

Liber 84
February 20, 2007

FEBRUARY SESSION
February 20, 2007
2nd Day

The Isabella County Board of Commissioners was called to order at 7:03 p.m., by Chairperson David A. Ling in the Commission Chambers on the above date.

The Pledge of Allegiance was led by Chairperson David A. Ling.

Roll was called with the following Commissioners present: George Green, John Haupt, Roger Trudell, Christine Alwood, Ron Roby, David Ling, and Frances Lichtman.

Also present were: Director of Finance Susan Vonder Embse, Isabella County Clerk Joyce A. Swan, and Deputy Clerk Joanne Hillier.

Chairperson Ling announced County Administrator/Controller Timothy Dolehanty is absent due to a recent illness. Director of Accounting Services Susan Vonder Embse will be attending the BOC meetings in Mr. Dolehanty's absence.

APPROVAL OF AGENDA:

Chairperson Ling asked if there were any additions or deletions to the Agenda.

Under Consent Agenda Items: None.

Under Finance and Administration: None.

Under Criminal Justice and County Affairs: None.

Under Human Resources and Public Works: Under Item #1 delete Zoning Amendment #07-01 and add wording to the motions under Items #2 and #3.

Under Intergovernmental Affairs: No Report.

Under Unfinished Business: None.

Under New Business: None.

Under Other Business: None.

It was moved by Commissioner Alwood, seconded by Commissioner Lichtman to approve the Agenda as amended.

Motion carried.

GENERAL PUBLIC COMMENTS: Mr. Walt Smiolek and Mr. Richard Stellion, residents of Coldwater Township, commented on the twenty-five mile an hour speed limit on dirt roads. Mr. Stellion stated that this has been challenged in court and the speed limit is posted at fifty-five miles per hour. Mr. Smiolek commented on the restrictive construction requirements for driveways in Isabella County. Chairperson Ling advised that this issue has been postponed for further review by the Isabella County Planning Commission of the requirements for driveways and private roads. This item will be brought back to the BOC at a later date.

PUBLIC HEARING - Isabella County Road Commission Regarding Expansion of Road Commission Board:

Chairperson Ling opened the Public Hearing at 7:08 p.m. He advised the audience on procedural matters concerning participation in the public comments at the Public Hearing for the increase in membership from three to five members for the Road Commission Board. He asked the participants to adhere to a three minute comment. Questions will be answered that are addressed to the BOC regarding the Road Commission.

A total of eighteen citizens commented at the Public Hearing for the increase from three to five members on the Road Commission Board. They are listed as follows:

1. Robert Leiter, former employee of the Road Commission, read a statement on his opinions regarding the increase in membership on the Road Commission Board. Mr. Leiter was in favor of a five member Road Commission Board stating there is a possibility that the Open Meetings Act could be violated if two members make a decision without the third member present.
2. John Graham, Gilmore Township Trustee, stated he was in favor of the five member Road Commission Board.
3. Robert Curtiss, present Road Commissioner, statement included he would prefer that we be allowed to exercise our right to vote on the increase in membership on the Road Commission Board.
4. John Pedjac, Supervisor of Denver Township, asked if the five member Road Commission Board could be formed by districts. Commissioner Trudell responded this was not possible according to state law. Mr. Pedjac stated there are benefits to a three member board and a five member board.

PUBLIC HEARING - Isabella County Road Commission Regarding Expansion of Road Commission Board: (Continued)

5. Dan McNerney, Supervisor of Wise Township, voiced his concerns for the possibility of all the Road Commissioners being represented by the City of Mt. Pleasant. He stated the out county roads are in poor shape and asked how can we afford two more Road Commissioners if we do not have money to put on the roads. He stated that he is not in favor of the five member board.
6. Joseph Babosh, Trustee of Wise Township, stated he has contacted constituents in Wise Township, and it is the consensus of those contacted that it is not a good idea for a five member board. He suggested that some of the problems in the past be resolved with the present Road Commissioners.
7. John Pedjac, Supervisor of Denver Township, asked a follow up question. Could the decision for a five member board be reversed in the future? The answer was yes - it could be reversed with any number from three to five.
8. Gerald Stryeski, Zoning Board member for Wise Township, voiced his concerns for the high volume of traffic on the out county roads and the absence of funds to repair the roads.
9. Kathie Elliott, present Road Commissioner, comments included a response to Mr. Babosh for his concern for the wrong that has been done by the present and past Road Commissioners. She assured the audience that the Road Commissioners do intend to do things honorable and that a five member board could address a more diverse population. The expenses incurred by additional members could result in funds being recouped by decisions that are made.
10. L. D. Fransted, a resident of Rosebush, stated his concern for no money to run the Road Commission.
11. Richard Stellman, resident of Coldwater Township, asked the question whether Road Commissioners personally check on the conditions of the roads in different areas of the County?
12. Jim McDonald, a former Road Commissioner and resident of Deerfield Township, stated he feels the past and present Road Commissioners have done and are doing a good job with the money they have to work with. He stated he is not in favor of the five member Road Commission Board.

PUBLIC HEARING - Isabella County Road Commission Regarding Expansion of Road Commission Board: (Continued)

13. Donald Cotter, a former Road Commissioner and a resident of Nottawa Township, stated he was on the Road Commission Board for eight years. While on the Road Commission Board, he was a member of CRAM which has a five member board. He explained the reason why the five member board was initiated for the CRAM was to facilitate two board members who wanted to travel for a period of time. During their absence, there remained a three member board. He is not in favor of a five member Road Commission Board.
14. Jeff Bean, Supervisor of Vernon Township, commented on the fact that Vernon Township is recommending a five member Road Commission Board due in part for practical circumstances. With a five member board, the possibility of two board members making decisions is unlikely. He feels the current board is doing the best they can and management shares in the problems at the Road Commission as well as the workers who need to maintain a cooperative participation as Road Commission employees.
15. Roy Ranck, a resident of Wise Township, stated there is a very logical reason for a five member Road Commission Board. The five members are apt to be more efficient than a three man board which could be unproductive.
16. Jay Kahn, a resident of Deerfield Township, stated most township boards have five members. There is a good reason for the five member board.
17. Darrel Metcalf, Trustee of Sherman Township, is in favor of a five member Road Commission Board. He feels the cost of benefits to present Road Commissioners should be cut in order to save money.
18. Gordon Gilchrist, an Isabella County taxpayer, stated a five member Road Commission Board makes good sense and is a good economic necessity for the county.

Commissioners comments regarding the increase in membership for the Road Commission Board are as follows:

Commissioner Green comments included a concern for the cost of the five member Road Commission Board and the statement by former Road Commissioner Donald Cotter regarding the initiation of the five member Road Commission Board.

PUBLIC HEARING - Isabella County Road Commission Regarding Expansion of Road Commission Board: (Continued)

Commissioner Alwood has reviewed House Bill 4310 for the expansion of the Road Commission Board. This House Bill has been endorsed by the Michigan Association of Counties (MAC). This House Bill has been on the platform in Lansing for over one year. She suggested that the Road Commission compensation be examined after the decision for an expanded membership for the Road Commission Board is rendered.

Commissioner Haupt commented that Coldwater, Gilmore, and Sherman Townships have concerns for the conditions of the out county roads. A five member Road Commission Board would have more accountability to the citizens of Isabella County.

Commissioner Roby stated he appreciated the comments given by the participants attending the Public Hearing and noticed a majority were in favor of a five member Road Commission Board.

Commissioner Lichtman stated the Michigan Association of Counties (MAC) and the Michigan Township Association (MTA) support the five member Road Commission Board. She stated the cost of compensation for the Road Commission Board needs to be addressed.

Chairperson Ling commented on the cost of the additional two Road Commissioners being somewhere between \$20,000 and \$35,000. He stated that amount is relatively small when spread across the County to each person in order to gain a greater representation and an increase in visibility for the Road Commission Board.

ADOPTION OF RESOLUTION #2007-02:

It was moved by Commissioner Trudell, seconded by Commissioner Alwood to adopt Resolution #2007-02 to expand the membership of the Isabella County Road Commission.

Aye and Nay vote called for by Chairperson Ling regarding the adoption of Resolution #2007-02 is as follows:

Aye votes: Districts: #1-Green, #2-Haupt, #3-Trudell, #4-Alwood, #5-Roby, #6-Ling, and #7-Lichtman.

Nay votes: Districts: None.

Whole number of votes cast was 7 of which the Ayes received 7 and the Nays received 0. The Ayes receiving the Majority of all votes cast the proposition was declared carried.

See a copy of Resolution #2007-02 on Page 28A of the Official Minutes.

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Chairperson Ling declared a short recess for the Regular Board Meeting at 8:12 p.m.
Chairperson Ling called the Regular Board Meeting back in session at 8:15 p.m.

PRESENTATIONS AND SPECIAL REPORTS:

1. Multiple Sclerosis Proclamation:

It was moved by Commissioner Haupt, seconded by Commissioner Green to adopt the Proclamation declaring Multiple Sclerosis Awareness Week March 5-11, 2007.

Motion carried.

See a copy of the proclamation on Page 29A of the Official Minutes.

Commissioner Haupt read and then presented the proclamation to Ms. Kathy Zuker. Ms. Zuker thanked the BOC for the proclamation and announced there is a support group meeting for multiple sclerosis which is held on the third Saturday of the month from 10:30 a.m. to 12:00 noon.

APPOINTMENTS TO BOARDS AND COMMISSIONS:

1. Jury Board Appointment:

It was moved by Commissioner Lichtman, seconded by Commissioner Roby to approve Chief Judge Paul H. Chamberlain's recommendation of the appointment of Linda Mason to the Jury Board for a term ending April 30, 2013.

Motion carried unanimously.

2. Community Corrections Advisory Board Appointment:

Commissioner Lichtman and Commissioner Roby voiced their concern for the absence of information on the application received from Attorney Thomas Bromell for an appointment on the CCAB. Efforts were made to contact Mr. Bromell this afternoon, but there was no response from Mr. Bromell. This appointment will be postponed until the next BOC meeting on March 6, 2007.

CONSENT AGENDA ITEMS:

It was moved by Commissioner Lichtman, seconded by Commissioner Trudell to approve the following Consent Agenda Items:

Approval of the February 6, 2007, Regular Board Meeting Minutes as presented;

Finance and Administration - Approval of the February 20, 2007 Routine Personnel Items as presented;

Finance and Administration - Approval of the February 20, 2007 Claims List in the amount of \$118,426.62;

Finance and Administration - Approval of the January, 2007 Direct Pay List in the amount of \$1,233,725.79.

Motion carried.

See a copy of the Routine Personnel Items on Page 30A of the Official Minutes.

See a copy of the Claims List on Page 30B of the Official Minutes.

See a copy of the Direct Pay List on Page 30C of the Official Minutes.

COMMITTEE REPORTS:

FINANCE AND ADMINISTRATION: No Committee Action.

CRIMINAL JUSTICE AND COUNTY AFFAIRS COMMITTEE: No Committee Action.

HUMAN RESOURCES AND PUBLIC WORKS COMMITTEE:

1. **Zoning Amendments:**

A. **Deleted Zoning Amendment #2007-01.**

B. **Zoning Amendment #2007-02:**

It was moved by Commissioner Roby, seconded by Commissioner Alwood to adopt Zoning Amendment #07-02 for the purpose of becoming compliant with the public hearing notice requirements of PA 110 of 2006 as submitted and recommended by the Isabella County Planning Commission.

Motion carried.

See a copy of the zoning amendment #2007-02 on Page 30D of the Official Minutes.

HUMAN RESOURCES AND PUBLIC WORKS COMMITTEE: (Continued)

1. Zoning Amendments: (Continued)

C. Zoning Amendment #2007-03:

It was moved by Commissioner Roby, seconded by Commissioner Alwood to adopt Zoning Amendment #07-03 for the purpose of becoming compliant with the Zoning Board of Appeals membership requirements of PA 110 of 2006 as submitted and recommended by the Isabella County Planning Commission.

Motion carried.

See a copy of zoning amendment #2007-03 on Page 31A of the Official Minutes.

2. Out-of-State Travel - Material Recovery Facility Director Amy Shindorf:

It was moved by Commissioner Alwood, seconded by Commissioner Roby to approve MRF Director, Amy Shindorf permission to attend the Municipal Recycling Coalition Conference March 8, 2007 in Toronto, Ontario, Canada in an amount not to exceed \$296.00.

Motion carried.

No attachments.

3. Finnerty Property Development Rights Agreement:

It was moved by Commissioner Alwood, seconded by Commissioner Roby to approve the Isabella County Agricultural Preservation Board hiring Chippewa Watershed Conservancy to close the Finnerty PDR Agreement for a cost not to exceed \$5,000.

Commissioner Haupt asked for a roll call vote.

Aye votes: Districts: #1-Green, #4-Alwood, #5-Roby, #6-Ling,
and #7-Lichtman.

Nay votes: Districts: #2-Haupt, #3-Trudell.

Whole number of votes cast was 7 of which the Ayes received 5 and the Nays received 2. The Ayes receiving the Majority of all votes cast the proposition was declared carried.

See a copy of the proposal on Page 31B of the Official Minutes.

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INTERGOVERNMENTAL AFFAIRS: No report.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

GENERAL COMMENTS: None.

ANNOUNCEMENTS:

1. Commissioner Lichtman announced there will be a Council of Governments Meeting held on Wednesday, February 21, 2007 at the Sherman Township Hall starting at 7:00 p.m. On the agenda is an update on the Commission on Aging land purchase.
2. Commissioner Trudell announced the Road Commission will be meeting on Wednesday, February 21, 2007 at the Road Commission building starting at 5:00 p.m.
3. Chairperson Ling congratulated Commissioner Alwood on her election as a Member-at-Large on the Michigan Association of Counties Board (MAC).

ADJOURNMENT:

It was moved by Commissioner Alwood, seconded by Commissioner Haupt to adjourn to the call of the Chair (8:34 p.m.).

Motion carried.

For an official, complete copy of Isabella County Board of Commissioners Meeting Minutes, please contact the Isabella County Clerks Office at (989) 772-0911 ext. 265.