

**MINUTES**  
**JACKSON COUNTY BOARD OF COMMISSIONERS BOARD MEETING**  
**May 17, 2011**  
**7:00 p.m.**  
**County Commission Chambers**

1. **CALL TO ORDER** – Chairman Steve Shotwell called the May 17, 2011, Jackson County Board of Commissioners Meeting to order at 7:00 p.m.

2. **INVOCATION** – *by Commissioner Videto*

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

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

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

5. **APPROVAL OF AGENDA**

Acting Administrator/Controller Adam Brown asked that Item 6. B. be removed from the Agenda to give the Library time to make a decision.

*Moved by Way, supported by Duckham for Approval of the Agenda as Amended.* Motion carried unanimously.

6. **AWARDS & RECOGNITIONS**

A. **Proclamation Honoring the Civilian Pilot Training Program and World War II Aviators**

~~B. **Proclamation Supporting a Permanent Home at the Carnegie Library for Two Stained Glass Windows Featuring Jackson's Black Civil War Veterans**~~

C. **Proclamation Supporting the Hanover School Centennial**

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

8. **SPECIAL ORDERS/PUBLIC HEARINGS**

A. **Public Hearing – Resolution (05-11.14) Approving the Brownfield Redevelopment Plan for K2 Property, LLC in Summit Township (1361 Old McDevitt) a Brownfield Redevelopment**

No public comment.

B. **Public Hearing – Register of Deeds and County Clerk Merger**

Ron Ellison, President of American Title Company, spoke against the idea of merging the departments.

Mindy Reilly expressed concern over the decision to merge the Clerk and Register of Deeds Offices.

Cmr. Duckham said he would probably not support the merger at this point.

Cmr. Rice talked about information he heard from different sources.

Cmr. Herl is not in favor of this merger.

A link was added to the main page of the website to allow for electronic communication regarding the merger.

*Moved by Way, supported by Elwell to receive correspondence from Timothy McDonnell Michigan Land Title Association, Barbara Runyon – Cass County Clerk/Register, Bambi Somerlott – MARD President, and Fran Fuller – Eaton County Clerk/Register.*

9. **PUBLIC COMMENTS**

John Wilson requested the County consider short-term financial assistance to the City of Jackson to prevent a financial manager from being assigned.

10. **SPECIAL MEETINGS OF STANDING COMMITTEES**

11. **MINUTES** - Minutes of the 4/19/11 Regular Meeting of the Jackson County Board of Commissioners

*Moved by Videto, supported by Way to Approve the Minutes of the 4/19/11 Regular Meeting of the Jackson County Board of Commissioners.* Motion carried unanimously.

12. **CONSENT AGENDA**

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

A. **County Policy**

1. **Revised/Reviewed Policies**

- Fiscal Policy 1120 – Interfund Borrowing-Temporary Cash Deficit Policy
- Personnel Policy 4010 – Authority
- Personnel Policy 4020 – Organizational Meeting
- Personnel Policy 4050 – Procedures

B. **County Affairs & Agencies**

2. **2011 Taxable Values and 2011 Millage Request**
3. **Resolution (05-11.14) Approving the Brownfield Redevelopment Plan for K2 Property, LLC in Summit Township (1361 Old McDevitt) and Public Hearing**
4. **Resolution (05-11.15) Approving a Grant Application to the Michigan Recreation Passport Grant Program for the Swain's Lake Restroom Renovation Project**

5. **Register of Deeds 2010 Annual Report**

C. **Human Services**

6. **Cat Sale – 2<sup>nd</sup> Reading and Approval**

7. **Microchip Pricing – 2<sup>nd</sup> Reading and Approval**

D. **Personnel & Finance**

8. **Budget Adjustments – Friend of the Court**

E. **Other Business**

9. **Claims dated 4/1/11 – 4/30/11**

13. **STANDING COMMITTEES**

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

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

1. **Appointments**

a. **Retirement, one Chair appointment, term to 5/2014**

Comr. Lutchka stated that the committee recommended Gerard Cyrocki. No other nominations from the floor. Gerard Cyrocki appointed.

b. **Veterans Affairs, one Persian Gulf member, term to 3/2015**

Comr. Lutchka stated that the committee recommended Earl W. Smith, II. No other nominations from the floor. Earl W. Smith, II appointed.

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

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

14. **UNFINISHED BUSINESS – None.**

15. **NEW BUSINESS - None.**

16. **PUBLIC COMMENTS**

None

17. **COMMISSIONER COMMENTS**

Comr. Lutchka proposed a challenge to the Jackson City Council for an ice cream scooping contest.

Cmr. Videto expressed appreciation for the comments made with regard to the Clerk/Register of Deeds merger.

Cmr. Williams thanked Amy Torres for the information on the Brownfield item.

Cmr. Mahoney said she will be back to vote on the Clerk/Register of Deeds issue.

18. **CLOSED SESSION** – None.

19. **ADJOURNMENT**

Chairman Shotwell adjourned the May 17, 2011 Meeting of the Jackson County Board of Commissioners at 7:49 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

# EATON COUNTY CLERK'S OFFICE

*Fran Fuller*  
Clerk and Register of Deeds

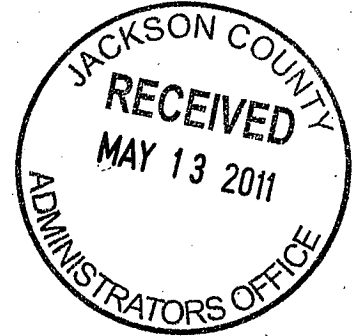
*Denise Dyson*  
Chief Deputy Clerk

1045 Independence Blvd.  
Charlotte, MI 48813

517-543- 2426 or 517-485-3417 Ext. 2426  
Fax 517-541-0666

May 9, 2011

Jackson County Board of Commissioners  
C/o Adam Brown  
Jackson County Administrator  
120 West Michigan Avenue  
Jackson MI 49201



To the Jackson County Board of Commissioners,

My name is Fran Fuller and I am the County Clerk and Register of Deeds in Eaton County. I've worked for Eaton County for over 37 years. During that time I've worked in the Circuit Court Clerk's office, 4 years as Chief Deputy in the Register of Deeds Office and the bulk of my years in the County Clerk's Office. The 3 offices are located in 3 different parts of the Courthouse. I am writing today to urge you to reconsider your thoughts on consolidating the County Clerk and Register of Deeds Offices. There are so many reasons **not** to consolidate that I cannot list them all in this letter. I'll focus on just a few.

While serving as Chief Deputy in the Register of Deeds Office I was responsible for;

- Creating and balancing the office budget
- Hiring and firing employees
- Handling employee issues
- Attending Finance Committee meetings of the Board of Commissioners
- If the Tech Fund had been in existence I would have managed that budget as well

These duties were my responsibility because the Clerk/Register was too busy in the Clerk's Office. I was considered a Department Head and attended all Department Head meetings and was in the Administrative Group for benefits. In all responsibilities I was like the other Department Heads and Elected Officials, except one and that was pay. My pay was not comparable to my peers and we saw little of the Clerk/Register.

When I was elected County Clerk & Register of Deeds and moved to the County Clerk's Office, I told myself I would make it a point of visiting the Register of Deeds Office each day to keep up with what was going on. That promise didn't last long as the responsibilities in the County Clerk's Office keep me in the Clerk's Office most of the time. 94% of my time is spent in the Clerk's Office, 4% in the Court Office and 2% in the Register of Deeds Office. My Chief Deputy attends more Register of Deeds conferences and district meetings than I because I'm not available.

I often defer to my Chief Deputy when situations arise that I'm not familiar with. Case in point; this morning with my Chief Deputy on vacation, a Register of Deeds employee asked me a question I could not answer concerning the recording of a Federal Tax Lien. I checked the MARD handbook and finally had to contact a neighboring County's Register of Deeds to obtain the answer.

I am sure if these offices are combined the new Clerk/Register and the Chief Deputy would expect and deserve increases in salary due to their increased responsibilities, work load, number of

employees to supervise and knowledge of the offices. *Remember, if there is a savings because of the consolidation, the Clerk/Register and Chief Deputy are not receiving the salaries he/she deserves for the responsibility involved. If the Clerk/Register and Chief Deputy receive the deserved salaries, there is no savings.*

In closing I would strongly encourage you to reconsider the combination of the County Clerk and Register of Deeds Offices.

Respectfully,

---

*Fran Fuller*

Fran Fuller  
Eaton County Clerk and Register of Deeds

**Board of Directors 2010-2011**

**Officers:**

**President:** Timothy J. McDonnell  
Old Republic National Title Insurance Co.  
4000 Main St. Suite 150  
Bay Harbor, MI 48779  
Phone: 313-599-4375 Fax: 734-780-8413  
timcdonnell@oldrepublictitle.com

**President-elect:** Catharine B. LaMont  
LaMont Title Corporation  
355 W. East St., Suite 1750  
Detroit, MI 48226  
Phone: 313-963-3100 Fax: 313-963-5455  
clmont@lamonttitle.com

**Secretary-Treasurer:** Allan G. Dick  
Best Homes Title Agency, LLC  
23933 Research Drive, Suite 100  
Farmington Hills, MI 48335  
Phone: 248-286-3800 Fax: 248-286-3801  
adick@besthomestitle.com

**Directors:**

**Diana Parker**  
First American Title Insurance  
390 Spaulding Ave. S.E.  
Ada, MI 49301  
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dparker@firstam.com

**Robert Wittefel**  
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**Lisa A. Cicinelli**  
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**Meredith Weingarden**  
Fidelity National Title Group  
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mweingarden@fnt.com

**Marcy Welburn**  
Transunion Title Agency of Michigan  
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mwelburn@transu.com

**Jeff Basil**  
Safe Title  
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Grand Haven, MI 49417  
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jbasil@safetitle.net

**Past President & Ex-Officio Officers:**

**Douglas D. McFarlane**  
Corporate Title Agency  
100 East Broadway  
McTearaut, MI 48858  
Phone: 989-773-3241 Fax: 989-773-6221  
dmcfarlane@corporatetitle.com

**Executive Director:**

**Marcy Lay**  
Cynthia Kandler & Reed, Inc.  
124 W. Allegan, Suite 1700  
Lansing, MI 48933  
Phone: 517-374-7778 Fax: 517-908-0079  
ED@milta.org



**MICHIGAN LAND TITLE ASSOCIATION**

Integrity ♦ Responsibility ♦ Service

124 W. Allegan, Suite 1700 • Lansing, MI 48933

Phone: 517-374-2728 • Fax: 517-908-0079

May 17, 2011

Jackson County Board of Commissioners  
120 W. Michigan Avenue  
Jackson, MI 49201

RE: Combining the Offices of the Jackson County Clerk and  
Jackson County Register of Deeds

Dear Board of Commissioners:

The Michigan Land Title Association (MLTA) has been made aware of the proposal being considered by the Jackson County Board of Commissioners to combine the Offices of the County Clerk and the Register of Deeds, thereby creating a single elected office of County Clerk/Register of Deeds to manage the combined offices. There are a number of counties across the State of Michigan with combined Clerk/Register offices and it has been our experience that this has worked well in some areas and not so well in others. We realize that county governments are under increased pressure to reduce the operating costs of all county departments and understand why this option is being explored. However, we feel compelled to express our areas of concern regarding the proposed combination of these two offices.

The land title industry relies on convenient, reasonably-priced access to up-to-date land records in order to issue title insurance required for the sale and/or financing of most real estate transactions. Based on feedback from MLTA members in the Jackson County area, Mindy Reilly and her staff are doing an excellent job. The Jackson County Register of Deeds Office is operated in a very efficient and customer friendly manner. The office provides convenient access to land records including online access that is available 24 hours a day for a reasonable fee. Additionally, the land records in Jackson County are posted in a very timely fashion and are among the most current in the State of Michigan. The MLTA would be very concerned if the proposed combination of the Clerk and Register of Deeds offices will in any way impede the Register of Deeds office ability to provide the exceptional services we have come to expect.

The MLTA is very interested in the continued use of new technology and automation within Register of Deeds offices across the state. The Jackson County Register of Deeds has made excellent use of the Automation Fund established by statute in MCL 600.2567 and MCL 600.2568. These statutes dictate that a portion of each recording fee be set aside for the establishment of an Automation Fund. The Automation Fund is to be used to upgrade technology, systems and procedures in the Register of Deeds Office.

Website: [www.milta.org](http://www.milta.org)

Executive Director: [ED@milta.org](mailto:ED@milta.org)

Should the Clerk and Register of Deeds offices combine, the MLTA would expect that the integrity of the Automation Fund be maintained for exclusive use in the Register of Deeds office pursuant to the statutes listed above. The MLTA would be very much opposed to any effort to use these funds for any other purpose.

In addition, the combination of these two offices could create a situation where one office will effectively be managed by a county employee rather than an elected official who is ultimately accountable to the voters. This has occurred in other counties across Michigan. The County Clerk's office has significant responsibilities with regard to maintaining the vital records, court records and managing the election process. The Register of Deeds is responsible for maintaining the integrity of the land records that are the basis for the ownership of the most valuable assets of the citizens of Jackson County. If these offices are to run efficiently and effectively for the citizens of Jackson County, they must be properly staffed to provide the services required. While the combination of the two offices may eliminate the salary of one elected official, it will most likely result in the creation of additional county personnel to account for the functions currently being handled by the elected position to be eliminated.

In closing, I hope the concerns of our industry are given strong consideration as you review the proposal to combine the County Clerk and Register of Deeds offices. Please contact me if you have any questions regarding the content of this letter or would like further feedback from the Michigan Land Title Association.

Thank you in advance for your time and consideration.

Sincerely,



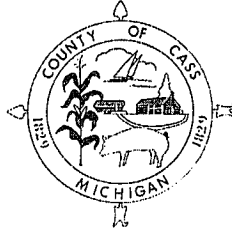
Timothy J. McDonnell  
President—Michigan Land Title Association

cc. File



# COUNTY OF CASS

**Barbara Runyon, Clerk/Register**  
Monica Kennedy, Chief Deputy Clerk/Register  
Paulette Nodruff, File Room Supervisor



Circuit Court File Room  
60296 M-62 – Suite 10  
Cassopolis, MI 49031  
(269) 445-4416 phone  
(269) 445-4453 fax

Post Office Box 355  
120 N. Broadway  
Cassopolis, MI 49031  
(269) 445-4464 phone  
(269) 445-4408 fax



May 12, 2011

Adam Brown  
Jackson County Administrator  
120 West Michigan Avenue  
Jackson MI 49201

Dear Mr. Brown:

It has come to my attention that Jackson County is considering combining the County Clerk and Register of Deeds Offices in 2012. As a County Clerk/Register of Deeds in Cass County, I would strongly urge you to reconsider.

Cass County combined offices in 1992. I was elected to office in 2004. When I ran for office, I thought I knew what the job entailed, which was far from true. It's easy to look from the outside in and think you know what the office does, but until you work it, you don't know. I didn't know.

The County Clerk is responsible for so many important functions, such as, elections, vital records, passports, concealed weapons permits, secretary to various boards, Clerk of the Circuit Court, and other sundry of items. The Register of Deeds has the important role of maintaining all the land records in the County. I've often wondered why these offices were ever combined. What does the County Clerk have to do with land records, or the Register of Deeds have to do with elections or vital records?

The Clerk and Register of Deeds Offices are so diverse I find it extremely difficult to keep up with the constant changes. Elections alone have become so complex, with new requirements each election cycle; it's become a full-time job.

My experience is that I've been so busy with the Clerk's aspect of the job, that the Register of Deeds Office does not get the attention it deserves. Even with an exemplary Chief Deputy Clerk/Register, it's extremely difficult. I've spoken with other Clerk/Registers and they, too, have echoed my concerns. The Register of Deeds is such an important office, and deserves an elected official who serves the public on a full-time basis.

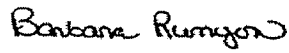
*[Faint, illegible text]*

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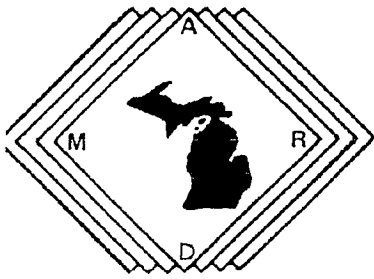
I realize every county is looking for area to cut their budget, but I would recommend that you do not combine the County Clerk and Register of Deeds. Why cut corners at the expense of the public? Please consider how this will adversely impact Jackson County and the citizens of Jackson County.

Thank you for your consideration.

Respectfully,

A handwritten signature in cursive script that reads "Barbara Runyon".

Barbara Runyon  
Cass County Clerk/Register



# Michigan Association of Registers of Deeds, Inc.

May 10, 2011



**2011**  
**EXECUTIVE BOARD**

**President**

*Bambi Somerlott*  
Hillsdale County

**1<sup>st</sup> Vice President**

*Vicki Daniels*  
Lenawee County

**2<sup>nd</sup> Vice President**

*Nancy Hutchins*  
Branch County

**3<sup>rd</sup> Vice President**

*Curtis Hertel, Jr.*  
Ingham County

**Treasurer**

*Mildred Dodak*  
Saginaw County

**Secretary**

*Sally Reynolds*  
Livingston County

Adam Brown  
Jackson County Administrator  
120 West Michigan Avenue  
Jackson MI 49201

Mr. Brown,

At Monday's meeting of the full board of the Michigan Association of Registers of Deeds, Inc. it was the unanimous decision of the entire board to pass a resolution opposing the combination of the County Clerk and Register of Deeds Offices; a copy of this resolution accompanies this letter.

I have kept abreast of the Jackson County proceedings via Mlive.com and it appears that you have no illusions to the potential outcome of this decision. I applaud your candor but question why, given your acknowledgment; perhaps your caution to the commissioners would be a better term; that this may strain staff and subordinate one office to the other the county has chosen to proceed. Discussions I have had with real estate professionals in the area indicate these hearings are perfunctory; the decision has, in essence, been made.

I thank you for your time and respectfully request you include the accompanying resolution to your May 17<sup>th</sup> board packet.

Regards,

Bambi Somerlott  
MARD President



# Michigan Association of Registers of Deeds, Inc.

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2011

## EXECUTIVE BOARD

### **President**

*Bambi Somerlott*  
Hillsdale County

### **1<sup>st</sup> Vice President**

*Vicki Daniels*  
Lenawee County

### **2<sup>nd</sup> Vice President**

*Nancy Hutchins*  
Branch County

### **3<sup>rd</sup> Vice President**

*Curtis Hertel, Jr.*  
Ingham County

### **Treasurer**

*Mildred Dodak*  
Saginaw County

### **Secretary**

*Sally Reynolds*  
Livingston County

It appears that in an effort to cut costs county commissions across the state are exploring the possibility of combining the clerk and the register of deeds offices. Justifications vary but in the majority of recent public hearings it has been primarily opportunistic; the retirement of long-serving incumbents. This association has yet to see a report where the financials are based on realistic cost analyses or a clear-eyed vision of the responsibilities of these two, distinct, constitutionally mandated offices.

Therefore to avoid the risk of compromising the integrity and service of these constitutional offices for a questionable monetary net gain let it be resolved the Michigan Association of Registers of Deeds, Incorporated oppose the combination of the Clerk and Register of Deeds Offices.

This resolution passed unanimously this ninth day of May, 2011.

Bambi Somerlott, President

**JACKSON COUNTY, MICHIGAN**

**RESOLUTION (05-11.14)  
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 17<sup>th</sup> day of May 2011, at 7:00 p.m.

PRESENT: (12) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Smith, Way, Elwell, and Shotwell.

ABSENT: (0)

MOTION BY: Commissioner Videto

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 K2 Property, LLC. located at 1361 Old McDevitt 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 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: (12) Commissioners Herl, Lutchka, Rice, Duckham, Alexander, Videto, Mahoney, Williams, Smith, Way, Elwell, and Shotwell.

NAYES: (0)

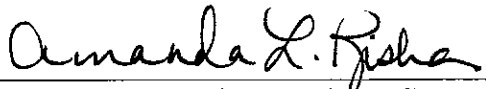
ABSTAINED: (0)

**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 17<sup>th</sup> day of May, 2011, the original of which resolution is on file in my office.

IN WITNESS WHEREOF, I have hereunto set my official signature this 18<sup>th</sup> day of May, 2011.

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

***RESOLUTION (05-11.15)***  
**Approving a Grant Application to the**  
**Michigan Recreation Passport Grant Program**  
**For the Swain's Lake Restroom Renovation Project**

*WHEREAS*, the Jackson County Parks and Recreation Commission has adopted a five-year Recreation Plan for 2010-2014 that identifies a project to renovate the restroom/shower facility at Swain's Lake Campground and County Park; and

*WHEREAS*, the Parks and Recreation Commission wishes to apply to the Michigan Recreation Passport Grant Program for a grant to assist with funding the restroom renovation project at Swain's Lake Campground and County Park; and

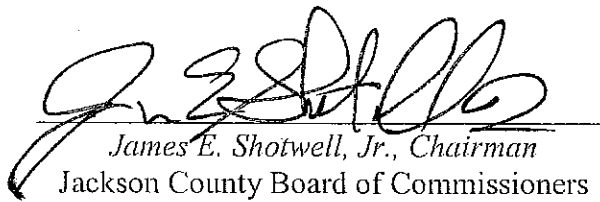
*WHEREAS*, \$115,000 has been committed to the project through the County Board of Commissioners and the Jackson County Parks Association; and

*WHEREAS*, the Jackson County Parks will request \$30,000 from the Michigan Recreation Passport Grant Program as an additional funding source for the \$225,000 renovation project; and

*WHEREAS*, remaining project funds will come from companies, area foundations, and private donors; and

*WHEREAS*, the Jackson County Parks and Recreation Commission assures that the project will be undertaken, barring unforeseen circumstances, should the grant be awarded; and

***NOW, THEREFORE, BE IT RESOLVED***, that the Jackson County Board of Commissioners supports the funding application to the Michigan Recreation Passport Grant Program for the Swain's Lake Campground and County Park Restroom Renovation Project.

  
James E. Shotwell, Jr., Chairman  
Jackson County Board of Commissioners  
May 17, 2011