

OAKLAND COUNTY
BOARD OF COMMISSIONERS
MINUTES

December 15, 2009

Meeting called to order by Chairperson Bill Bullard, Jr. at 9:00 a.m. in the Courthouse Auditorium, 1200 N. Telegraph Road, Pontiac, Michigan.

Roll called.

PRESENT: Bullard, Burns, Capello, Coulter, Douglas, Gershenson, Gingell, Greimel, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Scott, Taub, Woodward. (20)

EXCUSED ABSENCE WITH NOTICE: Gosselin, Hatchett, Schwartz, Zack. (4)

EXCUSED ABSENCE PER MISCELLANEOUS RESOLUTION #04228: Coleman. (1)

Quorum present.

There was no public comment.

MISCELLANEOUS RESOLUTION #09328

BY: David Woodward, District #18

IN RE: BOARD OF COMMISSIONERS – AUTHORIZATION OF THE OPERATION OF THE OAKLAND COUNTY FLEA MARKET

To the Oakland County Board of Commissioners

Chairperson, Ladies and Gentlemen:

WHEREAS for more than 40 years, Oakland County has operated a farmers market and a flea market. The farmers market offers fresh farm, garden, orchard, and greenhouse products, while antiques, collectibles, and other miscellaneous items are available at the flea market; and

WHEREAS the farmers market closed for the season on October 25, and the flea market, which typically is open year-round, also closed in October due to concerns that Michigan law does not allow counties to run flea markets; and

WHEREAS Senate Bill 935 was introduced by Senator Deborah Cherry and House Bill 5525 was introduced by Representatives Marie Donigan, Gail Haines, Eileen Kowall, Tim Melton, Ellen Cogen Lipton, Vincent Gregory, Lisa Brown, and Vicki Barnett; and

WHEREAS Senate Bill 935 has passed the Michigan State Senate and the Michigan House of Representatives as of Tuesday, December 9, 2009 and now awaits the signature of Governor Jennifer Granholm; and

WHEREAS upon enactment, this legislation grants county's with the authority to establish and operate flea markets; and

WHEREAS the legislation provides that if a county board of commissioners of a county that has adopted an optional unified form of county government (under Public Act 139 of 1973) establishes a market, then the county executive or county manager of that county would have control of the market, and could issue regulations for the use and operation of the market.

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NOW THEREFORE BE IT RESOLVED that the Oakland County Board of Commissioners hereby officially authorizes the establishment of the Oakland County Flea Market, immediately upon the enactment of the enabling legislation in the State of Michigan.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners respectfully requests the Oakland County Executive to issue regulations for the use and operation of the flea market and forward a copy to the Board of Commissioners.

BE IT FURTHER RESOLVED that the Oakland County Board of Commissioners expresses their appreciation to the State of Michigan Senators and Representatives from Oakland County and their efforts to expedite the consideration and adoption of these bills.

BE IT FURTHER RESOLVED that the Oakland County Clerk is requested to forward copies of this adopted resolution to Governor Jennifer M. Granholm, the Oakland County delegation to the Michigan Legislature, Oakland County Executive L. Brooks Patterson, the Michigan Association of Counties and Oakland Counties Legislative Lobbyists.

Chairperson, we move the adoption of the foregoing resolution.

DAVID WOODWARD, JOHN SCOTT, MICHAEL GINGELL, JIM NASH, ROBERT GOSSELIN, DAVID COULTER, DAVID POTTS, HELAINE ZACK, JIM RUNESTAD, ERIC COLEMAN, SUE ANN DOUGLAS, TIM GREIMEL, SHELLEY TAUB, MATTIE HATCHETT, CHRISTINE LONG, JANET JACKSON, BILL BULLARD, MARCIA GERSHENSON, BRADFORD JACOBSEN, GARY MCGILLIVRAY, TOM MIDDLETON, TIM BURNS, JEFF POTTER

Moved by Scott supported by Woodward to discharge MISCELLANEOUS RESOLUTION #09328 – BOARD OF COMMISSIONERS – AUTHORIZATION OF THE OPERATION OF THE OAKLAND COUNTY FLEA MARKET.

Vote on discharge:

AYES: Bullard, Burns, Coulter, Douglas, Gershenson, Gingell, Greimel, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Scott, Taub, Woodward. (19)

NAYS: None. (0)

A sufficient majority having voted in favor, the motion to discharge MISCELLANEOUS RESOLUTION #09328 – BOARD OF COMMISSIONERS – AUTHORIZATION OF THE OPERATION OF THE OAKLAND COUNTY FLEA MARKET carried.

Moved by Woodward supported by Scott the resolution be amended as follows:

WHEREAS ~~the farmers market closed for the season on October 25, and~~ the flea market, which typically is open year-round, ~~also~~ closed in October due to concerns that Michigan law does not allow counties to run flea markets; and

WHEREAS Senate Bill 935 has passed the Michigan State Senate and the Michigan House of Representatives as of Tuesday, December 9, 2009 and ~~now awaits the~~ **with the** signature of Governor Jennifer Granholm **has been enrolled as Public Act 158 of 2009;** and

A sufficient majority having voted in favor, the amendment carried.

Moved by Woodward supported by Scott the resolution be adopted.

Discussion followed.

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Vote on resolution, as amended:

AYES: Burns, Capello, Coulter, Douglas, Gershenson, Gingell, Greimel, Jackson, Jacobsen, Long, McGillivray, Middleton, Nash, Potter, Potts, Runestad, Scott, Taub, Woodward, Bullard. (20)

NAYS: None. (0)

A sufficient majority having voted in favor, the resolution, as amended, was adopted.

The Board adjourned at 9:04 a.m. to the call of the Chair on January 20, 2010, at 7:00 p.m.

RUTH JOHNSON
Clerk

BILL BULLARD, JR.
Chairperson