

1. A Special Meeting of the Monroe County Board of Commissioners was held in the City of Monroe on Tuesday, November 15, 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 Bell led the Pledge of Allegiance.
3. Robin Miller, Deputy Clerk, Monroe County Board of Commissioners led the Opening Prayer.
4. Motion by Commissioner Sheppard to approve the Agenda for the Tuesday, November 15, 2011, Special Meeting 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.

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

Motion carried.

6. Resolutions, Special Tributes & Presentations

Resolution declaring the week of November 13 – 19, 2011, as Homeless Awareness Week read:

WHEREAS, every day, there are men, women and children in Monroe County who do not have a place they call home; and

WHEREAS, the plight of those without a home is evident in our own community and can be both lonely and difficult; and

WHEREAS, the Monroe County Network on Homelessness and the Monroe County Ten-Year Planning Committee are committed to providing solutions and sheltering individuals and families who are homeless; and

WHEREAS, every year, public and private agencies observe Homeless Awareness Week to increase awareness and focus attention on the need of homeless individuals and families; and

WHEREAS, based on new evidence, in the next three years, homelessness in the United States could increase by 5 percent, or 74,000 people.

NOW, THEREFORE, BE IT RESOLVED, that on this 15th day of November, 2011, the Monroe County Board of Commissioners hereby declare the week of November 13 - 19, 2011, as Homeless Awareness Week and encourage all citizens to recognize and support the efforts of service agencies working toward ending homelessness.



WHEREAS, HB 5125 offers to amend PA 283 of 1909, and in particular Section 6 of Chapter IV (MCL224.6), as amended by PA 39 of 2009; and

WHEREAS, HB 5126 offers to amend PA 156 of 1851, and in particular Section 11 (MCL 46.11) as amended by PA 94 of 2003; and

WHEREAS, HB 5125 provides in pertinent part that the powers, duties and functions that are otherwise provided by law for a board of County Road Commissioners may be transferred to the County Board of Commissioners by a Resolution as allowed under Section 11 of PA 156 of 1851 and upon adoption of said Resolution said County Board of Commissioners is authorized to receive and expend funds as allowed in PA 51 of 1951 (MCL 247.651 to 247.675); and

WHEREAS, HB 5126 provides in pertinent part that by a majority vote of the members of the County Board of Commissioners elected and serving, pass a Resolution that transfers the powers, duties and functions that are otherwise provided by law for a board of County Road Commissioners to the County Board of Commissioners and that said HB further provides that upon adoption of said Resolution the board of County Road Commissioners is dissolved on the date specified in the Resolution adopted under this subdivision.

NOW, THEREFORE, BE IT RESOLVED, that on this 15<sup>th</sup> day of November, 2011, upon due consideration and in consideration of the premises, the Monroe County Board of Commissioners hereby offers its full support of the amendments set forth in HB 5125 and HB 5126 and encourages the Legislature of the State of Michigan to adopt said House Bills and send said House Bills to the Governor of the State of Michigan for signature and implementation.

Richard Turner, Road Commissioner noted there will need to be communication between the Board of Road Commissioners and the Board of Commissioners.

Robert Stammer, Road Commissioner spoke regarding the Road Commissioners being elected and suggested the Board give them the opportunity to have all of the members elected prior to supporting HB 5125 and HB 5126.

Motion by Commissioner Sheppard to adopt the resolution in support of the amendments set forth in HB 5125 and HB 5126 to transfer the powers, duties and functions that are otherwise provided by law for a Board of County Road Commissioners to the County Board of Commissioners and authorizes County Board of Commissioners to receive and expend funds as allowed in PA 51 of 1951. Supported by Commissioner Lievens. 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. The following items were listed under Consent Agenda:

A. Finance Committee Report (11/01/11)

1. The Finance Committee recommends to the full board to fund a part-time (32 hours per week) Rye 6 secretarial position in the Prosecuting Attorney's Office in 2012 at an hourly rate of \$12.99/\$22,747 without benefits.
2. The Finance Committee recommends to the full board to accept the 2012 recommended budget as submitted with the addition of funding a part-time (32 hours per week) Rye 6 secretarial position in the Prosecuting Attorney's Office in 2012 at an hourly rate of \$12.99/\$22,747 without benefits by reducing the 2012 general fund contingency account and

authorize staff to proceed with advertising for the public hearing scheduled for November 15, 2011 and the budget being available for public inspection.

3. The Finance Committee recommends to the full board to refer the Prosecuting Attorney's request to change a part-time office manager position to a full-time position in 2012 to the Personnel Services/Human Resources Committee for consideration.
4. The Finance Committee recommends to the full board to refer the Prosecuting Attorney's request to increase support staff's work week from 37.5 hours to 40.0 hours per week in 2012 to the Personnel Services/Human Resources Committee for consideration.

B. Physical Resources Committee Report (11/03/11)

1. The Physical Resources Committee recommends to the full board to accept the revisions to the Monroe County Planning Ordinance with section 11 – Personnel to read as follows:

The Monroe County Board of Commissioners may appoint a Director and may employ such other personnel as it may deem necessary, contract for the part time or full time services of planning and other technicians and pay such other expenses within total funds provided for the Planning Commission as it may deemed necessary.

The appointment of employees shall be subject to the same provisions of law and the County's hiring policies and procedures as govern other corresponding employees of the County.

*The ordinance dated August of 1968, included a provision allowing the Planning Commission to appoint a Director and employ such other personnel as it may deem necessary, contract for the part time or full time services of planning and other technicians, and pay such other expenses within total funds provided for the Planning Commission as it may be deemed necessary.*

2. The Physical Resources Committee recommends to the full board to accept the Monroe County Capital Improvements Program Update, 2012-2016 and place on file.

C. Judiciary, Law Enforcement & Public Safety Committee Report (11/09/11)

1. The Judiciary, Law Enforcement & Public Safety Committee recommends to the full board to appropriate \$2,000 to District Court's Indigent Tethering Program account from the 2011 general fund contingency account.
2. The Judiciary, Law Enforcement & Public Safety Committee recommends to the full board to appropriate \$10,000 to District Court's Indigent Tethering Program account from the 2012 general fund contingency account.

D. Approval of Non-Claims Against the County:

1. Check Register dated 10/28/11 in the amount of \$5,424,923.09.
2. Check Register dated 11/04/11 in the amount of \$572,160.60.
3. Check Register dated 11/10/11 in the amount of \$1,138,050.61.

Motion by Commissioner O'Neill to approve the Consent Agenda as presented. 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.

- 10. Consideration of approving the 11/09/11 Accounts Payable Current Claims Report in the amount of \$498,601.66.

Motion by Vice-Chairman Sisk to approve the 11/09/11 Accounts Payable Current Claims Report in the amount of \$498,601.66. 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.

- 11. Letter from Lucy DeSilvis, Community Corrections Coordinator read requesting an additional appropriation of \$1,732.00 to Community Corrections part-time line item from the 2011 general fund contingency account to allow Ms. DeSilvis to cover the office for the remainder of 2011 while the Assistant Community Corrections Coordinator is utilizing vacation/personal days.

Motion by Commissioner Lievens to appropriate an additional \$1,732.00 to Community Corrections part-time line item from the 2011 general fund contingency account to allow Ms. DeSilvis to cover the office for the remainder of 2011 while the Assistant Community Corrections Coordinator is utilizing vacation/personal days. 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.

- 12. Consideration of adopting revisions to County Policy 439 – Electronic Communications.

Motion by Commissioner Donahue to adopt the revisions to County Policy 439 – Electronic Communications. 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.

13. Discussion of post retirement supplemental benefit distribution program (13<sup>th</sup> check.)

Commissioner Oley questioned the total cost of distributing the funds to the retirees.

Royce Maniko, Administrator/Chief Financial Officer stated \$100,000 or 12% of the fund.

Commissioner Oley questioned the total amount in the fund.

Mr. Maniko noted there is approximately \$162,000 million in the pension fund and in 1999, the fund was 120% funded; it is currently funded at 80% and noted Kushner & Company suggested eliminating the post retirement distribution.

Commissioner Oley questioned how long the post retirement check has been issued to the retirees.

Mr. Maniko stated the retirees have been issued the check since 1999 and noted the stock market has been fluctuating up and down.

Commissioner Lievens noted the checks help with inflation and recommended issuing the checks this year but give the retirees warning that this may be the last year.

Commissioner Oley stated with the amount of money in the fund, it is not unreasonable to grant the check and spoke regarding pension checks being taxed next year.

Bill Myers, President, ACRE stated whether it is right, wrong or otherwise, retirees expect their benefit and noted out of 478 retirees, 367 qualify for the check. He also noted the retirees understand the Board's position however, the actuary stated authorizing the check would have very little effect on the pension system.

Chairman Frederick stated every year that the check is issued, there will be an increase in county dollars that will need to be allocated to the fund; it will affect the budget.

Motion by Commissioner Oley to approve distributing a post retirement supplemental benefit (13<sup>th</sup> check) for fiscal year 2011 to all eligible retirees. 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.

14. Discussion of counsel for disposition of the dogs in the animal case.

Chairman Frederick reported the Prosecutor will handle the order for the disposition of the dogs and if the case is appealed, the Prosecutor would not handle. Judge Vitale requested Attorney Goldsmith, Lennard, Graham & Goldsmith attend the hearing. An order was entered by Honorable Judge Costello remanding the case back to Judge Vitale.

Chairman Frederick requested Attorney Goldsmith attend the status conference if the case is appealed.

15. Public Hearing To Consider Proposed 2012 – 2013 Monroe County Annual Line Item Budget.

Chairman Frederick opened the Public Hearing for public comment at 8:07 p.m.

Larry Van Wasshenova, Monroe County Senior Legal Services stated he was concerned that Commission on Aging decreased legal services' budget by 25%; from \$250,000 to \$187,500. He noted less people will be able to be served and staff will have to be cut.

Kathy Powell spoke regarding Commission on Aging trying to shut down Senior Legal Services and the importance of their services.

Linda Burk stated no one looks forward to getting old but it would be nice to have attorneys who are experts with senior issues and spoke regarding cutting budgets equally and turning away clients.

Phyllis Hartman stated she knows nothing about the politics or about the percentages, but is a client and without the service, she doesn't know what she would have done.

Jeff McBee, Director, Commission on Aging stated Monroe County Senior Legal Services is an important part of this community and noted every agency received a cut, some were totally cut out and the contingency account is used for crisis situations.

Commissioner Oley stated a mill generates \$2.8 million and will be on the ballot in 2012.

Commissioner Bell questioned if the Commission on Aging Board unanimously voted to decrease their budget.

Mr. McBee stated the vote was unanimous.

Commissioner Bell stated the vote was unanimous because the members thought they could work within the allocation.

Commissioner Sheppard stated the Commission on Aging Board thought the Monroe County Senior Legal Services views were not as helpful and they were not accommodating; the Board wanted their budget cut even deeper because of their lack of response.

Commissioner Lievens stated a unanimous vote says something.

Chairman Frederic spoke regarding Monroe County Senior Legal Services going back to the Commission on Aging Board to work out their differences and if there is no resolution, then they should come back to the Board of Commissioners; the Board of Commissioners established the Commission on Aging Board to assist senior citizens so let them or the Board of Commissioners will handle agency requests.

Commissioner Lievens stated Monroe County Senior Legal Services to meet with Mr. McBee and the Commission on Aging Board for further review.

Gregory Sullivan questioned why the rainy day funds are not being used.

Chairman Frederick closed the Public Hearing at 8:15 p.m.

16. Old Business -

- A. Proposed changes to the Solid Waste Hauler Licensing and Waste Generator Fee Ordinance and Solid Waste Funding Resolution – referred to Physical Resources Committee.
- B. Electronic monitoring and video arraignment program – referred to Judiciary, Law Enforcement & Public Safety Committee. Staff met with Sheriff Crutchfield and Chief Judges and they are in support and interested in video arraignment. Judge Vitale was invited to give an updated report on the pilot video courtroom program in December of 2011.
- C. Consideration of amending Section 14 of County Policy 448 – Courthouse Facility Security Screening to include the Prosecuting Attorneys and Board of Commissioners – referred to Judiciary, Law Enforcement & Public Safety Committee.

Commissioner Oley stated the Judiciary, Law Enforcement & Public Safety Committee opted to send ask the Chief Judges for their input/comments and discuss their comments at the next meeting and then send a letter to the State Administrator's Office after the Chief Judges comments are discussed asking for an opinion as to whether their mandate would include commissioners carrying firearms in the Board Chambers, Board Committee Room and Finance

Department and Prosecuting Attorney's carrying firearms anywhere in the courthouse.

Commissioner Oley questioned if the Board wants to move forward.

Vice-Chairman Sisk spoke in favor of pursuing the matter.

Commissioner Sheppard stated the NRA is pro-gun, but when emotions come into play, it can get crazy and that could happen at the courthouse, special funding for deputies overtime and security as a whole is an issue.

Commissioner Lievens suggested allowing the prosecuting attorneys to carry firearms then consider other elected officials.

Commissioner Sheppard noted security will need to be enhanced.

Commissioner Lievens stated the judges were neutral to the prosecuting attorneys carrying firearms.

Chairman Frederick stated the security process needs to be reviewed.

Vice-Chairman stated it would "open a can of worms."

Commissioner Oley stated the Board Chambers are open to everyone and that concerns him.

Phillip Goldsmith, Lennard, Graham & Goldsmith stated it is his opinion not to expand the policy.

Commissioner Oley stated as Chairman of the Judiciary Committee, his recommendation would be to accept legal counsel's opinion.

Commissioner Lievens suggested the Physical Resources Committee discuss what is needed to enhance security.

D. Historical Museum – 2012 operation options – millage proposal

Discussion to be placed on the December 13, 2011, agenda.

E. Proposed MSU Extension Memorandum of Agreement and outcome of retaining Agriculture and Natural Resources Educator position. – December 13, 2011. Board opted to have administrative staff negotiate with Mr. Ned Burkey and bring back their recommendations.

Discussion to be placed on the December 13, 2011, agenda.

F. Retiree Health Care Plan/Trust - Dykema Gossett preparing revision for the Board to consider at a future meeting.

Discussion to be placed on the December 13, 2011, agenda.

17. New Business -

Adoption of the 2012 – 2013 General Appropriations Act Budget Resolution and annual line item budget.

Motion by Vice-Chairman Sisk to adopt the 2012 – 2013 General Appropriations Act Budget Resolution and annual line item budget. 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.

18. Citizens Time –

Jeanne Micka urged members to speak into their microphones.

19. Administrator's Report –

Royce Maniko, Administrator/Chief Financial Officer congratulated staff for their hard work in preparing the budget for adoption.

20. Members Time –

Commissioner Lievens spoke regarding the budget process.

Commissioner Bell spoke regarding finding funds to maintain and fix roads.

Commissioner Sheppard spoke regarding Michigan being the only state that has a road commission and how much that can be done with the legislation.

Commissioner Hoffman urged everyone to attend the Ida Parade.

Chairman Frederick urged the Board to remit their thoughts regarding Citizens Time.

21. Motion by Commissioner Oley to adjourn. Supported by Commissioner Hoffman.

Motion carried.

22. The meeting was adjourned at 8:54 p.m.



R. LaMar Frederick, Chairman



Sharon D. Lemasters, Monroe  
County Clerk