

**Jackson County Board of Commissioners Meetings Minutes**  
**September 28, 2004 - Regular Meeting**  
**Jackson County Commissioners Chambers: 7:00 p.m.**

**CALL TO ORDER:**

Chairman Cliff Herl called the September 28, 2004 meeting of the Jackson County Board of Commissioners to order at 7:00 p.m.

**INVOCATION:**

Cmr. Mahoney

**PLEDGE OF ALLEGIANCE**

**ROLL CALL:**

(11) Present. Cmr. Adams, Brittain, Day, Baxter, Shotwell, Mahoney, Berkemeier, Lacinski, Wilson, Elwell, & Herl.  
(1) Absent. Cmr. Videto.

**APPROVAL OF AGENDA:**

*Moved by Mahoney supported by Lacinski to Approve the Agenda with the following amendment: Move Item 12C from the Standing Committee Reports Under Communication/Petitions and call it Item 8B.* Wilson questioned the reasoning behind moving the agenda item pertaining to the Health Department Fee Schedule. Herl answered that there are many people in the audience who are concerned with that particular item and he wanted to move that item up so that they could hear it right away. Wilson encouraged the members of the audience who had taken the time to come down, to stay and speak to the issue. Elwell stated that many of the Commissioners were not comfortable with this issue and that's why it will be sent back to Committee. There will likely be no action on it at this time. Shotwell asked to add item 16B, Closed Session in order to discuss labor negotiations after the second Public Comment. Motion carried.

**AWARDS & RECOGNITIONS:**

Employee of the month of September-Cindy Porter, Accounting Clerk/Telecommunications Operator in the Administrative Services Department. Presented by Herl with comments by Finance Officer Gerard Cyrocki.  
*Moved by Herl supported by Baxter to Approve the Retirement Resolution Honoring Ardis "Jill" Conant of the Sheriff Department upon her Retirement with 26 Years, 1 Month of Service.* Roll Call: (11) Yeas. Motion carried unanimously. Presented by Herl with comments by Sheriff Dan Heyns.

**COMMUNICATIONS & PETITIONS:**

None

**SPECIAL ORDER/PUBLIC HEARING:**

(Previous Item 12C-Human Services) *Moved by Mahoney supported by Wilson to Approve the Proposed Health Department FY 2004-2005 Environmental Health Fee Schedule for First Reading, Which would Include:*

- o *Reducing Seasonal Food Establishment Fees by 25%*
- o *Reducing Fees \$50 Annually for a Local Establishment Which Maintains a Person in Charge Who is a Certified Food Safety Manager*
- o *A Food Manager Class being Offered in Conjunction with MSU Extension for a Fee, Payable Directly to MSU Extension.*

*Moved by Elwell supported by Mahoney to Table the Motion and Return to Human Services.* Motion carried.

**PUBLIC COMMENT:**

Public Comment began at 7:14 p.m. with the following people speaking regarding the proposed Health Department Environmental Health Fee Schedule:  
Richard Toderoff, Cherry Mosier, Tom Bates, Greg Walker, Melissa Claxton, Susan Milhoan, David Irvine, Brian Cecil

James Smith gave his opinion of the hiring of the Facilities Director, and the concerns of the County holding a Performance Improvement Plan over his head for 30 day and then extending it another 30 days.

Public Comment ended at 7:48 p.m.

Herl announced to the crowd that further discussion would take place on this issue at the Human Services meeting on October 11, 2004 at 1:00 p.m. Elwell suggested scheduling the meeting in the Commission Chambers to accommodate any of the public who wished to attend.

**SPECIAL MEETINGS OF STANDING COMMITTEES:**

A. County Affairs

1) Resolution (09-04.39) Supporting Alternative "D1" for the I-94/US 127 Interchange.

**CONSENT AGENDA:**

*Moved by Mahoney supported by Baxter to Approve the Consent Agenda items A through X as contained in the following Consent Agenda list:*

Berkemeier requested the correction of an error on page 10 of the August 24 th Minutes.

*Moved by Elwell supported by Lacinski to Approve the Consent Agenda with the correction of C.*

A. *Approve the Minutes of the August 10, 2004 Committee of the Whole*

B. *Approve the Minutes of the August 10, 2004 Special Board Meeting*

C. *Approve the Minutes of the August 24, 2004 Board Meeting*

D. *Approve the Minutes of the August 24, 2004 Closed Session*

**COUNTY AFFAIRS:**

E. *Disband the Administrator Search Ad Hoc Committee upon fulfillment of its mission*

F. *Give first reading of revised Board Rule 4060, Voting, which allows for the use of an electrical roll call system at Board meetings*

G. *Give second and final reading of revised Board Rule 4080, Order of Succession, that clarifies the order of succession if the Chairperson is unavailable*

H. *Give second and final reading of revised Board Rule 4090, Appointments to Boards/Commissions*

I. *Approve revised Administrative Policy 5010, Legal Services, which adds authority for the Board Chairman and Vice Chairman to seek legal counsel if necessary*

J. *Approve the terms of the two at-large members on the Airport Board be staggered to enhance continuity, specifically that the at-large members of the Airport Board be appointed as follows:*

1) *One to a 1-year term beginning in 2005, returning to a 2-year term in 2006, and*

2) *One to a 2-year term beginning in 2005*

K. *Approve the BRA's Policy regarding a Brownfield Plan Fee of \$2,500 to pass a Brownfield Plan, changing the wording in the 3 rd paragraph: "This fee is subject to the discretion of the Board of Directors and the amount may change be reduced, or the fee may be waived by a majority vote of the Board of Directors for the BRA*

L. *Concur with the BRA Board in the hiring of AKT Peerless and Envirollogic Technologies as professional consultants*

M. *Designate the County Administrator as the Environmental Review Officer on behalf of the Armory Arts CDBG Infrastructure Project and authorize the County Administrator to sign all necessary documents*

**COUNTY AGENCIES:**

N. *Approve the Agreement for Sale of Animals as to form with a revision as follows: Adding under 1.b "on or before the 15 th of each month Dealer shall provide County with a written report on a form specified by County listing each live animal sold, as well as all live animals resold, during the previous calendar month and the research facility to which each animal was resold*

**HUMAN SERVICES:**

O. *Approve a \$25 setting fee allowance for the setting of a burial marker for a wartime veteran as recommended by the Veterans Service Officer*

P. *Approve the Register of Deeds budget adjustment which increases revenue in Transfer Tax by \$70,000*

Q. *Approve the Prosecuting Attorney's FY 2005 Title IV-D CRP Contract for Child Support Division with FIA (\$251,209)*

R. *Approve the Prosecuting Attorney's Award of Safe Neighborhoods Initiative Grant (\$75,000), with no match required, utilizing a casual Prosecutor until the money runs out in approximately two years*

S. *Approve the Circuit/Family Court's application for a Drug Court State Grant (\$62,795.80)*

T. *Approve the Child Care Fund budget adjustment (\$189,400)*

U. *Approve the Friend of the Court FY 2005 Title IV-D CRP Agreement (\$2,298,857)*

V. *Approve the Friend of the Court FY 2005 Child Support \_ medical Support Enforcement Contract (\$87,666)*

- W. *Approve the Friend of the Court's 2004/2005 budget subject to administrative review*  
X. *Approve the FOC Access & Visitation adjustment reflecting an additional \$12,500 in revenue from the State*

Motion carried.

**STANDING COMMITTEE REPORTS:**

**A. County Affairs:**

*Moved by Day supported by Lacinski to Adopt Resolution (09-04.39) Supporting Alternative "D1" for the I-94/US 127 Interchange.* Roll Call: (11) Yeas. Motion carried unanimously. Wilson thanked Dave Miller from the EDC, Elwell, & Herl for all of their work on this project.

**B. County Agencies:**

No Report

**C. Human Services:**

Handled earlier in the Agenda

**D. Personnel & Finance:**

*Moved by Shotwell supported by Mahoney to Adopt Resolution (09-04.37) Establishing the 2004 Jackson County millage rates as follows:*

- 1) *Jackson County millage rate at 5.1709 mills*
- 2) *Medical Care Facility millage rate at 0.1413 mills*
- 3) *Jackson County Jail millage rate at 0.4902 mills*
- 4) *Senior Services millage rate at 0.2500 mills*

Roll Call: (10) Yeas. Cmr. Herl, Adams, Day, Baxter, Shotwell, Mahoney, Lacinski, Wilson, Elwell, & Rice. (1) Nay. Cmr. Brittain. Motion carried.

*Moved by Shotwell supported by to Approve the County's 2004 tax rate request – Form L4029.* Roll call: (10) Yeas. Cmr. Herl, Adams, Day, Baxter, Shotwell, Mahoney, Lacinski, Wilson, Elwell, & Rice. (1) Nay. Cmr. Brittain. Motion carried.

**UNFINISHED BUSINESS:**

None.

**NEW BUSINESS:**

Wilson wanted to express on the record his concern over the treatment of Dave Holubowicz being placed on an extended Performance Improvement Plan (PIP). Wilson thinks that sends the message of employee harassment and plans to keep an eye on the situation.

**CONSIDERATION & ALLOWANCE OF CLAIMS:**

*Moved by Lacinski supported by Elwell to Allow the Claims.* Motion carried.

**PUBLIC COMMENT:**

None

*Moved by Shotwell supported by Baxter to go into Closed Session to Discuss Contract Negotiations.* Roll call: (11) Yeas. Motion carried unanimously. The Jackson County Board of Commissioners went into Closed Session at 8:01 p.m.

*Moved by Lacinski supported by Baxter to Return to Open Session.* Motion carried. The Board returned to Open Session at 8:09 p.m.

*Moved by Shotwell supported by Mahoney to Ratify the One-year Contract of the Collective Bargaining Unit COAM.* Motion carried.

*Moved by Baxter supported by Mahoney to Adjourn to the Call of the Chair.* Motion carried. The September 28, 2004 meeting of the Jackson County Board of Commissioners was adjourned at 8:10 p.m.

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