

**BRANCH COUNTY BOARD OF COMMISSIONERS  
SEPTEMBER SESSION (FIRST DAY)  
September 12, 2017**

1/ The Board of Commissioners of the County of Branch met, pursuant to adjournment, in the Commissioners meeting room at the Courthouse, on Tuesday, September 12, 2017.

Vice-Chairman Norris called the meeting to order at 4:00 pm.

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

Absent: Commissioner Gordon

Sheriff Pollack led the Board in the Pledge of Allegiance. Commissioner Norris then asked for a moment of silence to remember all those affected by the events of 911.

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

3/ Motion by Commissioner Kolcz, seconded by Commissioner Vrablic, to approve the minutes of the August 22, 2017 Board meeting. MOTION CARRIED

4/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, to approve the hiring of a Part-time BACC Student, to work 11 hours per week in the Treasurer's office, at a pay rate of \$8.90 per hour (minimum wage) for a period of six weeks. MOTION CARRIED

5/ Motion by Commissioner Hazelbaker, seconded by Commissioner Vrablic to approve the Southcentral Michigan Planning Council Resolution, as presented.

**2017- 06  
RESOLUTION**

In support of the Southcentral Michigan Planning Council as the District Organization for the U.S. Department of Commerce, Economic Development Administration Economic Development District for Michigan State Planning and Development Region 3

**WHEREAS**, the Southcentral Michigan Planning Council ("SMPC") serves as the regional planning organization for Branch, Calhoun, Kalamazoo, and St. Joseph Counties; and

**WHEREAS**, the U.S. Department of Commerce, Economic Development Administration "EDA" has designated Barry, Branch, Calhoun, Kalamazoo, and St. Joseph Counties as an Economic Development District; and

**WHEREAS**, the EDA approves a District Organization to administer each Economic Development District; and

**WHEREAS**, SMPC was the approved District Organization for the Economic Development District until the mid-2000's; and

**WHEREAS**, the region has not been served by a District Organization to administer each Economic Development District in the nation without a federally funded District Organization; and

**WHEREAS**, SMPC was reorganized in 2012 to reestablish relationships with local, state, and federal entities; and

**WHEREAS**, SMPC has demonstrated the technical expertise and staffing capacity to effectively serve as the District Organization for the Economic Development District; and

**WHEREAS**, SMPC developed an EDA approved Comprehensive Economic Development Study for the region; and

**WHEREAS**, entities within the region would benefit from a reestablished relationship with EDA.

**NOW THEREFORE, BE IT RESOLVED** that the Branch County Board of Commissioners supports the Southcentral Michigan Planning Council's application to the U.S. Department of Commerce,

Economic Development Administration as the District Organization for the Economic Development District for Barry, Branch, Calhoun, Kalamazoo, and St. Joseph Counties.

Upon roll call vote the results were as follows:

Yes – Kolcz, Vrablic Hazelbaker, Norris – 4

No – 0

Absent – Gordon

**MOTION CARRIED**

6/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, to approve the signage request for Pines Behavioral Health. **MOTION CARRIED**

7/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, to accept the painting donated to the County of the Old Courthouse. **MOTION CARRIED**

Consent Agenda:

to approve the Bills and Accounts in the amount of \$456,419.85, less \$320.50.

to allow for \$15,000 to be taken out of Capital Outlay/Contingencies to be given to the Airport Board.

to amend Department Revenue 289-671-600.0000 by \$34,750.00 to 289-671-686.0001, Refunds HRA PPD, in the amount of \$34,750.00.

to amend Line Item 289-671-700.0000, Expenditures in the amount of \$697,375.00 to Line Item 289-671-999.0000, transfers to Other Funds in the amount of \$697,375.00.

to amend Sheriff Department-Misc. Contractual Expenses 101-301-800.0000 in the amount of \$16,200 to be moved to Jail Operations-Sheriff 101-351-800.0000 in the amount of \$16,200.

8/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, that authorization is given to approve the following items by Consent Agenda; Bills & Accounts, Airport Budget Request, Budget Amendment Request Special Fund #289-671 and Budget Amendment Request-General Fund #101-301. **MOTION CARRIED**

9/ Motion by Commissioner Vrablic, seconded by Commissioner Kolcz, to approve the quote from Northern Industrial, not to exceed \$10,000, to resurface the Courthouse main entrance. MOTION CARRIED

10/ Motion by Commissioner Norris, seconded by Commissioner Kolcz, to approve the Resolution opposing SB 386, as presented. MOTION CARRIED

**2017-07**  
**RESOLUTION**  
**Senate Bill 386**

**WHEREAS**, the collection of delinquent real property taxes and the administration of the delinquent tax revolving fund by the county treasurer under The General Property Tax, 1893 PA 206, as amended, MCL 211.1 to 211.157, is important in assuring that Branch County (the “County”) and local tax collecting units within the County actually receive taxes levied in a timely manner, that tax delinquent properties in the County are returned to productive use, and that a favorable credit rating for the County is maintained;

**WHEREAS**, Senate Bill 386 of 2017, as passed by the Michigan Senate (“SB 386”) would undermine the process for collecting delinquent real property taxes by: (1) increasing, litigation against the county treasurer, allowing anyone to challenge a court-ordered property tax foreclosure for eight new reasons, even a person with no legal interest in the property; (2) clouding title to court-foreclosed properties, reducing sale proceeds used to reimburse local tax collecting units for unpaid property taxes and reducing delinquent tax revolving fund revenue; and (3) creating uncertainty through retroactivity and interference with a pending case before the Michigan Supreme Court;

**WHEREAS**, by allowing new collateral attacks on judicial foreclosure orders after the orders are final and appeal rights exhausted, SB 386 would undermine the quality of the fee simple title vested in the foreclosing governmental unit, cloud otherwise clear titles, create uncertainty, and reduce prices paid for tax-foreclosed properties at tax sales, all of which undermine the current effective tax sale and delinquent tax collection process;

**WHEREAS**, for these reasons, the Michigan Association of Counties, the Michigan Association of County Treasurers, and the county treasurer of this County have indicated their opposition to the passage and enactment of SB 386; and

**WHEREAS**, the county treasurer has asked this Board of Commissioners to join in opposing SB 386;

**NOW, THEREFORE, BE IT RESOLVED**, by this Board of Commissioners Branch County that the Board of Commissioners of Branch County hereby opposes the passage and enactment of Senate Bill 386 of 2017.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be transmitted to the county treasurer, each member of the Michigan State Senate and the Michigan House of Representatives representing Branch County, and the Governor of Michigan.

Upon roll call vote the results were as follows:

Yes – Kolcz, Vrablic Hazelbaker, Norris – 4

No – 0

Absent – Gordon

MOTION CARRIED

11/ Motion by Commissioner Kolcz, seconded by Commissioner Vrablic, to nominate and appoint Thomas Miller to fill a vacant position on the Airport Zoning Board of Appeals. The term will expire 12/31/2019. MOTION CARRIED

12/ Motion by Commissioner Kolcz, seconded by Commissioner Hazelbaker, to nominate and appoint Scott Kirkpatrick to fill a vacant position on the Airport Zoning Board of Appeals. The term will expire 12/31/2018. MOTION CARRIED

13/ Motion by Commissioner Kolcz, seconded by Commissioner Vrablic, to nominate and appoint Duane Clover and Tom Fisher to fill vacant positions on the Airport Zoning Board of Appeals. The terms will expire 12/31/2017. MOTION CARRIED

14/ Motion by Commissioner Norris, seconded by Commissioner Hazelbaker, to accept the 2016 Commission on Aging annual report and place it on file. MOTION CARRIED

Committee/Liaison Reports:

Vrablic – attended the SMART meeting. Several topics were discussed.

Norris – attended the Substance Abuse Task Force meeting. It was reported that the use of Opioids is down about 22%. Pines Behavioral Health has moved to Vista Drive.

15/ Motion by Commissioner Hazelbaker, seconded by Commissioner Kolcz, to adjourn at 4:19 pm. MOTION CARRIED

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Chairman

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Clerk