

**BRANCH COUNTY BOARD OF COMMISSIONERS
MAY SESSION (FIRST DAY)
May 8, 2018**

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Tuesday, May 8, 2018.

Chairman Gordon called the meeting to order at 4:00 pm.

Present: Commissioners Ted Gordon, Leonard Kolcz, Don Vrablic, Randall Hazelbaker, and Terri Norris, County Clerk Teresa Kubasiak, Administrator Bud Norman.

Commissioner Hazelbaker led the Board in the Pledge of Allegiance.

2/ Motion by Commissioner Norris, seconded by Commissioner Vrablic, to approve the agenda. MOTION CARRIED.

3/ Motion by Commissioner Norris, seconded by Commissioner Kolcz, to approve the minutes of the April 24, 2018 Board meeting. MOTION CARRIED

4/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, to approve the minutes of the May 3, 2018 Special Board meeting. MOTION CARRIED

Public Comment:

Linda Lyshol, the director of the Branch District Library, presented the Board with the 2018 – 2022 Library Strategic Plan for their review.

5/ Motion by Commissioner Kolcz, seconded by Commissioner Norris to approve the resolution and ballot language for the jail construction millage proposal, to be presented to voters at the August 7, 2018 Primary Election.

2018-04

COUNTY OF BRANCH RESOLUTION

**FOR THE PURPOSE OF SUBMITTING MILLAGE PROPOSITION TO THE VOTERS FOR
THE CONSTRUCTION OF A NEW JAIL AT THE AUGUST 7, 2018 PRIMARY ELECTION**

WHEREAS, the County of Branch, Michigan (the “County”) has deemed it necessary to construct and operationally furnish a new jail (the “Project”); and

WHEREAS, to finance such Project it will be necessary to levy a millage of 1.25 mills for 20 years; and

WHEREAS, the County wishes to authorize a proposition authorizing this extra millage to be submitted to the voters in the County at the Primary Election to be held on August 7, 2018 (the “Primary Election”); and

WHEREAS, the County Clerk must publish a Notice of the last day of Registration and a Notice of Proposal to be submitted at the Primary Election which must include the final language of the ballot proposition; and

WHEREAS, the County wishes to approve such ballot proposition and authorize the County Clerk to proceed with the necessary notices for such Primary Election.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OF BRANCH, STATE OF MICHIGAN, as follows:

1. The County shall submit to the registered electors residing within the boundaries of the County of Branch the millage proposition set forth in paragraph 3 below at the Primary Election on Tuesday, August 7, 2018.
2. The County Clerk shall cause a Notice of Registration and a Notice of Proposal to be submitted at the Primary Election to be published as required by law.
3. The Board of Commissioners certifies to the County Clerk the following proposition which shall be submitted to the qualified electors of the County of Branch at the Primary Election on Tuesday, August 7, 2018:

4.
**PROPOSAL TO LEVY A MILLAGE TO CONSTRUCT AND OPERATIONALLY FURNISH
A NEW JAIL IN THE COUNTY OF BRANCH**

For the purpose of constructing and operationally furnishing a new jail for Branch County, shall the constitutional limitation upon the total amount of taxes which may be assessed in one (1) year upon all property within the County of Branch, Michigan, be increased by up to 1.25 mills (\$1.25 per \$1,000 of taxable value), for a period of twenty (20) years (2018-2037) inclusive?

If approved and levied in full, this millage will raise an estimated \$1,789,816.18 in the first calendar year of the levy based on taxable value.

The following information will be included in the Election Notice and the Treasurer's Statement to be published, as required by Law:

If approved and levied, in accordance with State law a portion of the millage may be distributed to the Downtown Development Authority of the City of Coldwater; the Local Development Finance Authority of the City of Coldwater; the Tax Increment Finance Authorities of the City of Coldwater, the Village of Quincy, and the Township of Bronson; and the Brownfield Redevelopment Authorities of the County of Branch, the Cities of Bronson and Coldwater, and the Village of Quincy.

5. The proposition to be voted in the ballot to be used in the Primary Election for the purpose of submitting the foregoing proposition to electors shall be substantially in the form set forth in Appendix A.
6. The County Clerk is authorized to take whatever action is necessary under the Election Laws of the State of Michigan to notify electors of the County of Branch of the proposition being submitted at the August 7, 2018 Primary Election and of the last day of registration therefore. The Clerk shall cause appropriate registration and election notices to be published as required by the State Election Law in the *Coldwater Daily Reporter*, Coldwater, Michigan, a newspaper of general circulation in the County.
7. All resolutions and parts of resolution in conflict with the foregoing are hereby rescinded.

Upon roll call vote the results were as follows:

Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5

No – 0

MOTION CARRIED

6/ Motion by Commissioner Kolcz, seconded by Commissioner Norris, that approval is given to hire Joe Best as Airport Manager and that the Airport Board draft and enter into an agreement with Mr. Best, not exceed one year with an annual compensation of \$13,251.96, effective 06/01/2018. MOTION CARRIED

7/ Motion by Commissioner Hazelbaker, seconded by Commissioner Norris, to support the concept of a childcare facility in the former Pines bldg. and to review the plan in 6 months to allow for the Community Foundation to secure adequate funding. MOTION CARRIED

8/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, that approval is given to the Sheriff's Department to purchase 6 cameras for the Jail in the amount of \$2,868.44, to be taken out of Jail Commissary. MOTION CARRIED

9/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, that approval is given to the Sheriff's Department to purchase 5 cameras and a DVR for the Animal Control Building in the amount of \$3,411.64, to be taken out of Jail Commissary. MOTION CARRIED

10/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, that approval is given to the Sheriff's Department to install an intercom system in the four holding cells in the Courthouse at a cost of \$12,172.76, contingent on being awarded grant money through MMRMA. MOTION CARRIED

Consent Agenda:

to approve the Bills and Accounts in the amount of \$284,643.25

to approve the budget amendment to decrease line item # 567-527-627.0500 Sewer Charges-Monthly in the amount of \$1,006.39 and increase line item #567-527-964.0000 Refunds and Rebates in the amount of \$1,006.39.

11/ Motion by Commissioner Vrablic, seconded by Commissioner Norris that authorization is given to approve the following items by Consent Agenda: Bills & Accounts and Budget Amendment-Ovid/Kinderhook System II (567-527). MOTION CARRIED

12/ Motion by Commissioner Norris, seconded by Commissioner Kolcz, that approval is given to adopt a Resolution opposing Amendatory Legislation to Michigan Public Act 93 of 2013.

2018-05

RESOLUTION

OPPOSING AMENDATORY LEGISLATION TO MICHIGAN PUBLIC ACT 93 OF 2013

WHEREAS, Michigan Public Act 93 of 2013 created the Michigan Indigent Defense Commission (MIDC), authorized the MIDC to establish minimum standards for the provision of indigent defense services, mandated compliance plans from all Michigan counties by November 20, 2017 to address the first four indigent defense standards, and mandated that any additional costs required to implement these minimum standards be paid by the state; and

WHEREAS, Branch County developed a mandatory compliance plan for implementing the first four indigent defense standards and submitted this plan to the MIDC by the November 20, 2017 deadline, and

WHEREAS, Governor Rick Snyder has now proposed a FY19 budget for the State of Michigan, which includes insufficient funding to pay the additional indigent defense expenses that are anticipated in association with implementation of the first four indigent defense minimum standards, as required by Michigan Public Act 93 of 2013; and

WHEREAS, realizing state funding as currently proposed is insufficient and in violation of Michigan Public Act 93 of 2013, the Governor has further proposed amendatory legislation, “to clarify and improve” Michigan Public Act 93 of 2013, which include, among other things, establishing a new minimum local share of indigent defense costs to \$7.25 per capita and requiring that 90 percent of the revenue now collected by counties from partially indigent defendants be remitted to the state to support statewide system costs; and

WHEREAS, it has been determined that the proposed amendatory changes to Michigan Public Act 93 of 2013 would result in an increase in expenses to Branch County to provide indigent defense services in compliance with the first four standards, and

THEREFORE BE IT RESOLVED, the Branch County Board of Commissioners hereby opposes any amendatory legislation to Michigan Public Act 93 of 2013 that would reduce or eliminate the State of Michigan’s fiduciary responsibility to pay any and all additional costs required to implement the minimum indigent defense standards, as presently legislated.

BE IT FURTHER RESOLVED, the Branch County Board of Commissioners remains committed to implementing the new minimum indigent defense standards as mandated by the MIDC, so long as the State of Michigan remains true to its original commitment to pay for any additional costs necessary for their implementation.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Snyder, Representative Leutheuser, Senator Shirkey, and the Michigan Association of Counties.

Upon roll call vote the results were as follows:
Yes – Norris, Kolcz, Vrablic, Hazelbaker, Gordon – 5
No – 0

MOTION CARRIED

13/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic, to re-appoint Ken Fickle to the Building inspection Board of Appeals, with the new term beginning 05/14/2018. **MOTION CARRIED**

Committee/Liaison Reports:

Vrablic – the next SMART meeting will be held on June 6, 2018 in St. Joseph and there will be a MAC Summit held on June 11, 2018 in Grand Rapids.

Gordon – COA is still work on their heating units. The warranty has been extended for another year.

14/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, to adjourn at 4:17 pm. **MOTION CARRIED**

Chairman

Clerk