

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

2008 SESSIONS

JOURNAL 57

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December 11, 2008 Session

**DECEMBER 11, 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 December 11, 2008, at 1:00 P.M. in accordance with the motion for adjournment of November 13, 2008, and rules of this Board; Chairman McNeal presiding.

The invocation was offered by Reverend Pat White, Pastor of the Christ Community Church in Allegan.

The Administrative Assistant, Denise Wilson 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 [LEFT 4:45 PM]	DIST #7 DON BLACK [LEFT 4:55 PM]
DIST #2 STEVE McNEAL	DIST #8 TOM JESSUP [LEFT 4:20 PM]
DIST #3 PAUL VANECK	DIST #9 FRITZ SPREITZER
DIST #4 MARK DeYOUNG	DIST #10 JON CAMPBELL [LEFT 4:08 PM]
DIST #5 DEAN KAPENGA	DIST #11 LARRY JONES
DIST #6 MAX THIELE	

**MINUTES OF THE OCTOBER 23, 2008 AND NOVEMBER 13, 2008 SESSIONS - APPROVED AS DISTRIBUTED**

2/ Moved by Commissioner Black, seconded by Commissioner Kapenga to approve the minutes of the October 23, 2008 and November 13, 2008 Sessions as distributed. Motion carried.

**PUBLIC PARTICIPATION - COMMENTS**

3/ Chairman McNeal opened the meeting to public participation and the following individuals offered comments:

1. Russell Cronberg, Cheshire Township stated 2009 is going to be a tough year and the board needs to take care of business in a more timely manner.

**AGENDA - CHANGES**

4/ Chairman McNeal called for any additions or changes to the agenda.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to move action items 1, 2, 3 and 7 to the consent agenda. Motion carried.

**AGENDA - ADDITIONS**

5/ Moved by Commissioner Thiele, seconded by Commissioner Jessup to add discussion item #12 reconsidering Board action taken November 20, 2008 regarding the service contracts for the Commission on Aging. Motion lost by roll call vote: Yeas - 2 votes. Nays - 9 votes. Absent - 0 votes.

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

**SAFE DRINKING WATER - SET ON DECEMBER 18, 2008 AGENDA**

6/ Moved by Commissioner Campbell, seconded by Commissioner Black to set action item #8 - (Safe Drinking Water) on the December 18, 2008 planning session agenda since there are additional questions that need to be looked into. Motion carried.

**AGENDA - APPROVED AS AMENDED**

7/ Moved by Commissioner VanEck, seconded by Commissioner Campbell to approve the agenda as amended. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes

**SPECIAL ORDER OF THE DAY**

8/ Moved by Commissioner Thiele, seconded by Commissioner Campbell to incorporate the following Memoriam honoring Bill Brown and to inscribe a page in the journal in his honor. Motion carried.

**ALLEGAN COUNTY BOARD OF COMMISSIONERS  
IN MEMORIAM**

**William (Bill) Ross Brown**  
December 23, 1930 - November 14, 2008

TO THE HONORABLES, THE BOARD OF COUNTY COMMISSIONERS,  
Gentlemen:

WHEREAS, our Almighty God in His providence has removed from this life, our friend, Bill "Not bad for an old guy" Brown; and

WHEREAS, Bill was a writer and senior newspaper editor most of his adult life in Louisiana and Nebraska prior to coming to the Allegan County News where he was particularly active in promoting community projects and events and elevating our consciousness; and

WHEREAS, the members of this Board, recognize his commitment to service to the residents of Allegan County through his journalism at the Allegan County News from July 31, 2001 until his passing November 14, 2008; and

THEREFORE, BE IT RESOLVED, that we, the Board of Commissioners of Allegan County, Michigan, deploring his loss, not only to his family, but to his friends, to the public and to ourselves, do hereby extend our sincere sympathy to his bereaved family; and in cherishing his memory in respect to his many virtues, we do hereby instruct the Clerk of this Board to properly inscribe a page of this Journal to his memory and to forward a copy of this resolution to his family.

Dated at Allegan, Michigan, this 11th day of December, 2008.

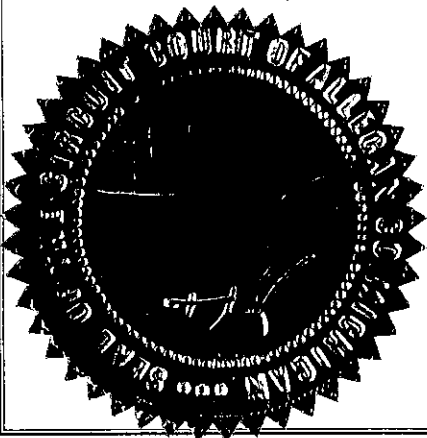
Steve McNeal, Chairman

Larry "Casey" Jones, Vice-Chairman

This resolution was read by Commissioner Max Thiele. The members of the Board of Commissioners rose for a moment of silence to honor the memory of William (Bill) Brown.

STATE OF MICHIGAN)  
                                  ) ss  
COUNTY OF ALLEGAN)

I, Joyce A. Watts, Clerk of the Allegan County Board of Commissioners and Clerk of the County of Allegan, do hereby Certify that the Above Resolution was duly adopted by said Board on December 11, 2008.



IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court in Allegan, Michigan, this 11<sup>th</sup> day of December 2008.

Joyce A. Watts, Clerk-Register

**INFORMATIONAL SESSION - MSU EXTENSION**

9/ Paul Wylie, Director of the MSU Extension reported on the interesting year the department experienced. He stated that the Extension office is uniquely supported by federal, state and county funds. The mission of the department is providing education and expertise in a number of areas which benefit county residents and youth in this county. He explained the role of various staff members and the programs offered by the department. From farming to nutrition, pine trees to horse clinics, the department works with youth, families, farmers and educators to enrich the lives of residents. He reported that no public spraying will be done to control the emerald ash borer and gypsy moth problems.

**ADMINISTRATOR'S REPORT**

10/ Administrator, Rob Sarro asked Sheriff Koops to brief the Board on the prisoner re-entry program and the state reneging on the program although it is mandated. They claim there are no funds and this will have a big impact on the county if sentencing guidelines get reopened. The Sheriff will bring more information to the Board as it develops and he hopes it is not a portend of things to come. Commissioner Campbell stated he will be attending a meeting on this issue in Lansing next Tuesday.

Mental Health Project - he reported meeting with Dave Short, consultant who feels we are on the right track regarding the director position. David Van de Roovaart and Peggy are getting the financial records in order and the team is talking with the State next week. He hopes to have something to report as early as mid February.

Animal Shelter - They have considered some changes on a new building type that could bring costs down to a reasonable cost, possibly comparable to renovation of the old building. This will

be investigated and an RFP issued before a determination is made. Department of Agriculture attended a meeting today and agreed to give us until June as long as the drains are still working. The team will bring back a formal item on a future agenda as they make determinations regarding remodeling v new building.

Facilities Master Plan - They are getting a committee together. January through March, they will be working with Rob Hilliard and Steve Schulz and has given them a tour of the county buildings. There is a request from the Planning Commission to have two members on this project team. Commissioner Campbell thought this should be considered at the Organizational Meeting with other appointments.

**BREAK - 2:20 P.M.**

11/ Moved by Commissioner DeYoung, seconded by Commissioner Jones to recess for ten minutes. Motion carried and the meeting was recessed at 2:20 P.M.

Upon reconvening at 2:30 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - none.

**CONSENT AGENDA - ADOPTED AS PRESENTED**

12/ Chairman McNeal asked if there were any members of the Commission, public or press who would like to have an item on the consent agenda considered separately. There were no requests.

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 approved:

## FINANCE COMMITTEE - CLAIMS AND INTERFUND TRANSFERS

12.1/ November 14, 2008:

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,  
Your committee on Finance has authorized the following claims for Nov 14, 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	133,357.09	121,036.09	12,321.00
Parks & Recreation Fund	4,080.19	4,080.19	0.00
Friend of Court Fund	171.00	171.00	0.00
CENTRAL DISPATCH/E911 FUND	55,623.39	55,623.39	0.00
Public Improvement Fund	4,139.00	4,139.00	0.00
Health Department Fund	41,041.72	41,041.72	0.00
Transportation Grant			0.00
Law Library Fund	976.08	976.08	0.00
Local Corrections Officers Training Fund			0.00
Tax Reversion	300.00	300.00	0.00
Drain Equip Revolving	342.12	342.12	
Social Welfare Fund			
Grants			0.00
Fillmore TWP			0.00
Child Care-Circuit/ Family	29,692.87	29,692.87	0.00
Veterans Trust Fund			0.00
Delinquent Tax Revolving Fund			0.00
Senior Millage	16,139.79	16,139.79	0.00
Drain Fund	5,359.40	5,359.40	0.00
Building Authority Construction-MCF	169,189.34	169,189.34	
Bear Swamp Construction Fund	56,488.82	56,488.82	
Self Insurance Fund			
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>516,900.81</b>	<b>504,579.81</b>	<b>12,321.00</b>

Respectfully submitted, COMMITTEE OF FINANCE

12.2/ November 21, 2008:

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,  
Your committee on Finance has authorized the following claims for Nov 21, 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*	88,693.12	88,693.12	0.00
Parks & Recreation Fund			0.00
Friend of Court Fund			0.00
CENTRAL DISPATCH/E911 FUND	2,922.74	2,922.74	0.00
Palisades Emergency Planning Fac. UP	1,382.78	1,382.78	0.00
Health Department Fund	35,855.76	35,855.76	0.00
Transportation Grant	48,217.36	48,217.36	0.00



Law Library Fund	751.80	751.80	0.00
Local Corrections Officers Training Fund			0.00
Tax Reversion			0.00
Drain Equip Revolving	110.43	110.43	
Social Welfare Fund			
Grants	680.00	680.00	0.00
Fillmore TWP	163.20	163.20	0.00
Child Care-Circuit/ Family	48,945.28	48,945.28	0.00
City of Saugatuck 1995-Debt # 13	200.00	200.00	0.00
Delinquent Tax Revolving Fund	1,929.60	1,929.60	0.00
Senior Millage			0.00
Drain Fund	14,586.90	14,586.90	0.00
Building Authority Construction-MCF	210,162.96	210,162.96	
Bear Swamp Construction Fund	2,406.18	2,406.18	
Self Insurance Fund			
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>457,008.11</b>	<b>457,008.11</b>	

\* Includes amounts previously submitted and disallowed on 11.14.08 Released on 11.21.08  
Respectfully submitted, COMMITTEE OF FINANCE

12.3/ November 28, 2008:

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,  
Your committee on Finance has authorized the following claims for  
Nov 28, 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	126,511.77	126,511.77	
Parks & Recreation Fund	1,116.43	1,116.43	0.00
Friend of Court Fund	130.63	130.63	0.00
CENTRAL DISPATCH/E911 FUND	8,386.26	8,386.26	0.00
Palisades Emergency Planning Facility Up	90.72	90.72	0.00
Health Department Fund	20,818.75	20,818.75	0.00
Transportation Grant	287,233.24	287,233.24	0.00
G.I.S.	207.03	207.03	0.00
Local Corrections Officers Training Fund			0.00
Tax Reversion	1,752.24	1,752.24	0.00
Drain Equip Revolving			
Social Welfare Fund			
Grants	13,700.45	13,700.45	0.00
Fillmore TWP			0.00
Child Care-Circuit/ Family			0.00
Veterans Trust Fund	53.00	53.00	0.00
Delinquent Tax Revolving Fund	334.16	334.16	0.00
Senior Millage	78,704.57	78,704.57	0.00
Drain Fund	14,584.77	14,584.77	0.00
Building Authority Construction-MCF			
Bear Swamp Construction Fund	6,008.44	6,008.44	
Self Insurance Fund	502,889.41	502,889.41	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>1,062,521.87</b>	<b>1,062,521.87</b>	

Respectfully submitted, COMMITTEE OF FINANCE

12.4/ December 5, 2008:

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,  
 Your committee on Finance has authorized the following claims for Dec 5, 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	99,418.89	99,418.89	
Parks & Recreation Fund	529.66	529.66	0.00
Friend of Court Fund	71.25	71.25	0.00
CENTRAL DISPATCH/E911 FUND	13,729.00	13,729.00	0.00
Public Improvement Fund	69,605.87	69,605.87	0.00
Health Department Fund	7,674.51	7,674.51	0.00
Transportation Grant	130.30	130.30	0.00
Child Care-Welfare Fund	80.00	80.00	0.00
Tax Reversion 1998-2000	150.00	150.00	0.00
Tax Reversion	13.50	13.50	0.00
Delq Tax Revolving Fund 2008 Taxes	321,921.93	321,921.93	
Social Welfare Fund	13,038.08	13,038.08	
Drain Equip Revolving	269.01	269.01	0.00
Fillmore TWP	269.15	269.15	0.00
Child Care-Circuit/ Family	6,908.10	6,908.10	0.00
Veterans Trust Fund	53.00	53.00	0.00
Delinquent Tax Revolving Fund	5,129.97	5,129.97	0.00
Senior Millage	174.31	174.31	0.00
Drain Fund	26,007.44	26,007.44	0.00
Building Authority Construction-MCF			
Bear Swamp Construction Fund	12,000.00	12,000.00	
Self Insurance Fund			
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>577,173.97</b>	<b>577,173.97</b>	

Respectfully submitted, COMMITTEE OF FINANCE

**SHERIFF DEPARTMENT—APPROVE TRAINING FUND BUDGET ADJUSTMENT**

12.5/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request of the Sheriff Department to make a Justice Training Fund - P.A. 320 budget adjustment in the amount of \$2000.00 as follows:

decrease	2660.000.999.90.00	Fund Balance
increase	2660.320.861.03.00	Educ/Training - Registration

BE IT FURTHER RESOLVED that the Budget and Finance Director is directed to make the necessary budget adjustments to reflect these changes.

## TRANSPORTATION DEPT.- TRANSIT FACILITY CHANGE ORDER NO. 001

12.6/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request from the Transportation Department per the review and recommendations of the Transportation Director, the Facilities Director, the Allegan County Transit Facility Architect, and the Allegan County Transit Facility Construction Manager to approve Transit Facility Change Order No. 001 in the amount of \$30,782.00 to address Cost Issue/Proposal Quotations to change vendor contracts as follows:

Cost Issue/Proposal Quotation	No. 01
Bid Category and Contractor	
1 Site work	\$874
Oetman Excavating 4122 South Division Wayland, MI 49348-9729	
Cost Issue/Proposal Quotation	No. 02
6 Metals	-\$141
PK Steel 2151 Chicago Dr. SW Grand Rapids, Michigan, 49519-1214	
Cost Issue/Proposal Quotation	No. 03
5 Masonry	\$453
Northwest Masonry, Inc. 4330 E. Cleveland Street Coopersville, MI 49404	
Cost Issue/Proposal Quotation	No. 04
20 Metal Building System	\$1,649
A.J. Veneklasen, Inc. 5000 Kendrick St. SE Grand Rapids, Michigan, 49512-9602	
Cost Issue/Proposal Quotation	No. 05
28 Fiber Installation	\$10,172
Amcomm Telecommunications 10431 Highland Road White Lake, MI 48386	

Cost Issue/Proposal Quotation No. 06  
 Construction Manager 12,896  
 Owen Ames Kimball  
 300 Ionia Avenue NW  
 Grand Rapids, MI 49503

Cost Issue/Proposal Quotation No. 07  
 20 Metal Building System \$4,515  
 A.J. Veneklasen, Inc.  
 5000 Kendrick St. SE  
 Grand Rapids, Michigan, 49512-9602

Cost Issue/Proposal Quotation No. 08

Total Request Amount  
 \$364

4 Concrete  
 Proline Contracting  
 4185 Proline Ct., Ste A  
 Dorr, MI 49323

1 Site work  
 Oetman Excavating  
 4122 South Division  
 Wayland, MI 49348-9729

3 Landscaping  
 Landscape Specialties, Inc.  
 3540 Jefferson Ave SE,  
 Grand Rapids, MI 49548

BE IT FURTHER RESOLVED that the net project increase for this Change Order is \$13,100.00 which will be paid from budgeted contingency, and this change order will not require an increase to the approved project budget; and

BE IT FINALLY 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 make the necessary budget adjustments to complete this action.

**DRAIN COMMISSIONER—AWARD DRAIN FILE REORGANIZATION PROJECT BID**

12.7/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the recommendation from the Drain Commissioner to award the bid in an amount not to exceed \$29,840 for the Drain File Reorganization Project to Fishbeck, Thompson, Carr & Huber, Inc. of 1515 Arboretum Dr. SE, Grand Rapids, MI, 49546; and

**BE IT FURTHER RESOLVED** that funds for this project are budgeted in the approved 2008 and 2009 budgets; and

**BE IT FINALLY RESOLVED** that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County, the Drain Commissioner is authorized to sign as co-signatory on behalf of the Drain Commission, and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**BOARD OF COMMISSIONERS—APPROVE 2009 MEETING DATES**

12.8/ **WHEREAS**, the following schedule has been presented for meetings of the Allegan County Board of Commissioners to be held at 1:00 p.m. (\*or 7:00 p.m.) in the Board Room, County Services Building, 3283 - 122<sup>nd</sup> Avenue, Allegan Township, Michigan:

January 8, 2009	9:30 A.M.	Organizational Meeting	
January 15, 2009	1:00 P.M.	July 16, 2009	1:00 P.M.
January 29, 2009	1:00 P.M.	July 30, 2009	1:00 P.M.
February 12, 2009	1:00 P.M.	August 13, 2009	1:00 P.M.
February 26, 2009	1:00 P.M.	August 27, 2009	1:00 P.M.
March 12, 2009	1:00 P.M.	September 10, 2009	1:00 P.M.
March 26, 2009	1:00 P.M.	September 24, 2009	1:00 P.M.
April 9, 2009	1:00 P.M.	October 8, 2009	1:00 P.M. Annual
April 23, 2009	7:00 P.M.*	October 22, 2009	7:00 P.M.*
May 14, 2009	1:00 P.M.	November 12, 2009	1:00 P.M.
May 28, 2009	1:00 P.M.	November 25, 2009	1:00 P.M. (Wed)
June 11, 2009	1:00 P.M.	December 10, 2009	1:00 P.M.
June 25, 2009	1:00 P.M.	December 23, 2009	1:00 P.M. (Wed)

**THEREFORE, BE IT RESOLVED** that the Allegan County Board of Commissioners hereby confirms the 2009 meeting dates as presented; and

**BE IT FURTHER RESOLVED** that the County Clerk is hereby directed to post said dates in accordance with Act 261 of the Public Acts of 1968.

**BOARD OF COMMISSIONERS PLANNING SESSIONS—APPROVE 2009 MEETING DATES**

12.9/ **WHEREAS**, the following schedule has been presented for meetings of the Allegan County Board of Commissioners Planning Sessions to be held at 9:30 a.m. in the Board Room, County Services Building, 3283 - 122<sup>nd</sup> Avenue, Allegan Township, Michigan:

January 8, 2009	*9:30 A.M.	July 9, 2009	9:30 A.M.
January 22, 2009	9:30 A.M.	July 23, 2009	9:30 A.M.
February 5, 2009	9:30 A.M.	August 6, 2009	9:30 A.M.
February 19, 2009	9:30 A.M.	August 20, 2009	9:30 A.M.
March 5, 2009	9:30 A.M.	September 3, 2009	9:30 A.M.
March 19, 2009	9:30 A.M.	September 17, 2009	9:30 A.M.
April 2, 2009	9:30 A.M.	October 1, 2009	9:30 A.M.
April 16, 2009	9:30 A.M.	October 15, 2009	9:30 A.M.
May 7, 2009	9:30 A.M.	November 5, 2009	9:30 A.M.
May 21, 2009	9:30 A.M.	November 19, 2009	9:30 A.M.
June 4, 2009	9:30 A.M.	December 3, 2009	9:30 A.M.
June 18, 2009	9:30 A.M.	December 17, 2009	9:30 A.M.

\*Immediately following Board of Commissioners Organizational Meeting.

**THEREFORE, BE IT RESOLVED** that the Allegan County Board of Commissioners hereby confirms the 2009 meeting dates as presented; and

**BE IT FURTHER RESOLVED** that the County Clerk is hereby directed to post said dates in accordance with Act 261 of the Public Acts of 1968.

Moved by Commissioner Thiele, 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.

**ELECTED OFFICIALS & CHIEF DEPUTIES - ESTABLISH SALARIES**

13/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby establishes the salaries for the following officials effective January 1, 2009 and ending December 31, 2012:

Prosecuting Attorney	\$101,894
Chief Prosecuting Attorney	89,079
Sheriff	90,680
Undersheriff	78,505
Drain Commissioner	69,968
Chief Deputy Drain Commissioner	53,166
Treasurer	69,968
Chief Deputy Treasurer	53,166
Clerk-Register	69,968
Chief Deputy County Clerk	53,166
Chief Deputy Register of Deeds	46,489

**BE IT FURTHER RESOLVED**, that any annual wage adjustments within this term for these officials and their chief deputies will be determined by the Board of Commissioners through the annual budget process and consistent with non-bargaining salaries.

Moved by Commissioner Black, seconded by Commissioner VanEck to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 6 votes. Nays - 5 votes.

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

**ORGANIZATIONAL MEETING DATE—CONTINUE PRESENT OFFICERS UNTIL JANUARY 8, 2009**

14/ **WHEREAS**, the Allegan County Board of Commissioners needs to set the date and time for an Organizational Meeting to select its 2009 officers and to provide for the designation of interim officers from December 31, 2008, until the above selection is accomplished,

**THEREFORE, BE IT RESOLVED** that the Allegan County Board of Commissioners sets January 8, 2009, 9:30 a.m., as the date and time of its Organizational Meeting, will continue with its present officers until that date and time, and will convene a Regular Planning Session immediately following the Organizational Meeting.

Moved by Commissioner Campbell, seconded by Commissioner Jones to adopt the resolution as amended by Commissioner Thiele. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

**BOARD OF COMMISSIONERS--ESTABLISH COMPENSATION FOR TERM; SET PER DIEM RATES**

15/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby establishes the annual compensation for the Board of Commissioners as follows for the term commencing January 1, 2009 and ending December 31, 2010:

Chairman of the Board	\$11,374.44
Regular Members	\$ 9,809.56

**BE IT FURTHER RESOLVED**, that Board members shall be eligible to take part in the County's Health Plan (Health, Vision, Hearing) at a cost distribution of 20% Board Member/80% Employer for PPO and POS Plans or 5% Board Member/95% Employer for the New Traditional Plan; and

**BE IT FURTHER RESOLVED**, Board members shall also be eligible for Life Insurance at one and one half times (1-1/2X) their salary, plus Longevity and Retirement per the non-bargaining schedule; and

**BE IT FINALLY RESOLVED**, that per diem rates for Board members' attendance on regular board and committee meetings, and appointed boards or committees, shall be \$45 for half days and \$90 for full days (refer to Rules of Organization and Procedures); and

**BE IT FINALLY RESOLVED** that boards linked statutorily to the Board of Commissioners compensation (Jury Board, Plat Board, Board of Canvassers, Road Commission) shall also remain at the above-stated rate.

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



roll call vote: Yeas - 8 votes. Nays - 3 votes. Absent - 0 votes.

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

**JAIL FUNDING WORKGROUP DISCUSSION**

16/ Rob Sarro proposed having CRS Consultants, who are working on the Regional Jail Study, using data collected for the regional jail study assist in helping determine the correct number of bed count for a new jail. It is now set at 400 with the ability to expand. Their assistance could help clarify this number so we can get on with the project. They are scheduled to make a presentation on the Regional Jail for Kalamazoo County on January 22, 2009 and February 3, 2009 and could meet in Allegan on February 5, 2009. This could reduce the amount we need to hire a jail planner.

Moved by Commissioner Thiele, seconded by Commissioner Spreitzer to use CRS to use regional jail data to clarify and confirm the number of beds needed for the jail. Motion carried.

**FACILITIES MANAGEMENT--AWARD COURTHOUSE HVAC DIGITAL CONTROLS BID**

17/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the recommendation from the Facilities Director to award the bid in an amount not to exceed \$143,442.00 for the Courthouse HVAC Digital Controls Project to Grand Valley Automation of 4275 Spartan Industrial Dr., Suite E, Grandville, MI, 49418; and

**BE IT FURTHER RESOLVED** that the funds for this project are budgeted in 2450.231.976.00.00; and

**BE IT FINALLY 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 make the necessary budget adjustments to complete this action.

Moved by Commissioner VanEck, seconded by Commissioner Jones to consider this resolution at the next business meeting. Motion carried

**SHERIFF'S DEPARTMENT - FUEL BUDGET ADJUSTMENT**

18/ Moved by Commissioner VanEck, seconded by Commissioner Kapenga to set this resolution on the January 15, 2009 agenda. Motion carried by roll call vote: Yeas - 6 votes. Nays - 3 votes. Absent - 2 votes.

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

**HEALTH DEPT. - 1) MEDICAL DIRECTOR CONTRACT; 2) EXTEND AGREEMENT WITH KALAMAZOO COUNTY**

19/ Moved by Commissioner VanEck, seconded by Commissioner Burns to set these resolutions (Medical Director Contract and the extension of the agreement with Kalamazoo County) on the December 18, 2008 agenda for action. Motion carried.

**SUSPEND BOARD RULES - ADOPT HEALTH DEPARTMENT RESOLUTIONS**

20/ Moved by Commissioner Thiele, seconded by Commissioner Black to temporarily suspend the rules for the rest of the discussion items and approve both Health Department resolutions. Motion carried and the following resolutions are adopted.

**HEALTH DEPT.-ESTABLISH IRREGULAR PART TIME MIHP NURSE POSITION**

20.1/ WHEREAS, the current staffing levels do not meet the demands and case-load for the Maternal Infant Health Program.

**BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves the request of the Health Department and the recommendation of the Human Resources Director to establish an irregular part time nurse position (up to 19 hours per week with no benefits) in the Maternal Infant Health Program, effective immediately; and

**BE IT FURTHER RESOLVED**, that this position is anticipated to be fully funded through Medicaid cost reimbursement revenues generated by home visits to program clients; and

**BE IT FINALLY RESOLVED**, that the Human Resources Department is authorized to fill this position, effective immediately and that the Budget and Finance Director is authorized to make any necessary budget adjustments to complete this action.

**HEALTH DEPARTMENT--APPROVE ADDITIONAL APPROPRIATION FOR 2009 FOR NURSE POSITION**

20.2/ **WHEREAS**, current staffing levels in the Communicable Disease (activity 623) program cannot accommodate the increase in nursing hours required to provide services for two new unfunded mandates:

- the new unfunded service required by Public Health Codes to inspect all Body Art Facilities beginning on January 1, 2009.
- unfunded State legislation to also require local health departments to inspect all Tanning Salons is expected to be put into effect soon; and

**WHEREAS**, current staffing levels cannot meet the demands in the Sexually Transmitted Diseases/HIV (activity 622) program, for the level of outreach and client follow-up required by our CPBC State Grant for the funding that we currently receive; and,

**WHEREAS**, current staffing levels cannot meet the demands in the Immunization (activity 621) program when staff scheduling conflicts arise which result in the cancellation of clinics and therefore limit public access to receive vaccines in a timely manner; and,

WHEREAS, all three activities 621, 622 and 623 are services required by both the Public Health Code and by the funding received via the CPBC State Grant, and the county health department must provide services at the minimum program requirement levels.

THEREFORE BE IT RESOLVED, that to provide these additional unfunded, but mandated services and to provide all services at the minimum program requirement levels, the Allegan County Board of Commissioners hereby approves the request of the Health Department and the recommendation of the Human Resources Director, the Budget and Finance Director and the County Administrator to reallocate 16 hours per week of an existing full time nurse position from activity 620, the Maternal Infant Health Program, to be split in other program areas as follows:

- Immunizations (activity 621) 20%
- Sexually Transmitted Diseases/HIV (activity 622) 30%
- Communicable Diseases (activity 623) 50%; and

BE IT FURTHER RESOLVED, that an additional appropriation be made to the 2009 approved budget in an amount not to exceed \$8,669 to fund the cost of the additional employee hours required to provide these services; and,

BE IT FINALLY RESOLVED, that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

**RATIFY COLLECTIVE BARGAINING AGREEMENT WITH 48th CIRCUIT COURT, 57th DISTRICT COURT AND COURT SALARIED EMPLOYEE ASSOCIATION**

21/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby ratifies the Collective Bargaining Agreement between Allegan County, the 48<sup>th</sup> Circuit Court, the 57<sup>th</sup> District Court and Allegan County Court Salaried Employee Association, for the period January 1, 2007 through December 31, 2009, as attached; and

**BE IT FURTHER RESOLVED** that the Budget and Finance Director is authorized to make the appropriate budget adjustments for this matter from contingencies.

Moved by Commissioner Jones, seconded by Commissioner Kapenga to continue the suspended rules to permit ratification of this collective bargaining agreement. Motion carried by roll call vote: Yeas - 7 votes. Nays - 0 votes. Absent - 4 votes.

**ALLEGAN COUNTY (48<sup>th</sup> Circuit Court, 57<sup>th</sup> District Court and Allegan County) –  
and –  
Court Salaried Employee Association**

**Settlement Agreement**

A Settlement Agreement made this 10<sup>th</sup> day of November, 2008, by and between the 48<sup>th</sup> Circuit Court of Allegan County and the 57<sup>th</sup> District Court ("Employer") and the Court Salaried Employee Association.

1. The provisions of the expired collective bargaining agreement (CBA) between the Employer and the bargaining unit shall be incorporated herein except to the extent that they are modified by the terms of this Settlement Agreement.
2. The term of the new agreement shall be three years beginning January 1, 2007, and terminating at midnight on December 31, 2009. The expired CBA shall be modified accordingly.
3. Nothing in this Settlement Agreement shall be retroactive unless specifically stated herein.
4. This Settlement Agreement is subject to the ratification by the bargaining unit and the Allegan County Circuit Court and District Court.
5. Modify the CBA as necessary to reflect an increase in wages as follows: 1.5% effective 01/01/07; 1.2% effective 01/01/08; and 1.0% effective 01/01/09. Retroactive pay shall be paid only to those employees on the Employer's payroll on the date of ratification by both parties.
6. Modify Section 11.1 to read as follows:

Section 11.1. Medical Insurance. The County of Allegan will provide healthcare coverage under the Allegan County Medical, Dental and Vision Plan for the Employee, spouse and children (one-person, two-person and family) under the following condition and with the following benefit options:

PPO Plan - Community Blue PPO Plan 1 (Prescription Co-Pays \$10 / \$15 / \$20)

POS Plan - Blue Choice POS Plan 4 (Prescription Co-Pays \$10 / \$15 / \$20)

New Traditional Plan - Blue Managed Traditional Comprehensive Major Medical Plan - Plan 2 (Prescription Co-Pays \$10 / \$40)

See Appendix C for the Benefits-at-a-Glance summary sheets for each-of the plans.

Effective January 1, 2009, employees who elect the PPO or POS plans will pay 10% of the required premiums and the Employer will pay the remaining 90%. Employees who elect the New Traditional Plan will pay 5% of the required premiums and the Employer will pay the remaining 95%.

Employees are eligible for enrollment in the voluntary insurance programs at no cost to the county. Allegan County will make an open enrollment opportunity available to employees prior to implementation of the plans above.

- 7. Modify Section 11.3 by changing the words "fifteen (15) days" to "through the 15<sup>th</sup> of the month."
- 8. Modify Section 11.7 by modifying the second to the last sentence of the section to read as follows:

Further, the Employer agrees to maintain the agreed upon Employer's contribution rates as outlined in 11.1, 11.8 through 11.9, after all FMLA has been exhausted, for a period of up to twelve (12) months, provided the Employee uses and records at least one (1) hour of PTO time, or enough PTO time to cover the Employee's deductions, whichever is greater, in each pay period during the month in which the coverage is to be continued. If the use of one (1) hour of PTO is not sufficient to cover the cost of the employee's deductions, the employee may choose, as an alternative to the use of additional PTO time, to pay the funding unit to cover such cost. Any employee choosing this alternative shall make said payment prior to the last day of each pay period during the month, in which, the coverage is to be continued.

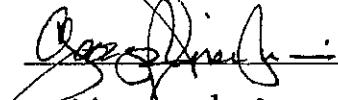

Further, modify Section 11.7 by deleting the last sentence of that section.

- 9. Modify Section 11.8 to read as follows:

The Employer shall provide a term life insurance policy with Accidental Death & Dismemberment (AD & D) on each bargaining unit employee. The amount for full time employees shall be \$25,000 and the amount for regular part time employees shall be \$12,500.

- 10. Modify Section 12.15 by changing the maximum annual amount from "\$500" to "\$1,000".
- 11. Modify Section 13.1 and Appendix A to provide that employees entering the Court Salaried bargaining unit after the date of contract ratification will be placed on a nine-step wage scale with 2.5% between the steps. Further modify Section 13.1 by deleting the first paragraph in Section 13.1. Modify Appendix A by changing "Step M" to "Step A".
- 12. A Memorandum of Understanding will be drafted and signed by all parties to the collective bargaining agreement to establish a committee consisting of not more than three (3) court salaried employees and not more than three (3) county administration employees. This committee will be charged with the mission to research health savings and health reimbursement accounts (plans), to educate all court employees regarding the advantages and disadvantages of both types of plans. The goal of the committee shall be to assist with the implementation of an agreed upon plan as soon as possible with a target date of no later than January 1, 2010.

48<sup>th</sup> Circuit Court

By:   
 Its: 

Date: 11/12/08

57<sup>th</sup> District CourtBy: Stephen E. SheridaDate: 11/12/08Its: Chief Judge

Court Salaried Employee Association

By: Craig J. SewellDate: 11/10/08Its: Bargaining Rep.

**NON-BARGAINING EMPLOYEES - INCREASE ICMA DEFINED CONTRIBUTION MATCH**

22/ **WHEREAS**, the 2009 budget was approved by the Board of Commissioners on October 9, 2008; and

**WHEREAS**, the Board of Commissioners authorized an increase in the employer match amount from 2% to 3% for non-bargaining employees who participate in the defined contribution retirement account, provided that the employee increases their pre-tax amount accordingly.

**THEREFORE, BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves a special one-time irrevocable election for non-bargaining employees to modify their pre-tax contribution effective the first day of the first payroll of 2009 (January 5, 2009); and

**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 make the necessary budget adjustments to complete this action.

Moved by Commissioner Thiele, seconded by Commissioner DeYoung to continue the suspended rules and adopt this resolution as presented. Motion carried by roll call vote: Yeas - 7 votes. Nays - 0 votes. Absent - 4 votes.

**FINANCE DEPT/PARKS FUND-ADDITIONAL APPROPRIATION**

23/ **WHEREAS**, it is necessary to correct an initial budget set up error in the Parks fund.

**BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the request of the Budget and Finance Director to make an additional appropriation from General Fund Contingency to the Parks fund in the amount of \$3,900.00 as follows:

decrease	1010.890.956.00.00	General Fund	\$ 3,900
		Contingency	
increase	1010.973.999.00.00	Transfer Out	\$ 3,900
increase	2080.751.699.00.00	Transfer In	\$ 3,900
increase	2080.091.708.00.00	S/W Temporary	\$ 1,000
increase	2080.093.708.00.00	S/W Temporary	\$ 2,900

**BE IT FURTHER RESOLVED** that the Budget and Finance Director is directed to make the necessary budget adjustments to reflect these changes.

Moved by Commissioner DeYoung, seconded by Commissioner Spreitzer to continue the suspended rules and adopt this resolution as presented. Motion carried by roll call vote: Yeas - 7 votes. Nays - 0 votes. Absent - 4 votes.

**MIKE LARSON - EMPLOYEE PURCHASE OF DEFINED BENEFIT SERVICE CREDIT**

24/ **WHEREAS**, Mike Larsen transferred from the Sheriff's Office Corrections Command Unit to the Road Patrol Command unit August 20, 2007; and

**WHEREAS**, as a result of this promotion he was required to enroll in the Defined Benefit Plan; and

**WHEREAS**, he has funds available in his Defined Contribution Plan; and

**WHEREAS**, he is fully vested in his Defined Contribution (MERS Retirement) Plan; and

**WHEREAS**, he is eligible to purchase a maximum of five (5) years of generic service credit by January 1, 2010; and



WHEREAS, MERS will transfer money directly from his Defined Contribution Plan and/or any applicable deferred compensation plan to his Defined Benefit Plan.

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the recommendation of the Human Resources Director to approve this employee purchase of defined benefit service credit; and

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 make the necessary budget adjustments to complete this action.

Moved by Commissioner Kapenga, seconded by Commissioner Spreitzer to continue the suspended rules and adopt this resolution as presented. Motion carried by roll call vote: Yeas - 7 votes. Nays - 0 votes. Absent - 4 votes.

**PUBLIC PARTICIPATION - COMMENTS**

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

1. Naomi Whetzel reminded everyone to give of themselves during the holidays.

**ADJOURNMENT** UNTIL DECEMBER 18, 2008 AT 1:00 P.M.

26/ Moved by Commissioner Jones, seconded by Commissioner Kapenga to adjourn until December 28, 2008 at 1:00 p.m. The motion carried and the meeting was adjourned at 5:30 p.m.

  
 Clerk Register

