

June 26, 2012

The Regular meeting of the Otsego County Board of Commissioners was held in the County Building at 225 West Main Street, Room 100. The meeting was called to order at 9:30 a.m. by Chairman Paul Beachnau. Invocation by Commissioner Ken Borton, followed by the Pledge of Allegiance led by Commissioner Paul Liss.

Roll call:

Present: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Motion by Commissioner Clark Bates, to approve the regular minutes of June 12, 2012 with attachments. Ayes: Unanimous. Motion carried.

Consent Agenda:

Motion to approve the Building Authority Reappointment of Lester J. Howard term to expire on June 30, 2016. Ayes: Unanimous. Motion carried.

Motion to adopt Resolution OCR 12-20 approving the appointment of Court Magistrate of Tammy Pickelmann.

Roll Call Vote:

Ayes: Clark Bates, Paul Beachnau, Paul Liss, Lee Olsen, Erma Backenstose, Richard Sumerix, Doug Johnson, Ken Borton, Bruce Brown.

Nays: None.

Motion carried/Resolution adopted. (see attached)

Motion to approve the FY 2012 Equipment/General Fund Budget amendment. Ayes: Unanimous. Motion carried. (see attached)

Motion to approve the 2013 Budget calendar. Ayes: Unanimous. Motion carried. (see attached)

Administrator's Report:

John Burt reported the capital improvement plan; Groen property dedication August 2, 2012 at 1:00 p.m.; Air show.

Motion by Commissioner Paul Liss, to proceed with planning and fundraising for the 2013 Air Show. Ayes: Unanimous. Motion carried.

Special Presentation:

Bob Haske from Anderson, Tackman & Company, presented the FY 2011 Audit.

Vicki Courterier and Wes Smith reported on the Courts.

Motion by Commissioner Doug Johnson, to approve the use of a parcel of property for raised

garden beds and raising chickens through the Juvenile Probation program. Exact location to be determined with County Administrator John Burt. Ayes: Unanimous. Motion carried.

Motion by Commissioner Richard Sumerix, to approve the August 2012-July 2015 contract with Gary Gelow to provide indigent defense services. Ayes: Unanimous. Motion carried. (see attached)

Mary Sanders reported on the Economic Alliance support from all of the Townships.

Roberta Tholl reported on the Road Commission.

Dona Wishart reported on the Commission on Aging.

Correspondence:

The May 2012 Financial reports were discussed.

New Business:

Motion by Commissioner Ken Borton, to approve the June 19, 2012 Warrant in the amount of \$188,961.38 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Clark Bates, to approve the June 26, 2012 Warrant in the amount \$258,890.89 as presented. Ayes: Unanimous. Motion carried.

Board Remarks:

Commissioner Clark Bates: City Council meeting.

Commissioner Erma Backenstose: Economic Alliance.
Community garden.

Commissioner Lee Olsen: Thanked the Parks and Recreation for military week at the County Park.

Commissioner Rich Sumerix: Consortium.

Chairman Paul Beachnau: Open House at the University Center for the downtown corridor project June 27, 2012 from 6-8.

Meeting adjourned at 10:33 a.m.

Paul M. Beachnau, Chairman

Susan I. DeFeyter, Otsego County Clerk

RESOLUTION NO. OCR 12-20
APPROVING THE APPOINTMENT OF COURT MAGISTRATE

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.

Tammy Pickelmann

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



FISCAL YEAR 2013 BUDGET CALENDAR

2012

- June 26 Board approve calendar
- July 20 Finance Director prepares budget packets for distribution to departments. Management Team members also asked to complete narratives, strategic plans, staff justification forms, and equipment request lists using designated format.
- August 20 Departments submit completed budget requests, narratives, strategic plans, staff justification forms, and equipment lists to the Finance Director.
- TBA Administration staff conducts initial review of department budgets with department heads and elected officials as necessary.
- September 4 Component Units Budgets Due to Finance Director
(Parks, Library, U Ctr, EMS, Road Cmsn, Cmsn on Aging, Bus, Sportsplex, M-TEC)
- September 28 Departmental budgets submitted to Board of Commissioners.
- October 9 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- October 16 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- October 23 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- October 30 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- November 6 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- November 13 Budget & Finance Cmt Meeting, Budget Workshop – 1:30 p.m., Room 212
- November 13&17 Public Hearing notices published in Gaylord Herald Times
- November 19 Budget to Otsego County Clerk's Office and Online, Available for Public Review
- November 27 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 Courthouse, 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.

46th CIRCUIT COURT OTSEGO DEFENSE CONTRACT
87-A DISTRICT COURT OTSEGO DEFENSE CONTRACT
OTSEGO COUNTY PROBATE COURT DEFENSE CONTRACT

August 1, 2012 – July 31, 2015

The undersigned agree as follows:

1. That Gary L. Gelow, (hereinafter "Contract Administrator") shall provide legal representation to all indigent parties charged with offenses cognizable in the Otsego County Court system (understood by all parties to include the circuit, district, and probate courts of Otsego County Michigan only) pursuant to MCR 6.101. Further, the Contract Administrator shall provide representation to all minors whose parents or guardians are indigent and who are charged with criminal offenses. Further, the Contract Administrator shall provide representation to all parties who are indigent and are involved in a matter or allegation of abuse and/or neglect of a minor child, or who are involved in protective proceedings (DD, MI, LIP, etc.). Legal representation shall be provided by and through the Contract Administrator through a series of subcontractors with various attorneys and/or law firms. The Otsego County Courts, by and through its Chief Judges, retains the right to approve or reject any of the subcontractors tendered by and through this instant agreement.
2. The Otsego County Courts, by and through its Chief Judges, does hereby agree that the Contract Administrator shall be compensated at the rate of **Eleven thousand, five hundred, eighty nine and 50/100 (\$11,589.50)** dollars per month for the term of August 1, 2012, through July 31, 2013, for the services provided in #1 above.
3. The Otsego County Courts, by and through its Chief Judges, does hereby agree that the Contract Administrator shall be compensated at the rate of **Eleven thousand, seven hundred, five and 40/100 (\$11,705.40)** dollars per month for the term of

August 1, 2013, through July 31, 2014, for the services provided in #1 above.

4. The Otsego County Courts, by and through its Chief Judges, does hereby agree that the Contract Administrator shall be compensated at the rate of **Eleven thousand, eight hundred, twenty-two and 45/100 (\$11,822.45)** dollars per month for the term of August 1, 2014, through July 31, 2015, for the services provided in #1 above.
5. The monthly payment shall be made in advance, commencing on or about August 1, 2012, and continuing through each and every month thereafter during the term of the contract, based on Otsego County's warrant (check disbursement) schedule.
6. The Contract Administrator shall accept, without further compensation, representation of five indigent parties, per year, who desire to appeal a final disposition of the Otsego County Courts.
7. Court ordered appointment shall, pursuant to the provision of this contract, apply only to those circumstances where Michigan Constitution, Michigan statutes, or Michigan Rules of Court require the appointment of counsel, including probation violation charges.
8. Contract attorneys must resolve conflicts to ensure legal representation is present at the scheduled hearing so the hearing can proceed as scheduled.
9. The Contract Administrator has the affirmative obligation to review an indigent defendant's financial status and advise the appropriate presiding judge in the event the Contract Administrator or any attorney determines that a defendant is not entitled to court appointed counsel for lack of indigency.
10. The parties agree that either party to the instant contract may be cancelled without liability upon ninety (90) days written notice.

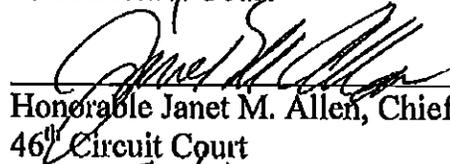
11. The contract attorneys shall maintain professional liability insurance in an amount no less than \$400,000 per claim and \$1,000,000 aggregate throughout the term of this contract.
12. The Contract Administrator shall serve as liaison to the Chief Judges of the Otsego County Courts regarding the administration and/or procedural matters involved in the administration of this instant contract.
13. That appointments which are made during the term of this instant contract shall be completed through final disposition without additional compensation irrespective of the cancellation, revocation, or non-renewal of this instant contract.

Dated: 6-13-12



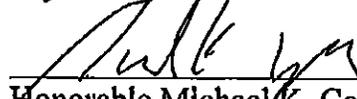
Honorable Patricia A. Morse, Chief Judge
87-A District Court

Dated: 6-14-12



Honorable Janet M. Allen, Chief Judge
46th Circuit Court

Dated: 6-13-12

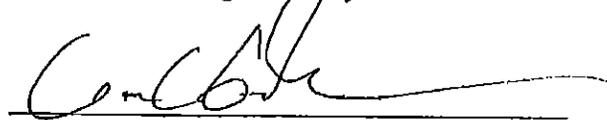


Honorable Michael K. Cooper, Chief Judge
Otsego County Probate Court

Dated: _____

John Burt, Otsego County Administrator

Dated: 6-19-12



Gary L. Gelow, Contract Administrator

