

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

2009 SESSIONS

JOURNAL 58

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February 26, 2009 Session

FEBRUARY 26, 2009 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 February 26, 2009, at 1:00 P.M. in accordance with the motion for adjournment of February 12, 2009, and rules of this Board; Chairman Jones 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	- EXCUSED -	DIST #8	TOM JESSUP
DIST #3	PAUL VANECK	DIST #9	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL [LEFT 4:10 PM]
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

COMMUNICATIONS - READ BY THE CLERK-REGISTER

2/ The following communications were read by the Clerk-Register:

1. Notice of hearing from the City of Holland on the IFT application from the Hudsonville Creamery.

MINUTES/FEBRUARY 12, 2009 SESSION - APPROVED AS DISTRIBUTED

3/ Moved by Commissioner Thiele, seconded by Commissioner Kapenga to approve the minutes of the February 12, 2009 Session as distributed. Motion carried.

PUBLIC PARTICIPATION - COMMENTS

4/ Chairman Jones opened the meeting to public participation and the following individuals offered comments:

1. Jason Palmer of Portage presented an update on the Casino activities. He reported that there have been interim police & fire agreements put in place. As soon as they get the go-ahead they will be forming a local revenue sharing board. He thanked the board for their recent letter.
2. George Smeenge, Laketown Township, thanked the Board for the Senior Millage and reported on the activities of the Commission on Aging and their success working toward creating the strategic plan for the Commission. There should be a coordinator and an assistant coming on board in June

AGENDA - ADDITIONS

5/ Chairman Jones asked if there were any additions or changes to the agenda.

Commissioner Campbell noted that both candidates for the Community Mental Health board position were present and asked to move the interviews up to the beginning of the agenda.

Moved by Commissioner Campbell, seconded by Commissioner Thiele to approve the change. Motion carried.

Rob Sarro asked to have authorization for creating the outreach assessments coordinator position for the senior services program put on the action agenda.

Moved by Commissioner Spreitzer, seconded by Commissioner Burns to authorize this addition. Motion carried.

Rob also asked to have the Laketown Township DDA issue put on the discussion agenda.

Moved by Commissioner Burns, seconded by Commissioner Spreitzer to add this item. Roll call vote: Yeas - 6 votes. Nays - 4 votes. Absent - 1 vote. Somehow, this was deemed to be less than 2/3 vote and failed.

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

AGENDA - ADOPTED AS AMENDED

6/ Chairman Jones called for the adoption of the agenda.

Moved by Commissioner VanEck, seconded by Commissioner Kapenga to adopt the agenda as amended. Motion carried.

COMMUNITY MENTAL HEALTH BOARD - ELECTION

7/ Chairman Jones asked Commissioner Campbell to introduce the candidates for election to the vacant position on the Community Mental Health Board to replace Mary Jo Fleser. Thomas Belco from Plainwell and Sara Busfield from Allegan each addressed their qualifications.

8/ Chairman Jones stated that the voting would be by signed ballot and appointed Commissioners VanEck and DeYoung as tellers for the election. The first vote resulted in a tie.

On the second ballot, Thomas Belco was elected 6 - 4 votes and will fill the unexpired term of Mary Jo Fleser.

INFORMATIONAL SESSION - MEDICAL CARE FACILITY

9/ Bill Hekker, Medical Care Facility Director, presented the Annual Report for 2008 which showed that they ended slightly in the black. He reported on the progress of the Perrigo Memory Center, construction of which is on schedule for late March occupation. The rehabilitation center will open in April after renovations. He asked everyone to watch for the Grand Opening scheduled for mid May.

BREAK - 2:20 P.M.

10/ Upon reconvening at 2:30 P.M., the following Commissioners were present: Commissioner Burns, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - Commissioner McNeal.

ADMINISTRATIVE REPORTS

11/ Rob Sarro reported on the Laketown Township DDA issue and David Van de Roovaart is reviewing the contract. He recommended this be referred to the Finance Committee for review and recommendation. He reported he is monitoring the stimulus funding and is in frequent contact with the Office of Economic Recovery to see where things are at.

CONSENT AGENDA - CLAIMS & INTERFUND TRANSFERS

12/ Chairman Jones asked if there were any items on the consent agenda which a Commissioner wished to be considered separately. Commissioner Thiele asked to have the Parks Special Use Permit Policy Considered separately.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to approve the report of Claims as submitted. Motion carried by roll call vote: Yeas - 10 votes. Nays - 0 votes. Absent - 1 vote.

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for Feb. 13, 2009. 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 *	163,326.19	171,155.58	
Parks & Recreation Fund	620.56	620.56	
Central Dispatch/E911 Fund	88,253.67	88,253.67	
Register of Deeds Automation Fund	490.00	490.00	
Fillmore township	222.51	222.51	
Friend of Court Fund	527.25	527.25	
Health Department Fund	36,417.41	36,417.41	
Public Improvement Fund	14,662.92	14,662.92	
Public Improvement -Jail	9,226.38	9,226.38	
Law Library fund	473.29	473.29	
Transportation Grant	1,428.15	1,428.15	
Justice Training Fund-PA 302, 1982	662.24	662.24	
Grants	79,254.01	79,254.01	
Child Care-Circuit/ Family	29,687.73	29,687.73	
Veterans Trust Fund	834.50	834.50	
Salem/Leighton/Dorr-C.O.P.S. Grants	231.00	231.00	
Drain fund	34,451.52	34,451.52	
Drain Equip Revolving	159.61	159.61	
Delinquent Tax Revolving fund	1,267.04	1,267.04	
Self- Insurance Fund	24,126.00	24,126.00	

Bear Swamp Construction Fund	340.00	340.00	
TOTAL AMOUNT OF CLAIMS	486,661.98	494,491.37	

* Includes disallowed amounts from Jan. 23, \$3,222.20 & Feb. 6 \$4,607.19; Released on Feb. 13, 2009

Respectfully submitted, COMMITTEE OF FINANCE

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for Feb. 20, 2009. 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 *	159,129.28	83,289.19	75,840.09
Parks & Recreation Fund	1,023.04	1,023.04	
Central Dispatch/E911 Fund	851.66	851.66	
Senior Millage	117,430.92	117,430.92	
Friend of Court Fund	123.50	123.50	
Health Department Fund	180.95	180.95	
Public Improvement Fund	7,587.00	7,587.00	
Law Library fund	123.50	123.50	
Transportation Grant	42,287.38	42,287.38	
Grants	5,000.00	5,000.00	
Child Care-Circuit/ Family	2,039.79	2,039.79	
Drain fund	131,107.50	131,107.50	
Delq Tax Revolving Fund- 2000 Taxes	6,254.16	6,254.16	
Delq Tax Revolving Fund- 2002 Taxes	4,384.80	4,384.80	
Delq Tax Revolving Fund- 2003 Taxes	633.32	633.32	
Delq Tax Revolving Fund- 2004 Taxes	15,694.87	15,694.87	
Delq Tax Revolving Fund- 2005 Taxes	4,808.37	4,808.37	
Delq Tax Revolving Fund- 2006 Taxes	14,551.80	14,551.80	
Delq Tax Revolving Fund- 2007 Taxes	19,280.53	19,280.53	
Delinquent Tax Revolving fund	5,645.51	5,645.51	
Delq Tax Revolving fund 1998 Taxes	1,705.80	1,705.80	
Bear Swamp Construction Fund	13,210.92	13,210.92	
Tax Reversion	10,188.00	10,188.00	
Self insurance Fund	160,538.52	160,538.52	
TOTAL AMOUNT OF CLAIMS	723,781.12	647,941.03	75,840.09

* Includes disallowed amounts from Feb 20th 2009

Respectfully submitted, COMMITTEE OF FINANCE

PARKS, RECREATION AND TOURISM—SPECIAL EVENTS PERMIT POLICY

13/ BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the Allegan County Parks and Recreation Special Events Permit Policy as attached, to be implemented effective January 1, 2009; and

BE IT FURTHER RESOLVED, that the Parks, Recreation and Tourism Department will post it to the website and take other

steps to inform the public so that the policy will be effectively utilized.

Moved by Commissioner DeYoung, seconded by Commissioner Black to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 8 votes. Nays - 2 votes. Absent - 1 vote.

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

Allegan County Parks and Recreation Special Events Permit Policy

PURPOSE:

To describe the process for permitting Special Events on Allegan County Park property and to ensure consistent and appropriate standards of review and conditions of use for Special Events that are beyond the scope of a picnic shelter reservation or typical park use.

BACKGROUND:

Allegan County Parks are recognized as valuable assets in which the community has invested a significant amount of resources and during the season are used and enjoyed by residents and non-residents alike. These valuable assets are also in high demand by public, private, and non-profit groups for Special Events, such as weddings, fundraisers, fishing tournaments, and large-scale company picnics.

Because most Special Events involve large groups of people and/or the use of special equipment, such as portable stages, dunk tanks, booths, or large tents, they have greater-than-normal impacts on park facilities, which can include additional trash in the park, parking lot and boat launch congestion, need for additional park maintenance, and damage to turfgrass. These impacts can also affect visitor enjoyment and safety. This policy was developed to help control the impact that Special Events have on park property and visitors.

POLICY:

All persons or groups wishing to conduct activities on Allegan County Park property that meet the definition of "Special Event" must secure a Special Event Permit from the Allegan County Parks & Recreation Department.

DEFINITIONS:

"Special Event" – Any activity that meets one or more of the following criteria:

- Any activity which requires the use of Special Equipment*
- Animals on display, for show or for rides
- Weddings that involve Special Equipment
- Fee collection on park property (admissions, concession, or merchandise sales)
- The general public is invited or notified by the media
- Live musical entertainment
- Any organized and/or sponsored event, such as fishing tournaments, festivals, charity events, sporting events, etc.

***Special Equipment** – Equipment brought on to park property that requires advance set-up (i.e. portable stages, sound equipment, portable climbing walls, amusement equipment such as bounce houses or dunk tanks, booths, large BBQ grills used for pig roasts, tents/canopies 20' x 20' or larger, tables, and chairs).

Exemptions: Equipment intended for personal use, such as coolers, folding chairs, small folding tables, and personal BBQ grills; and tents and canopies that are smaller than 20' x 20' will not be considered "Special Equipment".

PROCEDURE:

1. Any person, group, or organization wishing to acquire a Special Event Permit must submit their request **IN WRITING** at least 14 calendar days prior to the scheduled event. Written requests must include the following:
 - Special Event type (wedding, fishing tournament, charity event, etc.)
 - Date, time (start and end, including set-up and take down), and location of special event
 - Sponsoring organization, if applicable
 - List of all Special Equipment and activities that will be associated with the special event
 - Expected number of guests (for fishing tournaments, the expected number of boats)
 - Name, address, and phone number, and e-mail address (if applicable) for special event contact person
2. Written requests for Special Event Permits will not be accepted by the Allegan County Parks & Recreation Department prior to the first business day during the calendar year in which the event will take place.
3. All properly submitted Special Event Permit requests will be reviewed by the Parks and Recreation Director for approval. A Special Event Permit request that asks for the waiver of any established park fee will also need the approval of the Allegan County Parks Commission.
4. The considerations of approval for a Special Event Permit request are as follows:
 - Impact on normal park activities
 - Impact on planned maintenance or construction activities
 - The potential for Special Event to cause injury to visitors
 - The potential for Special Event to cause damage to park property
 - Impact to park neighbors and surrounding property owners
5. All Special Event Permits will require a non-refundable permit fee in the amount of \$25.00.
6. All Special Event Permits will require a certificate of liability insurance naming Allegan County as an additional insured.
 - **Exceptions:** Any Special Event that does not require the use of Special Equipment.
7. Once the Special Event Permit request has been approved by Allegan County Parks a draft copy of the permit will be sent to the Special Event contact person for signature. The contact person will have 10 business days to return the signed permit, along with permit fee and certificate of liability insurance (if applicable) for final permit execution. A fully executed copy of the Special Event Permit will then be sent to the contact person.

OTHER SPECIAL EVENT PERMIT PROVISIONS:

1. No more than one Special Event Permit will be issued per park on a daily basis.
2. The issuance of a Special Event Permit does not grant exclusive use of the park facility.
3. Parking spaces and picnic areas (other than picnic shelters) cannot be reserved. They are available on a first come, first served basis.
4. Set-up locations for Special Equipment brought into the park are at the discretion of Parks Staff.
5. All Special Event participants are subject to County Ordinance #1010 (Parks Rules and Regulations).

HEALTH DEPARTMENT-2008/2009 CPBC AGREEMENT AMENDMENT NO. 2

14/ WHEREAS, on August 28, 2008, the Allegan County Board of Commissioners approved the FY2008-2009 Comprehensive Planning, Budgeting, and Contracting Agreement.

BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the request from the Allegan County Health Department to approve Amendment NO. 2 to the 2008/2009 CPBC Agreement, as attached, which revises language in the standard Michigan Department of Community Health CPBC Agreement in regard only to Bioterrorism One-Time Special Funding to cover the Allegan County Health Department program expenses for 8/10/09 - 9/30/09 in the amount of Twenty-three Thousand Nine Hundred Fifty-eight dollars (\$23,958), which increases the FY2008-2009 total State budget amount committed for the CPBC program elements from \$716,944 to \$740,902 ; 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 Campbell to adopt the resolution as presented. Motion carried by roll call vote: Yeas-10 votes. Nays-0 votes. Absent -1 vote.

Contract#: 20090178-02

**AMENDMENT NO. 2
TO
COMPREHENSIVE PLANNING, BUDGETING AND CONTRACTING AGREEMENT
FOR THE PERIOD 10/1/08 THROUGH 9/30/09**

**Between the
Michigan Department of Community Health
And
Allegan County Board of Commissioners
On Behalf of
Allegan County Health Department**

AMENDMENT PURPOSE AND JUSTIFICATION

The purpose of this amendment is to:

1. Revise information in Attachment I - Annual Budget Instructions and incorporate Attachment I - Annual Budget and;
2. Add/revise information in Attachment III - Program Specific Assurances and Requirements; and
3. Incorporate Attachment IV - Funding/Reimbursement Matrix as revised for the Local Public Health Operations (LPHO) and categorical budget detail, output measures, performance reimbursement criteria and vendor/subrecipient designations.

Amendment Revisions:

1. The following are the revisions to the Attachment I – Budget Instructions:

A. Reimbursement Chart – the following program element is added to the Reimbursement chart (pages 5-8):

1. Asthma Care Coordination - The Reimbursement Mechanism is Staffing mechanism; the Performance is N/A; and the Subrecipient and Vendor Designation is Subrecipient.
2. Bioterrorism One-Time Special Funding - The Reimbursement Mechanism is Staffing mechanism; the Performance is N/A; and the Subrecipient and Vendor Designation is Subrecipient.
3. Chesaning WIC Clinic The Reimbursement Mechanism is Staffing mechanism, the Performance is N/A, and the Subrecipient and Vendor Designation is Subrecipient.
4. Laboratory Services – Bioterrorism Lab One-Time Funds - The Reimbursement Mechanism is Staffing mechanism; the Performance is N/A, and the Subrecipient and Vendor Designation is Subrecipient.
5. Early Warning Infectious Disease Surveillance Travel – Footnote 15 is removed from the reimbursement method column Funding period is extended to September 30, 2009.
6. Early Warning Infectious Disease Surveillance Workshop – Footnote 15 is removed from the reimbursement method column. Funding period is extended to September 30, 2009.
7. SMILE! Michigan Dental Sealant Program – Coordination sub-element and associated reimbursement method, performance level and subrecipient or vendor designation information is removed from the table.

2. The following are the additions/revisions to Attachment III - Program Specific Assurances and Requirements for individual health departments:

A. BUILDING HEALTHY COMMUNITIES – PLANNING GRANTS SPECIAL REQUIREMENTS. The effective date for this program has been revised from January 1, 2009 to December 1, 2008.

3. The following are adjustments to funding levels of the CPBC agreement (also reflected in Attachment IV):

<u>PROGRAM ELEMENT</u>	<u>PREVIOUS LEVEL</u>	<u>REVISED LEVEL</u>	<u>CHANGE</u>
Bioterrorism 8/10/09 - 9/30/09	\$0	\$23,958	\$23,958
TOTAL CPBC FUNDING	\$716,944	\$740,902	\$23,958

4. It is understood and agreed that all other conditions of the original agreement remain the same.

5. The individual or officer signing this amendment certifies by his or her signature that he or she is authorized to sign this amendment on behalf of the responsible governing board official or agency.

FOR THE Allegan County Health Department

TYPED NAME AND TITLE

Signature

Date

FOR THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH

Susan Kangas, Deputy Director,
Administration Operations

Date

SENIOR SERVICES-OUTREACH AND ASSESSMENT COORDINATOR POSITION

15/ BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the request of the County Administrator to establish one (1) full-time Outreach and Assessment Coordinator position (Range H-11); and

BE IT FURTHER RESOLVED, that funding for this position will be provided through the Senior Services Millage and that the Human Resources Department is authorized to advertise for and fill this position, effective immediately; and

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

Moved by Commissioner Black, seconded by Commissioner Thiele to adopt the resolution as presented. Motion carried by roll call vote: Yeas - 8 votes. Nays - 2 votes. Absent - 1 vote.

Y TERRY BURNS
STEVE McNEAL
Y PAUL VanECK
Y MARK DeYOUNG
Y DEAN KAPENGA
Y MAX THIELE

Y DON BLACK
N TOM JESSUP
N FRITZ SPREITZER
Y JON CAMPBELL
Y LARRY JONES

DISCUSSION**SHERIFF - ANIMAL SHELTER COORDINATOR, PART-TIME**

16/ Moved by Commissioner VanEck, seconded by Commissioner Kapenga to set this issue on the March 12, 2009 action agenda for consideration. Motion carried.

TRANSPORTATION - 2008-2009 ACCMHS SERVICES AGREEMENT

17/ Dan Wedge, Transportation Director addressed the contract renewal with Allegan County Community Mental Health Services and outlined the changes.

Moved by Commissioner Thiele, seconded by Commissioner VanEck to set this issue on the March 12, 2009 consent agenda. Motion carried.

ROAD COMMISSION PUBLIC DRAIN BENEFIT

18/ David Van de Roovaart explained that the County has been picking up a portion of the public benefit drain assessment attributable to the County Road Commission [50% of the assessed costs]. While the Board may wish to continue doing this, there really should be a formal agreement or mechanism in place acknowledging this. The yearly cost fluctuates from year to year, but is approximately \$100,000 per year.

Moved by Commissioner Kapenga, seconded by Commissioner Campbell to refer this issue to the Finance Committee to meet with the Drain Commissioner and the Road Commission to review the issue and report back with a recommendation. Motion carried.

MENTAL HEALTH PROJECT UPDATE

19/ The group has met with the consultant, Dave Shore. He stated the state has no expectation of county governments being able to fill the gap in funding to continue full mental health

programs at the County level. The group is looking at the pros & cons of consolidation of services with another entity, benefits of becoming an authority, etc. and will soon be able to report on their findings but there is definitely a shortfall in funds from the State.

RESOLUTION OF SUPPORT FOR MSU EXTENSION

20/ Funds for MSU Extension are being cut by 50%. Allegan is the state's #1 agricultural county and we have 5 special MSUE agents; the largest in the state. State Representative Genetski met with Casey & Paul Wylie earlier this week. We need to address the impact to the county of losing 3 county agents.

Moved by Commissioner Thiele, seconded by Commissioner Campbell to consider this resolution of support for MSU Extension at the March 12, 2009 meeting. Motion carried.

LOCAL EMERGENCY PLANNING COMMITTEE - APPOINTMENTS

21/ Chairman Jones explained that we need to submit recommendations to the Michigan Citizens Community Emergency Responses Coordinating Committee (MCCERCC) in Lansing for appointment to the Local Emergency Planning Committee. He is nominating the following individuals for appointment to two-year terms:

Ryan Lewis to replace Bill Brown (Media Rep.)
Richard Koch (Education)

Moved by Commissioner Thiele, seconded by Commissioner Campbell to confirm the appointments as made and send recommendation of same to Ms. Bonnie Fighter, MSP/EMHSD, 4000 Collins Road, Lansing, MI 48910. Motion carried.

COMMUNITY MENTAL HEALTH BOARD ELECTION

22/ Commissioner Jones stated that there are four terms on the Community Mental Health Board which will expire March 31, 2009, all of whom are seeking re-election. This election will be held at the March 12, 2009 meeting.

PUBLIC PARTICIPATION - NO COMMENTS

23/ Chairman Jones opened the meeting to public participation and as there were no comments, he closed the meeting to participation.

ADJOURNMENT UNTIL MARCH 12, 2009 AT 1:00 P.M.

24/ Moved by Commissioner Black, seconded by Commissioner Spreitzer to adjourn until March 12, 2009 at 1:00 p.m. The motion carried and the meeting was adjourned at 4:15 p.m.


Clerk-Register

