

MINUTES
JACKSON COUNTY BOARD OF COMMISSIONERS BOARD MEETING
July 20, 2010
7:00 p.m.
Commission Chambers – 5th Floor Tower Building

1. **CALL TO ORDER** – Chairman Steve Shotwell called the July 20, 2010, Jackson County Board of Commissioners Meeting to order at 7:00 p.m.

2. **INVOCATION** – *by Commissioner Jonathan T. Williams*

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

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

(11) Present. Commissioners Herl, Lutchka, Kruse, Duckham, Poleski, Videto, Williams, Smith, Way, Elwell, and Shotwell. (1) Absent. Commissioner Mahoney

5. **APPROVAL OF AGENDA**

Chairman Shotwell asked that the Agenda be amended with the addition of Item 8. B. Chief District Court Judge Daryl Mazur.

Moved by Videto, supported by Williams for Approval of the Agenda as Amended. Motion carried unanimously.

6. **AWARDS & RECOGNITIONS** – None.

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

8. **SPECIAL ORDERS/PUBLIC HEARINGS**

A. **County of Jackson, Michigan 2009 Comprehensive Annual Financial Report for the Fiscal year Ended December 31, 2009** – Alan Panter from Abraham & Gaffney, P.C. will present the report.

Alan Panter from Abraham & Gaffney, P.C. presented report and answered questions from the Commissioners.

Moved by Videto, supported by Way to receive Audit. (11) Yeas. Motion carried unanimously.

B. **Chief District Court Judge Daryl Mazur**

Moved by Videto, supported by Williams to receive documentation from Judge Mazur.

Chief District Court Judge Daryl Mazur addressed the Board regarding the Order issued by the Michigan Supreme Court suspending District Court Judge Justin, and answered questions from the Commissioners.

9. **PUBLIC COMMENTS**

Peg Clevenger a resident of Spring Arbor Township spoke in opposition to the cell phone Tower in the Parks.

John Wilson spoke in opposition of economic development bond allocation.

Tony Lewis expressed interest in being appointed to the Community Corrections Advisory Board.

Julie Alexander expressed desire to serve on the Board as County Commissioner in District #5.

J.C. Smith expressed his opposition to cell phone tower in the Parks.

10. **SPECIAL MEETINGS OF STANDING COMMITTEES**

A. **Human Services Committee**

1. **Region 2 Area Agency on Aging (R2AAA)**

a. **Annual Implementation Plan – 2011**

The meeting adjourned briefly to allow the commissioners on the Human Services Committee to meet.

11. **MINUTES** - Minutes of the 6/15/10 Regular Meeting of the Jackson County Board of Commissioners

Moved by Way, supported by Williams to Approve the Minutes of the 6/15/10 Regular Meeting of the Jackson County Board of Commissioners. Motion carried unanimously.

12. **CONSENT AGENDA**

Moved by Herl, supported by Duckham for Approval of the Consent Agenda. Roll Call: (11) Yeas. Motion carried unanimously.

A. **County Affairs**

1. **Road Commission Annual Financial Report**
2. **Proposed Lease Agreement for Cell Tower in Sparks Park**

B. **County Agencies**

3. **District Court Community Correction Grant**
4. **Friend of the Court FY 2011 Cooperative Reimbursement Program (CRP) Agreement**
5. **Resolution (07-10.25) Assigning a Portion of the County's Recovery Zone Economic Development Bond Allocation to the Charter Township of Blackman**

C. Human Services

6. Resolution (07-10.23) Honoring Volunteer Michael Hoover – Leadership
7. Resolution (07-10.24) Honoring Volunteer Clay Carroll – Service
8. Health Department - Accreditation 2010 – Plan of Organization

D. Personnel & Finance

9. Resolution (07-10.27) Authorizing Refunding of the Jackson County Building Authority Building Authority Bonds, Series 2002 and Approving the Undertaking to Provide Continuing Disclosure
10. Parks Director Salary
11. Transfer of FTE from MSU Extension to Airport
12. Jackson County Employees' Retirement System By-Law Amendment No. 2010-1
13. Budget Adjustments
 - a. District Court – Drunk Driving Case Reimbursement Funds
 - b. Health Department

E. Other Business

14. Resolution (07-10.26) Supporting the Adoption of Senate Bill 449
15. Claims dated 6/1/10 – 6/30/10

13. STANDING COMMITTEES

A. County Affairs – *Commissioner Dave Lutchka*

1. Appointments

- a. **Community Corrections Advisory Board (CCAB)** – terms indefinite

- One public member – from service area

Comr. Lutchka stated that the committee recommended Tony Lewis. No other nominations from the floor. ***Tony Lewis appointed.***

- One public member – criminal defense attorney

Comr. Lutchka stated that the committee recommended David Lady. No other nominations from the floor. ***David Lady appointed.***

- One public member – business community representative

Cmr. Lutchka stated that the committee recommended Barry Marsh. No other nominations from the floor. **Barry Marsh appointed.**

B. **County Agencies – Commissioner Phil Duckham** (in the absence of Commissioner Gail Mahoney) - None.

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

1. **Region 2 Area Agency on Aging (R2AAA)**

a. **Annual Implementation Plan – 2011**

Moved by Way, supported by Williams to Approve the Annual Implementation Plan – 2011 for the Region 2 Area Agency on Aging (R2AAA). Motion carried unanimously.

D. **Personnel and Finance – Commissioner James Videto** - None.

14. **UNFINISHED BUSINESS** – None.

15. **NEW BUSINESS** – None.

16. **PUBLIC COMMENTS**

No public comment.

17. **COMMISSIONER COMMENTS**

Cmr. Elwell expressed appreciation for community corrections workers.

Cmr. Duckham expressed concern for federal flood plain mapping in Columbia Township.

Cmr. Williams encouraged administration to improve communication with the public regarding work session and committees.

Cmr. Kruse asked questions about Drain Commissioner.

Chairman Shotwell responded that the Drain Commissioner will address all questions about the flood plain at the August work session.

18. **CLOSED SESSION** – None.

19. **ADJOURNMENT**

Chairman Shotwell adjourned the July 20, 2010 Regular Meeting of the Jackson County Board of Commissioners at 8:23 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



Jackson County
Resolution (07-10.23) Honoring Michael Hoover

WHEREAS, Michael Hoover has contributed much to the community over the past years by being a very caring individual who has participated in multiple community activities to improve the lives of the citizens of Jackson County; and

WHEREAS, Michael Hoover has provided ongoing leadership at Westwind Church, where he is the lead usher and leader of the "What's Love Got to do With It?" group for church members of all ages, as well as served on the Jackson County Substance Abuse Coalition to lessen the grip of addiction on members of the community; and

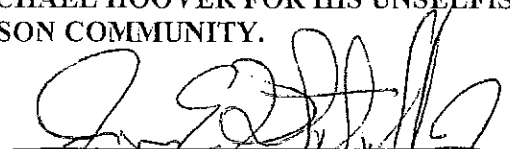
WHEREAS, Michael Hoover has been involved for 15 years with the Tough Love program, serving on the Michigan Association of Community Health Boards for Children's Mental Health Issues. And has served as a champion for the J-Town Club, a social setting for mentally challenged individuals in the local community and supports the Mind Changers group advocating for mental health parity and fighting against stigma and discrimination directed at those with mental health issues; and

WHEREAS, Michael Hoover has used his hobby of rock collecting to reach out to others, through his hosting of an annual Roxpo fundraiser at his home where members from the Michigan Gem and Mineral Society of which he serves as Liaison Officer of Publicity and Conflict sell items and donate the proceeds to J-Town Club; and through his geology instruction for the area Boy Scouts Council; and

WHEREAS, Michael Hoover has been selected as the recipient of the Jackson County Senior Citizen of the Year Award for 2010, to be recognized for his outstanding record of volunteer leadership in the Jackson community; and

WHEREAS, this 'Volunteer Award', sponsored by the Michigan Department of Community Health, Office of Services to the Aging, Michigan Commission on Services to the Aging, the Jackson County Fair, the Jackson County Board of Commissioners and the Jackson County Department on Aging recognizes this outstanding volunteer in the community.

NOW, THEREFORE, WE ARE RECOGNIZING MICHAEL HOOVER AS ONE OF THE IMPORTANT VOLUNTEERS WHO CONTRIBUTES THEIR TALENTS TO GOVERNMENT, CHURCHES, GROUPS AND INDIVIDUALS. THE JACKSON COUNTY BOARD OF COMMISSIONERS, THE JACKSON COUNTY FAIR AND THE JACKSON COUNTY DEPARTMENT ON AGING EXTEND THEIR APPRECIATION AND RECOGNITION TO MICHAEL HOOVER FOR HIS UNSELFISH LEADERSHIP TO THE PEOPLE IN THE JACKSON COMMUNITY.


James E. Shotwell, Jr., Chairman
Jackson County Board of Commissioners
July 20, 2010



Jackson County
Resolution (07-10.24) Honoring Clay Carroll

WHEREAS, Clay Carroll has contributed to the community for the past few years by volunteering his time, energy, mental prowess and supportive attitude to improve the quality of life for many Jackson County seniors; and

WHEREAS, Clay Carroll has sought to increase seniors' knowledge of Medicare and Medicaid options, including original Medicare, Medicare advantage plans, private supplemental health insurance policies, and Medicare Part D plans; and

WHEREAS, Clay Carroll has assisted eligible seniors with comparison of their medical coverage-related options and guided them through enrollment in them, thereby realizing thousands of dollars in cost savings, as well as time savings; and

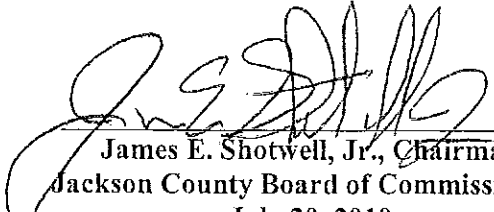
WHEREAS, Clay Carroll has ensured seniors receive tax credits and refunds to which they are entitled by processing income tax-related forms through the annual AARP Tax Program; and

WHEREAS, Clay Carroll has helped keep seniors living securely and independently in their own homes by making minor safety-related household repairs and improvements as part of the Household and Outdoor Maintenance Especially for Seniors (HOMES) program; and

WHEREAS, Clay Carroll has been selected as the recipient of the Jackson County Senior Citizen of the Year Award for 2010, to be recognized for his outstanding record of volunteer service in the Jackson community; and

WHEREAS, this 'Volunteer Award', sponsored by the Michigan Department of Community Health, Office of Services to the Aging, Michigan Commission on Services to the Aging, the Jackson County Fair, the Jackson County Board of Commissioners and the Jackson County Department on Aging recognizes this outstanding volunteer in the community.

NOW, THEREFORE, WE ARE RECOGNIZING CLAY CARROLL AS ONE OF THE IMPORTANT VOLUNTEERS WHO CONTRIBUTES THEIR TALENTS TO GOVERNMENT, GROUPS AND INDIVIDUALS. THE JACKSON COUNTY BOARD OF COMMISSIONERS, THE JACKSON COUNTY FAIR AND THE JACKSON COUNTY DEPARTMENT ON AGING EXTEND THEIR APPRECIATION AND RECOGNITION TO CLAY CARROLL FOR HIS UNSELFISH SERVICE TO THE PEOPLE IN THE JACKSON COMMUNITY.


James E. Shotwell, Jr., Chairman
Jackson County Board of Commissioners
July 20, 2010

RESOLUTION NO. (07-10.25)
ASSIGNING A PORTION OF THE COUNTY'S RECOVERY ZONE
ECONOMIC DEVELOPMENT BOND ALLOCATION
TO THE CHARTER TOWNSHIP OF BLACKMAN

Minutes of a regular meeting of the County Board of Commissioners of the County of Jackson, State of Michigan, held in said County on the 20th day of July, 2010.

PRESENT: Commissioners Herl, Lutchka, Kruse, Duckham, Poleski, Videto, Shotwell,
Williams, Smith, Way, and Elwell.

ABSENT: Commissioner Mahoney.

The following preamble and resolution were offered by Commissioner Herl and supported by Commissioner Duckham:

WHEREAS, the federal government has enacted the American Recovery and Reinvestment Act of 2009, Public Law 111-5, 123 Stat. 115 ("PL 111-5"), which allows for the issuance of Recovery Zone Economic Development Bonds to pay the costs of public infrastructure facilities and capital expenditures paid with respect to property in a recovery zone at advantageous net interest costs; and

WHEREAS, pursuant to PL 111-5 the County of Jackson (the "County") has been allocated the sum of \$11,459,000 in Recovery Zone Economic Development Bond capacity; and

WHEREAS, in accordance with PL 111-5 the County may assign a portion of such allocation to other municipal entities located within the County; and

WHEREAS, this Board has designated the County as a recovery zone in conformity with PL 111-5; and

WHEREAS, this Board previously assigned an amount of \$7,400,000 of the County's Recovery Zone Economic Development Bond allocation to Jackson Public Schools for the issuance of Recovery Zone Economic Development Bonds by the school district, leaving the County with \$4,059,000 of remaining Recovery Zone Economic Development Bond allocation; and

WHEREAS, the Charter Township of Blackman, County of Jackson, Michigan (the "Township") has requested that the County assign a portion of the County's Recovery Zone Economic Development Bond allocation to the Township so that the Township may issue bonds to pay all or part of the costs of acquiring an approximately 28-acre parcel of land for Township public purposes (the "Project").

NOW, THEREFORE, BE IT RESOLVED THAT:


1. The Township be and is hereby assigned an amount of Three Million Five Hundred Thousand Dollars (\$3,500,000) of the County's Recovery Zone Economic Development Bond allocation so that the Township may issue Recovery Zone Economic Development Bonds for purposes of paying all or part of the costs of the Project.

2. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

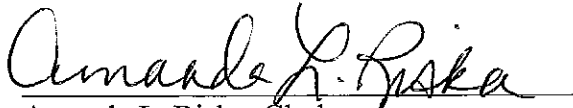
AYES: Commissioners Herl, Lutchka, Kruse, Duckham, Poleski, Videto, Shotwell,
Williams, Smith, Way, and Elwell.

NAYS: Commissioner Mahoney.

RESOLUTION DECLARED ADOPTED.


Amanda L. Riska, Clerk
County of Jackson

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the County Board of Commissioners of the County of Jackson, Michigan, at a regular meeting held on July 20, 2010, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.


Amanda L. Riska, Clerk
County of Jackson



Jackson County

Resolution

RESOLUTION (07-10.26)
SUPPORTING THE ADOPTION OF SENATE BILL 449
AS WRITTEN BY THE HOUSE OF REPRESENTATIVES

WHEREAS, the police departments throughout the state of Michigan depend, in part, upon part-time law enforcement officers for protection of the citizens and community, and

WHEREAS, the Michigan Commission on Law Enforcement Standards (MCOLES) adopted an administrative rule mandating that police officers must work a minimum of 520 hours to remain certified, and

WHEREAS, the opposition to this 520 hour rule has been overwhelming, widespread, and near unanimous, and

WHEREAS, the current law (with no hourly standard) has worked for more than 45 years, and the proposed 520 hour rule is being implemented with no legitimate stated and valid purpose, and

WHEREAS, an organized movement of Police Chiefs has successfully lobbied for legislation to set the minimum hour standard at 120 hours, as described in Senate Bill 449, and

WHEREAS, the 120 hour compromise is equal to the **only other hourly certification standard** in the nation, being the State of Idaho, and

WHEREAS, Senate Bill 449 passed on June 25, 2009 on a bi-partisan and unanimous vote of **34 to 0**, and

WHEREAS, Senate Bill 449 has languished in the House Judiciary Committee since June 25, 2009, without being sent to the floor for a vote, and

WHEREAS, failure of the House to pass Senate Bill 449, as written, will cause an unfunded mandate when County Sheriff's have to fill the void of local departments cutting officers, the loss of local control, as well as the loss of more police officers from our streets.

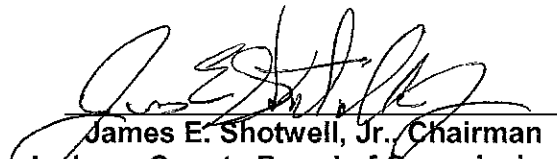
NOW THEREFORE, BE IT RESOLVED, that the Jackson County Board of Commissioners hereby calls upon the House of Representatives to swiftly pass Senate Bill 449, as written.

BE IT FURTHER RESOLVED, that this resolution be sent by the Jackson County Clerk, once adopted, to the Speaker of the House, as well as to the 82 other county boards of commissioners, requesting that they adopt said resolution and send it to the Speaker of the House.

Moved by HERL, seconded by DUCKHAM, to adopt this resolution.

Yeas: 11 Nays: 0 Abstain: — Absent: MAHONEY

Resolution adopted by the Jackson County Board of Commissioners at a regular meeting held on **July 20, 2010**.


James E. Shotwell, Jr., Chairman
Jackson County Board of Commissioners
July 20, 2010

**COUNTY OF JACKSON
BOARD OF COMMISSIONERS**

At a regular meeting of the Board of Commissioners of the County of Jackson held in Jackson, Michigan, on July 20, 2010 at 7:00 p.m., Eastern Daylight Savings Time, there were

PRESENT: (11) Commissioners Herl, Lutchka, Kruse, Duckham, Poleski, Videto, Shotwell, Williams, Smith, Way, and Elwell.

ABSENT: (1) Commissioner Mahoney.

The preamble and resolution was offered by Commissioner Herl and seconded by Commissioner Duckham.

**RESOLUTION (07-10.27) AUTHORIZING REFUNDING OF THE
JACKSON COUNTY BUILDING AUTHORITY
BUILDING AUTHORITY BONDS, SERIES 2002 AND
APPROVING THE UNDERTAKING TO PROVIDE CONTINUING DISCLOSURE**

WHEREAS, pursuant to the provisions of Act No. 31, Public Acts of Michigan, 1948, first extra session, as amended, ("Act 31") the Jackson County Building Authority (the "Authority") and the County of Jackson (the "County"), have entered into a Lease Contract dated as of August 1, 2002 (the "Contract") (as listed in Appendix A); and

WHEREAS, pursuant to the Contract, the Building Authority has issued a series of its bonds which remain outstanding as listed in Appendix B (the "Bonds") to defray the cost of constructing, furnishing and equipping a criminal justice facility and renovating the Jackson County Jail; and

WHEREAS, Section 24 of the Contract reads as follows:

"24. Refunding and Advance Refunding. In the event it appears advantageous in the opinion of the Authority to issue bonds to refund any series of bonds issued by the Authority pursuant to this Lease (including advance refunding bonds), the County consents to such refunding as long as:

(1) In the case of any refunding bonds and the first issue of advance refunding bonds, there is a net overall saving to the County in its remaining payments to the Authority of at least 5% or \$25,000, whichever is less."

WHEREAS, the Bonds remain outstanding the aggregate principal amount of \$10,075,000, mature in various principal amounts in various years and bear interest at various rates per annum which rates of interest are higher than those now prevailing which when refunded in part will generate savings in excess of \$25,000; and

WHEREAS, Act 31 and Act No. 34, Public Acts of Michigan, 2001, as amended, ("Act 34") authorize the Authority to refund all or any part of its indebtedness; and

WHEREAS, the Authority plans to authorize the issuance of not to exceed \$10,500,000 in building authority refunding bonds (the "Refunding Bonds"); and

WHEREAS, in order to provide for the Refunding Bonds and to comply with federal securities regulations, it is necessary to approve the undertaking to provide continuing disclosure.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF JACKSON as follows:

1. After any refunding bonds are issued, the Authority shall report to the County on the new debt service schedule and the savings in total principal and interest and attach a new debt service schedule to the Contract.

2. This Board of Commissioners for and on behalf of the County of Jackson, hereby covenants and agrees, for the benefit of the beneficial owners of the Refunding Bonds to be issued by the Jackson County Building Authority, to enter into a written undertaking (the "Undertaking") required by Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule") to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be substantially in the form attached to the official statement for the bonds. The Undertaking shall be enforceable by the beneficial owners of the Refunding Bonds or by the Underwriter on behalf of such beneficial owners (provided that the Underwriter's right to enforce the provisions of the Undertaking shall be limited to a right to obtain specific enforcement of the County's obligations hereunder and under the Undertaking), and any failure by the County to comply with the provisions of the Undertaking shall not be deemed a default with respect to the Refunding Bonds.

The County Treasurer, County Administrator, County Clerk or other officer of the County charged with the responsibility for issuing the Refunding Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the County's Undertaking.

3. The Chief Administrative Officer of the County, if necessary, is authorized to execute any and all documents required for approval of any such refundings by the State of Michigan or any agency thereof and to provide any necessary documentation and to pay the related fee.

4. All resolutions and parts of resolutions insofar as they may be in conflict herewith are hereby rescinded.

A vote on the foregoing resolution was taken and was as follows:

YES: (11) Commissioners Herl, Lutchka, Kruse, Duckham, Polseki, Videto, Shotwell, Williams, Smith, Way, and Elwell.

NO: (0)

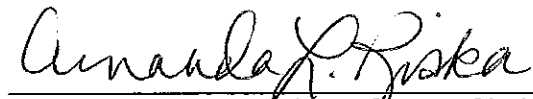
ABSTAIN: (0)

The resolution was declared adopted.

STATE OF MICHIGAN)
) ss
COUNTY OF JACKSON)

CERTIFICATION

The undersigned, being the duly qualified and acting Clerk of the County of Jackson, hereby certifies that (1) the foregoing is a true and complete copy of a resolution duly adopted by the Board of Commissioners of the County at a regular meeting held on July 20, 2010, at which meeting a quorum was present and remained throughout, (2) that an original thereof is on file in the records of the County, (3) the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with the Open Meetings Act (Act No. 267, Public Acts of Michigan, 1976, as amended), and (4) minutes of such meeting were kept and will be or have been made available as required thereby.



Amanda L. Riska, Jackson County Clerk

APPENDIX A

Jackson County Building Authority - \$12,750,000 Building
Authority Bonds, Series 2002 - FULL FAITH AND CREDIT GENERAL
OBLIGATION LEASE CONTRACT MADE AS OF AUGUST 1, 2002.

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APPENDIX B

JACKSON COUNTY BUILDING AUTHORITY,
BUILDING AUTHORITY BONDS, SERIES 2002
(Remaining Original Debt Service)

<u>Date</u>	<u>Principal</u>
9/1/11	\$ 450,000
9/1/12	500,000
9/1/13	625,000
9/1/14	675,000
9/1/15	800,000
9/1/16	875,000
9/1/17	925,000
9/1/18	950,000
9/1/19	975,000
9/1/20	1,025,000
9/1/21	1,100,000
9/1/22	1,175,000
TOTAL	<u>\$10,075,000</u>

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