

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

OCTOBER 8, 2009 SESSIONS

JOURNAL 58

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October 8, 2009 Session

OCTOBER 8, 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 October 8, 2009, at 1:00 P.M. in accordance with the motion for adjournment of September 24, 2009, and rules of this Board; Chairman Jones presiding.

The invocation was offered by District #10 Commissioner Campbell.

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 [left 5:05 pm]
DIST #2	STEVE McNEAL [left 5:20 pm]	DIST #8	TOM JESSUP
DIST #3	PAUL VanECK	DIST #9	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL [left 4:00 pm]
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

COMMUNICATIONS - AS POSTED ON THE WEB

2/ The following Communications have been posted to the web:

- Resolution from Oscoda County - re: support of HB 4785 and 4786 expanding unemployment benefits.
- Resolution from VanBuren County regarding charging counties for additional supervision expenses for foster children supervision.
- Article concerning requiring counties reimbursing citizens from the General Fund for loss of livestock from dog attacks.
- Letter from MDEQ regarding the county soil erosion & sedimentation control program.
- Letter from Michigan Association of Counties encouraging participation in the MAC Agriculture & Tourism Subcommittee.
- Notice from the County Drain Commissioner regarding the #472 Salem-Monterey Drainage district.
- MSUE Bulletin - Partner Report.

- Notice of hearing from Holland City Council regarding LeanLogistics Industrial Development District application.

PUBLIC PARTICIPATION - COMMENTS

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

1. Steve McNeal reminded everyone that this is the National Fire Prevention Week and encouraged everyone to check the batteries in their smoke detectors.

AGENDA - ADOPTED AS PRESENTED

4/ Moved by Commissioner VanEck, seconded by Commissioner Kapenga to adopt the meeting agenda as presented. Motion carried.

INFORMATIONAL SESSION - PROSECUTING ATTORNEY

5/ Fred Anderson, Prosecuting Attorney reviewed the highlights of the 2008 annual report to inform everyone of the types of cases the office deals with and the volume of work performed by his office in Circuit, District and Family Court. He noted that the drunk driving cases have decreased over the last few years as well as a decrease in the domestic violence cases. He stated that the diversion program is helping keep the juvenile caseload down. He reviewed the basic responsibilities performed by his office and the on-call duties and other activities with which his staff is involved.

Marge Bakker, Chief Assistant Prosecuting Attorney addressed the figures on domestic violence cases. Lt. Cam Henke, WEMET representative addressed the 300% increase in the methamphetamine lab cases and the increase in meth dump sites this year that the four WEMET officers deal with. He stated that the Allegan County Prosecutor's office is one of the hardest working offices with which WEMET deals. Sgt. Anderson addressed the problems of dealing with the "one-pot" cooking

methods and how the person who wants to cook METH can get everything needed in a big box store.

ADMINISTRATOR'S REPORT

6/ Administrator Sarro reported on the progress being made on the hiring process for HR Director and COA Director. He stated that there are some large projects of note occurring in the county; such as Johnson Controls auto battery production. He also reported on the meeting with labor union.

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

7/ HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,
Your committee on Finance has authorized the following claims for Sept 25, 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 2009 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	43,023.52	43,023.52	
Parks & Recreation Fund	1,347.48	1,347.48	
Central Dispatch/E911 Fund	778.35	778.35	
Health Department Fund	14,901.13	14,901.13	
Transportation Grant	55,916.57	55,916.57	
Public Improvement Fund	1,861.50	1,861.50	
Register of Deeds Automation Fund	4,123.19	4,123.19	
Local Corrections Officers Training Fund	950.00	950.00	
Law Library Fund	3,243.23	3,243.23	
Grants	8,288.75	8,288.75	
Social Welfare Fund	13,334.63	13,334.63	
Child Care-Circuit/Family	16,311.97	16,311.97	
Delinquent Tax Revolving Fund	1,186.24	1,186.24	
Drain Equip Revolving Fund	88.38	88.38	
Drain Fund	12,127.85	12,127.85	
Bear Swamp Construction Fund	9,097.61	9,097.61	
TOTAL AMOUNT OF CLAIMS	186,580.40	186,580.40	

Respectfully submitted, COMMITTEE OF FINANCE

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,
Your committee on Finance has authorized the following claims for October 2, 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 2009 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	125,008.67	125,008.67	
Parks & Recreation Fund	1,583.40	1,583.40	
Central Dispatch\E911 Fund	10,188.84	10,188.84	
Friend of the Court Fund	1,078.25	1,078.25	
Health Department Fund	6,157.43	6,157.43	
Transportation Grant	46,532.10	46,532.10	
Public Improvement Fund	91,689.38	91,689.38	
Register of Deeds Automation Fund	79.90	79.90	
Palisades Emergency Planning Facility UP	194.00	194.00	
Local Corrections Officers Training Fund	487.70	487.70	
Grants	123.87	123.87	
Fillmore Township	328.91	328.91	
Social Welfare Fund	17,855.76	17,855.76	
Child Care-Circuit/Family	40,950.54	40,950.54	
Senior Millage	367.37	367.37	
Delinquent Tax Revolving Fund	1,701.10	1,701.10	
Self Insurance Fund	31,140.95	31,140.95	
Drain Fund	1,430.05	1,430.05	
TOTAL AMOUNT OF CLAIMS	376,898.22	376,898.22	

Respectfully submitted, COMMITTEE OF FINANCE

BREAK - 2:10 P.M.

8/ Upon reconvening at 2:20 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer and Jones. Absent - none

ECONOMIC RECOVERY ZONE RESOLUTIONS - APPROVE AS PRESENTED

9/ Moved by Commissioner McNeal, seconded by Commissioner VanEck to adopt the resolutions on creating the economic recovery zone and reallocation of bonds to local municipalities. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

The following resolutions are adopted:

RESOLUTION AUTHORIZING CREATION OF ECONOMIC RECOVERY ZONE AND ALLOCATING RECOVERY ZONE BONDS

9.1/ WHEREAS, the Board of Commissioners (the "Board") of the County of Allegan, Michigan (the "County") may designate an economic recovery zone (the "Recovery Zone") in accordance with

Section 1401 of The American Recovery and Reinvestment Act of 2009 (the "Stimulus Act"); and

WHEREAS, the Stimulus Act authorizes Counties and large municipalities to issue recovery zone economic development bonds (the "Recovery Zone Bonds") for purposes of promoting development or other economic activity in a Recovery Zone, including to finance: (i) capital expenditures related to property located in the Recovery Zone; (ii) public infrastructure and facilities; and (iii) job training and educational programs (the "Qualified Economic Development Purpose"); and

WHEREAS, the Stimulus Act authorizes Counties and large municipalities to issue recovery zone facility bonds (the "Recovery Zone Facility Bonds") to finance property used in a recovery zone in a qualified business; and

WHEREAS, the County will comply with all other applicable statutory requirements for the issuance of bonds under the laws of the state of Michigan; and

WHEREAS, pursuant to the Stimulus Act, each state has been or will be allocated an amount equal to the ratio of a state's employment decline for 2008 to the aggregate of employment decline of 2008 for all states multiplied by \$10 billion for Recovery Zone Bonds, but in no event less than \$90 million and multiplied by \$15 billion for Recovery Zone Facility Bonds, but in no event less than \$35 million (collectively, the "State Allocation"); and

WHEREAS, the Stimulus Act provides for the reallocation of the State Allocation to all counties and large municipalities within the State of Michigan ("State") in the proportion that each county's or municipality's 2008 employment decline bears to

the aggregate of the 2008 employment declines for the counties and municipalities in the State ("Local Volume Cap"); and

WHEREAS, Allegan County has been allocated the sum of \$7,556,000 for its Recovery Zone Economic Development Bonds and \$11,334,000 for its Recovery Zone Facility Bonds.

NOW THEREFORE BE IT RESOLVED BY THE ALLEGAN COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1. This Board of Commissioners makes the following determinations:

- (a) The entire County of Allegan is experiencing a great amount of unemployment (which is currently 4% above the nationwide rate of unemployment)
- (b) The rate of home-foreclosure is exceptionally high throughout the County.

Section 2. The Board of Commissioners hereby designates the entire County of Allegan as an Economic Recovery Zone for the purposes specified in the Stimulus Act.

Section 3. The County's Local Volume Cap shall be allocated as follows:

- (a) \$7,556,000 to Allegan County for Recovery Zone Economic Development Bonds
- (b) \$11,334,000 to Allegan County for Recovery Zone Facility Bonds

Section 4. If for any reason any section, subsection, sentence, clause or phrase of this Resolution or the application thereof to any person or circumstance is declared to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this Resolution.

Section 5. This Resolution shall take immediate effect.

Section 6. All other Resolutions inconsistent with the foregoing are repealed.

**ALLEGAN CO RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS REALLOCATION
- LAKETOWN TOWNSHIP**

9.2/ **WHEREAS**, the Board of Commissioners (the "Board") of the County of Allegan, Michigan (the "County") may designate an economic recovery zone (the "Recovery Zone") in accordance with Section 1401 of The American Recovery and Reinvestment Act of 2009 (the "Stimulus Act"); and

WHEREAS, the Stimulus Act authorizes Counties and large municipalities to issue recovery zone economic development bonds (the "Recovery Zone Bonds") for purposes of promoting development or other economic activity in a Recovery Zone, including to finance: (i) capital expenditures related to property located in the Recovery Zone; (ii) public infrastructure and facilities; and (iii) job training and educational programs (the "Qualified Economic Development Purpose"); and

WHEREAS, Allegan County has been allocated the sum of \$7,556,000 for Recovery Zone Economic Development Bonds; and

WHEREAS, the County has allocated all of that amount to the County of Allegan; and

WHEREAS, the County wishes to reallocate a portion of its allocation to an underlying municipality within the County.

NOW THEREFORE BE IT RESOLVED BY THE ALLEGAN COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1. The Board of Commissioners hereby reallocates the sum of \$550,000 to the Township of Laketown for use in the issuance of Recovery Zone Economic Development Bonds for the project described in Appendix A attached hereto.

Section 2. If for any reason any section, subsection, sentence, clause or phrase of this Resolution or the application

thereof to any person or circumstance is declared to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this Resolution.

Section 3. This Resolution shall take immediate effect.

Section 4. All other Resolutions inconsistent with the foregoing are repealed.

APPENDIX A

PROJECT DESCRIPTION

The project will consist of the construction of a new non-motorized path, reconstructing the existing non-motorized path and all related appurtenances located in the Township.

PROJECT COST ESTIMATES

Construction, Reconstructing and Appurtenance Costs, Financing Costs (including Bond Discount) and Contingency:	\$550,00
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ALLEGAN COUNTY RECOVERY ZONE ECONOMIC DEVELOPMENT BONDS REALLOCATION - ALLEGAN CITY

9.3/ **WHEREAS**, the Board of Commissioners (the "Board") of the County of Allegan, Michigan (the "County") may designate an economic recovery zone (the "Recovery Zone") in accordance with Section 1401 of The American Recovery and Reinvestment Act of 2009 (the "**Stimulus Act**"); and

WHEREAS, the Stimulus Act authorizes Counties and large municipalities to issue recovery zone economic development bonds (the "Recovery Zone Bonds") for purposes of promoting development or other economic activity in a Recovery Zone, including to finance: (i) capital expenditures related to property located in the Recovery Zone; (ii) public infrastructure and facilities; and (iii) job training and educational programs (the "Qualified Economic Development Purpose"); and

WHEREAS, Allegan County has been allocated the sum of \$7,556,000 for Recovery Zone Economic Development Bonds; and

WHEREAS, the County has allocated all of that amount to the County of Allegan; and

WHEREAS, the County wishes to reallocate a portion of its allocation to an underlying municipality within the County.

NOW THEREFORE BE IT RESOLVED BY THE ALLEGAN COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

Section 1. The Board of Commissioners hereby reallocates the sum of \$900,000 to the City of Allegan for use in the issuance of Recovery Zone Economic Development Bonds for a project that includes improvements to the City's wastewater system lift station at Eastern Avenue.

Section 2. If for any reason any section, subsection, sentence, clause or phrase of this Resolution or the application thereof to any person or circumstance is declared to be unconstitutional or invalid or unenforceable, such decision shall not affect the validity of the remaining portions of this Resolution.

Section 3. This Resolution shall take immediate effect.

Section 4. All other Resolutions inconsistent with the foregoing are repealed.

SHERIFF DEPT—FY2009—2010 OHSP HIGHWAY SAFETY/SAFE COMMUNITY GRANT

10/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request of the Sheriff Department to apply for, and the County to accept when awarded, renewal of a grant from the Office of Highway Safety Planning (OHSP) in the amount of \$36,000.00

- for overtime costs related to drunk driving and seatbelt enforcement, with no local match funding required (other than costs related to the use of the vehicle)
- for special events presented to promote and demonstrate proper child passenger safety

during the period October 1, 2009, through September 30, 2010;

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

ALLEGAN COUNTY BROWNFIELD REDEVELOPMENT AUTHORITY—GRANT APPLICATION

11/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the Allegan County Brownfield Redevelopment Authority 2010 U.S. Environmental Protection Agency Grant application; 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 Campbell, 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.

TRANSPORTATION DEPT—TRANSIT FACILITY CHANGE ORDER NO. 006

12/ 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. 006 in the amount of \$5,871.00 to address Cost Issue/Proposal Quotations to change vendor contracts as follows:

Bid Category and Contractor

Cost Issue/Proposal Quotation	No. 49
23 Mechanical	\$1087.00
Kalamazoo Mechanical 5507 East Cork Street Kalamazoo, MI 49048	
Changes to General Conditions and Fees Construction Manager	
Owen Ames Kimball	GC \$54.00
300 Ionia Avenue NW	Fees \$57.00
Grand Rapids, MI 49503	
Total	\$1198.00
Cost Issue/Proposal Quotation	No. 50
25 Electrical	\$703.00
Schrotenboer Electric, Inc. 2996 M-40 Hamilton, MI 49419	
Changes to General Conditions and Fees Construction Manager	
Owen Ames Kimball	GC \$35.00
300 Ionia Avenue NW	Fees \$37.00
Grand Rapids, MI 49503	
Total	\$775.00
Cost Issue/Proposal Quotation	No. 51
25 Electrical	\$4552.00
Schrotenboer Electric, Inc. 2996 M-40 Hamilton, MI 49419	
Changes to General Conditions and Fees Construction Manager	

Owen Ames Kimball	GC	\$225.00
300 Ionia Avenue NW	Fees	\$239.00
Grand Rapids, MI 49503		
Total		\$5019.00
Cost Issue/Proposal Quotation	No. 53	
25 Electrical		\$2374.00
Schrotenboer Electric, Inc.		
2996 M-40		
Hamilton, MI 49419		
Changes to General Conditions and Fees		
Construction Manager		
Owen Ames Kimball	GC	\$119.00
300 Ionia Avenue NW	Fees	\$125.00
Grand Rapids, MI 49503		
Total		\$2618.00
Cost Issue/Proposal Quotation	No. 54	
Allowance		- \$5000.00
Utilities Connection Fee Allowance		
Changes to General Conditions and Fees		
Construction Manager		
Owen Ames Kimball	GC	\$0.00
300 Ionia Avenue NW	Fees	- \$250.00
Grand Rapids, MI 49503		
Total		- \$5250.00
Cost Issue/Proposal Quotation	No. 55	
23 Mechanical		\$1167.00
Kalamazoo Mechanical		
5507 East Cork Street		
Kalamazoo, MI 49048		
Changes to General Conditions and Fees		
Construction Manager		
Owen Ames Kimball	GC	\$58.00
300 Ionia Avenue NW	Fees	\$61.00
Grand Rapids, MI 49503		
Total		\$1286.00
Cost Issue/Proposal Quotation	No. 56	
25 Electrical		- \$20.00
Schrotenboer Electric, Inc.		
2996 M-40		
Hamilton, MI 49419		
Changes to General Conditions and Fees		

Construction Manager

Owen Ames Kimball	GC	\$0.00
300 Ionia Avenue NW	Fees	- \$1.00
Grand Rapids, MI 49503		

Total		- \$21.00
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Cost Issue/Proposal Quotation	No.	57
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25 Electrical		\$223.00
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Schrotenboer Electric, Inc.
2996 M-40
Hamilton, MI 49419

Changes to General Conditions and Fees
Construction Manager

Owen Ames Kimball	GC	\$11.00
300 Ionia Avenue NW	Fees	\$12.00
Grand Rapids, MI 49503		

Total		\$246.00
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BE IT FURTHER RESOLVED that the net project increase for this Change Order is \$5,871 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.

Moved by Commissioner Kapenga, seconded by Commissioner McNeal to set this resolution for immediate action and approve it as presented. Motion carried by roll call vote. Yeas - 10 votes. Nays - 1 vote. Absent - 0 votes.

Y	TERRY BURNS	N	DON BLACK
Y	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		

FRIEND OF THE COURT—THREE YEAR TITLE IV-D COOPERATIVE REIMBURSEMENT AGREEMENT

13/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves Contract Number CSCOM-10-03003, the Title IV-D Cooperative Reimbursement Agreement between the Allegan County Friend of the Court and the Michigan Department of Human Services, 235 South Grand Avenue, Lansing, Michigan, 48909, for the period from October 1, 2009 through September 30, 2012; and

BE IT FURTHER RESOLVED that this agreement shall be amended each fiscal year period beginning October 1, 2010 through September 30, 2012 to authorize funding for subsequent fiscal year periods covered by this agreement; 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 Campbell, seconded by Commissioner Spreitzer to take immediate action and approve the resolution as presented. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

PROPOSED 2010 BUDGET/CAPITAL EXPENDITURES-TABLED

14/ Rob Sarro explained the Capital expenditures which he is recommending. One item, the courthouse entrance project, is being scheduled to budget only \$30,000 of the total project cost of \$258,000. This would allow for design for the project and repair of the retaining wall.

Moved by Commissioner McNeal, seconded by Commissioner Campbell to approve the proposed capital expenditures as budgeted, except to budget the full amount for the courthouse entrance project.

Moved by Commissioner Campbell, seconded by Commissioner McNeal to table this issue until the October 22, 2009 meeting for action. Motion carried by roll call vote: Yeas - 8 votes. Nays - 3 votes. Absent - 0 votes.

Y	TERRY BURNS	Y	DON BLACK
Y	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		

PUBLIC PARTICIPATION - NO COMMENTS

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

RECESS TO CLOSED SESSION - PROPERTY ACQUISITION/CONTRACT NEGOTIATIONS

16/ Moved by Commissioner Spreitzer, seconded by Commissioner Kapenga to recess to closed session to discuss property acquisition and labor negotiations. Motion carried by roll call vote: Yeas - 11 votes. Nays - 0 votes. Absent - 0 votes.

[Commissioner Campbell left at 4:00 p.m. and Commissioner Black left at 5:05 p.m.]

C L O S E D S E S S I O N

RECONVENE/ROLL CALL

17/ Upon reconvening at 5:23 P.M. the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Jessup, Spreitzer and Jones. Absent - Commissioners Black and Campbell.

RATIFICATION OF THE GELC/CBA SETTLEMENT AGREEMENT

18/ Moved by Commissioner VanEck, seconded by Commissioner DeYoung to ratify the settlement agreement offered to the GELC

(General Unit) as presented. Motion carried by roll call vote:

Yeas - 8 votes. Nays - 0 votes. Absent - 3 votes.

ALLEGAN COUNTY -and- GELC (General Unit)

CBA SETTLEMENT AGREEMENT

A Settlement Agreement made this 29th day of September 2009, by and between Allegan County ("Employer") and the Governmental Employees Labor Council (General Unit) ("Union"), as follows:

1. The provisions of the expired collective bargaining agreement 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, 2009, and terminating at midnight on December 31, 2011. The expired Collective Bargaining Agreement (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 ratification by the bargaining unit and the Employer.

5. Modify Section 12.1 to remove the words "beginning in 2008" from the list of holidays after President's Day, Columbus Day, and New Year's Eve Day.

Further modify section 12.1 by eliminating paragraph (b.)

Finally, modify Appendix B to update the actual dates of the holidays listed.

6. Add new section 13.4 Elimination of Longevity Benefit reading as follows:

Notwithstanding the above sections of this article, effective January 1, 2010, only employees who have previously been paid the longevity benefit shall be eligible to receive the longevity benefit. The longevity benefit shall not be provided to any other employees.

7. Modify Section 15.1 and all other relevant sections to provide that employees who elect the New Traditional plan will pay 5% of the required premiums (52.5% for Part-Time employees) and the employer will pay the remaining 95% (47.5% for Part-Time employees), and that:

Effective 01/01/10, employees who elect the PPO or POS plans will pay 18% of the required premiums (59% for Part-Time employees) and the employer will pay the remaining 82% (41% for Part-Time employees).

Effective 01/01/11, employees who elect the PPO or POS plans will pay 20% of the required premiums (60% for Part-Time employees) and the employer will pay the remaining 80% (40% for Part-Time employees).

8. Modify Section 15.3 by inserting after "\$3,000" the following: "(\$1,500 for Part-time employees)"

9. Modify Section 16.14 by increasing the amount of tuition reimbursement amount from \$1,000 to \$2,500.

10. Modify Section 17.1 and Appendix A to reflect an increase in wages as follows: 2% effective the first day of the first payroll period following ratification by both parties; 1.5% effective the first day of the first payroll period of 2010; and 1.5% effective the first day of the first payroll period of 2011.

11. Further modify section 17.1 and any other relevant sections of the CBA to indicate that all pay increases, including step increases, will be effective the first day of the first payroll period following the anniversary date of either January 1 or July 1, or the first day of the calendar year, whichever is applicable.

12. All items in this agreement shall become effective only following ratification by both parties. Nothing in this agreement, including wage increases, shall be paid or otherwise applied retroactively.

ALLEGAN COUNTY

By: [Signature] Date: 9-29-09

GOVERNMENTAL EMPLOYEES LABOR COUNCIL (General Unit)

By: [Signature] Date: 9-29-09

ADJOURNMENT UNTIL OCTOBER 22, 2009 AT 1:00 P.M.

19/ Moved by Commissioner VanEck, seconded by Commissioner Spreitzer to adjourn until October 22, 2009 at 1:00 p.m. The motion carried and the meeting was adjourned at 5:33 p.m.


Clerk/Register