

Regular Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held in the Commissioners' Room, Courthouse at the Village of Centreville, Michigan on April 16, 2019 at 5:00 p.m.

Chairman Allen called the meeting to order.

The Invocation was given by Commissioner Czajkowski.

The Pledge to the American Flag was given.

County Clerk Lindsay Oswald called the roll, and the following Commissioners were present:

Allen J. Balog	Kenneth L. Malone
Daniel R. Czajkowski	Kathy Pangle
	Dennis Allen

Also present: Teresa Doehring, County Administrator and Angie Steinman, Finance Director.

AGENDA

It was moved by Commissioner Pangle and seconded by Commissioner Czajkowski that the agenda be approved as presented. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Pangle and seconded by Commissioner Malone that the minutes for April 2, 2019 be approved as presented. Motion carried.

COMMUNICATIONS

Resolution from Jackson County, Re: Michigan Indigent Defense Commission.

Resolution from Bay County, Re: Great Lakes Restoration Initiative.

It was moved by Commissioner Pangle and seconded by Commissioner Malone that the communications be placed on file. Motion carried.

CITIZENS' COMMENT

Vince Mifsud, 24785 Sauger Lake Road, commented on the northern county ORV ordinances and allowing ORVs on primary road which would cause problems.

Laura Lee Knepper, 21884 M 60, extended an invitation for the dinner/auction hosted as a fundraiser by the Animal Rescue Fund.

Tim Carls, 63044 Klinger Lake Road, commented on concerns about the roundabout in Colon and potholes around the county.

Stoney Summey, Veteran Services Director, introduced Bravo, the new Veteran Service animal. Michigan House Representative Aaron Miller provided an update on the legislature. He noted the insurance changes for no fault reform that had been proposed.

Rebecca Shank, 385 S. Constantine, commented on the tree removal in the county.

Commissioner Czajkowski asked about a number to call for potholes.

Road Commission Director John Lindsey provided contact information for potholes.

ORV ORDINANCE PUBLIC HEARING

It was moved by Commissioner Balog and seconded by Commissioner Pangle to open the floor to public comment regarding the ORV ordinance.

Chairman Allen opened the floor to public hearing at 5:13 p.m.

Mr. Mifsud commented on the level of traffic on some roads and asked the Commission to consider limiting access to some roads.

Chairman Allen asked about meeting with the road commission to discuss specific roads.

Mr. Mifsud suggested a committee to review the county roads and determine which roads should prohibit ORV use.

Commissioner Balog noted that a state law addressed the issue by allowing a township to close roads within its boundaries for safety reasons. He suggested that the townships meet with the road commission to determine which roads meet the criteria to close the roads.

Mr. Mifsud suggested completing the road closures prior to adoption of the ordinance.

Commissioner Balog noted the county followed the state law to consider the ordinance with notice to the townships and in the newspapers.

Ms. Shank commented on existing golf cart use and the need to enforce the speed laws.

Don Gloy, White Pigeon Township Supervisor, distributed and read a resolution passed by the White Pigeon Township board supporting passage of the ordinance.

Mr. Carls commented on potential ORV damage to property, asked the revenue expected from the ordinance, and commented on insurance, accident potential, the use of firearms in the vehicles, ORVs already doing property damage, lack of trails, effects on dirt roads, helmets, and ORVs ruining seed corn.

Commissioner Balog noted that ORVs do need to be registered per state law.

Chairman Allen noted that no helmet was required if the vehicle had a roll bar.

John McGinski, Village of Burr Oak, commented on concerns for insurance and registration.

Commissioner Malone noted that state law did not allow insurance requirements in the ordinance.

Chairman Allen closed the floor to public hearing at 5:45 p.m.

Commissioner Malone noted the convenience of prohibiting travel on some of the major roads at the county level because the roads cross municipal boundaries.

Commissioner Balog noted the state law gave that authority to the townships with criteria that must be met. He mentioned that the township would know the roads better than the county commission.

Commissioner Czajkowski commented that ORVs were already allowed for agriculture; buggies, mopeds, bicycles were already allowed. He noted some northern counties determine the trail rather than list prohibited roads.

Commissioner Balog reported that more than 50 counties allow some type of ORV on the roads. He noted it was another way to attract residents, but people needed to be responsible.

Commissioner Czajkowski noted that the ORVs often are used for practical purposes such as snowplowing.

Chairman Allen noted the ORVs have been out on the road even without the ordinance. He wanted to leave road closure up to the townships.

EQUALIZATION REPORT AND RESOLUTION

Commissioner Malone presented the following resolution:

WHEREAS, MCL 211.34(1) requires the County Board of Commissioners to meet in April each year to determine county equalized valuations; which equalization shall be completed and submitted along with the tabular statement required by Section 5 of Act No. 44 of the Public Acts of 1911, as amended no later than May 1 of each year; and

WHEREAS, the assessment rolls of the various assessment jurisdictions have been reviewed by the various local Boards of Review throughout the County of St. Joseph and submitted to your Equalization Department in the appropriate timely manner; and

WHEREAS, those assessment rolls have been audited and balanced by your Equalization Department in accordance with the laws of the State of Michigan and the guidelines of the State Tax Commission; the results of such being listed on the attached equalization report and on the prescribed Michigan Department of Treasury Form L-4024 (County Equalization Directors Report of County Equalization).

NOW, THEREFORE, BE IT HEREBY RESOLVED that the St. Joseph County Board of Commissioners approves the County Equalized Valuations as indicated within the attached equalization report a cumulative total for Real Property of \$2,649,648,952 (Two Billion, Six Hundred Forty-Nine Million, Six Hundred Forty-Eight Thousand, Nine Hundred Fifty-Two Dollars) and a cumulative total for Personal Property of \$280,940,093 (Two Hundred Eighty Million, Nine Hundred Forty Thousand, Ninety-Three Dollars). The combined total of Real and Personal Property of the Cities and Townships in St. Joseph County is \$2,930,589,045 (Two Billion, Nine Hundred Thirty Million, Five Hundred Eighty-Nine Thousand, Forty-Five Dollars).

It was moved by Commissioner Balog and seconded by Commissioner Pangle to adopt the resolution and waive second reading.

Equalization Director Josh Simmons presented the equalization report noting an increase in taxable value.

Motion carried 5-0 upon a roll call vote.

COMMERCIAL AND INDUSTRIAL APPRAISAL CONTRACT

It was moved by Commissioner Pangle and seconded by Commissioner Malone to approve the 3-year contract with CSZ for \$22,500 per year. Motion carried.

REQUEST FOR EXCEPTION TO HIRING FREEZE

It was moved by Commissioner Balog and seconded by Commissioner Malone to approve the exception to the hiring freeze for an assistant prosecuting attorney.

Commissioner Pangle noted she would vote no because sick and out of town and did not have time to talk to people before making a decision to lift the hiring freeze.

Commissioner Czajkowski noted the position was a replacement for a position that had already had the hiring freeze lifted recently.

Commissioner Pangle noted she would not have approved it in the first place after some of the feedback she had received about the prosecutor’s office.

Chairman Allen noted the undue burden on the employees to not fill the position.

Motion carried 4-1 upon a roll call vote with Commissioner Pangle dissenting.

ORV ORDINANCE

It was moved by Commissioner Balog and seconded by Commissioner Malone to approve and adopt the ordinance and waive second reading.

Discussion included effective day once published and the number of people and township boards that helped draft the ordinance. Motion carried 5-0 upon a roll call vote.

Ordinance 23 was adopted.

NOMINATIONS/APPOINTMENTS

No appointments were made.

COUNTY ADMINISTRATOR’S REPORT

Ms. Doehring thanked Mr. Simmons and his department; thanked Mr. Summey for thinking outside the box.

FINANCE DIRECTOR’S REPORTS

Ms. Steinman presented the following reports:

Budget Amendments

It was moved by Commissioner Malone and seconded by Commissioner Pangle to approve the budget amendments. Motion carried.

Financial Statement

It was moved by Commissioner Balog and seconded by Commissioner Malone to approve payment of the bills. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Balog stated that the Committee had not met.

Judiciary

Commissioner Malone stated that the Committee had not met.

Physical Resources

Commissioner Malone noted the committee reviewed the ABM report.

Executive/Committee of the Whole

Chairman Allen stated that minutes were available.

CHAIRMAN’S REPORT

Chairman Allen expressed thanks for the public involvement.

COMMISSIONERS’ COMMENTS

Commissioner Malone commented on the Animal Rescue Fund dinner.

Commissioner Balog thanked the road commission participation and Mr. Summey.

ADJOURNMENT

At 5:22 p.m., it was moved by Commissioner Balog and seconded by Commissioner Czajkowski that the St. Joseph County Board of Commissioners adjourn until May 7, 2019 at 5:00 p.m. Motion Carried.

Lindsay Oswald, County Clerk

Dennis Allen, Chairman