

1. A Regular Meeting of the Monroe County Board of Commissioners was held in the City of Monroe on Tuesday, February 8, 2011, the meeting was called to order by Chairman Frederick at 7:00 p.m. Roll call by Clerk as follows:

PRESENT

ABSENT

| | |
|----------------|-----------------|
| Henry Lievens | Jerry Oley |
| David Hoffman | Mary O'Neill |
| Stephen Bell | Jason Sheppard |
| Daniel Donahue | LaMar Frederick |
| William Sisk | |

A quorum being present, the Board proceeded to transact business.

2. Commissioner Stephen R. Bell led the Pledge of Allegiance.
3. Vickie Koczman, Deputy Clerk, Monroe County Board of Commissioners led the Opening Prayer.
4. Motion by Commissioner Sheppard to approve the Agenda for the Tuesday, February 8, 2011, Regular Meeting as amended. Supported by Commissioner Bell. Roll call by Clerk as follows:

AYES

NAY

ABSENT

| | |
|----------------|-----------------|
| Henry Lievens | Jerry Oley |
| David Hoffman | Mary O'Neill |
| Stephen Bell | Jason Sheppard |
| Daniel Donahue | LaMar Frederick |
| William Sisk | |

Motion carried.

5. Motion by Vice-Chairman Sisk to approve the Minutes for the Tuesday, January 25, 2011, Regular Meeting and waive the reading of the minutes. Supported by Commissioner Hoffman.

Motion carried.

6. Motion by Vice-Chairman Sisk to approve the Minutes for the Thursday, February 3, 2011, Special Meeting and waive the reading of the minutes. Supported by Commissioner Oley.

Motion carried.

7. The following items were listed under Consent Agenda:

A. Finance Committee Report (02/08/11)

1. The Finance Committee recommends to the full board to approve the 02/09/11 Accounts Payable Current Claims Report in the amount of \$467,075.09.

B. Approval of Non-Claims Against the County:

1. Check Register dated 01/28/11 in the amount of \$396,489.35.
2. Check Register dated 02/04/11 in the amount of \$1,662,748.49.

Motion by Commissioner Sheppard to approve the Consent Agenda as presented. Supported by Commissioner Hoffman. Roll call by Clerk as follows:

| AYES | NAY | ABSENT |
|----------------|-----------------|--------|
| Henry Lievens | Jerry Oley | |
| David Hoffman | Mary O'Neill | |
| Stephen Bell | Jason Sheppard | |
| Daniel Donahue | LaMar Frederick | |
| William Sisk | | |

Motion carried.

8. Consideration of adopting a resolution authorizing the Board of County Road Commissioners to issue Michigan transportation fund notes, Series 2011 to pay part of the cost of road improvements on Goetz Road and Summerfield Road for the benefit of Summerfield Township and Whiteford Township.

Motion by Commissioner Lievens to adopt a resolution authorizing the Board of County Road Commissioners to issue Michigan transportation fund notes, series 2011 to pay part of the cost of road improvements on Goetz Road and Summerfield Road for the benefit of Summerfield Township and Whiteford Township. Supported by Commissioner Sheppard. Roll call by Clerk as follows:

| AYES | NAY | ABSENT |
|----------------|-----------------|--------|
| Henry Lievens | Jerry Oley | |
| David Hoffman | Mary O'Neill | |
| Stephen Bell | Jason Sheppard | |
| Daniel Donahue | LaMar Frederick | |
| William Sisk | | |

Motion carried.

9. Consideration of approving a pass through agreement between Monroe County and Southeast Michigan Council of Governments for activities related to restoring the Lake Erie Corridor through Green Streets Project funded through a grant obtained from the U.S. Environmental Protection Agency in the amount of \$100,000 with the 17% match or approximately \$38,000 being the responsibility of the City of Luna Pier.

Rob Peven, Director, Planning stated this is a demonstration project; sponges will be placed along road ways to prevent run-off being discharged into streams, etc., and the County administering the grant as a sub-recipient.

Greg Stewart, Administrator, City of Luna Pier stated the City of Luna Pier will fund the match and noted the project is a good example of how collaboration works,

Commissioner Sheppard commended the City of Luna Pier for making the City of Luna Pier an attractive tourism site.

Commissioner O'Neill thanked Mr. Stewart, noted the plan is "fabulous" and spoke regarding Governor Snyder mentioning the City of Luna Pier in his State of the State Address.

Motion by Commissioner O'Neill to approve a pass through agreement between Monroe County and Southeast Michigan Council of Governments for activities related to restoring the Lake Erie Corridor through Green Streets Project funded through a grant obtained from the U.S. Environmental Protection Agency in the amount of \$100,000 with the 17% match or approximately \$38,000 being the responsibility of the City of Luna Pier. Supported by Commissioner Donahue. Roll call by Clerk as follows:

AYES

NAY

ABSENT

| | |
|----------------|-----------------|
| Henry Lievens | Jerry Oley |
| David Hoffman | Mary O'Neill |
| Stephen Bell | Jason Sheppard |
| Daniel Donahue | LaMar Frederick |
| William Sisk | |

Motion carried.

10. Letter from Kay Sisung, Treasurer read requesting approval of the twenty-ninth Probate Court Escheat Account.

Motion by Commissioner Lievens to approve the twenty-ninth Probate Court Escheat Account with a balance of \$17,714.73 for accounting period January 1, 2010 through December 31, 2010. Supported by Vice-Chairman Sisk. Roll call by Clerk as follows:

AYES

NAY

ABSENT

Henry Lievens
David Hoffman
Stephen Bell
Daniel Donahue
William Sisk

Jerry Oley
Mary O'Neill
Jason Sheppard
LaMar Frederick

Motion carried.

11. Letter from Kay Sisung, Treasurer read requesting approval to adopt a resolution approving the Intergovernmental Agreement establishing the Monroe County Land Bank Authority.

Some of the benefits of the land bank is that it will open opportunities for better and more efficient use of abandoned and tax foreclosed parcels of land, will provide the county with the opportunity to meet eligibility requirements qualifying for State and Federal grants and program funding and used in conjunction with the foreclosure process with start-up funding for the land bank from the foreclosure fund thereby not requiring any general fund dollars.

The Land Bank will be comprised of five members; the treasurer must be a member and potential members could include township officials, city officials, city or county planners, economic development personnel, property appraisers and someone with assessing or other land use background.

Commissioner Lievens noted there are 77 land banks across the nation and suggested adding two Board members to the membership.

Ms. Sisung noted she has to agree to the membership and then the proposal has to be sent to the Attorney General for approval.

Commissioner Sheppard noted outside developers attend tax sales and purchase properties and do not maintain the properties.

Resolution Approving The Intergovernmental Agreement
Establishing The Monroe County Land Bank Authority

WHEREAS, the Michigan Land Bank Fast Track Authority (“Authority”) was created as a public body corporate and politic within the Michigan Department of Energy, Labor and Economic Growth, a principal department of the executive branch of the state government, under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and is authorized to enter into an intergovernmental agreement with a county foreclosing governmental unit providing for the creation of a county authority to exercise the powers, duties, functions, and responsibilities of an authority under that act; and,

WHEREAS, the Treasurer of the County of Monroe, Michigan is a foreclosing governmental unit under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and Section 78 of The General Property Tax Act, 1893 PA 206, MCL 211.78;

WHEREAS, the Authority and the Treasurer and the Board of Commissioners of the County of Monroe, Michigan seek to establish a county authority for Monroe County as a separate legal entity and as a public body to exercise within Monroe County, Michigan the powers, duties, functions and responsibilities of an authority under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.774.

NOW, THEREFORE, BE IT RESOLVED that the Monroe County Board of Commissioners approved the proposed Intergovernmental Agreement attached hereto as Exhibit 1 between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Monroe, Michigan creating the Monroe County Land Bank Authority, subject if necessary, to technical, typographical, or non-substantial modifications approved by the executive Director of, or legal counsel for, the Michigan Land Bank Fast Track Authority before the effective date of the Intergovernmental Agreement.

Motion by Commissioner Lievens to adopt a resolution approving the intergovernmental agreement establishing the Monroe County Land Bank Authority with the addition of two Board members being members of the Land Bank Board. Supported by Vice-Chairman Sisk. Roll call by Clerk as follows:

| AYES | NAY | ABSENT |
|----------------|-----------------|--------|
| Henry Lievens | Jerry Oley | |
| David Hoffman | Mary O'Neill | |
| Stephen Bell | Jason Sheppard | |
| Daniel Donahue | LaMar Frederick | |
| William Sisk | | |

Motion carried.

12. Discussion of proposed amendment(s) to the Board's By-Laws & Rules of Procedure.

Eight amendments were submitted by Tom Graham, Lennard, Graham and Goldsmith as follows:

1.5 **Compensation:**

Compensation for the Board of Commissioners and nonjudicial elected officials shall be determined by the Monroe County **Officers** Compensation Commission each even numbered year and shall make its determination within forty-five (45) calendar days after its first meeting of the year and shall become effective on January 1st of the odd numbered year following approval of the Monroe County Officers Compensation Commission (MCL 45.471).

Compensation of the *non-elected members of the* Monroe County *Board of* Road Commissioners shall be reviewed and established at such time as the Board of Commissioners determines appropriate.

Reason for Change:

The State statute uses the word “officers”, and the Bylaws provision used the word “Officers” one time, but not another time. So, the change was made to comply with State law and to make the provision consistent. The other changes were to comply with the actual name for the Road Commissioners and to make a grammatical change.

2.1 Chairperson:

... 9. Shall refer matters to a standing committee, special committee or subcommittee of the ~~County~~ Board *of Commissioners* as deemed necessary and appropriate by the Chairperson. No vote of the ~~County~~ Board *of Commissioners* shall be necessary before the Chairperson refers an item to a standing committee, special committee or subcommittee of the ~~County~~ Board *of Commissioners*, but at any time, and notwithstanding what the Chairperson of the ~~County~~ Board *of Commissioners* determines, the ~~County~~ Board *of Commissioners* may refer matters to standing committees, special committees and/or subcommittees of the ~~County~~ Board *of Commissioners* by vote of a majority of the members present at any meeting where a quorum is present.

When the Chairperson determines a matter to be important for the Board of Commissioners to act directly without benefit of a standing committee, special committee or subcommittee recommendation, because of time constraints or the importance of the matter, the Chairperson may direct a matter directly to the Board of Commissioners for action, even though it normally would have been referred to a standing committee, special committee or subcommittee of the Board of Commissioners, and the Chairperson may also take a matter previously referred to a standing committee, special committee or subcommittee of the Board of Commissioners from that standing committee, special committee or subcommittee before the standing committee, special committee or subcommittee has made its recommendation, and direct it to the Board of Commissioners for consideration and action.

Reason for Change:

After the difficult and time consuming budget dealings over the past two years, it became apparent that the Board of Commissioners needed to act immediately without waiting for a recommendation from a standing committee that it normally would have referred a matter to. So, this change is being offered to give more latitude to the Chairman and the Board of Commissioners to act without referring a matter to a committee or subcommittee or waiting for a committee or subcommittee to make a recommendation if the matter has already been referred to it. This would not be the normal procedure, but this new provision would allow such action by the Board when needed. The change to the Board of Commissioners’ name was simply to make the Bylaws more uniform in references to the Board.

2.4 Appointment of Administrator/Chief Financial Officer; Position of County Purchasing Agent Included; Power to Retain and Supervise other Representatives, Agents and Employees:

~~The County of Monroe, through its Board of Commissioners, perceives and believes management of the County can become more efficient through a more centralized administration established under MCL 46.11(o), which authorizes the appointment of an Administrator/Chief Financial Officer.~~ *The Board of Commissioners shall employ an Administrator/Chief Financial Officer for the County of Monroe, pursuant to MCL 46.11(o).* The position of Administrator/Chief Financial Officer shall include, among other duties, the duties of County Purchasing Agent under MCL 46.13a. The Administrator/Chief Financial Officer may, as the County Board *of Commissioners* may directly or through its policies allow, retain and supervise such other representatives, agents and employees as may be deemed necessary by the Board to carry out any of its powers. (See Appendix D.) The Administrator/Chief Financial Officer shall have the authority and possess all the duties and responsibilities, as authorized in the Resolution ~~Creating~~ *Establishing* the Position *Office* of County Administrator/Chief Financial Officer Position, adopted by the County Board *of Commissioners* on January 14, 1997, as may have been or may ever be amended or revised and as recited in Appendix D attached hereto, or as the Board may otherwise provide from time to time. *Nothing herein, or in the Resolution Establishing the Office of County Administrator/Chief Financial Officer Position (Appendix D) shall be construed to prohibit or interfere in any way with the authority of the Board of Commissioners to directly allow and appoint such other representatives, agents and employees as may be deemed necessary by the Board to carry out any of its powers and assist the Administrator/Chief Financial Officer, or to remove a representative, agent or employee allowed and retained by the Administrator/Chief Financial Officer.*

Reason for Change:

Over the past several years, the Board of Commissioners has been taking a more active roll in establishing and retaining employed positions within the County general staff. For instance, it has established the relatively new position of Director of Administrative Services, which is presently occupied by Michael Bosanac. The change in Section 2.4 is to bring the Bylaws more in line with the reality of how the Board of Commissioners is presently acting with respect to providing positions and hiring its general staff. Although it is giving more power to the County Board, or better put, taking back power that it may have delegated, it does not prohibit the County Administrator from acting as provided in this Section 2.4 where the Board of Commissioners has not acted. The first sentence was removed as being an unnecessary statement which could burden the Board of Commissioners in its operation of the County government. The change in the reference to the Resolution was to comply with Appendix D. The changes in the name of the Board was for uniformity in the Bylaws.

2.5 Legal Advisor:

~~The Board of Commissioners shall, at its Organizational Meeting of newly elected Commissioners, which occurs on every odd numbered year,~~ appoint a general Legal Advisor to serve at the pleasure of the Board *as its general counsel to represent the*

County, the Board of Commissioners, and its officers, employees and appointees on general legal and civil matters. ~~The Legal Advisor shall serve until a replacement is appointed.~~

The Board of Commissioners may also, in its discretion, appoint, ~~at its Organizational Meeting of newly elected commissioners, or at any other Organizational Meeting, or~~ from time to time, or as needed, such other legal advisors, such as, *but not necessarily limited to,* bond counsel, labor counsel, special litigation counsel, and others. ~~The appointment of the general Legal Advisor shall be mandatory. The appointment of other legal advisors shall be discretionary.~~

The appointment of the general Legal Advisor shall be mandatory. The appointment of other legal advisors shall be discretionary, as deemed necessary by the Board of Commissioners from time to time. The general Legal Advisor and any other legal advisors appointed by the Board of Commissioners shall serve at the pleasure of the Board and until discharged by the Board.

Reason for Change:

The Board of Commissioners retains a general Legal Advisor to represent it on its general civil legal matters. It also retains bond counsel from time to time for various bond issuances, and almost always the bond counsel is the same law firm. Further, the Board of Commissioners retains a labor counsel who assists the Board on its labor matters. Other special litigation counsel is retained from time to time, as well as other special counsel may be hired from time to time. There is no reason to have the general Legal Advisor appointed every two years when, in fact, that is not done for the other legal advisors, and, more importantly, when the reality of the situation is that the Board of Commissioners may retain and discharge any of its legal advisors, including the general Legal Advisor, at any time. So, to give the Board more leeway, and to make the Bylaws consistent with the reality of how the Board has acted, and what its powers are, the change to Section 2.5 is offered. This does not take power away from the Board, but grants or confirms more power in the Board.

2.6 **Appointments To Boards & Commissions:**

... ~~4. No County Board Commissioner shall be eligible or considered for appointment to any Board, Commission, Agency or Authority for a period of one year from the date after that Commissioner leaves office for any reason.~~

54. No individual shall be appointed, except County Board Commissioners, to serve on more than one Board, Commission, Agency or Authority. An individual, other than a County Board Commissioner, may submit a letter of resignation from an existing Board, Commission, Agency or Authority, upon which they are serving, subject to appointment to a new Board, Commission, Agency or Authority for which a new appointment is sought.

65. All appointments to Boards, Commissions, Agencies or Authorities, shall include only residents of the County of Monroe.

76. In the event the Board, Commission, Agency or authority does not make a recommendation to the County Board of Commissioners in a timely manner, as determined by the County Board of Commissioners, or if the Board of Commissioners determines to act without seeking a recommendation from the Board, Commission, Agency or Authority, the County Board of Commissioners may vote to appoint or reappoint for a vacant or expiring term on any Board, Commission, Agency or Authority. Unless otherwise provided by law, the County Board of Commissioners may make said appointment or reappointment without advertisement or interview. The County Board of Commissioners may, in its discretion, advertise and/or interview for any vacancy or expiring term, in any manner deemed reasonable by the County Board of Commissioners. In the event of the County Board of Commissioners making an appointment or reappointment without receiving a recommendation from the Board, Commission, Agency or Authority upon which the vacancy or expiring term is occurring, the Chairperson of the County Board of Commissioners may nominate persons for appointment to fill any vacancy or expiring term, which nomination shall require ratification by the County Board of Commissioners as provided in paragraph 2 of Section 2.6 above.

Reason for Change:

Apparently, at one time long ago, the then existing Board of Commissioners thought it best to restrain itself from appointing recently acting Commissioners who had lost an election or determined not to run, from being appointed for one year by the new Board of Commissioners to any Board, Commission, Agency or Authority. I am generally not in favor of self-imposed restrictions on the Board of Commissioners that are not necessary. Further, over the past several years, it seems that the Board has desired to name a recently retired Board member to a Board, Commission, Agency or Authority. Therefore, this provision is being removed, and it is believed the Board may have already taken action to waive or remove this provision.

In the interest of speed, I have noticed that the Board of Commissioners sometimes wants to make appointments without going through the fairly lengthy procedure of seeking a recommendation from the Board, Commission, Agency or Authority the appointment is being made to. Therefore, I am adding, as an option, and not necessarily for general use, the right of the Board of Commissioners to make any appointment without seeking a recommendation from the Board, Commission, Agency or Authority that the appointment is being made to. Again, this gives more power, or better, retakes power previously delegated to be used by the Board of Commissioners when needed.

3.4 Organizational Meeting:

For its Organizational Meeting, the Board of Commissioners shall meet each year at 7:00 p.m. on the first Tuesday of January that is not a designated County holiday, or at another reasonable day and time fixed by the Deputy Clerk/Administrative Assistant, or County Clerk if the County Clerk chooses to act, or any County Board Commissioner, which is on a day that is before the first Regular Meeting of the Board of Commissioners for the year. The purpose of the Organizational Meeting shall be to elect a Chairperson and Vice-Chairperson, administer oaths if necessary, appoint the County Legal Advisor and other advisors if necessary, and it may also authorize the payment of claims and non-

claims of the County, and to establish a date by which any proposed By-Law changes must be submitted, and it may also transact any other business properly brought before the Board of Commissioners. . . . (The remainder of this paragraph stays the same.)

Reason for Change:

Since we have proposed a change to Section 2.5 allowing for the general Legal Advisor to be appointed at any time, and to be discharged at any time, there is no need in this provision for the appointing of the County Legal Advisor at the Organizational Meeting as has been done in the past. Also, I added that a Commissioner could call the organizational meeting, as well as the Clerk or Deputy Clerk. The naming of the Board of Commissioners was to make the Bylaws more uniform. The rest were grammatical changes.

5.2 Standing Committees:

. . . 3. Physical Resources Committee:

. . . Areas of Responsibility:

. . . e. Board of Road Commissioners.

f. Drain Commissioner.

~~g. Self-Help Improvement Program.~~

h. Soil Erosion Program.

i. Parks & Recreation.

j. Solid Waste Management Plan (PA 641).

k. Planning Department.

l. Central Dispatch/9-1-1

m. Remonumentation Program.

n. Information Systems.

o. Historical Commission.

. . . 4. Judiciary, Law Enforcement And Public Safety:

. . . Areas of Responsibility:

~~h. Emergency Medical Services.~~

i. Youth Center.

j. Emergency Management.

k. Prosecuting Attorney.

Reason for Change:

The self-help road improvement program has been discontinued, so the reference here has been removed. The references to the Board of Road Commissioners and Drain Commissioner have been corrected. Emergency Medical Services have been taken over by the Emergency Medical Authority, so that reference has been removed.

Appendix C - Preparation Of Regular Board Meeting Agendas

... 2. Statement of Policy:

... 2.2 All ~~regular~~ Board of Commissioners meeting agendas *for regular meetings* will be prepared by, *or at the direction of* the Chairperson of the Board of Commissioners. *Although not absolutely required for every agenda for a regular Board meeting, the Chairperson shall seek*, with the input of the Vice-Chairperson of the Board of Commissioners, the ~~County~~ Administrator/Chief Financial Officer, the Administrative Assistant/Deputy Clerk and the *general* Legal Advisor. *For regular meetings of the Board of Commissioners, the normal procedure will be to have an agenda meeting with The Chairperson of the Board of Commissioners, and any of the following who are able to attend:* Vice-Chairperson of the Board of Commissioners, ~~County~~ Administrator/Chief Financial Officer, Administrative Assistant/Deputy Clerk, and the *general* Legal Advisor. *The purpose of the agenda meeting shall be shall attend an agenda meeting to help review and identify items to be placed on the agendas of the a regular meeting of the Board of Commissioners and a regular meeting and of the Finance Committee meeting. The Any agenda meeting will be held at 4:00 p.m. on the Thursday before the regular Board of Commissioner's meeting, or when otherwise scheduled by the Chairperson of the County Board of Commissioners, but no later than noon on the Friday preceding the regular County Board of Commissioners meeting. The Chairman of the Board of Commissioners may, but is not required to have an agenda meeting for a special meeting and/or a rescheduled regular meeting of the Board of Commissioners. Although, generally, Finance Committee meetings shall be held for every regular Board of Commissioners meeting, and therefore shall also be the subject of any agenda meeting, it is not required that there be a Finance Committee in order to have a regular meeting of the Board of Commissioners, and it shall not be required that there be a regular meeting of the Board of Commissioners in order to have a meeting of the Finance Committee. A Chairperson of the Board of Commissioners may, if special circumstances exist as determined by the Chairperson, prepare, or cause to be prepared an agenda for a regular meeting of the Board of Commissioners, and the Vice-Chairperson may prepare, or cause to be prepared an agenda for a Finance Committee meeting, without having an agenda meeting, in which event, the Chairperson of the Board of Commissioners, and the Vice-Chairperson, if there is a Finance Committee meeting, shall work with the Administrator/Chief Financial Officer and/or Administrative Assistant/Deputy Clerk to have the agenda(s) prepared and delivered as required in this Section 2.2. Although*

agenda meetings are generally to be attended by the Chairperson of the Board of Commissioners, and any of the Vice-Chairperson of the Board of Commissioners, the Administrator/Chief Financial Officer, the Administrative Assistant/Deputy Clerk and the general Legal Advisor, who can attend, the Chairperson may invite Other members of the Board of Commissioners, and other members of the administrative staff, and other elected officials, or their staff members, may to participate and provide input into the agenda meetings, so long as there are no violations of the Open Meetings Act.

Reason for Change:

Again, this change is brought about by what has in reality been occurring over the past several years. Oftentimes, a Vice-Chairperson cannot attend an agenda meeting, and that should not be a reason to not hold an agenda meeting. Further, some of the other required attendees may not be able to be at the meeting, so the idea is to allow the meeting to proceed without one or more of those required attendees being in attendance. Further, most often there are no agenda meetings for rescheduled regular meetings or special meetings. There is no problem with that, but it was thought best to make that clear in this Section 2.2. Further, since in some very unique circumstances an agenda meeting may not be able to be held for a regular meeting, or a Finance Committee meeting, that should not be a reason to not hold a regular Board meeting, or a Finance Committee meeting, and it was thought best to state that. Obviously, and this has been the case in Monroe County, agenda meetings have been held for virtually every regular meeting, but giving some leeway might be helpful when special circumstances exist. As far as allowing others to attend the agenda meeting, it was thought best that the Chairman should make those choices. I believe it has been the custom of the Administrative Assistant to not publish the meeting as an open meeting. So, there must never be a situation where five Commissioners were present for an agenda meeting as this would most likely violate the Open Meetings Act.

A 2/3's vote is necessary to amend the by-laws and the by-laws become in effect in 30 days unless the Board waives the 30-day notice. If the 30-day notice is waived, the by-laws become effective immediately.

Commissioner Oley noted there is no provision in Appendix C for public participation and stated all Board members should be allowed to attend.

Mr. Graham stated the Agenda meetings are not being posted now.

Commissioner Oley stated a quorum is an Open Meetings Act issue; someone can step out and if a Board member desires to attend, they should be allowed to without being invited. He noted posting the agenda meetings is simple.

Chairman Frederick invited all Board members to attend the meeting and if the public is invited to attend, the meetings must be posted.

Commissioner Sheppard stated the proposed process makes sense, however, he understands Commissioner Oley's stance on the topic.

Commissioner Bell noted the Board needs to take every opportunity to be transparent and suggested posting the meetings.

Chairman Frederick requested legal counsel amend section 2.2 to allow all Board members and the public to attend the agenda meetings and post the meetings.

Mr. Graham noted the changes can be made.

Motion by Commissioner Sheppard to accept the legal counsels proposed changes to the Board's By-Laws and Rules of Procedure with Appendix C – Section 2.2 amended to reflect the following:

... 2.2 All Board of Commissioners meeting agendas for regular meetings will be prepared by, or at the direction of the Chairperson of the Board of Commissioners. Although not absolutely required for every agenda for a regular Board meeting, the Chairperson shall seek the input of the Vice-Chairperson of the Board of Commissioners, the Administrator/Chief Financial Officer, the Administrative Assistant/Deputy Clerk and the general Legal Advisor. For regular meetings of the Board of Commissioners, the normal procedure will be to have an agenda meeting with the Chairperson, and any of the following who are able to attend: Vice-Chairperson, Administrator/Chief Financial Officer, Administrative Assistant/Deputy Clerk, and the general Legal Advisor. The purpose of the agenda meeting shall be to help review and identify items to be placed on the agenda of a regular meeting of the Board of Commissioners and a regular meeting of the Finance Committee. Any agenda meeting will be held at 4:00 p.m. on the Thursday before the regular Board of Commissioner's meeting, or when otherwise scheduled by the Chairperson of the Board of Commissioners, but no later than noon on the Friday preceding the regular Board of Commissioners meeting. The Chairman of the Board of Commissioners may, but is not required to have an agenda meeting for a special meeting and/or a rescheduled regular meeting of the Board of Commissioners. Although, generally, Finance Committee meetings shall be held for every regular Board of Commissioners meeting, and therefore shall also be the subject of any agenda meeting, it is not required that there be a meeting of the Finance Committee in order to have a regular meeting of the Board of Commissioners, and it shall not be required that there be a regular meeting of the Board of Commissioners in order to have a meeting of the Finance Committee. A Chairperson of the Board of Commissioners may, if special circumstances exist as determined by the Chairperson, prepare, or cause to be prepared an agenda for a regular meeting of the Board of Commissioners, and the Vice-Chairperson may prepare, or cause to be prepared an agenda for a Finance Committee meeting, without having an agenda meeting, in which event, the Chairperson of the Board of Commissioners, and the Vice-Chairperson, if there is a Finance Committee meeting, shall work with the Administrator/Chief Financial Officer and/or Administrative Assistant/Deputy Clerk to have the agenda(s) prepared and delivered as required in this Section 2.2. Other members of the Board of Commissioners and administrative staff, and elected officials, may participate and provide input into the agenda meetings. Supported by Commissioner Bell and waive the 30-day notice. Roll call by Clerk as follows:

AYES

NAY

ABSENT

Henry Lievens
David Hoffman
Stephen Bell
Daniel Donahue
William Sisk

Jerry Oley
Mary O'Neill
Jason Sheppard
LaMar Frederick

Motion carried.

13. Discussion of Corrections Officers employment contract Letter of Understanding between the County of Monroe, Monroe County Sheriff and the Police Officers Association of Michigan effective January 14, 2011.

Chairman Frederick stated he was asked to sign the Letter of Understanding however he opted to have the Board approve same.

Commissioner Oley questioned if the Letter of Understanding is within the threshold of the current contract.

Frank Spreeman, Director, Human Resources stated the employees now receive \$400 per year for their uniform allowance.

Motion by Commissioner Oley to approve the Letter of Understanding between the County of Monroe, Monroe County Sheriff and Police Officers Association of Michigan effective January 14, 2011 and approve Chairman Frederick signing the Letter of Understanding on behalf of the County of Monroe. Supported by Commissioner Donahue. Roll call by Clerk as follows:

AYES

NAY

ABSENT

Henry Lievens
David Hoffman
Stephen Bell
Daniel Donahue
William Sisk

Jerry Oley
Mary O'Neill
Jason Sheppard
LaMar Frederick

Motion carried.

14. Information –

Memorandum from Rebecca Head, Health Director regarding the National Association of Local Boards of Health/Community Guide Initiative.

Chairman Frederick stated a presentation will be scheduled for Tuesday, February 22, 2011, to begin Board involvement.

15. Old Business –

- A. Historical Museum Sustainability Plan - due August 1, 2011
- B. Historical Museum Advertising/Marketing Plan - due April 1, 2011.
- C. Discussion of Employee Benefit Counselor - place on February 22, 2011 agenda.
Commissioner Sheppard suggested inviting a representative to attend the meeting.
Chairman Frederick stated a representative has been here twice.

16. New Business –

Discussion of scheduling a workshop on Saturday, February 26, 2011, from 9:00 a.m., to 12:00 noon, to review 2011 work plan.

Chairman Frederick scheduled the workshop from 8:00 a.m., to 12:00 noon and noted the meeting will be posted.

17. Citizens Time –

Larry Rutledge, LaSalle Township Supervisor and member 9-1-1 Authority Board questioned the status of the 9-1-1 director, welcomed the new members and stated the money that LaSalle Township set aside for Rauch Road will now fund a subdivision project.

Chairman Frederick stated legal and labor counsel is still looking into the 9-1-1 director issue.

18. Administrator's Report –

Royce Maniko, Administrator/Chief Financial Officer reported the following:

He received a letter honoring Laura Keehn and Michael Grodi for working with the United Way Campaign.

19. Commissioners Time –

Commissioner Hoffman noted he attended his first Parks & Recreation Commission meeting.

Commissioner O'Neill reported the Board received a thank you note from St. Mary Catholic Central Girl's Volleyball Team Head Coach, Diane Tuller.

Commissioner Lievens spoke regarding Monroe County having three leaders in Lansing and networking with them and preparing a borders/roads resolution for the next meeting.

Chairman Frederick spoke regarding taking advantage of the tethering program rather than spend the money to house an inmate and scheduling a meeting with the judges to discuss same.

20. Motion by Commissioner Oley to adjourn. Supported by Commissioner Sheppard.

Motion carried.

21. The meeting was adjourned at 8:00 p.m.

R. LaMar Frederick, Chairman

Sharon D. Lemasters, Monroe County Clerk