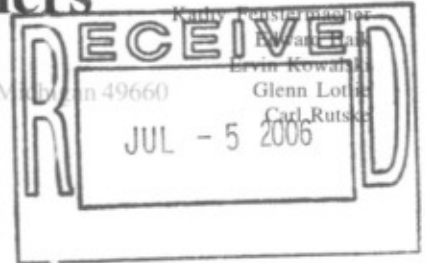


Manistee County Board of Commissioners

CHAIRPERSON
Allan O'Shea
VICE-CHAIRPERSON
Janice McCraner



Manistee County Courthouse • 415 Third Street • Manistee, Michigan 49660

CLERK
Marilyn Kliber
(231) 723-3331
CONTROLLER/ADMINISTRATOR
Thomas Kaminski
(231) 398-3500

RESOLUTION SUPPORTING THE MICHIGAN ASSOCIATION OF COUNTIES AMICUS BRIEF

At a regular meeting of the Manistee County Board of Commissioners held in the Manistee County Courthouse & Government Center, 415 Third Street, Manistee, Michigan, on the 20TH day of June, 2006:

PRESENT: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea, Rutske

ABSENT: -0-

The following resolution was offered by Fenstermacher and seconded by McCraner:

WHEREAS, it has been brought to the attention of the Manistee County Board of Commissioners that the Michigan Association of Counties has filed an Amicus Curiae Brief in the 46th Circuit Trial Court v. Crawford County, et al. case; and

WHEREAS, the issues in this case are crucial to the ability of the 83 County Boards of commissioners who have been elected and entrusted by the public to set service base priorities and control of the financial operations of County government; and

WHEREAS, with these most basic financial controls that are at issue in this lawsuit, the ability to maintain a balanced County budget and control the financial affairs of County Government will be tremendously compromised or become non-existent; and


WHEREAS, a separation of the powers of government should not only be clear on principle but also in practice, such as fiscal matters; and

NOW, THEREFORE, BE IT RESOLVED that in order to continue to be able to fulfill their statutory responsibilities, the Manistee County Board of Commissioners wholeheartedly supports the Michigan Association of Counties in their arguments on the following crucial issues involved in this case:

- I. Trial Courts should be prevented from unilaterally hiring of counsel, suing the County, which results in excessive legal fees, and having the Counties tax payers responsible for the payment of the fees.
- II. The Supreme Court of the State of Michigan should enforce its own Administrative Order which prevents Trial Courts from unilaterally raising employee benefit levels without the consent of the County Board of Commissioners.
- III. Michigan Association of Counties opposes the lower Courts decision in the 46th Circuit Trial Court v. Crawford County, et. al., which would require the County to direct all discretionary funds of the County be used to fund the reasonable and necessary costs determined by the Court.

IV. If and whenever mediation (settlement) actions are required for financial related disagreements between the Courts and County Governments, they should be facilitated and ultimately adjudicated by an independent body of the judiciary rather than by the administrative arm of the Supreme Court ensuring a true separation of State government and Constitutional powers and therefore appropriately responsive to the people of Michigan and all of the respective Counties.

DATED: June 20, 2006.



B. Allan O'Shea, Chairperson
Manistee County Board of Commissioners

STATE OF MICHIGAN)
)ss.
COUNTY OF MANISTEE)

I, Marilyn Kliber, County Clerk, do hereby certify that the foregoing is a true copy of a Resolution adopted by the Manistee County Board of Commissioners at its regular monthly meeting held on the 20th day of June, 2006, by the following vote:

YEAS: 7 Fenstermacher, Haik, Kowalski, Lottie, McCraner, O'Shea,
 Rutske
NAYS: -0-
NOT VOTING: -0-

I further certify that the foregoing Resolution is a true, correct and complete transcript of the original of said Resolution appearing on file and of record in my office.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Manistee this 20th day of June, 2006.

CLERK OF THE COUNTY COMMISSION
MANISTEE COUNTY, MICHIGAN



Marilyn Kliber, County Clerk

(06_08)