

Monday, March 24, 2008

The special meeting of the Sanilac County Board of Commissioners was called to order by Chairperson John Merriman at 7:00 p.m., on Monday, March 24, 2008, in the Board of Commissioners' Chambers at 60 W. Sanilac Avenue, Sandusky, Michigan. The prayer was given by Commissioner Schramm and the pledge was led by Commissioner Ruby. Members present: Norton Schramm, James Ruby, William Walters, Don Hunt, Judy Vincent and John Merriman. Member absent: Gary Russell. Quorum present. Administrator John R. Males was also present.

Additions, Corrections and Deletions to the Agenda:

None.

Adoption of Agenda:

MOVED BY COMMISSIONER HUNT AND SECONDED BY COMMISSIONER SCHRAMM THAT WE ADOPT THE AGENDA AS PRESENTED. Motion carried.

Public Comments:

Allen J. Clor voiced his support for the jail project which will bring good jobs to the area.

Doris Moore inquired how the issue would appear on the ballot and if a 254 or 200 bed jail would be multi level.

Mike Reisner voiced his opposition to the 254 bed jail but supports the idea of bringing money in for renting extra beds. He outlined the role of government was to govern and not to be in the business of making business. He referenced how much money the trash at the landfill was suppose to bring in and hasn't. He voiced his disappointment in Commissioner Russell not being present and his leaving the last special meeting before he could hear the public comments.

Commissioners Schramm and Hunt reported Commissioner Russell could not be present for tonight's meeting until 7:30 to 7:45 p.m., due to his work schedule and they forgot to inform the chair of the reason why he was not in attendance.

Joyce Wiley asked if the Commissioners were going to put a letter in the paper trying to sell the jail project.

Al Mach presented a proposal to the Commissioners based upon 60% voter turnout of the registered voters on August 5, 2008, and the outcome of their vote determining the size of the jail and the method of financing. He voiced his opinion that raising taxes is out of the question. If the voters do not approve the project, he proposed budgets, departments, employees, programs and services be reduced to replace the \$1.3 million that will be lost when the Marshall Service removes its prisoners due to an unsafe jail.

(UNOFFICIAL)

Monday, March 24, 2008

Don Bush urged the Board to consider all the numbers for operating a large jail including the cost for employee benefits. He reminded the Board that they currently have a building that is not paid for. He recommended the Board form another Jail Study Committee by selecting five people with business backgrounds and experience in generating \$1,000,000 in gross income and direct them to come up with five alternatives. He voiced his opinion that no matter how the project is financed it comes back to the taxpayers and they should have a vote on the issue.

Appointments to Standing Committee:

None.

General Resolutions:

None.

Unfinished Business:

None.

New Business:

FA-068-08 MOVED BY COMMISSIONER RUBY AND SECONDED BY COMMISSIONER SCHRAMM THAT THE SANILAC COUNTY BOARD OF COMMISSIONERS HEREBY ADOPTS THE FOLLOWING RESOLUTION:

RESOLUTION APPROVING SUBMISSION OF BOND PROPOSAL TO ELECTORS

WHEREAS, pursuant to Act No. 34, Public Acts of Michigan, 2001, as amended (the "Act"), the County is authorized to borrow money for the purpose of acquiring certain public improvements; and

WHEREAS, a notice to issue bonds for the purpose set forth in the bond proposal attached as Exhibit A hereto was published in accordance with Section 517 of the Act; and

WHEREAS, petitions requesting a referendum on the question of issuing such bonds were received in sufficient number to require authorization of the County electorate before the bonds may be issued; and

WHEREAS, this Board of Commissioners (the "Board") has determined that it is appropriate to submit a bond proposal to the electors of the County at a special election to be held on August 5, 2008, for the purpose set forth in the bond proposal attached as Exhibit A hereto.

(UNOFFICIAL)

Monday, March 24, 2008

NOW, THEREFORE, BE IT RESOLVED by the Board as follows:

1. The Proposal set forth on Exhibit A (the "Proposal") shall be submitted to the electors of the County at a special election hereby called by the Board to be held in the County on August 5, 2008, which date is the August regular election date pursuant to section 641 of the Michigan election law.
2. The County Clerk is authorized to do all things necessary to provide for the submission of the aforesaid proposal to the electors of the County at the special election on August 5, 2008.
3. All resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

Exhibit A

**COUNTY JAIL IMPROVEMENTS
BOND PROPOSAL**

Shall the County of Sanilac, Michigan, issue limited tax general obligation bonds in the principal amount of not to exceed \$16,600,000 pursuant to the provisions of Act 34, Public Acts of Michigan, 2001, as amended, for the purpose of defraying all or part of the cost of constructing, equipping and furnishing a new jail in the County; renovating, re-equipping and refurbishing the existing jail; and developing and improving the site of the new and existing jail? The maximum number of years that the bonds may be outstanding, exclusive of refunding, is 30 years. The bonds are intended to be paid primarily from revenues derived from the operation of the jail, but the full faith and credit of the County also will be pledged as security for the bonds. The County will be obligated, as a first budget obligation, to advance moneys from its general funds or to levy ad valorem taxes on all taxable property within its corporate boundaries to pay the principal of and interest on the bonds as the same shall become due to the extent that the revenues from the operation of the jail are insufficient for such purpose; provided, however, that the ability of the County to raise such moneys is subject to applicable constitutional and statutory limitations on the taxing power of the County.

Discussion held on the legal requirements for the ballot question and the ballot question coming as close as possible to reflect the intent of the referendum petitions. Administrator Males explained the limited tax general obligation bond method of financing. Discussion held regarding the life expectancy for a jail of 20 to 25 years and the maximum number of years the bonds may be outstanding at 30 years. Yes: Vincent, Ruby, Walters, Schramm, Hunt and Merriman. No: None. Absent: Russell. Resolution declared adopted.

**FA-069-08 MOVED BY COMMISSIONER RUBY AND SECONDED BY
COMMISSIONER VINCENT THAT THE SANILAC COUNTY BOARD OF**

(UNOFFICIAL)

Monday, March 24, 2008

COMMISSIONERS HEREBY AUTHORIZES THE ADMINISTRATOR TO EXPLORE AND EXAMINE ALL AREAS OF THE JAIL STRUCTURE AND RECOMMEND ANY APPROACHES THAT MAY BE DESIRABLE TO ADDRESS OUR FACILITY NEEDS AND BE AS COST EFFECTIVE AS POSSIBLE. THE ADMINISTRATOR IS FURTHER AUTHORIZED TO SEEK WHATEVER PROFESSIONAL ASSISTANCE THAT MAY BE NECESSARY TO ASSIST IN EVALUATING AND ANALYZING THESE AREAS. Discussion held. Administrator Males reported he would continue to gather information even though the method for financing the jail is on the August 5th ballot. Motion carried.

Public Comments:

Commissioner Hunt voiced his admiration for how creative elected officials are in lessening the burden on the taxpayers in providing services. He thanked law enforcement for finding a way to provide basic services in keeping our citizens safe as we continue to grow. He reported on criminal activity now occurring in the daylight hours and seeing a black and white vehicle makes him feel safe and secure.

Al Mach indicated his proposal is a serious proposal and he wonders where the 3,000 people that signed the petitions are. He reported the jail is one of the biggest producers of cash and has been for many years.

Doris Moore reported that crime is not going away and that the Livingston County Jail is full. She reported more people are on parole and they keep coming out and repeating crimes and they are not just coming from the city.

Don Bush suggested we take care of our own needs and not to be in a business. He voiced his concerns with no down payment, no signed contract and having no security for an unsecured risky venture.

Mike Reisner voiced his support for law enforcement and his opposition to the jail project as proposed.

MOVED BY COMMISSIONER HUNT AND SECONDED BY COMMISSIONER WALTERS THAT WE ADJOURN AT 7:38 P.M. Motion carried.

John Merriman, Chairperson

Linda I. Kozfkay, County Clerk

(UNOFFICIAL)