

June 28, 2016

The regular meeting of the Otsego County Board of Commissioners was held at the County Building at 225 West Main Street, Room 100, Gaylord, Michigan. The meeting was called to order at 9:33 a.m. by Chairman Ken Borton. Invocation by Commissioner Ken Glasser, followed by the Pledge of Allegiance led by Commissioner Paul Liss.

Roll Call:

Present: Paul Beachnau, Paul Liss, Robert Harkness, Erma Backenstose, Ken Glasser, Doug Johnson, Ken Borton, Bruce Brown.

Excused: Julie Powers-Gehman.

Consent Agenda:

Motion to approve the Regular minutes of June 14, 2016 with attachments. Ayes: Unanimous. Motion carried.

Motion to approve the 2017 Budget calendar. Ayes: Unanimous. Motion carried. (see attached)

Motion to reappoint Charles Berlin to the Housing Committee to a term ending December 31, 2019. Ayes: Unanimous. Motion carried.

Motion to adopt OCR 16-19, Magistrate Wendy Howard Appointment.

Roll Call Vote:

Ayes: Paul Beachnau, Paul Liss, Robert Harkness, Erma Backenstose, Ken Glasser, Doug Johnson, Ken Borton, Bruce Brown.

Nay: None.

Excused: Julie Powers-Gehman.

Motion carried/Resolution adopted. (see attached)

Motion to reappoint Vernon Kassuba to the Brownfield Redevelopment Authority to a term ending December 31, 2019. Ayes: Unanimous. Motion carried.

Administrator's Report:

John Burt reported on the fountain on the Courthouse lawn, putting in a grate to catch the over flow of water; foreclosure, tearing down 2 properties; sand blasting the canon on the Courthouse lawn and repainting it; Iron bell Trail extension presented to the DNR; working on mobile laptops in the Sheriff's Department and City Police patrol cars; Veteran's memorial new flag poles ordered.

Department Head Report:

Jon Deming reported the EMS building is completed; new ambulance and new hazmat vehicle; run volume on track with 2015. Reported on Emergency Management, installing computers for

the patrol cars; emergency plans are done and approved for the County; radio system in good shape; 9-1-1 texting should come on in September.

Special Presentations:

Annette Eustice from Rehmann Robson, presented the Board with the 2015 Audit Report.

Motion by Commissioner Erma Backenstose, seconded by Commissioner Paul Liss, to accept the 2015 Audit Report. Ayes: Unanimous. Motion carried.

City Liaison, Township and Village Representative: None.

Correspondence:

Rachel Frisch presented the May financial reports.

New Business:

Motion by Commissioner Doug Johnson, seconded by Commissioner Ken Glasser, to approve the June 10, 2016 Special Warrant and the June 21, 2016 Warrant for a total amount of \$71,046.89 Ayes: Unanimous. Motion carried.

Motion by Commissioner Paul Liss, seconded by Commissioner Doug Johnson, to approve the June 28, 2016 Warrant in the amount of \$281,983.17 Ayes: Unanimous. Motion carried.

Public Comment:

Chairman Ken Borton opened up the meeting for public comment.

Board Remarks:

Commissioner Erma Backenstose reported on the Otsego Lake Township meeting, candidates running for office spoke; the splash pad at the Township Park, looking at benches to be put in.

Commissioner Paul Liss had no report.

Commissioner Bruce Brown attended the Airshow, commended Matt Barresi.

Commissioner Ken Glasser attended the Airshow.

Commissioner Paul Beachnau reported a groundbreaking ceremony is scheduled for June 29th at 1:00 p.m. for the Veteran's pavilion; attended an economic round table discussion; Alpenfest is July 12th-16th, honors luncheon tickets are available.

Commissioner Robert Harkness reported on the substance abuse meeting, possible new program coming called the Angel program.

Commissioner Doug Johnson attended the Airshow.

Commissioner Ken Borton attended the Airshow; MAC Conference in Boyne in September.

Meeting adjourned at 10:27 a.m.

Kenneth C. Borton, Chairman

Susan I. DeFeyter, Otsego County Clerk



Otsego
COUNTY
M I C H I G A N

FISCAL YEAR 2017 BUDGET CALENDAR

2016

- June 28 Board approve calendar
- July 8 Finance Director prepares budget packets for distribution to departments. Management Team members asked to complete line item descriptions, equipment request lists, and their requested 2017 budget figures using designated format.
- July 29 Departments submit completed budget requests, line item descriptions, and equipment lists to the Finance Director.
- Weeks of August 1&8 Administration staff conducts initial review of department budgets with department heads and elected officials as necessary.
- September 1 Component Units Budgets Due to Finance Director
(Parks, Library, U Ctr, EMS, Road Cmsn, Cmsn on Aging, Bus, Sportsplex, M-TEC)
- September 9 General Fund Budget submitted to Budget and Finance Committee Members (all other funds submitted during the Budget Workshops).
- September 27 Board Adopts budgets for September 30 year-end funds, Bus and Cmsn on Aging

BUDGET WORKSHOPS:

- September 13 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- September 20 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- September 27 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- October 4 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- November 9 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212

- November 15&18 Public Hearing notices published in Gaylord Herald Times
- November 16 Budget to Otsego County Clerk's Office and Online, Available for Public Review
- November 22 Board holds Truth-in-Taxation hearing and Public Hearing on the Budget. Adopts General Appropriations Act resolution.

All Budget Work Sessions will be conducted in Room 212 of the downtown County Building, 225 West Main, Gaylord, MI 49735. In compliance with the Americans with Disabilities Act, persons requiring assistance to fully participate in the meeting should contact the County Administrator's office 12 hours prior to the meeting.

OCR 16-19

APPROVING THE APPOINTMENT OF COURT MAGISTRATE

Otsego County Board of Commissioners
June 28, 2016

Pursuant to MCLA 600.8521, MSA 227A.8521, the Otsego County Board of Commissioners has reviewed the following listed Magistrate duly appointed by the Honorable Patricia A. Morse, Chief Judge of the 87-A District Court.

Wendy Howard

The Otsego County Board of Commissioners does hereby approve the appointment of this Magistrate for Otsego County.

a. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the following acts or parts of acts, or local ordinances substantially corresponding to the following acts or parts of acts, if the maximum permissible punishment does not exceed 90 days in jail, a fine, or both [MCL 600.8511(a)]:

- 1) SPORT FISHING, part 487 of the natural resources and environmental protection act, MCL 324.48701 to 324.48740;
- 2) WILDLIFE CONSERVATION, part 401 of the natural resources and environmental protection act, MCL 324.40101 to 324.40120;
- 3) MARINE SAFETY, part 801 of the natural resources and environmental protection act, MCL 324.80101 to 324.80199;
- 4) MOTOR CARRIER ACT, MCL 475.1 to 479.43;
- 5) MOTOR CARRIER SAFETY ACT, MCL 480.11 to 480.25;
- 6) DOG LAW OF 1919, MCL 287.261 to 287.290;
- 7) MICHIGAN LIQUOR CONTROL CODE, MCL 436.1703 and 436.1915;
- 8) GENERAL POWERS AND DUTIES, part 5 of the natural resources and environmental protection act, MCL 324.501 to 324.513;
- 9) LITTERING, part 89 of the natural resources and environmental protection act, MCL 324.8901 to 324.8907;
- 10) HUNTING AND FISHING LICENSES, part 435 of the natural resources and environmental protection act, MCL 324.43501 to 324.43561;
- 11) RECREATIONAL TRESPASS, part 731 of the natural resources and environmental protection act, MCL 324.73101 to 324.73111; and
- 12) TRESPASS, MCL 750.546 to 750.552c.

b. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the Michigan vehicle code, MCL 257.1 to 257.923, or local ordinances substantially corresponding to provisions of the Michigan vehicle code, if the maximum permissible punishment does not exceed 93 days in jail, a fine, or both, except for violations of MCL 257.625 and 257.625m or local ordinances substantially corresponding to these

provisions. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 257.625 and 257.625m or local ordinances substantially corresponding to these provisions. [MCL 600.8511(b)]

c. Arraign and sentence upon pleas of guilty or nolo contendere for violations of the following acts, if the maximum permissible punishment does not exceed 93 days in jail, a fine, or both [MCL 600.8511(c)]:

1) OFF-ROAD RECREATION VEHICLES, part 811 of the natural resources and environmental protection act, MCL 324.81101 to 324.81150 or local ordinances substantially corresponding to these provisions, except for violations of MCL 324.81134 and 324.81135. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 324.81134 and 324.81135; and

2) SNOWMOBILE, part 821 of the natural resources and environmental protection act, MCL 324.82101 to 324.82160 or local ordinances substantially corresponding to these provisions, except for violations of MCL 324.82128 and 324.82129. However, the magistrate is authorized to arraign defendants and set bond with regard to violations of MCL 324.82128 and 324.82129.

d. Accept pleas of guilty or nolo contendere and impose sentence for misdemeanor or ordinance violations punishable by fines and that are not punishable by imprisonment by the terms of the statutes or ordinances creating the offenses. [MCL 600.8512a(b)]

e. Issue search warrants under general authorization. [MCL 600.8511(g); MCL 780.651(4)]

f. Issue warrants for the arrest of persons upon written authorization of the prosecuting or municipal attorney and set pre-arraignment bonds. Written authorization is not required for vehicle law or ordinance violations within the jurisdiction of the magistrate, if a police officer issued a traffic citation in accordance with MCL 257.728 and the defendant failed to appear. [MCL 600.8511(e); MCL 764.1(5)]

g. Fix bail and accept bond in all criminal cases. [MCL 600.8511(f)] Set bond and order the defendant to appear before the circuit court in the county for a hearing when the person has been arrested for violation of a personal protection order and the circuit court judge will not be present or available within 24 hours after an arrest. [MCL 764.15b(3)]

h. Conduct first appearances of defendants before the court in all criminal and ordinance violation cases, including acceptance of any written demand or waiver of preliminary examination and acceptance of any written demand or waiver of jury trial. However, the magistrate may

only accept pleas of guilty or nolo contendere expressly authorized under MCL 600.8511 or MCL 600.8512a. [MCL 600.8513(1)]

i. Conduct arraignments for a contempt of court violation or a probation violation, if the violation arises directly out of a criminal case for which the magistrate has authority to conduct the first appearance and involves the same defendant, and if the maximum permissible penalty for the offense does not exceed one year in jail, a fine, or both. The magistrate may accept a plea and set bond, but may not conduct a contempt or probation violation hearing or sentencing. [MCL 600.8511(d)]

j. Hear and preside over civil infraction admissions, admissions with explanation, motions to set aside default or withdraw admissions, and conduct informal hearings in civil infraction actions, and impose all sanctions allowed by statute, under the authority of MCL 600.8512a(a), MCL 600.8512 (traffic and parking civil infractions), 600.8719 (municipal civil infractions), MCL 600.8819 (state civil infractions), and other applicable sections of these acts. Informal hearings involving traffic or parking violations shall not be conducted until the magistrate has successfully completed the SCAO training course in traffic law adjudication and sanctions.

k. Approve and grant petitions for the appointment of attorneys to represent indigent defendants accused of misdemeanor offenses punishable by imprisonment for not more than one year or ordinance violations punishable by imprisonment. [MCL 600.8513(2)(a)]

l. Suspend payment of court fees by indigent parties in civil, small claims, or summary proceedings actions, until after judgment has been entered. [MCL 600.8513(2)(b)]

m. Upon written authorization of the prosecuting or city attorney, sign nolle prosequis, dismissing any criminal or ordinance violation cases over which the district court has jurisdiction and release any bail bonds or bail bond deposits to the persons entitled to them, unless the preliminary examination or trial has commenced or a plea of guilty or nolo contendere has been accepted by a district court judge. [MCL 600.8513(2)(c)]

n. Execute and issue process to effectuate authority expressly granted by law to district court magistrates. [MCL 600.8513(2)(d)]

o. Administer oaths and affirmations and take acknowledgments in writing. [MCL 600.8317]

p. Perform marriages and charge a fee of \$10 which shall be deposited with the court for transmission to the funding unit at the end of each month. [MCL 600.8316]

q. Issue summonses to appear and show cause why the animal should not be destroyed, issue other preliminary orders, conduct hearings, and make necessary dispositive orders, regarding animals alleged to be dangerous and to have caused serious injury or death to a person or a dog. [MCL 287.322]

r. Conduct probable cause conferences and all matters allowed at the probable cause conference, except for the taking of pleas and sentencing, under MCL 766.4. [MCL 600.8511(h)]

s. Issue a suppression order for a search warrant affidavit. [MCL 780.651(9)]

t. Issue a suppression order for a search warrant tabulation until the final disposition of the case unless otherwise ordered. [MCL 780.655(2)]

Effective Date: July 1, 2016

Date: 5-31-2016


Patricia A. Morse, Chief Judge
87-A District Court