It needs to be discussed and come up with the Board's consensus at some time. He won't support the Motion with the time frame built into it.

Cmr. Way agrees it's a high priority, but feels we need to wait until the investigation is done.

Cmr. Herl agrees to wait until the investigation is done and maybe put an Ad Hoc Committee together to look into some of this stuff too.

Cmr. Mahoney asked why the two are linked. One is a matter of their benefits and the fact that we have control over them and the other one is things that are going on at the Road Commission.

Cmr. Elwell thinks the two issues are linked. What rationale are we going to use for deciding if the Road Commissioners get benefits like health insurance, or pension or cars? Is it going to be a public policy decision or based on their performance?

Cmr. Brittain feels they are two separate issues. One is enforceable right now. We could have enforced it two weeks ago if we wanted to call a special meeting. We don't know what their total wage package is, but it's probably close to \$80,000. Shotwell noted that we did receive their wage package two months ago, but doesn't recall what the numbers were.

Cmr. Brown thinks this should be discussed at the next study session on May 4th.

Cmr. Smith doesn't think we should have a time-line for it, but believes it is two different issues. If the state says we're going to have five road commissioners, the whole thing has got to be redone. We will have to revisit the wages, benefits and all of this.

Cmr. Duckham feels these are two different issues. We need to review the plan and when the investigation is done, look at it further.

Moved by Elwell to offer a friendly amendment to Cmr. Brittain's Motion to reflect that there not be a time limit on when we act, but that it be placed on the Agenda for the Study Session coming up on May 4th. Supported by Brittain. Motion carried unanimously.

Chairman Shotwell turned the meeting over to Randy Treacher to present the Jackson County Economic Proposals - Revised for the District Court Probation Agents Negotiations.

Randy advised that this was just approved by their membership yesterday afternoon and rather than wait an entire month to do a retro and so on, we decided to bring it to you. It is very similar, if not exactly the same as other packages and within the parameters the Board has set. You approved four of them two months ago and this is almost verbatim, exactly the same.

Moved by Lutchka, supported by Mahoney to Approve the Jackson County Economic Proposals-Revised District Court Probation Agents Negotiations

Discussion/Comments:

Cmr. Elwell asked why we didn't go into Closed Session. Treacher responded that for the last year and a half, we have stopped doing that. As long as the settlement is within the parameters that the Board set and was discussed in the Closed Session, we bring them directly to the Board.

Cmr. Brittain had a question about # 2, under the Note. The increase per pay, the \$39.16, does that mean bi-weekly or monthly? Randy responded that it is 24 pays, so it will be \$39.16 per pay.

Roll Call: (12) Yeas. Motion carried unanimously.

PUBLIC COMMENTS

William Snyder thanked the Commissioners for his reappointment to the Region 2 Area Agency on Aging.

Public Comment closed at 8:05 p.m.

COMMISSIONER COMMENTS

Randy Treacher asked to speak. He informed the Board that Chairman Shotwell has been recognized by the Great Salk Trail Council of the Boy Scouts for his many, many years of service. A few months ago, Chairman Shotwell received the Silver Beaver Award, the highest honor a Council can bestow to an adult volunteer.

Cmr. Brittain spoke with Rep. Mike Simpson today regarding the Michigan Supreme Court and Appeals Court Judges' use of vehicles and an estimated cost of \$359,000 to taxpayers last year. Rep. Simpson has sponsored a bill to eliminate this.

Cmr. Poleski spoke to the Commission with regards to JTA. He feels the service that is provided is very important and he will continue to work with JTA towards a solution.

Cmr. Brown feels the same way that Cmr. Poleski does about JTA. He is 100% behind it.

Cmr. Herl noted that there's some major work being done on a project in the Jackson area and they are using out-of-town contractors. Someone needs to check into this.

CLOSED SESSION:

None

ADJOURNMENT

Chairman Shotwell adjourned the April 17, 2007 meeting of the Jackson County Board of Commissioners at 8:10 p.m.

James E. Shotwell – Chairman, Jackson County Board of Commissioners
Sandra L. Crowley – Jackson County Clerk