

**Jackson County Board of Commissioners Meetings Minutes**  
**May 20, 2008 - Regular Meeting**  
**Jackson County Commissioners Chambers: 7:00 p.m.**

**CALL TO ORDER:**

Chairman Shotwell called the May 20, 2008 meeting of the Jackson County Board of Commissioners to order at 7:01 p.m.

**INVOCATION:** by Commissioner James V. Videto

**PLEDGE OF ALLEGIANCE:** by Chairman Steve Shotwell

**ROLL CALL:** County Clerk Amanda L. Riska

(10) Present: Commissioners Herl, Lutchka, Brittain, Poleski, Videto, Brown, Smith, Way, Elwell, and Shotwell.

(2) Absent: Commissioners Duckham and Mahoney.

**APPROVAL OF AGENDA:**

Cmr. Elwell added the item Pension under New Business Item 15. C.

Cmr. Herl Special Meeting on June 6, 2008 at 7:30 a.m. at the Jackson County Fairgrounds.

Cmr. Poleski deleted Item 8. A. Jackson County Employees' Retirement System By-Law Amendment – Section 27.

Addition of item 15.D – Special Board Meeting date set for June 6, 2008 at 7:30 a.m. regarding Sponsorship Contracts with the County Fair.

*Moved by Brown, supported by Herl for the approval of the agenda as amended.* Motion carried.

**AWARDS & RECOGNITIONS**

None.

**COMMUNICATIONS/PETITIONS**

None.

**SPECIAL ORDERS/PUBLIC HEARINGS:**

A. Jackson County Employees' Retirement System By-Law Amendment

**PUBLIC COMMENT:**

Jack Hurla spoke regarding the incinerator.

Herb Howard stated that he was running for County Commissioner in District 3.

Patricia Rayl stated that she was applying for a position on the Upper Grand River Watershed Council.

Janet Rochefort spoke regarding Elected Official health insurance.

**SPECIAL MEETINGS OF STANDING COMMITTEES:**

None.

**MINUTES:**

Minutes of the 4/15/08 Regular Meeting of the Jackson County Board of Commissioners Meeting minutes.

*Moved by Elwell, supported by Videto for approval of the meeting minutes from the 4/15/08 Regular Meeting of the Jackson County Board of Commissioners.* Motion Carried.

**CONSENT AGENDA:**

*Moved by Herl, supported by Brown for approval of the consent agenda.* Roll call: (10) Yeas. Motion carried unanimously.

**A. County Affairs - None**

**B. County Agencies**

1. Inmate Telephone System

**C. Human Services**

2. Smiles on Wheels Request for Use of Vacant Room #261 in the Human Services Building on a Semi-Permanent Basis

**D. Personnel & Finance**

3. Document Imaging Solution for Friend of the Court

4. Dependent Eligibility Audit Review

5. Budget Adjustments

- a. Child Care Fund
- b. Department on Aging
- c. Parks

**E. Claims - 3/1/08 – 3/31/08**

**STANDING COMMITTEES:**

**A. County Affairs – Commissioner Dave Lutchka**

1. May 2008 Appointments

a. Region 2 Area Agency on Aging – one public member, term to 4/31/2010

Cmr. Lutchka stated that the committee recommended Brenda Abbey. Cmr. Poleski nominated Arlene Shepherd. Roll Call: (4) Abbey. Cmr. Lutchka, Brittain, Smith, and Way. (6) Shepherd. Cmr. Herl, Poleski, Videto, Brown, Elwell, and Shotwell.

Second round of voting between Brenda Abbey and Arlene Shepherd. Roll Call: (2) Abbey. Cmr. Brittain and Smith. (8) Shepherd. Cmr. Herl, Lutchka, Poleski, Videto, Brown, Way, Elwell, and Shotwell. *Arlene Shepherd appointed.*

b. Jackson County Employees' Retirement System – one appointed position, term to 5/31/2011

Chairman Shotwell nominated Gerard Cyrocki. *Moved by Poleski, supported by Herl to ratify the chairman's nomination.* Motion carried – Gerard Cyrocki appointed.

c. Upper Grand River Watershed Council – six public members, terms to 5/31/2010

Cmr. Lutchka stated that the committee recommended Scott Ambs, Geoff Snyder, James Spink, and Patricia Rayl. No other nominations from the floor. *Scott Ambs, Geoff Snyder, James Spink, and Patricia Rayl appointed.* The remaining two openings will be posted.

**GIS**

a. Proposed Prices for Digital and Hard Copies

1st Reading of the Proposed Prices for Digital and Hard Copies.

**B. County Agencies – Commissioner Gail W. Mahoney**

None.

**C. Human Services – Commissioner Mike Way**

1. Proposed Soil Erosion Program Fees

1st Reading of the Proposed Soil Erosion Program Fees

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

1. Review and Discussion of Elimination of Lifetime Benefits for Elected Officials

Cmr. Brittain questioned why the committee sent it to the board without making a recommendation.

Cmr. Elwell stated that he would not have been ready to vote on the issue that night, but he would have been prepared to at least talk about it and explore the different intricacies of it. He thought it would be wise to get some of the issues out there before it went back to committee, because of it being such a complicated issue. He stated that he would appreciate being able to talk about it in front of the public that attended the meeting.

Cmr. Poleski stated that he supported the motion only to allow them to discuss it, but intended to vote against it. He preferred to vote on the motion that night.

Cmr. Lutchka felt that they needed some figures and more concrete information on the total cost and what is involved in the package, as well as the consequences it could have on their government.

*Moved by Lutchka, supported by Poleski to send the issue of the Elimination of Lifetime Benefits for Elected Officials back to Personnel and Finance for further study and recommendations to come before the board at the next full board meeting.* Roll Call: (4) Yeas. Cmr. Herl, Lutchka, Videto, and Smith. (6) Nays. Cmr. Brittain, Poleski, Shotwell, Brown, Way, and Elwell. Motion failed.

Cmr. Brittain stated that there are 12 commissioners who are also elected officials and they don't get pension and benefits. He doesn't think elected officials should get lifetime pensions or benefits. He agrees that they need to get qualified people in those positions, but they would know what they're getting before they ran for election. He thinks that it should be left up to the taxpayers to re-elect them if they come in and don't give 110%. He thinks that with the economy the way it is, they need to look at ways to eliminate these types of benefits.

Cmr. Elwell stated that he was not prepared to vote on the issue that night. He doesn't fully understand who gets what benefits when, and thinks that the commission would be wise to know that before voting. He said that if they look to the motion itself, it is fairly complicated and he's not sure that it was written the way Cmr. Brittain intended. For example, life insurance would be cut and he's not sure that was what was intended. He also stated that the commissioners receive life insurance and if it is eliminated for higher elected officials, it should be eliminated for them as well. He didn't understand if the intent of the motion is to disallow health care benefits for high elected officials only during their term or ever have them. He further stated that there is a potential for high elected officials that may get elected to office that currently have benefits and he understands it that if this motion went through they would not. He doesn't know if that is wise or not, but he thinks that it has to be a level playing field. He doesn't know how they could eliminate it for one newly elected official and not for all of them. He thinks they need to fully understand the ramifications and implications of it. He didn't think they were prepared to make a decision on such a complicated issue. He agrees with Cmr. Poleski that the potential upcoming elected officials need to know what to expect, but he didn't understand the difference of whether they voted on it that night or next month. He personally felt that they should be ready to vote on the issue at the next month's meeting.

Cmr. Lutchka echoed what Cmr. Elwell said. He also stated that government is like a business and businesses do not eliminate health care benefits for their highest officers. He thinks that by taking the benefits away, you might only get rich people to run who can afford to not have benefits. He thinks that they do need to understand what everybody gets, because he doesn't think they are treated any differently than the employees. He thinks they need to look at all of the information, discuss it, and come back with a recommendation at the next meeting.

Cmr. Brown strongly agreed with everything that everyone was saying. He felt that they were unprepared to vote on the situation because of the many issues that a lot of them did not understand. He was surprised at how much elected officials did, and thought that everyone else would be too. He agrees with Cmr. Herl that the government is crumbling and if they are going to have good, key people running the County, they need to look at it. He does not want to jeopardize that, and strongly feels that they need to study the issue before voting.

Cmr. Herl stated that he was there when the benefits were taken away from the County Commissioners because they only work part-time. He does think that the high elected officials that are currently in office pretty much work full-time, and need those benefits. If they are going to vote on it next month or study it in a study session, he wants numbers in front of him and explanations of what it is all about so they can make a good decision about it.

Cmr. Poleski stated that what he had heard in committee was that newly elected officials would fall under the same fringe benefit plan that the newly hired non-union employees do, which is a more restricted benefit package. He feels satisfied that it is an adequate fringe benefit package, and is more fiscally prudent being that it is more restricted. He stated that the six elected officials are effectively full-time employees and he thinks they are competing effectively with business for those talented people and should provide them with a compensation package that is similar to what they would receive in business. He thinks the pool of talent would be limited if they were to take the fringe benefit package away. He believes that the only people who would be able to run for

county offices would be people who were retired or independently wealthy. He thinks that taking no action is the default, and the appropriate action.

Cmr. Way stated that it was fairly obvious that there are a lot of questions and concerns regarding this issue and recommended that it not be sent back to Personnel and Finance, but rather be sent to a Study Session with the whole board present. He also recommended that it be scheduled in the evening so members of the public could attend.

Chairman Shotwell clarified that the commission as a whole wanted to postpone the decision until the County Administrator could return with a definition that would affect each of the six elected officials to a Study Session before the issue is voted on next month.

Cmr. Elwell stated that he wanted more than just the information provided by Randy. He thinks they need to have the discussion again.

*Moved by Elwell, supported by Videto to table the issue of the Elimination of Lifetime Benefits for Elected Officials until the June Board of Commissioner Meeting, providing they have discussion on the issue at a Study Session before that time.* Roll Call: (8) Yeas. Cmr. Lutchka, Brittain, Videto, Shotwell, Brown, Smith, Way, and Elwell. (2) Nays. Cmr. Herl and Poleski.

#### **UNFINISHED BUSINESS:**

A. Rescind the motion passed at the Special Board meeting on April 21, 2008 that stated:  
To authorize up to \$250,000 in loan from the Maintenance of Effort Fund at an interest rate that is normally charged by the County Treasurer for similar loans; such loan to be paid back within six months of first draw; and to authorize the Administrator/Controller to disperse the funds as he sees the need.

*Moved by Brittain, supported by Way to Rescind the motion passed at the Special Board meeting on April 21, 2008 that authorized up to \$250,000 in loan from the Maintenance of Effort Fund at an interest rate that is normally charged by the County Treasurer for similar loans; such loan to be paid back within six months of first draw; and to authorize the Administrator/Controller to disperse the funds as he sees the need.* Roll Call: (10) Yeas. Motion carried unanimously.

#### **NEW BUSINESS:**

A. Proposed Revision to DROP Program for Road Commission Employees

Cmr. Elwell stated that he looked in the packet and it talked about an actuarial but he didn't see that or even a synopsis of that. He said it would have been helpful to have that information so they knew if it was revenue and cost neutral. He also asked for clarification as to whether this was intended to only lower the age for the DROP program, or to actually allow people to retire at the age of 57 instead of 60.

Administrator/Controller Treacher stated that it is expense neutral. He explained that this was part of a package and it isn't the only issue that is being negotiated with the AFSCME union. He further stated that there are several individuals in that union that are unable to retire because of the pension that they have and because of the years of service requirement, even though they have over 40 years on the road. He stated that this is an opportunity that is basically no cost to the commission that would allow people to get off the road who wanted to do that. It is something that the union has asked for and is recommended by the managing director. He further stated that the intention of this is only for the DROP program.

Cmr. Elwell asked that if in reality people that are of age 57 if they could start the DROP program and then leave anytime within 3 years as it is now. He stated that it is somewhat conflicting with what was said about not being old enough to retire and this is specifically to lower the DROP participation age. He further stated that his understanding of what the DROP program is that there is no age tied to it, but is based on years of service. With this they have age tied to theirs and asked if this was to drop not necessarily for retirement but for DROP participation.

Administrator/Controller Treacher stated that was correct.

Cmr. Videto asked if there was any downside by following through with the proposal.

Administrator/Controller Treacher answered that there is no downside that he can see, unless they are concerned with losing experienced people 3 years earlier.

Cmr. Brittain asked if they had an idea of what the savings would be per employee that put in for the DROP early.

Administrator/Controller Treacher stated that this is neutral in that there is no savings and no costs. He further stated that it is not a matter of saving money, but rather trying to prevent people who are in their sixties from working 40 years to retire from the Road Commission.

Cmr. Elwell asked if someone was 58 if they could retire under the current program.

Administrator/Controller Treacher said they could not under the current program. He explained that employees have to be eligible to retire to go into the DROP. He stated that currently the minimum age is 60 for them to enter the DROP which means that if they wanted to take full advantage of the DROP they would not be able to leave until they were 63 years old. This would also put them past social security age, which is why it is being recommended.

Cmr. Elwell's concern was that if this was passed someone could enter into the DROP program at age 57 and potentially retire the next day.

Administrator/Controller Treacher did not believe that to be anyone's intent and stated that it would be to the employee's disadvantage because it would lower their retirement compensation by retiring 3 years earlier.

Cmr. Herl asked if they would accrue additional service time during the 3 years.

Administrator/Controller Treacher answered no.

Cmr. Brittain asked why the County would do this if there is no savings. He pointed out that the average retirement age is 62 for someone who doesn't work for the government. He doesn't think preferential treatment should be given to a government employee over an average citizen with no cost savings, so he will be opposing.

Cmr. Smith asked if they would get any additional money because they would be retiring early.

Administrator/Controller Treacher explained that this is exactly the same as the regular County DROP, but with a lower age. He stated that with the County right now you can DROP after 25 years of service regardless of age, but at the Road Commission they have to work until age 60 regardless of years of service. In order to get full advantage of the DROP they would have to work until age 63 which is a year beyond social security.

Cmr. Poleski stated that he agreed with Cmr. Brittain. He said that when he hears the words full advantage and huge advantage for the employee, he hears expense to the County. He admitted that he is ignorant with the mechanisms of the DROP program. He stated that without seeing some kind of savings to the Road Commission and ultimately to the County, he would prefer to vote against the motion.

Administrator/Controller Treacher explained to the board that this is part of a negotiated package and is not the only thing, but it does need concurrence from the board because the board is the plan sponsor for the retirement system. He said that what they are effectively saying is that they are going to vote no on one part of a collective bargaining agreement. He stated that is not the board's job even though it is provided in the packet to them, but is up to the Road Commission to manage that and figure out what the entire package is to look like, not one part of it. He said that this benefit even as being proposed, would still not be as good as what is currently in place for County employees. He said that he didn't understand what the questioning is.

Cmr. Lutchka stated that he would think there would be some savings because a senior employee would retire and would be replaced with a junior employee.

Cmr. Brown stated that he thinks it is a fair proposal.

Cmr. Elwell added that there would be a savings because when an employee enters the DROP program it locks in their multiplier amount, which doesn't cost them directly out of the budget but costs the pension. He said that if they continued working for 3 more years their multiplier would be higher. He said that he has never worked for a Road Commission, but has done utility work and it's very hard work – especially after 40 years of it. He thinks that he will end up supporting it, but pointed out that more information would have been helpful.

Comr. Videto said that they spent a lot of time discussing the issue when they put the DROP program into the County. He said that the outcome of the original discussion was that there are some benefits to the employee, but a lot of benefits to the employer. He said that if they revisit some of the original conversations they had on the DROP program and what it can do, it is very clear.

*Moved by Lutchka, supported by Brown to move the question.* Motion carried unanimously.

Actual Proposal - Roll Call: (9) Yeas. Comrs. Herl, Lutchka, Brittain, Videto, Shotwell, Brown, Smith, Way, Elwell. (1) Nay. Comr. Poleski.

B. Set Meeting Dates for Two Special Meetings of the Board of Commissioners for Thursday, July 10, 2008 and Friday, July 11, 2008 at 9:00 a.m. in the County Commission Chambers, County Tower Building for the Purpose of the First Round of Interviews of Candidates for the Deputy Administrator Position.

*Moved by Herl, supported by Brown to Set Meeting Dates for Two Special Meetings of the Board of Commissioners for Thursday, July 10, 2008 and Friday, July 11, 2008 at 9:00 a.m. in the County Commission Chambers, County Tower Building for the Purpose of the First Round of Interviews of Candidates for the Deputy Administrator Position.* Voice Vote: (9) Yeas. Comrs. Herl, Lutchka, Poleski, Videto, Shotwell, Brown, Smith, Way, and Elwell. (1) Nay. Comr. Brittain. Motion carried.

1. Explore the Potential of Switching the County Pension to MERS, Specifically Reviewing Costs and Potential Savings and Report the Findings at the Board Meeting in August.

Comr. Brittain stated that he felt MERS would be a very good thing and could save the County a lot of money. He pointed out that many other townships and counties have gone that direction. He will be supporting.

*Moved by Elwell, supported by Poleski to have the Administrator/Controller Explore the Potential of Switching the County Pension to MERS, Specifically Reviewing Costs and Potential Savings and Report the Findings at the Board Meeting in August.* Roll Call: (10) Yeas. Motion carried unanimously.

D. Special Board Meeting date set for June 6, 2008 at 7:30 a.m. regarding Sponsorship Contracts with the County Fair

*Moved by Herl, supported by Brittain to Set a Special Board Meeting for June 6, 2008 at 7:30 a.m. regarding Sponsorship Contracts with the County Fair.* Motion carried unanimously.

**PUBLIC COMMENTS:**

No public comment

**COMMISSIONER COMMENTS:**

Comr. Brittain said "I told you so" regarding the control of the Animal Shelter being taken by the Sheriff's Department.

Comr. Herl thanked the commissioners for taking the surveys for Intergovernmental Cooperation.

**CLOSED SESSION:**

None

**ADJOURNMENT:**

Chairman Shotwell adjourned the May 20, 2008 meeting of the Jackson County Board of Commissioners at 8:04 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