

At a regular meeting of the Shiawassee County Board of Commissioners held on June 9, 2011 at 4:00 p.m. in the Commission Chambers, Surbeck Building, Corunna, Michigan:

The meeting was called to order by Chairman Fuja.

Pledge of Allegiance was given.

Prayer was offered by Commissioner Stewart.

Roll Call found Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja present. Absent: Commissioner Roszman

It was moved by Commissioner Plowman, seconded by Commissioner Cole to approve the agenda as presented. Motion carried.

It was moved by Commissioner Stewart, seconded by Commissioner Cole to approve the minutes of the May 12, 2011 Board of Commissioner's meetings as presented. Motion carried.

It was moved by Commissioner Stewart, seconded by Commissioner Plowman to approve of bills listed on the Invoice Edit Report dated May 11, 2011 in the amount of \$145,834.73, the Invoice Edit Report dated May 17, 2011 in the amount of \$5,212,949.79, the Invoice Edit Report dated May 17, 2011 in the amount of \$363,195.68, the Invoice Edit Report dated May 17, 2011 in the amount of \$5,046.54, the Invoice Edit Report dated May 25, 2011 in the amount of \$125,893.51, the Invoice Edit Report dated May 31, 2011 in the amount of \$2,114.47, the Invoice Edit Report dated May 31, 2011 in the amount of \$379,865.95, the Invoice Edit Report dated May 31, 2011 in the amount of \$402,904.26, the Invoice Edit Report dated May 31, 2011 in the amount of \$166,920.70, the Invoice Edit Report dated June 1, 2011 in the amount of \$116,508.55 and the March, 2011 wire transfers in the amounts of \$158,895.13 and \$175,054.00, the April, 2011 wire transfers in the amounts of \$160,533.67 and \$175,054.00, the May, 2011 wire transfers in the amount of \$184,453.30, \$175,053.00, \$134,637.50 and \$89,187.50 as provided by the Clerk's Office and to authorize that warrants be drawn from the treasury for same. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Stewart, seconded by Commissioner Elder to approve the minutes of the June 7, 2011 Committee of the Whole meeting. Motion carried.

It was moved by Commissioner Elder, seconded by Commissioner Stewart to authorize the County Administrator to send the proposed involvement of the City of St. Johns in the Mid-West Michigan Trail Authority to the attorney to draft an agreement. Motion carried.

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve PA 116 Agreements for Richard L. & Marina M. Chabica for property located in Hazelton Township Parcel #78-004-21-300-001 and Parcel #78-004-22-300-001. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve a PA 116 Agreement for Maple Front Farm, LLC for property located in Perry Township Parcel #78-014-22-300-001. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve PA 116 Agreements for Michael J. Fromm and Mitchell J. Fromm for property located in Caledonia Township Parcel: #78-007-06-200-001, #78-007-06-200-006, #78-007-05-300-

003, #78-007-05-400-002, #78-007-05-400-001 The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve a PA 116 Agreement for Mitchell J. Fromm for property located in Caledonia Township Parcel #78-007-06-200-002 and Parcel #78-007-06-200-004. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

The following ordinance was presented:

**ORDINANCE TO CONTINUE SHIAWASSEE COUNTY PLANNING COMMISSION  
ORDINANCE No. 11-06-01**

**AN ORDINANCE** to continue the Shiawassee County Planning Commission with all of the powers and duties as provided and authorized by P.A. 33 of 2008, the Michigan Planning Enabling Act, (“Act”) as amended, MCL 125.3801 et. seq., and to repeal any ordinances or parts of ordinances in conflict with this Ordinance.

**THE COUNTY OF SHIAWASSEE ORDAINS:**

**SECTION 1- CREATION, TITLE, AND DEFINITIONS**

- A. There shall be a Shiawassee County Planning Commission created pursuant to the Act, as amended, with all of the powers and duties as set forth in the Act and this Ordinance.
- B. This Ordinance shall be officially known and described as the “Shiawassee County Planning Commission Ordinance.”
- C. The following definitions shall apply. All other terms shall have the meaning ascribed by the Act.
  - 1. "County" shall mean Shiawassee County, Michigan.
  - 2. "Planning Commission" shall mean the Shiawassee County Planning Commission.
  - 3. "County Board" shall mean the Shiawassee County Board of Commissioners.

**SECTION 2- MEMBERSHIP, TERM, AND APPOINTMENT**

- A. The Planning Commission shall consist of at least seven (7) members as appointed by County Board Chairperson, subject to approval by a majority vote of the members of the County Board elected and serving. To be qualified to be a member and remain a member of the Planning Commission, a member shall be a qualified elector of the County, except that one member may be a non-qualified elector.
- B. Members of the Planning Commission serving at the time of the enactment of this Ordinance may complete the term to which they were appointed.
  - 1. Members, other than ex officio members appointed pursuant to section 2.C, shall be appointed for a term of three (3) years. However, when first appointed under this Ordinance, members shall be appointed to terms of one (1), two (2) or three (3) years such that, as nearly as possible, the terms of 1/3 of all members will expire each year.
  - 2. Each year, the County Clerk shall determine which members’ terms of office expire and shall inform the Chairperson of the County Board. A member shall hold office until his or her successor is appointed.
  - 3. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of 1/3 of all commission members continue to expire each year.

- C. Pursuant to Section 15(5) of the Act, the Chairperson of the County Board or one (1) or more members of the County Board may be appointed as *ex officio* members of the Planning Commission, except that not more than 1/3 of the members of the Planning Commission may be *ex officio* members and no *ex officio* member shall serve as chairperson of the Planning Commission. *Ex officio* member terms shall expire with their respective terms on the County Board.
- D. No member, excepting an elected *ex officio* member, shall be appointed to more than twelve (12) consecutive years as a member of the Planning Commission.
- E. An elected officer, except as provided in section 2.C, or an employee of the County is not eligible to be a member of the Planning Commission.
- F. The members of the Planning Commission shall be representative of the important segments of the community, such as the economic, governmental, educational, and social development of the County, in accordance with the major interests as they exist in the County, and outlined in the Act.
- G. The County shall make every reasonable effort to ensure that a member of a public school board or an administrative employee of a school district included, in whole or in part, within the County is a member of the Planning Commission.
- H. To the extent practical and as a secondary consideration to the representation of the County's major interests, the membership of the Planning Commission shall be representative of the entire territory of the County to the extent practicable.

**SECTION 3- PLANNING DIRECTOR OR OTHER PERSONEL**

- A. The Planning Commission may request that the County Board employ a planning director and any other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the County Board.

**SECTION 4- REMOVAL FROM OFFICE**

- A. The County Board may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing.
- B. The Planning Commission shall define “misfeasance”, “malfeasance”, “nonfeasance” and "conflict of interest" in its bylaws, pursuant to Section 15(9) of the Act.

**SECTION 5- COMPENSATION**

- A. Members of the Planning Commission may be compensated for their services as provided by the County Board including, but not limited to compensation, expenses of its members and employees for travel when engaged in the performance of activities authorized by the County Board, such as attendance at conferences, workshops, educational and training programs and meetings.

**SECTION 6- MEETINGS**

- A. The Planning Commission shall meet at least four times per year, as required by the Act.
- B. A majority of the Planning Commission shall constitute a quorum for the transaction of the Planning Commission's ordinary business, and any official action shall be determined by a majority of the Planning Commission members present, unless otherwise required by law.

**SECTION 7- POWERS AND DUTIES**

- A. The Planning Commission shall have the powers and duties set forth in the Act and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, MCL 125.3101 et seq.

**SECTION 8- BYLAWS AND RECORDS**

- A. The Planning Commission shall adopt bylaws for the transaction of business and shall keep records of its resolutions, transactions, findings, and determinations, which shall be public records, as required by law.

**SECTION 9- APPROVAL, RATIFICATION, AND RECONFIRMATION**

- A. The Planning Commission that was constituted before the effective date of this Ordinance continues in effect, subject to the requirements of this Ordinance and the requirements of the Act. All official actions, projects, reviews, and processes existing before or on the effective date of this Ordinance are hereby approved, ratified, and reconfirmed.

**SECTION 10- EFFECTIVE DATE AND REFERENDUM**

- A. The Planning Commission that was constituted before the effective date of this Ordinance continues in effect, subject to the requirements of this Ordinance and the requirements of the Act.
- B. All official actions, projects, reviews, and processes existing before or on the effective date of this Ordinance are hereby approved, ratified, and reconfirmed.
- C. This Ordinance shall take effect upon publication and shall not be subject to referendum as provided by the Act.

It was moved by Commissioner Elder, seconded by Commissioner Cole to approve Ordinance #11-06-01 to continue the Shiawassee County Planning Commission. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Elder, seconded by Commissioner Plowman to approve the minutes of the June 6, 2011 Economic & Physical Development Committee meeting. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve the County's operating millage at 5.1146 mills to be levied July 1, 2011 and the millage for the Medical Care Facility at 2.0 mills and the millage for Senior Citizens Services at .25 mills to be levied December 1, 2011 and authorize the County Clerk and Board Chair to sign State Tax Commission Form L-4029. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Plowman, seconded by Commissioner Cole to accept and place on file the 2010 Shiawassee County Financial Audit and submit it to the State of Michigan. Motion carried.

It was moved by Commissioner Plowman, seconded by Commissioner Elder to approve the minutes of the June 6, 2011 Finance & Administration Committee meeting. Motion carried.

The following Resolution was presented:

**RESOLUTION NO. 11-06-08**  
**BOARD OF COMMISSIONERS**  
**SHIAWASSEE COUNTY**

**A RESOLUTION APPROVING SUBMISSION OF THE SHIAWASSEE COUNTY  
APPLICATION FOR COMMUNITY CORRECTIONS ACT**

**WHEREAS,** The County of Shiawassee has formed a Community Corrections Advisory Board (CCAB) under Public Act 511 of 1988; and

**WHEREAS,** The CCAB has completed an application for Community Corrections grant funds under the guidelines established by the Michigan Department of Corrections Office of Community Corrections; and

**WHEREAS,** Inherent in such submission is the expectation that the meaningful alternatives to incarceration funded are controlled locally with contracts between the County and the service agencies; and

**WHEREAS,** Alternative sanctions funded are expected to be linked to both prison diversion and improved utilization of the Shiawassee County Jail; and

**THEREFORE, BE IT RESOLVED,**

That the Shiawassee County Board of Commissioners supports the submission of the Fiscal Year 2012 application to the Michigan Department of Corrections for the State Corrections Act Fund.

It was moved by Commissioner Stewart, seconded by Commissioner Holzhausen to approve Resolution #11-06-08, the Comprehensive Community Corrections Plan and application for fiscal year 2012. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Stewart, seconded by Commissioner Cole to approve the minutes of the June 8, 2011 Public Safety & Courts Committee meeting. Motion carried.

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve Michigan Works! Career Alliance, Inc. Earn & Learn Initiative for the period of March 1, 2011 through September 30, 2011 with an allocation of \$100,000.00 and authorize the Board Chair to sign the same. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Cole, seconded by Commissioner Holzhausen to approve Michigan Works! Career Alliance, Inc. Employment Service Plan Wagner-Peyser for the period of July 1, 2011 through June 30, 2012 with an allocation of \$761,247.00 and authorize the Board Chair to sign the same. The motion carried with the following roll call vote of 6 Yeas and 0 nays. Yeas: Commissioners Cole, Elder, Holzhausen, Plowman, Stewart and Fuja

It was moved by Commissioner Cole, seconded by Commissioner Plowman to approve a change of the qualifications for the Director of Personal Health position to allow an alternative qualification of a Bachelor's Degree in Science. Motion carried.

It was moved by Commissioner Cole, seconded by Commissioner Stewart to authorize the Health Department to hire an Emergency Preparedness Coordinator to fill a vacancy at a Pay Grade 8 with a salary range of \$38,848.00 to \$47,528.00. The motion carried

with the following roll call vote of 5 Yeas and 1 nay. Yeas: Commissioners Cole, Holzhausen, Plowman, Stewart and Fuja. Nay: Commissioner Elder

It was moved by Commissioner Cole, seconded by Commissioner Stewart to approve the minutes of the June 8, 2011 Health & Human Services Committee meeting. Motion carried.

The meeting was adjourned at 4:22 p.m.

---

Lauri L. Braid, Shiawassee County Clerk  
and Clerk to the Board of Commissioners