

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

APRIL 8, 2010 SESSION

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April 8, 2010 Session

APRIL 8, 2010 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 April 8, 2010, at 1:00 P.M. in accordance with the motion for adjournment of March 11, 2010, and rules of this Board; Chairman Jones presiding.

The invocation was offered by District 4 Commissioner DeYoung.

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

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

DIST #1	TERRY BURNS	DIST #7	DON BLACK
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	- EXCUSED -	DIST #9	- EXCUSED -
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL
DIST #5	- EXCUSED -	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

COMMUNICATIONS:

2/ The following communications were received and posted on the web:

1. Resolution from Alger County concerning stopping the spread of the Asian Carp.
2. Resolution from Bay County concerning stopping the spread of the Asian Carp
3. Resolution from Cheboygan County concerning the election software license.

The Clerk read the following communication:

1. Notice from the Environmental Protection Agency regarding bankruptcy settlement on the Kalamazoo River Superfund sites; comments welcome.

FEBRUARY 25, 2010 SESSION MINUTES - ADOPTED AS DISTRIBUTED

3/ Moved by Commissioner Black, seconded by Commissioner Thiele to adopt the minutes of the February 25, 2010 session as distributed. Motion carried.

PUBLIC PARTICIPATION - COMMENTS

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

1. Kathy Weirick, ACRDC, reported on the Head Start program which brings in \$2 million annually, serving 350 three and four year olds in the county. They recently received an additional \$1 million grant for developing an Early Head Start program to serve pregnant women, infants and toddlers. The grant would allow 78 more individuals receiving services. They have enjoyed working with other agencies to develop the program.

AGENDA - ADOPTED AS PRESENTED

5/ Chairman Jones called for any changes to the meeting agenda; none were received.

Moved by Commissioner Thiele, seconded by Commissioner Black to adopt the meeting agenda as amended. Motion carried.

PRESENTATIONS:**COMMUNITY MENTAL HEALTH DIRECTOR - MARIANNE HUFF**

6.1/ Commissioner Campbell introduced Marianne Huff, the new director for Community Mental Health. She thanked the Board for the opportunity to serve the community and said she hopes to move her family from Dearborn soon.

MEMORIAM FOR FLORA MOORE

6.2/ Commissioner Campbell read the following memoriam into the record and requested the Clerk to inscribe a page of the journal in her honor.

ALLEGAN COUNTY BOARD OF COMMISSIONERS
I N M E M O R I A M

Flora V. Moore

November 23, 1922 - March 3, 2010

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

WHEREAS, our Almighty God in His providence has removed from this life, our friend and public servant, Flora V. Moore; and

WHEREAS, the members of this Board, recognize her lifetime commitment to public service in Allegan County; and

WHEREAS, Flora was a graduate in the first Adult Education Class at Otsego High School in 1976 and was the class speaker, she owned and operated the Bloomin' Shop in Otsego for 36 years, Flora was the first woman to serve on the Allegan County Board of Commissioners and she served for 16 years from January 1, 1977 to December 31, 1992, she was a member of the Allegan County Parks and Recreation Board from October 1981 to December 1994, and she was a member of the Community Mental Health Board from January 1977 to March 2004 and served as their Chairperson for 17 years; and

WHEREAS, Flora greatly enjoyed time and activities with her husband, Bill, who preceded her in death in 1998, and with her children, grandchildren, great grandchildren and friends.

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

Dated at Allegan, Michigan, this 8th day of April, 2010.

Larry "Casey" Jones,
Chairman

Dean Kapenga, Vice-
Chairman

This resolution was read by Commissioner Jon Campbell. The members of the Board of Commissioners rose for a moment of silence to honor the memory of Flora V. Moore.

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 April 8, 2010.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court in Allegan, Michigan, this 8th day of April 2010.

Joyce A. Watts, Clerk-Register

PROCLAMATIONS:**NATIONAL CRIME VICTIM RIGHTS WEEK - EMELDA CALANCHI-POPE**

7/ Emelda Calanchi-Pope, victim rights coordinator, reported on the activities conducted on behalf of the victims. She introduced Bart Shaw who distributed invitations to the National Crime Victims' Rights week ceremony emphasizing Fairness, Dignity and Respect, on April 22, 2010 at 1:00 p.m.

Commissioner DeYoung read the following proclamation into the record:

NATIONAL CRIME VICTIMS' RIGHTS WEEK - APRIL 18-24, 2010

WHEREAS, 21 million Americans suffer the indignity of crime each year and may experience emotional, physical, psychological, and financial harm as a result of such crime; and

WHEREAS, a just nation acknowledges crime's impact on individuals, families, and communities and ensures that victims are treated with fairness, dignity, and respect as they interact with the criminal justice system; and

WHEREAS, 25 years ago, the President's Task Force on Victims of Crime drew attention to the poor treatment of victims in the criminal justice system, calling it "indifferent" to victims' needs; and

WHEREAS, a decades-long struggle to balance the scales of justice resulted in victims' rights laws in every state and more than 32 state constitutional victims' rights amendments that enshrine the ideals of fairness, dignity, and respect for victims of crime; and

WHEREAS, treating victims with dignity serves the public interest by engaging victims in the justice system, inspiring respect for public authorities and promoting confidence in public safety; and

WHEREAS, there is more to be done to advance these ideals as too many victims are denied their right to attend trial, present an impact statement at sentencing, or receive notice of the release of an offender; and

WHEREAS, we must work to ensure fair treatment of crime victims by providing protections for child and sexual assault victims, ordering and enforcing victim restitution from offenders, and notifying victims of their right to compensation and services, thereby giving hope to victims that the system and

society will work to restore dignity and respect their needs and rights; and

WHEREAS, National Crime Victims' Rights Week, April 18-24, 2010, provides an opportunity for us to raise awareness of the foundation of victims' rights—fairness, dignity, and respect—and to recommit to honoring those values by ensuring that all victims are afforded their legal rights and provided with assistance as they face the financial, physical, and psychological impact of crime; and

WHEREAS, the Office of the Allegan County Prosecuting Attorney, the Allegan City Police Department, the Allegan County Sheriff Department, the Sheriff Community Relations Advisory Board, Safe Harbor Children's Advocacy Center, and Sylvia's Place are joining forces with victim service programs, criminal justice officials, and concerned citizens throughout Allegan County and America to raise awareness of victims' rights and observe National Crime Victims' Rights Week.

THEREFORE, BE IT RESOLVED, that the Allegan County Board of Commissioners proclaims the week of April 18 - 24, 2010, to be Crime Victims' Rights Week and would like to express our appreciation for those victims and crime survivors who have turned personal tragedy into a motivating force to improve our response to victims of crime and build a more just community, and to reaffirm Allegan County's commitment to respect and enforce victims' rights and address their needs during *Crime Victims' Rights Week* and throughout the year; and

BE IT FURTHER RESOLVED, that we do hereby instruct the County Clerk inscribe a page of the Journal and forward copies of this proclamation to the many local cities and townships of Allegan County in honor of National Crime Victims' Rights Week.

Moved by Commissioner DeYoung, seconded by Commissioner McNeal to adopt the resolution as presented. Motion carried.

CHILD ABUSE PREVENTION MONTH - LORI ANTKOVIAK

8/ Lori Antkoviak presented information concerning Safe Harbor and child abuse prevention activities.

Commissioner Campbell read the following proclamation relating to Child Abuse Prevention:

CHILD ABUSE PREVENTION MONTH - APRIL 2010

WHEREAS, child abuse is considered to be one of our nation's most serious health problems; and

WHEREAS, during periods of economic challenges families are more vulnerable and the incidence of abuse increases across all segments of our society, but risk factors are greater in families where the parent abuses alcohol or drugs; appears uninterested in the care nourishment or safety of their children; and/or seems to be having serious economic, housing or personal problems; and,

WHEREAS, scientific studies document the link between the abuse and neglect of children and a wide range of medical, emotional, psychological and behavioral disorders such as depression, alcoholism, drug abuse, severe obesity, juvenile delinquency and the need for special education services; and,

WHEREAS, prevention strengthens families and is cost effective; and

WHEREAS, research shows that for every \$1 spent on child abuse and neglect prevention, \$7 will not be spent on some publicly-funded, crisis-oriented programming such as protective services, foster care, special education, and counseling; and

WHEREAS, warning signs that a child might be abused or neglected include; nervousness around adults, aggression toward children or adults, inability to stay awake or concentrate for long periods, sudden dramatic changes in personality or activities, acting out sexually or showing interest in sex that is not age appropriate, frequent or unexplained bruises or injuries, low self-esteem, and poor hygiene; and,

WHEREAS, child abuse prevention is an acknowledged community responsibility, so on behalf of Michigan's children, this month and each thereafter we shall commit to "**The Power of One Action**," a statewide initiative under the leadership of the Children's Trust Fund which calls upon every Michigan citizen to do at least one intentional act during April to make Michigan families safe for children.

THEREFORE, BE IT RESOLVED, that the Allegan County Board of Commissioners proclaims the month of April, 2010, to be **Child Abuse Prevention Month** in Allegan County and we urge all citizens to join us in the dedication of their energies to cherishing Allegan County children and helping them to grow and develop free from physical, sexual, and emotional harm; and

BE IT FURTHER RESOLVED, that we do hereby instruct the County Clerk inscribe a page of the Journal and forward copies of this proclamation to the many local cities and townships of Allegan County to bring attention to Child Abuse Prevention Month.

Moved by Commissioner Campbell, seconded by Commissioner McNeal to adopt the resolution as presented. Motion Carried.

INFORMATIONAL SESSION - 57TH DISTRICT COURT

9/ Linda Lenahan, 57th District Court Administrator, reviewed the statistics showing the volume of cases handled by the court and reported that the clearance rate is over 100%. The caseload mix shows that misdemeanors and civil infractions make up the majority of the work. Judge Skocelas reported on the success of the new programs the court has implemented. The Domestic Violence Diversion program, the 7411 (Drug) Diversion program, Court in School program, Community Service and the Mental Health Treatment Court are making a difference in people's lives and are possible only because of the dedication of the court staff who are willing to take on additional duties and the cooperation of the Prosecuting Attorney's Office and Community Mental Health.

ADMINISTRATOR'S REPORT:

10/ Administrator Rob Sarro reported that he has met with the Novo 1 representatives, Chairman Jones and Commissioner McNeal regarding plans to create 250 jobs in the area. They are very appreciative of the Board's support of the project. He stated the B-93 Birthday Bash event planning is underway and the Sheriff's Department is working with MDOT and others to plan for the safety of attendees at the event. At least 50,000 people are expected to attend. The financial strategies for funding the corrections center project are being gathered for the meeting on April 15, 2010. He also reported that Wishbone has been meeting with the Sheriff to provide supplemental services at the shelter and they plan to start next weekend. He gave a brief update on the work being done for the delivery structure for the Lakeshore Coordinating Council. The Senior Services millage renewal is coming up this year and the final draft for

ballot language will be coming to the Board soon since it must be approved by May 22, 2010.

BREAK - 2:35 P.M.

11/ Upon reconvening at 2:50 P.M., the following Commissioners were present: Commissioner Burns, McNeal, DeYoung, Thiele, Black, Jessup, Campbell and Jones. Absent - Commissioners VanEck, Kapenga and Spreitzer.

CONSENT AGENDA - ADOPTED AS PRESENTED

12/ Moved by Commissioner Thiele, seconded by Commissioner DeYoung to adopt the consent agenda as presented. Motion carried by roll call vote: Yes - 7 votes. No - 1 votes. Absent - 3 votes. The following are approved:

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

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

12.1/ The following reports of claims for March 26, 2010 and April 2, 2010 are approved.

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for March 26th 2010. 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 2010 Claims Report, Liber , and Commissioners' Record of Claims

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	87,787.08	87,787.08	
Park/Recreation Fund	3,876.44	3,876.44	
Central Dispatch/E911 Fund	1,366.85	1,366.85	
Health Department Fund	5,809.24	5,809.24	
Public Improvement	5,228.60	5,228.60	
Palisades Emergency Planning Facility UP	3,084.50	3,084.50	
Grants	5,490.00	5,490.00	
Child Care - Circuit/Family	12,837.17	12,837.17	
Martin Village Debt Service	47,977.34	47,977.34	
Delinquent Tax Revolving Fund	877.71	877.71	
Self-Insurance Fund	1,536.47	1,536.47	
Drain Fund	14,832.75	14,832.75	
TOTAL AMOUNT OF CLAIMS	190,704.15	190,704.15	

Respectfully submitted, COMMITTEE OF FINANCE

April 8, 2010 Session

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for April 2nd 2010. 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 2010 Claims Report, Liber ____, and Commissioners' Record of Claims

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	112,241.47	112,241.47	
Park/Recreation Fund	732.53	732.53	
Central Dispatch/E911 Fund	2,498.93	2,498.93	
Friend of the court fund	118.75	118.75	
Health Department Fund	4,766.51	4,766.51	
Transportation Grant	62,458.68	62,458.68	
Justice Training Fund- PA 302, 1982	310.00	310.00	
Grants	5,132.09	5,132.09	
Fillmore Township	310.49	310.49	
Social Welfare Fund	17,309.51	17,309.51	
Child Care – Circuit/Family	4,601.25	4,601.25	
Veterans Trust Fund	270.02	270.02	
Senior Millage	79.85	79.85	
Delinquent Tax Revolving Fund	1,371.66	1,371.66	
Tax Reversion	1,043.71	1,043.71	
Drain Equip Revolving	414.22	414.22	
Drain Fund	19,114.50	19,114.50	
TOTAL AMOUNT OF CLAIMS	232,774.17	232,774.17	

Respectfully submitted, COMMITTEE OF FINANCE

HEALTH DEPARTMENT–2010 AGREEMENT WITH FAMILY PLANNING

12.2/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the request from the Health Department to approve the agreement with Family Planning and Women's Health of Allegan County to provide mandated family planning services as authorized by Public Act 302 and 303, as presented, from January 1, 2010 through December 31, 2010; and

BE IT FURTHER RESOLVED that the Board Chairman and/or 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.

RECOVERY ZONE FACILITY BOND-APPLICATION AND SELECTION CRITERIA

13/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves Allegan County Recovery Zone Facility Bond Application and the Allegan County Recovery Zone Facility Bond Selection Criteria as presented; and,

BE IT ALSO RESOLVED that the Allegan County Board of Commissioners hereby approves the recommendation of the Director of Economic Development to establish the Allegan County Recovery Zone Facility Bond Committee to consist of four members:

- Kevin Ricco, Director of Economic Development
- Denise Stan, Executive Assistant
- David VandeRoovaart, Budget and Finance Director
- One County Commissioner (to be appointed)

BE IT FINALLY RESOLVED that the Board Chairman and/or 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 McNeal to adopt the resolution as presented. Motion carried by roll call vote: Yes - 8 votes. No - 0 votes. Absent - 3 votes.

MEDICAL EXAMINER-CREMATATION PERMIT FEE

14/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the recommendation from the Allegan County Medical Examiner to establish a cremation permit fee of Fifty Dollars (\$50) effective April 1, 2010.

Moved by Commissioner Thiele, seconded by Commissioner Burns to vote to set this resolution aside and consider the cremation fee when dealing with the all fees for the "fee study". Motion lost on roll call vote: Yes - 3 votes. No - 4 votes. Absent - 3 votes.

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

COURT EMPLOYEES - SETTLEMENT AGREEMENTS FOR 2010-2012

15/ Moved by Commissioner Black, seconded by Commissioner Campbell to approve the settlement agreements with the three court groups. Motion carried by roll call vote: Yes - 6 votes. No - 2 votes. Absent - 3 votes.

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

The following resolutions are approved:

COURT HOURLY-SETTLEMENT AGREEMENT 2010 - 2012

15.1/ **WHEREAS**, the Collective Bargaining Team has entered into negotiations with the members of 48th Circuit Court, 57th District Court, Probate Court, and County Clerk Court Hourly Employees' Association; and

WHEREAS, the Settlement Agreement for the period beginning January 1, 2010, through December 31, 2012, attached hereto and made part of this resolution, has been ratified by the Union.

THEREFORE, BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the attached Settlement Agreement and authorizes the Board Chairman and/or the County Administrator 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.

ALLEGAN COUNTY (48th Circuit Court, 57th District Court, Probate Court –and- Allegan County)

and

Court Hourly Association

CBA SETTLEMENT AGREEMENT

A Settlement Agreement made this ___5th_ day of April_____, 2010, by and between The 48th Circuit Court, 57th District Court, Probate Court and the County Clerk (“Employer”), and the 48th Circuit Court, 57th District Court, Probate Court, and Circuit Court Clerk Hourly Employees’ Association (“Association”), 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, 2010, and terminating at midnight on December 31, 2012. 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. Article 11-Medical Insurance-page 25

Modify Article 11, Section 11.1 to reflect:

Insurance: Effective upon ratification of this agreement by all parties and after completion of open enrollment. Employees who elect the PPO or POS plans will pay 13% of the required premiums and the Employer will pay the remaining 87%. Employees who elect the New Traditional Plan will pay 5% of the required premiums and the Employer will pay the remaining 95%.

Effective 01/01/11, 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). 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).

Effective 01/01/12, 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). 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).

ADD: Employees who are in a position budgeted and work at least 36 but less than 40 hours per week will be eligible to receive medical insurance benefits at the equivalent to full time employees.

6. Article 9 - (Longevity)
ADD - Effective December 31, 2012, 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. Article 11, Section 11.3. Incentive to Opt Out

ADD:

\$3000 and one thousand five hundred dollars (\$1,500) per year for regular part-time employees, eliminate \$2000.

- 8. Article 12, Section 12.15 – Tuition-
Modify - The Employer shall pay 100% for the cost of tuition, textbooks or lab fees up to a maximum annual amount of \$2,500 upon successful completion/credit of the course per calendar year. The Employee shall remain with the Employer for at least one year after completion of the course. If the Employee voluntarily terminates employment before such time the Employee shall repay a prorated monthly amount based on the remainder of time s/he has remaining till the end of the agreed upon year.
- 9. Modify Article 13 section 13.1 to reflect an increase in wages as follows:
 - 1.5% effective the first day of the payroll after January 1, 2010
 - 1.5% effective the first day of the payroll after January 1, 2011
 - 1.5% effective the first day of the payroll after January 1, 2012

ADD: All pay increases, (including step) will be effective the first day of a payroll period. Annual wage increases will be effective on the first day of the payroll period after January 1 of each year. Step increases will be effective on the first day of the pay period after January 1 and July 1 annually.

Retroactive pay shall be paid only to those employees on the Employer’s payroll on the date of ratification by both parties.

- 10. ADD: Article 11, Section 11.11 – Retiree Insurance - Members of the bargaining group shall be eligible for health/hearing/dental/vision insurance consistent with the employee benefit policy of the Allegan County Employee Handbook when a bargaining group member retires.

Allegan County

By: _____ Date: _____
Mr. Casey Jones, Chairman,
Allegan County Board of Commissioners

48th Circuit Court

By: _____ Date: _____

57th District Court

By: _____ Date: _____

Probate Court

By: _____ Date: _____

County Clerk

By: _____ Date: _____

48th Circuit Court and 57th District Court, Probate Court and Circuit Court Clerk Hourly Association

By: _____ Date: _____

COURT SALARIED—SETTLEMENT AGREEMENT 2010 - 2012

15.2/ **WHEREAS**, the Collective Bargaining Team has entered into negotiations with the members of the 48th Circuit Court and 57th District Court Salaried Employees' Association; and

WHEREAS, the Settlement Agreement for the period beginning January 1, 2010, through December 31, 2012, attached hereto and made part of this resolution, has been ratified by the Union.

THEREFORE, BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the attached Settlement Agreement and authorizes the Board Chairman and/or the County Administrator 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.

ALLEGAN COUNTY (48th Circuit Court, 57th District Court –and- ALLEGAN COUNTY)

and

Court Salaried Employee Association**CBA SETTLEMENT AGREEMENT**

A Settlement Agreement made this _____ day of _____, 2010, by and between Allegan County and the 48th Circuit Court and 57th District Court ("Employer") and the 48th Circuit Court and 57th District Court Salaried Employees' Association ("Association"), 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, 2010, and terminating at midnight on December 31, 2012. 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. Section 2.1-Bargaining Committee-page 7
Change: The bargaining committee shall consist of one bargaining unit employee and an alternate.
6. Article 11-Medical Insurance-page 24

Modify Article 11, Section 11.1 to reflect:

Insurance: Effective upon ratification of this agreement by all parties and after completion of open enrollment. Employees who elect the PPO or POS plans will pay

13% of the required premiums and the Employer will pay the remaining 87%. Employees who elect the New Traditional Plan will pay 5% of the required premiums and the Employer will pay the remaining 95%.

Effective 01/01/11, 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). 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).

Effective 01/01/12, 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). 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).

ADD: Employees who are in a position budgeted and work at least 36 but less than 40 hours per week will be eligible to receive medical insurance benefits at the equivalent to full time employees.

7. Article 9 - (Longevity)
ADD - Effective December 31, 2012, 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 new or other current employees.
8. Article 11, Section 11.3. Incentive to Opt Out
ADD:
\$3000 and one thousand five hundred dollars (\$1,500) per year for regular part-time employees, eliminate \$2000.
9. Article 12, Section 12.15 – Tuition-
Modify - The Employer shall pay 100% for the cost of tuition, textbooks or lab fees up to a maximum annual amount of \$2,500 upon successful completion/credit of the course per calendar year. The Employee shall remain with the Employer for at least one year after completion of the course. If the Employee voluntarily terminates employment before such time the Employee shall repay a prorated monthly amount based on the remainder of time s/he has remaining till the end of the agreed upon year.
10. Modify Article 13 section 13.1 to reflect an increase in wages as follows:
 - 1.5% effective the first day of the payroll after January 1, 2010
 - 1.5% effective the first day of the payroll after January 1, 2011
 - 1.5% effective the first day of the payroll after January 1, 2012

ADD: All pay increases, (including step) will be effective the first day of a payroll period. Annual wage increases will be effective on the first day of the payroll period after January 1 of each year. Step increases will be effective on the first day of the pay period after January 1 and July 1 annually.

Retroactive pay shall be paid only to those employees on the Employer's payroll on the date of ratification by both parties.

11. ADD: Article 11.10 – Retiree Insurance - Members of the bargaining group shall be eligible for health/hearing/dental/vision insurance consistent with the employee benefit policy of the Allegan County Employee Handbook when a bargaining group member retires.

Allegan County

By: _____ Date: _____

By: _____ Date: _____

48th Circuit Court and 57th District Court Salaried Association

By: _____ Date: _____

COURT SUPERVISORS—SETTLEMENT AGREEMENT 2010 - 2012

15.3/ **WHEREAS**, the Collective Bargaining Team has entered into negotiations with the members of 48th Circuit Court Family Supervisors' Association; and

WHEREAS, the Settlement Agreement for the period beginning January 1, 2010, through December 31, 2012, attached hereto and made part of this resolution, has been ratified by the Union.

THEREFORE, BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the attached Settlement Agreement and authorizes the Board Chairman and/or the County Administrator 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.

ALLEGAN COUNTY (48th Circuit Court, 57th District Court –and- ALLEGAN COUNTY)

And

Court Supervisors Employee Association

CBA SETTLEMENT AGREEMENT

A Settlement Agreement made this ___5th___ day of ___April___, 2010, by and between Allegan County and the 48th Circuit Court and 57th District Court ("Employer") and the 48th Circuit Court and 57th District Court Supervisors Association ("Association"), 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, 2010, and terminating at midnight on December 31, 2012. 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. Article 11-Medical Insurance-page 25

April 8, 2010 Session

Modify Article 11, Section 11.1 to reflect:

Insurance: Effective upon ratification of this agreement by all parties and after completion of open enrollment. Employees who elect the PPO or POS plans will pay 15% of the required premiums and the Employer will pay the remaining 85%. Employees who elect the New Traditional Plan will pay 5% of the required premiums and the Employer will pay the remaining 95%.

Effective 01/01/11, employees who elect the PPO or POS plans will pay 15% of the required premiums (57.5% for Part-Time employees) and the employer will pay the remaining 85% (42.5% for Part-Time employees). 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).

Effective 01/01/12, 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). 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).

ADD: Employees who are in a position budgeted and work at least 36 but less than 40 hours per week will be eligible to receive medical insurance benefits at the equivalent to full time employees.

6. Article 9 - (Longevity)

ADD - Effective December 31, 2012, 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 new or other current employees.

7. Article 11, Section 11.3. Incentive to Opt Out

ADD:

\$3000 and one thousand five hundred dollars (\$1,500) per year for regular part-time employees.

8. Article 12, Section 12.15 – Tuition-

Modify - The Employer shall pay 100% for the cost of tuition, textbooks or lab fees up to a maximum annual amount of \$2,500 upon successful completion/credit of the course per calendar year. The Employee shall remain with the Employer for at least one year after completion of the course. If the Employee voluntarily terminates employment before such time the Employee shall repay a prorated monthly amount based on the remainder of time s/he has remaining till the end of the agreed upon year.

9. Modify Article 13 section 13.1 to reflect an increase in wages as follows:

- 1.5% effective the first day of the payroll after January 1, 2010
- 1.5% effective the first day of the payroll after January 1, 2011
- 1.5% effective the first day of the payroll after January 1, 2012

ADD: All pay increases (including step) will be effective the first day of a payroll period. Annual wage increases will be effective on the first day of the payroll period after January 1 of each year. Step increases will be effective on the first day of the pay period after January 1 and July 1 annually.

Retroactive pay shall be paid only to those employees on the Employer's payroll on the date of ratification by both parties.

10. ADD Article 11.10, Retiree Insurance: Members of the bargaining group shall be eligible for health/hearing/dental/vision insurance consistent with the employee benefit policy of the Allegan County Employee Handbook when a bargaining group member retires.

Allegan County

By: _____ Date: _____

48th Circuit Court and 57th District Court

By: _____ Date: _____

48th Circuit Court and 57th District Court Supervisors Association

By: _____ Date: _____

SHERIFF OFFICE AND CORRECTIONS CENTER - DESIGN CONCEPTS

16/ Chairman Jones stressed that this discussion will be on design concepts only. Joe Mrak explained that they have developed a plan that they are recommending. They would like approval so that they can get to the schematic design phase where they will refine the concept and create a final plan based on these assumptions. They recommend two housing pods; and they stated that both do not have to be used until needed.

Moved by Commissioner Thiele, seconded by Commissioner Black to accept the design concept as presented. Discussion included:

- Does this design "concept" equate to actual construction costs? Are we locking ourselves in if we approve the "concept"?
- Mr. Mrak stated that there have been assumptions made that, for instance in the jail administration area, the area is assumed to be gutted. As the schematic design phase gets underway, they may determine that some of the walls can remain, the bathrooms can be used as is, etc. that will allow them to give closer construction figures for that area.
- The construction costs will never be cheaper than they are today.
- Staffing levels were estimated during the charrette at 72 for both pods, more realistically would be 50 staff.
- Undersheriff Hull stated that we can make staffing guesses, but until the state looks at it there can be no guarantees. He also suggested we have our liability carrier look at this.
- Currently the sally port and the I/O exercise area are to be additions to the existing building, but it is possible to look at keeping them within the building.
- Decisions need to be made before the food prep area is designed.

BREAK - 4:30 P.M.

17/ At 4:30 P.M., Chairman Jones declared a brief recess.

Upon reconvening at 4:35 P.M., the following Commissioners were present: Commissioner Burns, McNeal, DeYoung, Thiele, Black, Jessup, Campbell and Jones. Absent - Commissioners VanEck, Kapenga and Spreitzer.

SHERIFF OFFICE AND CORRECTIONS CENTER - DESIGN CONCEPTS

18/ Mr. Mrak addressed the modifications to the Courthouse; security entrance and drive-through sally port with second floor secure holding cells.

The original motion made by Commissioner Thiele, seconded by Commissioner Black to accept the design concept as presented was voted and passed by roll call vote: Yes - 8 votes. No - 0 votes. Absent - 3 votes. The following is adopted:

**ALLEGAN COUNTY SHERIFF'S OFFICE AND CORRECTIONS CENTER-
APPROVE DESIGN CONCEPTS**

18.1/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the design concepts for the Allegan County Sheriff's Office and Corrections Center, and Courthouse Sally Port/Entrance/Retaining walls as presented by the project architect RQAW.

Moved by Commissioner Thiele, seconded by Commissioner Black to adopt the resolution as presented. Motion carried by roll call vote: Yes - 8 votes. No - 0 votes. Absent - 0 votes.

DISCUSSION:

19/ Moved by Commissioner Thiele, seconded by Commissioner Burns to adopt discussion items 1 and 2. Motion carried by roll call vote: Yes - 6 votes. No - 2 votes. Absent - 3 votes.

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

The following two resolutions are adopted:

RESOLUTION TO CALL FOR THE MODIFICATION OF STATE ACT 312 OF 1969

19.1/ **WHEREAS**, the Allegan County Board of Commissioners believes that the current provisions of State Act 312 of 1969 (the "Act") unreasonably removes control of personnel costs for police and fire from local control; and

WHEREAS, economists who have studied the impact of the Act indicate that the law adds five to ten percent (5% to 10%) to the cost of police and fire labor contracts; and

WHEREAS, human resources can account for more than 75% of the costs of a municipality, and over fifty percent (50%) of that typically is for public safety; and

WHEREAS, the Act may only be modified by action of the State of Michigan.

NOW, THEREFORE BE IT RESOLVED that in consideration of the foregoing the Allegan County Board of Commissioners asks that the State immediately enact the following modifications to State Act 312 of 1969;

- Limit the total economic costs of an arbitrator's award to the total percentage of increase of the local units' General Fund Revenue or the Consumer Price Index, whichever is less. In cases where either the General Fund Revenue or the Consumer Price Index is decreased, mandate that the total economic affect of the award reflect those decreases.
- Prohibit awards that change pensions or retiree health care that result in an increase in the unfunded accrued liability of a local unit and for its pension system.
- Prohibit arbitrators from considering unused millage or assessment capacity.
- Eliminate the authority of an arbitrator to grant retroactive wage adjustments.

- Eliminate the authority of an arbitrator to issue any award that extends more than eighteen months from the date of the award.

BE IT FINALLY RESOLVED that the Allegan County Clerk be directed to forward copies of this resolution to Governor Jennifer Granholm, Senator Patty Birkholz, Representative Robert Genetski, Representative Tonya Schuitmaker, the Michigan Association of Counties and the other 82 Michigan Counties.

SUPPORT EFFORT TO STOP ASIAN CARP MIGRATION INTO THE GREAT LAKES

19.2/WHEREAS, the Great Lakes is the largest freshwater system in the world; and

WHEREAS, the states and Canadian provinces bordering the Great Lakes, and everyone that uses the Great Lakes for sport fishing, boating, and recreation face a dire threat by the Asian carp that are literally at the threshold of Lake Michigan; and

WHEREAS, these silver and bighead carp (both species of Asian carp) presented themselves in the 1990's in fish farms on the Mississippi River and reproduce quickly, eat vast amounts of organisms at the base of the food chain, and have driven out native fish populations; and

WHEREAS, the carp have moved quickly up the Mississippi River, into the Illinois River, into the Des Plaines River and are now likely into the Chicago Sanitary and Ship Canal and the Calumet-Sag Channel; and

WHEREAS, efforts to stop the migration of these fish to Lake Michigan resulted in an electric barrier that was fully operational in 2009 although it now appears as though carp may be past that barrier and as close as seven miles from Lake Michigan; and

WHEREAS, Asian Carp are a hyper-aggressive exotic species that threaten to ruin the ecology and economy of the Great Lakes.

NOW THEREFORE BE IT RESOLVED that the Allegan County Board of Commissioners supports all efforts at the state and federal level to stop the migration of the Asian carp into the Great Lakes by whatever means necessary and appropriate; and

BE IT FURTHER RESOLVED that the State of Michigan should prepare a contingency plan for dealing with this threat to include, but not be limited to, closing fish ladders at dams on the St. Joseph River should these carp enter Lake Michigan; and

BE IT FINALLY RESOLVED that the Allegan County Clerk be directed to forward copies of this resolution to Governor Jennifer Granholm, Senator Patty Birkholz, Representative Robert Genetski, Representative Tonya Schuitmaker, United States Senators Carl Levin and Debbie Stabenow, United States Congressmen Peter Hoekstra and Frederick Upton, the Michigan Association of Counties and the other 82 Michigan Counties.

HEALTH DEPT.—ESTABLISH IRREGULAR PART TIME TRANSLATOR POSITION

20/ **WHEREAS**, the Health Department has a need for translation services to be available on a call-in basis.

THEREFORE 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 Translator Position at \$11.46 per hour with no benefits, and approves the Irregular Part-time Translator Position Job Description as presented; and

BE IT ALSO RESOLVED, that the costs for these services are not to exceed \$460.00 in 2010 and that the funds to pay the costs for the services provided by this position are currently budgeted in 2210.601.818.00.00 in the 2010 approved budget and will be transferred to 2210.601.704.00.00; and

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

Moved by Commissioner Campbell, seconded by Commissioner DeYoung to adopt the resolution as presented. Motion carried by roll call vote: Yes - 5 votes. No - 3 votes. Absent - 3 votes.

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

CENTRAL DISPATCH - FIVE YEAR SURCHARGE COLLECTION PLAN

21/ Jan Goswick, Central Dispatch Director, provided the numbers regarding the rate of the surcharge and provided 2 options to look at. She recommended Option 1 to be selected which sets the 2010/2011 rate at \$1.63 and allows for evaluating the rate on a yearly basis.

Moved by Commissioner DeYoung, seconded by Commissioner Thiele to set this on the April 22, 2010 agenda. Motion carried by roll call vote: Yes - 8 votes. No - 0 votes. Absent - 3 votes.

LAKESHORE COORDINATING COUNCIL - PA2 FUNDS

22/ Moved by Commissioner Burns, seconded by Commissioner Campbell to set this on the April 22, 2010 agenda. Motion carried by roll call vote: Yes - 8 votes. No - 0 votes. Absent - 3 votes.

COMMUNITY MENTAL HEALTH - ELECTION

23/ Commissioner Campbell stated are four positions to be elected to three-year terms on the Community Mental Health board; 1 Board Representative and three community

representatives to be elected to serve on the Community Mental Health Board.

Commissioner Jones called for nominations. Commissioner Campbell placed the following names in nomination:

Board Representative - Fritz Spreitzer

Community representatives:

Theresa Lynn, 4689 109th Avenue, Pullman.

Juanita Gonzales, P.O. Box 314, Fennville, MI

Richard Wiley, 645 Linn Street, Allegan, MI 49010

. Moved by Commissioner Thiele, seconded by Commissioner Campbell to elect the individuals as named. The motion carried unanimously.

PUBLIC PARTICIPATION - NO COMMENTS

24/ 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.

BARGAINING PARAMETERS - TO BE SET ON AGENDA WITHIN 3 MONTHS

25/ Chairman Jones stated he would be putting a discussion regarding wage/compensation, bargaining parameters on the agenda with the next three months.

ADJOURNMENT UNTIL APRIL 22, 2010 AT 7:00 P.M.

26/ Moved by Commissioner Campbell, seconded by Commissioner Burns to adjourn until April 22, 2010 at 7:00 P.M. The motion carried and the meeting was adjourned at 5:42 P.M.


Clerk-Register