

Special 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 August 13, 2018 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	Kathy Pangle
Daniel R. Czajkowski	Dennis Allen

Also present: Teresa Doehring, County Administrator and Ryan Post, Finance Director

CITIZENS' COMMENT

Tim Carls, 63044 Klinger Lake Road of Centreville, commented on the audit.

Andy Mulder, representing the City of Three Rivers, provided his legal opinion of the petitions.

Mike Friesner, Lockport Township Treasurer, commented on the petitions.

Sherrie Nowicki, 56235 Buffalo Drive of Lockport, commented on the petitions.

Janet Hall, 1631 Nixon Lane of Three Rivers, commented on the petitions.

Kathy Bingaman, 423 Walnut of Three Rivers, commented on the petitions.

Charlene Zavala, 16916 Bridgette of Lockport, commented on the petitions.

Doug Bingaman, 423 Walnut of Three Rivers, commented on the petitions.

Ray Signorello, 56270 Buffalo Drive, commented on the petitions.

Lynn McCleod of Kalamazoo commented on the petitions.

Jared Hoffmaster, 58250 Jennie of Fabius, commented on the petitions.

Rob Borgert of Sturgis commented on the petitions.

Phil Kline, 22570 Klines Resort of Mendon, commented on the petitions.

Sandra Mangold, 57200 Linda of Lockport, commented on the petitions.

Diane Riley, 19080 M-86 of Lockport, commented on the petitions.

Susan Martin commented on the petitions.

Pat Dane, 1624 Nixon of Three Rivers, commented on the petitions.

DETACHMENT PETITIONS RESOLUTION 15-2018

Discussion of the board included that the Commission is bound to follow the law regarding the detachment petitions.

Commissioner Pangle presented the following resolution:

WHEREAS, a Petition for Detachment pursuant to MCL 117.6 was filed with the St. Joseph County Clerk on June 6, 2018;

WHEREAS, a Petition for Detachment and Proposed Annexation Map pursuant to MCL 117.6 was provided to the County Administrator's office on June 7, 2018 and forwarded to the St. Joseph County Clerk for filing;

WHEREAS, additional Petitions for Detachment pursuant to MCL 117.6 were filed with the St. Joseph County Clerk on July 13, 2018;

WHEREAS, pursuant to MCL 117.8, more than 30 days have passed since the filing of the foregoing Petitions for Detachment;

WHEREAS, pursuant to MCL 117.8(1), the County Board of Commissioners shall by resolution determine whether a petition filed pursuant to MCL 117.6 complies with the requirements of the Home Rule City Act and whether the statements contained in the petition are correct;

WHEREAS, the St. Joseph County Board of Commissioners has considered the foregoing Petitions for Detachment, individually and in the aggregate;

WHEREAS, the St. Joseph County Board of Commissioners has determined that the Petitions for Detachment do not comply with the requirements of the Home Rule City Act for the following reasons:

- o The Petitions are submitted on a "County/Local Proposal Petition" form rather than being identified as a "detachment petition."
- o The Petitions do not state that the individuals signing them are electors, freeholders, and residents of the City or Township as MCL 117.6 requires.
- o The Petitions do not contain a legal description of the area to be detached as MCL 117.6 requires.
- o The Petitions do not contain a notarized statement of each circulator as MCL 117.6 requires.
- o No map is attached as MCL 117.6 requires.
- o The Petitions do not contain statements of each circulator that signers of the petition were shown a map before signing as MCL 117.6 requires.
- o The proposed map attached to the July 13th Petitions is inaccurate and misleading because it does not identify the area to be detached and does not contain a legal description.

NOW THEREFORE, BE IT RESOLVED, that in accordance with MCL 117.8(1), the St. Joseph County Board of Commissioners shall not conduct further proceedings on this Petition for Detachment.

It was moved by Commissioner Balog and seconded by Commissioner Pangle to adopt the resolution and waive second reading. Motion carried 3-1 upon roll call vote with Commissioner Czajkowski dissenting.

ADJOURNMENT

At 5:54 p.m., it was moved by Commissioner Balog and seconded by Commissioner Czajkowski that the St. Joseph County Board of Commissioners adjourn until August 21, 2018 at 5:00 p.m. Motion carried.

Lindsay Oswald, County Clerk

Dennis Allen, Chairman