

Jackson County Board of Commissioners Meetings Minutes
April 19, 2005 - Regular Meeting
Jackson County Commissioners Chambers: 7:00 p.m.

CALL TO ORDER:

Chairman Herl called the April 19, 2005 meeting of the Jackson County Board of Commissioners to order at 7:01 p.m.

INVOCATION:

Cmr. Reynolds

PLEDGE OF ALLEGIANCE

ROLL CALL:

(12) Present: Cmr. Lutchka, Brittain, Day, Reynolds, Videto, Shotwell, Mahoney, Berkemeier, Smith, Wilson, Gumbert, & Herl

APPROVAL OF AGENDA:

Moved by Mahoney supported by Videto to Approve the Agenda as published. Shotwell requested to have 12A1a redirected to Committee. *Moved by Mahoney supported by Shotwell to Approve the Agenda as amended.* Motion carried.

AWARDS & RECOGNITIONS:

A. Presentation of the Friends of the Falling Waters Trail, Todd Zeller, President, on the Falling Waters Trail Project

B. Presentation on the 2005 Jackson County Fair, Sally Griffis, Fair Manager

C. Employee of the Month of April 2005- The Department of Aging Kitchen Staff: Lorraine Hunter, Betty Gauze, Linda McCan, Deb Mulvaney, and Ron Madson. Presented by Herl with comments by Kristy Smith, Director Department on Aging and Lura Briggs, Nutrition Supervisor.

COMMUNICATIONS/PETITIONS:

Darren Binkley presented packets to the Clerk. *Moved by Mahoney supported by Brittain to receive the communication from Darren Binkley.* Motion carried.

SPECIAL ORDERS/PUBLIC HEARINGS:

None.

PUBLIC COMMENT:

Public comment began at 7:49 p.m. with Darren Binkley expressing his concern about an e-mail circulating discouraging his involvement in a community-based organization. He was the only person who applied for the public seat on the FOC Advisory Committee, and was led to believe he had the position until this e-mail was circulated. Mr. Binkley passed out a packet of information pertaining to himself. Mr. Binkley is very involved in making changes in Lansing. Mr. Binkley encouraged the Board to reconsider.

John Eiler wanted to give credit to the Weatherwax Foundation, Bill Meadowcroft, and D.D. Miller for the grant to the JCC Flight Center.

Robert Tulloch expressed his concern that he was in the Treasurer's office paying some delinquent taxes and the clerk clicked on a comment field and the comment was "Mr. Tulloch was in today and he was very angry". Mr. Tulloch finds it troubling that the Board would allow their agencies to make subjective interpretations of his attitude and put it in a database. He is asking for an investigation.

Dr. Anna Allen asked the Board for support for the seat on the JPS School Board.

Bill Snyder, the incumbent on the Region II Area Agency on Aging, was not at the last meeting due to a misunderstanding. He is asking for reappointment to the Region II Board.

David Elwell appeared seeking support for appointment on the Community Correction Advisory Board. He also expressed concern regarding the proposed changes to Policy 4070 that would disallow Commissioners to have input when a motion is on the floor, outside of the public comment. There are some Commissioners who care enough to attend committee meetings that they do not serve on, and they should have the right to be heard.

Fred King commended Sally Griffis for bringing in Switchfoot, good Christian rock music to the fair. Mr. King also urged the Fair Board to come to an agreement with the Jackson Raceway. They pay a lot of people and taxes here in Jackson County.

Public comment closed at 8:03 p.m.

SPECIAL MEETINGS OF STANDING COMMITTEES:

A. County Affairs-2005 Equalization Report

CONSENT AGENDA ITEMS:

Moved by Mahoney supported by Reynolds to Approve the Consent Agenda Items A through I as contained in following Consent Agenda List:

- A. *Minutes of the March 22, 2005 Jackson County Board of Commissioners Meeting.*
 - B. *Claims dated March 1, 2005 – March 31, 2005 as presented to and approved by the Standing Committees.*
 - C. *Request to approve the 2004 Register of Deeds Annual Report*
 - D. *Request for Imprest Cash for the Short Course in amount of \$400.*
 - E. *Request for amendment to 2004 Grant (Supplemental), which will increase the State Remonumentation grant from \$73,825 to \$12,568.50 due to the availability of additional funds. Money is to be used between October 2004 and September 2005.*
 - F. *Renewal of Road Patrol Services Contract for Summit Township*
 - G. *Budget adjustment to move encumbered funds from 2004 budget to 2005 budget for renovations to the vacated Health Department Building.*
 - H. *Budget Adjustment to reflect changes in grant amounts for the Health Department*
 - I. *Growing Food System Economic Development: Strong Farms, Healthy Cities, High-Quality Jobs – University of Michigan Business School/Michigan State University Extension.*
 - J. *4-H Foundation Agreement to waive GIS fees.*
- Motion carried.

STANDING COMMITTEE REPORTS:

A. **County Affairs: Commissioner John Day**

1. Committee Appointments:

- a) *Moved by Day supported by Berkemeier to recommend the appointment of Margaret Rice to the Mid-South Substance Abuse Commission. Moved by Mahoney supported by Wilson to close nominations and cast a unanimous ballot.* Motion carried.
- b) *Moved by Day supported by Reynolds to recommend the appointment of James Glenn to the public seat on the Brownfield Redevelopment Authority. Moved by Shotwell supported by Reynolds to close nominations and cast a unanimous ballot.* Motion carried.
- c) *Moved by Day supported by Reynolds to recommend the appointment of Kathryn Keersmaekers to the Public Utility or Road Commission seat on the Brownfield Redevelopment Authority. Moved by Mahoney supported by Wilson to close nominations and cast a unanimous ballot.* Motion carried.
- d) *Moved by Day supported by Mahoney to recommend the appointment of James Dunn to the Township Supervisor seat on the Brownfield Redevelopment Authority. Moved by Shotwell supported by Smith to close nominations and cast a unanimous ballot.* Motion carried.
- e) *Moved by Day supported by Mahoney to recommend Dan Greer to the City Council seat on the Brownfield Redevelopment Authority. Moved by Mahoney supported by Berkemeier to close nominations and cast a unanimous ballot.* Motion carried.
- f) *Moved by Day supported by Mahoney to recommend the appointment of Cmr. Pat Smith to the Region II Area Agency on Aging. Moved by Mahoney supported by Lutchka to close nominations and cast a unanimous ballot.* Motion carried.

g) *Moved by Day to recommend the appointment Harvey Johnson to the public seat on the Region II Area Agency on Aging. Moved by Mahoney supported by Reynolds to nominate Bill Snyder.* Mahoney said that Mr. Snyder was given some misinformation on which committee meeting to attend to request re-appointment. *Moved by Mahoney supported by Gumbert to close nominations and proceed to ballot.* Roll call: Snyder (11): Cmsrs. Lutchka, Brittain, Day, Reynolds, Videto, Mahoney, Berkemeier, Smith, Wilson, Gumbert, & Herl. Johnson (1): Cmr. Shotwell.

h) *Moved by Day supported by Reynolds to recommend the appointment of John Worden to the public seat on the Emergency Management Advisory Council. Moved by Shotwell supported by Brittain that nominations be closed and cast a unanimous ballot.*

i) *Moved by Day supported by Reynolds to recommend the appointment of David Elwell to the public seat on the Community Corrections Advisory Board. Moved by Shotwell supported by Wilson to close nominations and cast a unanimous ballot.* Motion carried.

2. Juli Kolbe presented the 2005 Equalization Report. Berkemeier expressed surprise at the real property value in Tompkins. Ms. Kolbe explained that there were a few million dollar houses built in that area. Brittain asked how long the Kinder Morgan plant would be in a Renaissance Zone. Ms. Kolbe answered that it is indefinite. Wilson asked if Kinder Morgan pays taxes to schools. She answered that they pay the debt millage. *Moved by Day supported by Berkemeier to accept the 2005 Equalization Report.* Roll call: (12) Yeas. Motion carried unanimously.

B. County Agencies: Commissioner Judy Reynolds:

No report.

C. Human Service: Commissioner Phil Berkemeier:

1) *Moved by Berkemeier supported by Mahoney to support the Community Services Block Grant Resolution (04-05.19) continued federal funding for Community Action Agency Programs.*

Wilson stated that he would not be supporting this motion as President Bush has other options. This keeps poor people poor by not encouraging them to improve themselves. It would be a mistake to send our support to our representatives.

Mahoney said that not only does eliminating this community block grant affect Community Action Agency, but numerous others like COPS, Community Corrections, and work force development. The Community Action Agency specifically asked the Board to support this action. Head Start does a great job providing support to our public schools.

Wilson responded that the Head Start program is not proven effective. Wilson feels that the Community Action Program is a "make work program that keeps unemployable people employed."

Mahoney said that Marsha Kreucher will be at the Committee of the Whole meeting with an annual report with documentation from Michigan State University and the University of Michigan showing the good work that they do.

Roll call: (10) Yeas. Cmsrs. Lutchka, Day, Reynolds, Videto, Shotwell, Mahoney, Berkemeier, Smith, Gumbert, & Herl. (2) Nays. Cmsrs. Brittain and Wilson.
Motion carried.

D. Personnel & Finance: Commissioner James Videto:

Moved by Videto supported by Reynolds to approve the adoption of the amendment to Board Policy 4070. Day expressed concerns pertaining to the amendment. If it limits interaction, he is not in favor of it. Mr. Elliott explained that this amendment would add public comment to the committee agenda, much like the regular board meetings. Mahoney finds that it is very confusing and disruptive to have people talking while the committee is conducting business. Gumbert agrees with Mahoney, and that the committees need structure. The chair can always ask for a motion to suspend the rules. Brittain will be opposing. He feels that the public or commissioners should be able to speak to an issue when it comes up, instead of at the beginning of the meeting. Mahoney said that we are trying to bring reasonable communication to the meetings. Wilson feels that this discourages public involvement. We can't call another commissioner with our feelings on a subject because it violates the Open Meetings Act. If we have a position we want heard it should be done in the open. Mahoney requested a roll call vote. Brittain pointed out that the Chair and the Vice-Chair are allowed to vote if there were not a quorum, and asked would they be allowed to talk? If so, that's not fair to the other commissioners. It could happen that a Chair doesn't like someone

so they would refuse to suspend the rules. Roll call: (8) Yeas. Cmr. Lutchka, Reynolds, Videto, Shotwell, Mahoney, Berkemeier, Gumbert, & Herl. (4) Nays. Cmr. Brittain, Day, Smith, & Wilson. Motion carried.

UNFINISHED BUSINESS:

None.

NEW BUSINESS:

None.

PUBLIC COMMENT:

Public comment began at 8:38 with Bill Snyder thanking the Board for their appointment.

Darren Binkley said that he noticed the Board didn't vote on his appointment, he assumes it was sent back to committee. The Chair of the committee, Eric White sent a letter of recommendation in the packet that was passed out earlier. Mr. Binkley would like to be informed of when the committee meets to discuss the appointment. He's very frustrated that something that was unanimous a few days ago is now sent back to committee because of an e-mail. That certainly discourages people from getting involved.

COMMISSIONER COMMENT:

None.

CLOSED SESSION:

Moved by Mahoney supported by Lutchka to go into Closed Session to discuss a legal opinion by Attorney Kevin Thomson regarding a contract with Jackson Trotting Association LLC and/or MTR Gaming Group, Inc. and their subsidiary Jackson Racing, Inc. Roll call: (12) Yeas. Motion carried unanimously. Mr. Elliott stated that there was no request to go into Closed Session to discuss collective bargaining.

The Jackson County Board of Commissioners went into Closed Session at 8:42 p.m.

Moved by Mahoney supported by Day to return to Open Session. Motion carried. Open Session reconvened at 9:08 p.m.

Moved by Mahoney supported by Brittain to authorize the Chair to sign a letter of agreement between Jackson Trotting Association regarding the Jackson Harness Raceway and to allow the Chair to sign the full contract on behalf of the Board of Commissioners once we have an agreement. Mahoney requested a roll call vote. Roll call: (11) Yeas. Cmr. Lutchka, Brittain, Day, Reynolds, Videto, Shotwell, Mahoney, Berkemeier, Smith, Gumbert, & Herl. (1) Abstain. Cmr. Wilson.

ADJOURNMENT:

The April 19, 2005 meeting of the Jackson County Board of Commissioners was adjourned at 9:10 p.m.

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