

ALLEGAN COUNTY BOARD OF COMMISSIONERS

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2008 SESSIONS

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September 25, 2008 Session

**SEPTEMBER 25, 2008 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE,
ROLL CALL**

1/ The Board of Commissioners of the County of Allegan, State of Michigan, met in the Commissioners' Room of the County Services Building in the Township of Allegan on September 25, 2008, at 1:00 P.M. in accordance with the motion for adjournment of September 9, 2008, and rules of this Board; Chairman McNeal presiding.

The invocation was offered by District #5 Commissioner Kapenga.

The County Clerk led the Board in the Pledge of Allegiance to the flag.

Upon roll call the following members answered as Commissioners for the respective Districts:

DIST #1	TERRY BURNS	DIST #7	DON BLACK
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	PAUL VANECK	DIST #9	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

COMMUNICATIONS - READ BY THE CLERK-REGISTER

2/ . The following communication was read by the Clerk-Register:

1. Notice from the Department of Environmental Quality of intent to establish condominium project (Miler Dunes Condominium)

**MINUTES OF AUGUST 14, 2008 & AUGUST 28, 2008 SESSIONS - ADOPTED
AS DISTRIBUTED**

3/ Moved by Commissioner VanEck, seconded by Commissioner Kapenga to adopt the minutes of the August 14, 2008 and August 28, 2008 sessions as distributed. Motion carried.

PUBLIC PARTICIPATION - COMMENTS

4/ Chairman McNeal opened the meeting to public participation and the following individual offered comment:

1. Naomi Whetzel, Hopkins Township showed everyone her new hat.

AGENDA - ADDITIONS

5/ Chairman McNeal asked if there were any additions or changes to the agenda. Administrator Rob Sarro, requested the addition of the two resolutions relating to local state of emergency (Declaration and Extension) to the consent portion of the agenda.

Moved by Commissioner VanEck, seconded by Commissioner Thiele to approve these additions to the consent agenda as requested. Motion carried.

AGENDA - ADDITIONS

6/ Moved by Commissioner Thiele, seconded by Commissioner Jones to add the letter of clarification regarding Senior Services to the discussion portion of the agenda. Motion carried.

AGENDA - ADOPTED AS AMENDED

7/ Chairman McNeal called for the adoption of the agenda as amended.

Moved by Commissioner Campbell, seconded by Commissioner Jones to adopt the agenda as amended. Motion carried.

PROCLAMATION - DOMESTIC VIOLENCE AWARENESS MONTH

8/ Chairman McNeal asked Commissioner DeYoung to introduce Shelly Lorbeck, Director of Sylvia's Place. Shelly distributed folders containing information relating to domestic violence needs and services in the county.

PROCLAMATION—DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2008

8.1/ WHEREAS, domestic violence affects all people within a community regardless of their age, race, financial status, or gender; and

WHEREAS, victims of domestic violence often times lose their privacy, dignity, security, and humanity because of continual physical, emotional, sexual, and psychological abuse; and

WHEREAS, national figures show that children exposed to violence in their homes are more likely abused and neglected; and

WHEREAS, billions of dollars are spent nationally on the product of domestic violence, that being medical, police and court costs, shelter and foster care expenses, workplace absenteeism and non-productivity; and

WHEREAS, in order to halt domestic violence efforts at the local level need to occur;

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners do hereby proclaim the month of October 2008 as Domestic Violence Awareness Month, and honors victims of domestic violence and those who serve them during this month and throughout the year; and

BE IT FINALLY RESOLVED, that the Allegan County Board of Commissioners also instructs the County Clerk inscribe a page of the Journal and forward copies of this proclamation to the many local cities and townships of Allegan County in honor of Domestic Violence Awareness Month.

Moved by Commissioner DeYoung, seconded by Commissioner Campbell to adopt the resolution as read. Motion carried.

INFORMATIONAL SESSION - INFORMATION SERVICES DEPARTMENT

9/ Steve Sedore, Information Services Director addressed the services his department provides the county offices; both through Information Services and Records Management. In addition to the many projects completed this year, he addressed the upcoming projects such as a) electronic ticketing in the MCTs, b) automated vehicle locators (AVL) for law enforcement vehicles, c) upgrade jail mug shot system, d) deploy new voice recording solution for central dispatch, and e) deploy new telephone system for central dispatch.

BREAK - 2:00 P.M.

10/ Moved by Commissioner Campbell, seconded by Commissioner Jones to recess for ten (10) minutes. Motion carried and the meeting was recessed at 2:00 P.M.

Upon reconvening at 2:15 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - none.

ADMINISTRATIVE REPORT

11/ Rob called for questions and there were none.

CONSENT AGENDA - ADOPTED AS PRESENTED

12/ Moved by Commissioner Thiele, seconded by Commissioner Kapenga to adopt the consent agenda as presented. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes. The following resolutions are adopted:

12.1/ FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,
Your committee on Finance has authorized the following claims for Sept 12, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section

46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	120,449.86	120,449.86	0.00
Parks & Recreation Fund	1,179.28	1,179.28	0.00
CENTRAL DISPATCH/E911 FUND	189.00	189.00	0.00
Health Department Fund	39,573.30	39,573.30	0.00
Transportation Grant	53.75	53.75	0.00
Public Improvement Fund	14,000.00	14,000.00	0.00
Justice Training Fund	6,202.00	6,202.00	0.00
Law Library	2,311.52	2,311.52	0.00
Lee Twp	154.00	154.00	0.00
Fillmore Twp	883.67	883.67	
Grants	515.40	515.40	0.00
Social Welfare	44,381.80	44,381.80	0.00
Child Care-Circuit/ Family	23,007.24	23,007.24	0.00
Senior Milleage	56,994.78	56,994.78	0.00
Delinquent Tax Revolving Fund	1,474.21	1,474.21	0.00
Bear Swamp Construction	79,424.38	79,424.38	0.00
Drain Funds	33,599.88	33,599.88	0.00
TOTAL AMOUNT OF CLAIMS	424,394.07	424,394.07	0.00

Respectfully submitted, COMMITTEE OF FINANCE

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,
Your committee on Finance has authorized the following claims for Sept 19, 2008. The following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board. Said claims are listed in the 2008 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	75,729.24	75,729.24	0.00
Parks & Recreation Fund	2,017.50	2,017.50	0.00
G.I.S.	149.68	149.68	0.00
CENTRAL DISPATCH/E911 FUND	38,487.57	38,487.57	0.00
Friend of the Court Fund	660.26	660.26	0.00
Health Department Fund	39,714.71	39,714.71	0.00
Transportation Grant	93,863.58	93,863.58	0.00
Public Improvement Fund	8,155.88	8,155.88	0.00
Palisades Emergency Planning Fac	1,361.46	1,361.46	0.00
Martin Village Debt Service	33,736.50	33,736.50	
Grants	4,770.00	4,770.00	0.00
Child Care-Circuit/ Family	49,966.36	49,966.36	0.00
Senior Milleage	45,804.59	45,804.59	0.00
Delinquent Tax Revolving Fund	2,927.14	2,927.14	0.00
Drain Funds	253.64	253.64	0.00
Building Authority Construct. - MCF	119,193.91	119,193.91	
Self Insurance Fund	63.25	63.25	
TOTAL AMOUNT OF CLAIMS	516,855.27	516,855.27	0.00

Respectfully submitted, COMMITTEE OF FINANCE

STATE OF EMERGENCY FOR ALLEGAN COUNTY—REQUEST GOVERNOR'S DECLARATION

12.2/ **WHEREAS**, on September 15, 2008, the Allegan County Board of Commissioners declared a local state of emergency and submitted said "Declaration of a Local State of Emergency" to the State; and

WHEREAS, the Allegan County Board of Commissioners has declared an extension of the local state of emergency on September 25, 2008, for a period through October 13, 2008; and

WHEREAS, in accordance with Section 12 of 1976 PA 390, as amended, the County of Allegan deems this incident to be beyond the control of this political subdivision and respectfully requests that the State of Michigan declare a "state of disaster" or "state of emergency" exists therein and that consideration be given, if conditions warrant, to petition the President of the United States for assistance provided by Public Law 93-288, as amended; and

WHEREAS, in support of this request, the County of Allegan will submit specific damage assessment data through official channels and in accordance with the guidance provided by the Emergency Management Division, Department of State Police (EMD/MSP) with the understanding that this request will not be acted upon without sufficient damage assessment data to substantiate the need for assistance,

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners authorizes the Chairman of the Board to sign the attached letter to the Governor of the State of Michigan to declare the County of Allegan a state of emergency; and

BE IT FURTHER RESOLVED, that the Director of Emergency Management under the direction of the Allegan County Sheriff Office, be directed to immediately forward a copy of this Resolution to the Emergency Management Division of the Michigan State Police and Governor Granholm; and

BE IF FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with this resolution are hereby repealed.

LOCAL STATE OF EMERGENCY FOR ALLEGAN COUNTY--EXTENSION

12.3/ WHEREAS, under the provisions of Section 10 of Act 390, P.A. 1976, as amended, MCLA 30.401 et seq., the Allegan County Board of Commissioners has adopted an Emergency Management Resolution ("Emergency Management Resolution"); and

WHEREAS, on September 15, 2008, the Allegan County Board of Commissioners declared a local state of emergency and submitted said "Declaration of a Local State of Emergency" to the State; and

WHEREAS, the terms of Article 5, Section 504 of the Emergency Management Resolution and as provided for in MCLA 30.410 (1) (b), states it is necessary for the "Declaration of a Local State of Emergency" to be affirmed by the Allegan County Board of Commissioners, if that Declaration is to remain in effect; and

WHEREAS, based upon the report by the Director of Emergency Management under the direction of the Allegan County Sheriff Office, it appears that emergency conditions still exist within Allegan County and that the continuation of the State of Emergency for twenty eight (28) days will facilitate emergency response and damage assessment efforts within Allegan County;

NOW THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners declares, ratifies, and continues the "Declaration of Local Emergency" due to a series of thunderstorms, high winds, and extremely heavy rains within Allegan County, Michigan, through October 13, 2008 at 12:30pm, or until such time as the Board of Commissioners may hereafter determine, and authorized powers set forth in the Emergency

Management Resolution shall continue in full force and effect;
and

BE IT FURTHER RESOLVED, that the Director of Emergency Management under the direction of the Allegan County Sheriff Office, be directed to immediately forward a copy of this Resolution to the Emergency Management Division of the Michigan State Police; and

BE IF FINALLY RESOLVED, that all resolutions and parts of resolutions insofar as they conflict with this resolution are hereby repealed.

COMMISSION ON AGING—APPROVE EXTENSION OF VENDOR CONTRACTS

13/ **BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves the recommendation of the Commission on Aging to extend each vendor contract as listed through December 31, 2008:

- Holland Senior Citizens Center DBA Evergreen Commons. Contracted to provide **Personal Care services and Homemaking and In-Home Respite services**.
- Servant Heart Helpers, Inc. DBA Home Helpers. Contracted to provide **Personal Care services**.
- Allegan County Medical Care Facility. Contracted to provide **Adult Day Care services**.
- Casco Township Senior Care Program. Contracted to provide **Volunteer Driver Transportation services**.
- Allegan County Resource Development Committee. Contracted to provide **Hot Home Delivered Meals, Volunteer Driver Transportation, and Outreach and Assistance services**.

BE IT FURTHER RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to work directly with each vendor and the Commission on Aging to finalize the financial aspects of the contract extensions and report to the Board. Additional

appropriations are authorized only upon the depletion of all currently allocated funds within each program.

Moved by Commissioner Black, seconded by Commissioner Kapenga to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

BOARD RECORDING SOLUTIONS - TABLE UNTIL 2010 BUDGET PLANNING

14/ Steve Sedore outlined the progress of the project which started with the 2007 Board goal and discussed the bids received and the information from surveying surrounding municipalities. There was discussion concerning the cost of video equipment and whether enough people would watch it to justify the cost.

Russ Cronberg suggested that some of the Republicans on the board could be replaced with Democrats and urged the Board to get going on video-recording the Board Sessions.

Moved by Commissioner Thiele, seconded by Commissioner Campbell to refer the issue to the County Services Committee for review.

Moved by Commissioner Kapenga, seconded by Commissioner Jones to table the issue until the 2010 Budget. Motion carried by roll call vote: Yeas - 6 votes. Nays - 5 votes. Absent - 0 votes.

N	TERRY BURNS	Y	DON BLACK
N	STEVE McNEAL	Y	TOM JESSUP
N	PAUL VanECK	Y	FRITZ SPREITZER
N	MARK DeYOUNG	N	JON CAMPBELL
Y	DEAN KAPENGA	Y	LARRY JONES
Y	MAX THIELE		

BREAK - 2:30 P.M.

15/ Moved by Commissioner Jessup, seconded by Commissioner Black to recess for ten (10) minutes. Motion carried and the meeting was recessed at 2:30 P.M.

Upon reconvening at 2:45 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - none.

VIDEO RECORDING - NO FUNDING

16/ There was discussion as to whether there needed to be a motion to remove the \$20,000.00 reserved in the 2008 budget for video recording.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to not expend any reserved funds for video recording. Motion carried by roll call vote: Yeas - 6 votes. Nays - 5 votes. Absent - 0 votes.

N	TERRY BURNS	Y	DON BLACK
N	STEVE McNEAL	Y	TOM JESSUP
N	PAUL VanECK	Y	FRITZ SPREITZER
N	MARK DeYOUNG	N	JON CAMPBELL
Y	DEAN KAPENGA	Y	LARRY JONES
Y	MAX THIELE		

2009 FINAL BUDGET - SET PUBLIC HEARING

17/ Moved by Commissioner Campbell, seconded by Commissioner Thiele to set the public hearing for the 2009 budget on the October 9, 2008 agenda along with consideration of the final budget. Motion carried.

FRIEND OF THE COURT-TITLE IV-D COOPERATIVE REIMBURSEMENT AGREEMENT

18/ Moved by Commissioner Thiele, seconded by Commissioner Black to set the Friend of the Court Title IV-D Cooperative Reimbursement Agreement on the October 9, 2008 consent agenda. Motion carried.

SOIL EROSION AND SEDIMENTATION CONTROL-ACCEPT TIMELINE AS PRESENTED AND SET PUBLIC HEARING ORDINANCE NO. 1013.1

19/ BE IT RESOLVED, that the Allegan County Board of Commissioners hereby accepts the timeline as presented by County Administration and approves the October 9, 2008 Public Hearing date to begin the approval process to amend the Soil Erosion and Sedimentation Control Ordinance No. 1013.1 as presented.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to adopt the resolution as presented. Motion carried.

APPOINTMENT & ELECTION PROCEDURES

20/ Rob Sarro read the memo wherein he set forth a suggested process to follow for providing notice of positions on boards and commissions for which the Board either elects or appoints individuals. Commissioner Black suggested that any notice published contain the date and time for the committee to meet, the responsibilities of the position and whether or not per-diem or mileage is provided so people have enough information to make a decision.

There was discussion about whether it is really necessary for individuals to fill out an application for re-appointment and whether Commissioners should have to apply for appointments.

TRANSIT RESEARCH & MARKETING STUDY WORK GROUP-PER-DIEM/MILEAGE

21/ Kathryn Gillen, Public Policy officer with the Disability Network, addressed the need to have at least one Commissioner on the Transit Research and Study Work Group which will end January 2010. She outlined the time-commitment which would be needed.

Moved by Commissioner Burns, seconded by Commissioner Spreitzer to authorize per-diem and mileage for participants on the study group. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

TRANSIT RESEARCH & MARKETING STUDY WORK GROUP - APPOINT 2

22/ Moved by Commissioner Spreitzer, seconded by Commissioner Black to appoint two Commissioners to represent the Board on the Transit Research & Marketing Study Work Group. Motion carried by roll call vote: Yeas - 10 votes. Nays - 1 vote. Absent - 0 votes.

Y	TERRY BURNS	Y	DON BLACK
N	STEVE McNEAL	Y	TOM JESSUP
Y	PAUL VanECK	Y	FRITZ SPREITZER
Y	MARK DeYOUNG	Y	JON CAMPBELL
Y	DEAN KAPENGA	Y	LARRY JONES
Y	MAX THIELE		

TRANSIT RESEARCH & MARKETING STUDY WORK GROUP - APPOINTMENT

23/ Chairman McNeal appointed Commissioners Spreitzer and Kapenga to represent the Allegan County Board of Commissioners on the Transit Research & Marketing Study Work Group.

Moved by Commissioner Black, seconded by Commissioner VanEck to confirm the appointments as made. Motion carried.

SENIOR CITIZENS - LETTER OF REASSURANCE


24/ Rob Sarro explained that there has been some misinformation going through the senior community that the Board is going to discontinue the food services to seniors. He distributed a draft letter intending to clarify the situation. There was discussion and general consensus to keep the letter very simple, positive and direct to clarify that the food services will continue.

PUBLIC PARTICIPATION - NO COMMENTS

25/ Chairman McNeal opened the meeting to public participation and as there were no comments, he declared the meeting closed to public comment.

ADJOURNMENT UNTIL OCTOBER 9, 2008 AT 1:00 P.M.

26/ Moved by Commissioner Jones, seconded by Commissioner Campbell to adjourn until October 9, 2008 at 1:00 p.m. The motion carried and the meeting was adjourned at 5:45 p.m.


Clerk-Register

