

JUNE SESSION 2010
MIDLAND COUNTY BOARD OF COMMISSIONERS
JUNE 15, 2010

APPROVED

Board called to order by Chairman, James T. Bradley, at 9:00 a.m.

ROLL CALL

MEMBERS PRESENT: SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, MCQUAID, BRADLEY.

MEMBERS ABSENT: NONE.

Invocation by Commissioner Wilson.

Pledge to the Flag was given.

APPROVAL OF MINUTES FOR THE SESSIONS OF JUNE 1 AND JUNE 8, 2010:

Motion by Commissioner Bone to adopt.

Motion carried by roll call.

ROLL CALL

YEAS: MCQUAID, SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

APPROVAL OF BILLS

GENERAL BANK CLAIMS APPROVED IN THE AMOUNT OF:

05-21-10 - HAND	180.00
05-27-10 - REGULAR	\$749,621.47
05-20-10 - REGULAR	<u>\$1,017,535.68</u>
TOTAL CHECK RUNS	\$1,767,337.15

BOARD OF COMMISSIONER'S PER DIEMS AND MILEAGE IN THE AMOUNT OF \$1,037.50 TO BE PAID THROUGH PAYROLL ON JUNE 17, 2010.

Motion by Commissioner Schoenherr to adopt.

Motion carried by roll call.

ROLL CALL

YEAS: SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, MCQUAID, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

SPECIAL PROGRAM OF THE DAY - MICHIGAN STATE UNIVERSITY EXTENSION UPDATE - BEVERLY PRZYSTAS, INTERIM DIRECTOR AND DEANNA EAST, DISTRICT 9 COORDINATOR:

DEANNA EAST GAVE A PRESENTATION ON MSU EXTENSION.

CONSENT AGENDA - Committee Report number 4 - *58-4-10:

Motion by Commissioner Bone to include Committee Report 4 on the Consent Agenda and to approve the Consent Agenda.

Public Comments - NONE.

Commissioner Comment - NONE.

Commissioner Consideration to remove any consent agenda item:

Motion carried by roll call.

ROLL CALL

YEAS: BONE, LEIGEB, KEENAN, WILSON, MCQUAID, SCHOENHERR, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

June 11, 2010

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 88-6-10AO

Lady and Gentlemen:

We your Administration and Operations Committee recommend authorization to allow the Prosecuting Attorney to sell a seized parcel of property located in Greendale Township that had been used in drug dealing activity in Midland County and awarded to the County by 42nd Circuit Court. This forfeiture was the result of an undercover buy operation conducted by Bay Area Narcotics Enforcement Team (BAYANET) and in the past they have conducted the means of sale, however, this time they have agreed to allow the County to sell this property. The proceeds from the sale to be placed the drug forfeiture fund and utilized in the continued efforts to battle drug abuse in Midland County. Corporate Counsel is to give guidance to the Prosecuting Attorney for the sale of land.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson

S/Rose Marie McQuaid

S/Richard Keenan

Administration and Operations Committee

Motion by Commissioner Schoenherr to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, WILSON, MCQUAID, SCHOENHERR, BONE, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

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2
THE ADMINISTRATION AND OPERATIONS COMMITTEE AND THE LAW ENFORCEMENT AND JUDICIARY COMMITTEE RECOMMEND APPROVAL OF AN EXTERNSHIP AGREEMENT WITH MICHIGAN STATE UNIVERSITY COLLEGE OF LAW.

June 11, 2010

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 74-5-10AOL

Lady and Gentlemen:

We your Administration and Operations Committee and the Law Enforcement and Judiciary Committees recommend approval of an agreement between the County of Midland and Michigan State University College of Law. The term of this agreement begins with the date of signature, and shall continue until terminated by either party upon written notice.

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The agreement requires that Michigan State University College of Law provide students for externship opportunities at the Courts. Students shall not be deemed to be employees of the Court for purposes of compensation, fringe benefits, worker's compensation, unemployment compensation, minimum wage laws, income tax withholding, social security or any other purpose, because of their participation in the educational program. Each student is placed with the Court to receive practice experience as a part of his/her education. Upon successful completion, these students will receive academic credit for participation.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson
S/Rose Marie McQuaid
S/Richard Keenan
Administration and Operations
Committee

S/James Leigeb, Chairperson
S/Mark Bone
S/Otis G. Wilson
Law Enforcement and Judiciary Committee

Motion by Commissioner Schoenherr, supported by Commissioner Leigeb to adopt.
Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: KEENAN, WILSON, MCQUAID, SCHOENHERR, BONE, LEIGEB, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

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3

THE ADMINISTRATION AND OPERATIONS COMMITTEE AND THE LAW ENFORCEMENT AND JUDICIARY COMMITTEES RECOMMEND APPROVAL OF A DATA MANAGEMENT CONTROL AGENCY AGREEMENT.

June 11, 2010

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 86-6-10AOL

Lady and Gentlemen:

We your Administration and Operations Committee and the Law Enforcement and Judiciary Committees recommend approval of a Data Management Control Agency Agreement between the County of Midland, including Information Technology Department, Finance Department and Facilities Management Department (collectively, for this agreement, only, the County) funding unit for the 42nd Judicial Circuit Court, 35th District Court and Midland County Probate Court, acting through the Midland County Judicial Council (Court) is to identify the responsibilities of the parties hereto with regard to data received by, or on behalf of the Court.

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CONT.

This agreement is for the purpose of identifying the responsibilities of certain County departments with regard to data received, processed, stored, maintained or retrieved by the County. This agreement shall remain in force until terminated by either party, or both parties.

Respectfully submitted,

S/Howard G. Schoenherr, Chairperson
Rose Marie McQuaid
Richard Keenan
Administration and Operations

S/James Leigeb, Chairperson
S/Mark Bone
S/Otis G. Wilson
Law Enforcement and Judiciary Committee

Committee

Motion by Commissioner Schoenherr, supported by Commissioner Leigeb to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: WILSON, MCQUAID, SCHOENHERR, BONE, LEIGEB, KEENAN, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

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4

THE LAW ENFORCEMENT AND JUDICIARY COMMITTEE RECOMMENDS RECEIVING AND FILING THE 75TH DISTRICT COURT 2009 ANNUAL REPORT.

June 11, 2010

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: *58-4-10LEJ

Lady and Gentlemen:

We your Law Enforcement and Judiciary Committee recommend receiving and filing the 75th District Court 2009 Annual Report.

Respectfully submitted,

S/James Leigeb, Chairperson

S/Mark Bone

S/Otis G. Wilson

Law Enforcement and Judiciary Committee

APPROVED AS A PART OF THE CONSENT AGENDA.

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THE LAW ENFORCEMENT AND JUDICIARY COMMITTEE RECOMMENDS APPROVAL OF REVISED DRAFT COUNTY POLICIES 801.1 AND 801.2.

June 11, 2010

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 146-11-09LEJ

Lady and Gentlemen:

We your Law Enforcement and Judiciary Committee recommend approval of the revised draft County Policies 801.1, Policy for the Use of the Emergency Command Vehicle and 801.2, Emergency Public Warning Policy. The Emergency Management Coordinator has reviewed these policies and made his recommended changes. All changes are indicated by bold characters.

Respectfully submitted,
S/James Leigeb, Chairperson
S/Otis G. Wilson

S/Mark Bone

Law Enforcement and Judiciary Committee
Motion by Commissioner Leigeb to adopt.
Motion Carried by Roll Call.
Public comments: None.
Commissioner Discussion: None.

ROLL CALL

YEAS: MCQUAID, SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, BRADLEY.
NAYS: NONE.
ABSENT: NONE.

6

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF THE MICHIGAN DEPARTMENT OF TREASURY FORM 614 (FORMERLY L-4029) 2010 TAX RATE REQUEST.

June 11, 2010

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 87-6-10F

Lady and Gentlemen:

We your Finance Committee has reviewed the Michigan Department of Treasury Form 614 (formerly L-4029) 2010 Tax Rate Request, which, if approved, authorizes the full County operating millage (4.8955 mills) to be levied in July. There will be a separate 2010 Tax Rate Request form submitted in the fall to request levy of the remaining taxing authorities in December. Recommend approval.

Respectfully submitted,
Otis G. Wilson, Chairperson
S/Mark Bone

S/Howard G. Schoenherr

Finance Committee
Motion by Commissioner Wilson to adopt.
Motion Carried by Roll Call.
Public comments: None.
Commissioner Discussion: None.

ROLL CALL

YEAS: SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, MCQUAID, BRADLEY.
NAYS: NONE.
ABSENT: NONE.

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THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF MID-YEAR BUDGET ADJUSTMENTS TO THE 2010 BUDGET FROM VARIOUS DEPARTMENTS AS REQUESTED BY THE ADMINISTRATOR/CONTROLLER.

June 11, 2010

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 90-6-10F

Lady and Gentlemen:

We your Finance Committee have reviewed the proposed mid-year adjustments to the 2010 Budget that have been offered by various department in response to the Administrator/Controller's requests to reduce the current year budget. This mid-year 2010 Budget adjustments total \$277,437.00 to be returned to the General Fund. Recommend approval of the budget adjustments to the 2010 Budget.

Respectfully submitted,

S/Otis G. Wilson, Chairperson S/Howard G. Schoenherr

S/Mark Bone

Finance Committee

Motion by Commissioner Wilson to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: BONE, LEIGEB, KEENAN, WILSON, MCQUAID, SCHOENHERR, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

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8

THE FINANCE COMMITTEE RECOMMENDS APPROVAL OF BUDGET ADJUSTMENTS FROM STAFFING REDUCTIONS FOR 2010 BUDGET AND 2011 OFFERED BY THE HOUSING/FACILITIES DIRECTOR.

July 7, 2010

REVISED 6-14-10

To the Honorable Chairman and

Members of the Board of Commissioners

Agenda Item: 91-6-10F

Lady and Gentlemen:

We your Finance and the Human Services Committees recommend approval of the proposed funding and the reduction in staffing in the Facilities department, as well as the reallocation of staff time between the Housing and Facilities functions. This proposal recommends elimination of the Senior Maintenance Technician and the reduction of the full-time Janitorial position to .60 FTE. The reallocation of staff time from the Housing function to Facilities to reflect actual time spent is as follows:

Current--Housing:

Housing Director-25%

Housing Specialist I-50%

Housing Specialist II-50%

Current--Facilities:

Facilities Director-75%

Secretary I-50%

House Numbering Cord.-50%

Proposed-Housing:

Housing Director-3%

Housing Specialist I-35%

Housing Specialist II-5%

Proposed--Facilities:

Facilities Director-97%

Secretary I-65%

House Numbering Cord.-95%

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We also recommend that the Administrator/Controller is authorized to make the necessary budget adjustments to the 2010 Budget related to the above changes to be effective July 1, 2010.

Respectfully submitted,

Otis G. Wilson, Chairperson

S/Howard G. Schoenherr

S/Mark Bone

Finance Committee

Motion by Commissioner Wilson, supported by Commissioner McQuaid to adopt.

Motion Carried by Roll Call.

Public comments: None.

Commissioner Discussion: None.

ROLL CALL

YEAS: LEIGEB, KEENAN, WILSON, MCQUAID, SCHOENHERR, BONE, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

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9

THE FINANCE AND ADMINISTRATION AND OPERATIONS COMMITTEES RECOMMEND APPROVAL OF A PRESENTATION ON JULY 13, 2010 REGARDING THE MICHIGAN LAND BANK FAST TRACK AUTHORITY.

June 14, 2010

To the Honorable Chairman and
Members of the Board of Commissioners Agenda Item: 89-6-10F

Lady and Gentlemen:

We your Finance Committee and the Administration and Operations Committee have reviewed the County Treasurer request for an informational presentation for board members and other county staff on the Michigan Land Bank Fast Track Authority. We recommend that this presentation be made to the County Committee of the Whole on July 13, 2010. The County Treasurer has been informed of this recommendation.

Respectfully submitted,
S/Otis G. Wilson, Chairperson S/Howard G. Schoenherr, Chairperson
S/Howard G. Schoenherr S/Rose Marie McQuaid
S/Mark Bone S/Richard Keenan
Finance Committee Administration and Operations Committee
Motion by Commissioner Wilson, supported by Commissioner Schoenherr to adopt.
Motion Carried by Roll Call.
Public comments: None.
Commissioner Discussion: None.

ROLL CALL
YEAS: KEENAN, WILSON, MCQUAID, SCHOENHERR, BONE, LEIGEB, BRADLEY.
NAYS: NONE.
ABSENT: NONE.

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MIDLAND COUNTY BOARD OF COMMISSIONERS
REQUESTS, PETITIONS AND COMMUNICATIONS
JUNE 15, 2010

88-6-10
PROSECUTING ATTORNEY REQUESTS APPROVAL TO SELL LAND THAT WAS SEIZED IN DRUG DEALING ACTIVITY.

REFERRED TO THE ADMINISTRATION AND OPERATIONS COMMITTEE.

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89-6-10
DEPUTY TREASURER REQUESTS APPROVAL TO ESTABLISH A MIDLAND COUNTY LAND BANK AND ENTER INTO AN INTERGOVERNMENTAL AGREEMENT WITH THE MICHIGAN LAND BANK FAST TRACK AUTHORITY.

REFERRED TO THE FINANCE AND ADMINISTRATION AND OPERATIONS COMMITTEES.

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90-6-10
FINANCE DIRECTOR REQUESTS APPROVAL OF PROPOSED ADJUSTMENTS TO THE 2010 BUDGET, RETURN OF FUNDS TO THE GENERAL FUND IS \$180,368.

REFERRED TO THE FINANCE DIRECTOR.

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91-6-10

ADMINISTRATOR/CONTROLLER REQUESTS APPROVAL OF THE PROPOSED REDUCTIONS OF STAFFING FOR 2010 AND 2011 PROPOSED BY THE HOUSING AND FACILITIES DIRECTOR.

REFERRED TO THE FINANCE AND HUMAN SERVICES COMMITTEES.

OLD BUSINESS - NONE.

COMMISSIONER COMMENTS
WILSON - NO COMMENT.

MCQUAID - NO COMMENT.

SCHOENHERR - NO COMMENT.

BONE - NO COMMENT.

LEIGEB - SPOKE REGARDING THE FACT THE 75TH DISTRICT COURT REPORT WAS DONE VERY PROFESSIONALLY.

KEENAN - NO COMMENT.

BRADLEY - NO COMMENT.

COMMISSIONER MEETING(S) SCHEDULE

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JUNE SESSION 2010

CLOSED SESSION - LABOR NEGOTIATIONS AND PENDING LITIGATION -

Pursuant to a motion by Commissioner Bone and supported by Commissioner Schoenherr and with the corresponding passage by roll call a Closed Session of the Board of Commissioners was declared at 10:19 a.m. for the purpose of discussing Labor Negotiations in accordance with MSA 4.1800(18), Sec. 8(c) and Pending Litigation in accordance with MSA 4.1800(18), Sec. 8(e).

Motion Carried by Roll Call.

ROLL CALL

YEAS: WILSON, MCQUAID, SCHOENHERR, BONE, LEIGEB, KEENAN, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

Motion by Commissioner Bone and supported by Commissioner Keenan to return to Open Session at 12:04 p.m.

Motion Carried by Roll Call.

ROLL CALL

YEAS: MCQUAID, SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, BRADLEY.

NAYS: NONE.

ABSENT: NONE.

NEW BUSINESS -

Motion by commissioner Bone, supported by Commissioner Schoenherr to bring one item of New Business to the floor.

Motion Carried by Roll Call.

ROLL CALL

YEAS: SCHOENHERR, BONE, LEIGEB, KEENAN, WILSON, MCQUAID, BRADLEY.

NAYS: NONE.

NEW BUSINESS NO. 1

RECOMMENDATION THAT THE BOARD OF COMMISSIONER APPROVE THE AGREEMENT BETWEEN THE MIDLAND PATROL DEPUTIES ASSOCIATION (UNIT II) AND THE COUNTY OF MIDLAND.

June 15, 2010

To the Honorable Chairman
and Members of the Board of Commissioners

Lady and Gentleman:

I recommend that the Board of Commissioners approve the Agreement between the Midland Patrol Deputies Association (Unit II) and the County of Midland. The Union has informed us that their membership has ratified this Agreement.

Respectfully Submitted,
S/Rose Marie McQuaid
Midland County Board of Commissioners
District #7
Motion by commissioner McQuaid to approve.
Motion Carried by Roll Call.

ROLL CALL

YEAS: BONE, LEIGEB, KEENAN, WILSON, MCQUAID, SCHOENHERR, BRADLEY.

NAYS: NONE.

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MOTION TO ADJOURN:
Motion by Commissioner Bone to adjourn.

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MEETING IS ADJOURNED UNTIL JULY 6, 2010 9:00 A.M. TO MEET IN A REGULAR SESSION OF THE BOARD OF COMMISSIONERS AND FOR THE COMMITTEE TO RESUME THEIR DUTIES.

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James T. Bradley, Chairman, Midland County
Board of Commissioners

Ann Manary, Midland County Clerk and
Clerk of the Board of Commissioners