

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

JUNE 23, 2011 SESSION

JOURNAL 60

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June 23, 2011 Planning Session

JUNE 23, 2011 SESSION - 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 June 23, 2011, at 9:30 A.M. in accordance with the motion for adjournment of June 16, 2011, and rules of this Board; Chairman DeYoung presiding.

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

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

DIST #1	TERRY BURNS	DIST #7	DON BLACK
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	PAUL VanECK	DIST #9	BILL SAGE
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL [arr: 10:45 am]
DIST #5	- EXCUSED -	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

PUBLIC PARTICIPATION - NO COMMENTS

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

AGENDA - ADOPTED AS PRESENTED

3/ Moved by Commissioner Thiele, seconded by Commissioner VanEck to adopt the meeting agenda as distributed. Motion carried.

REVIEW JAIL DESIGN DEVELOPMENT DOCUMENTS

4/ Administrator Rob Sarro stated that the focus of this meeting is to review the design plans to be able to approve the

design documents and to approve additional allocations to authorize the project to proceed.

Mark VanAllen, RQAW reviewed the progress on this project to date and gave an overview of the rationale for the changes to the plans. He compared the first design, target numbers, scheme #74 and the final plan numbers on housing capacity by housing types and what was changed to maximize attributes while keeping costs down. He compared Design 74 to the final plans being presented today.

Joe Hoffman, CCI, explained the cost sheets behind the 8 tabs in the Design Development Cost Estimate document. The \$18,391,486 is \$127,000 lower than previous designs. He stated that approximately 28 to 30 months would be needed to complete the project.

BREAK - 10:30 A.M.

5/ Upon reconvening at 10:47 A.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Thiele, Black, Jessup, Sage, Campbell and Jones. Absent - Commissioner Kapenga.

MINIMUM STAFFING LEVELS

6/ Rob Sarro addressed the operational goals relating to staffing in the Sheriff's Department. Lt. Mike Larsen addressed the baseline standards to provide 24 hr. coverage with 15-20 min response time. He explained the importance of having 24 hour supervision. Responding to calls will be on a prioritized basis with 2 car response to all emergency calls. He explained that 83% of the county population lives within townships that are not covered by city police departments. Lt. Larsen reviewed the geographic barriers to meeting the goals set by the Sheriff.

He explained the "shift relief factor" for a 3 section plan and explained the need for a rover to respond appropriately. Rob stated the large size of the county exacerbates the struggle to provide adequate services.

Administrator Sarro stated that there will be a resolution to define the level of services on the July 14, 2011 agenda.

PUBLIC PARTICIPATION - NO COMMENTS

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

ADJOURNMENT UNTIL JULY 14, 2011 AT 9:30 A.M.

8/ Moved by Commissioner McNeal, seconded by Commissioner Jones to adjourn until July 14, 2011 at 9:30 A.M. The motion carried and the meeting was adjourned at 11:45 A.M.

June 23, 2011 General Session

JUNE 23, 2011 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

9/ 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 June 23, 2011, at 1:00 P.M. in accordance with the motion for adjournment of June 16, 2011, and rules of this Board; Chairman DeYoung 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
DIST #2	STEVE McNEAL	DIST #8	TOM JESSUP
DIST #3	PAUL VanECK	DIST #9	BILL SAGE
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL
DIST #5	DEAN KAPENGA	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

PUBLIC PARTICIPATION - NO COMMENTS

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

AGENDA - ADOPTED AS DISTRIBUTED

11/ Moved by Commissioner VanEck, seconded by Commissioner Jones to adopt the meeting agenda as distributed. Motion carried.

ROAD RAGE AWARENESS WEEK - JULY 10 - 16, 2011

12/ Chairman DeYoung introduced Kay Shabazz, founder of ROAAR, to address the need to call attention to the dangers of road rage. She read the following resolution:

ROAD RAGE AWARENESS WEEK - JULY 10-16, 2011

WHEREAS, the National Highway Traffic and Safety Administration (NHTSA) defines Road Rage as "an assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of another motor vehicle, or an assault precipitated by an incident that occurred on a roadway"; and

WHEREAS, a study done by the AAA Foundation indicates an average of at least 1,500 men, women, and children are injured or killed each year in the United States from the violent acts of Road Rage; and

WHEREAS, road rage is a growing problem in Michigan as well as in our country; and

WHEREAS, we must work together as a community to reprogram the destructive attitudes and behaviors of road rage to stop the injuries, and deaths; and

WHEREAS, Reaching Out Against Road Rage (R.O.A.R.R.), a non profit (501c3 tax exempt) organization located in Muskegon County, and other individuals and organizations are partnered in a mission to promote awareness and education in the prevention of road rage, to work to reduce the number of incidents, and to advocate for support and assistance to victims and their families in the recovery process.

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners proclaim the week of July 10 to 16, 2011, to be Road Rage Awareness Week; and

BE IT FURTHER RESOLVED, that we do hereby instruct the County Clerk to inscribe a page of the Journal and forward copies of this proclamation to the many local cities and townships of Allegan County to call attention to Road Rage Awareness Week.

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

PUBLIC HEARING - PLANNING COMMISSION ORDINANCE

13/ Chairman DeYoung declared the public hearing on the planning commission ordinance open at 1:17 P.M. and asked the Clerk to read the notice published in the Allegan County News on June 16, 2011. He called for public comment on the proposed ordinance and the following individuals spoke:

1. Kellie Tobolic supports the ordinance recommended by the Planning Commission instead of the one before them.
2. Jackie DeZwaan stated she felt the previous planning commission ordinance version was more workable and urged the Board to consider approving that version.
3. Pat Royce asked that the County Planning Commission be abolished since it is just another layer of bureaucracy.

There being no additional comments, Chairman DeYoung declared the public hearing closed at 1:28 P.M.

ADMINISTRATOR'S REPORT

14/ Administrator Rob Sarro reported on the progress being made regarding Meth site clean-up; they are looking to package and transport the waste to a facility that will neutralize the chemicals.

He reported on space utilization in buildings with an eye to coordinating services and resources and outlined some potential moves.

He emphasized that because of the upcoming proposed changes to the Michigan Economic Development Corporation, he would caution against splitting the county between various regions. There will be more discussion July 14, 2011.

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

15/ Moved by Commissioner Thiele, seconded by Commissioner Kapenga to approve the report of claims and interfund transfers for June 10, 2011 and June 17, 2011 as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes. The following claims are approved:

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for June 10, 2011. 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 2011 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	\$101,853.06	\$101,853.06	
Parks & Recreation Fund	\$3,104.24	\$3,104.24	
Central Dispatch/E911 fund	\$155.90	\$155.90	
Health Department Fund	\$51,458.02	\$51,458.02	
Transportation Fund	\$970.45	\$970.45	
Public Improvement Fund - Jail	\$18,282.59	\$18,282.59	
Register of Deeds Automation Fund	\$59.60	\$59.60	
Grants	\$1,629.32	\$1,629.32	
Soldiers Relief Fund	\$1,482.12	\$1,482.12	
Self-Insurance Fund	\$3,655.93	\$3,655.93	
Senior Millage	\$10,178.96	\$10,178.96	
Delinquent Tax Revolving Fund	\$350,438.75	\$350,438.75	
Child Care -Circuit/Family	\$29,472.07	\$29,472.07	
TOTAL AMOUNT OF CLAIMS	\$572,741.01	\$572,741.01	

Respectfully submitted, COMMITTEE OF FINANCE

HONORABLE BOARD OF COMMISSIONERS OF ALLEGAN COUNTY,

Your committee on Finance has authorized the following claims for June 17, 2011. 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 2011 Claims Report, Liber ____, and Commissioners' Record of Claims.

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund	\$148,220.02	\$148,220.02	
Parks & Recreation Fund	\$1,524.49	\$1,524.49	
Central Dispatch/E911 fund	\$37,634.18	\$37,634.18	
Friend of the Court Fund	\$926.25	\$926.25	
Health Department Fund	\$49,987.54	\$49,987.54	
Transportation Fund	\$278.89	\$278.89	
Public Improvement Fund	\$8,674.00	\$8,674.00	
Register of Deeds Automation Fund	\$186.49	\$186.49	
Drug Law Enforcement Fund-Prosecutor	\$188.16	\$188.16	
CDBG Loan Repayment	\$1,350.00	\$1,350.00	
Grants	\$3,075.00	\$3,075.00	
Soldiers Relief Fund	\$4,965.29	\$4,965.29	
Self-Insurance Fund	\$488,635.46	\$488,635.46	
Senior Millage	\$118.50	\$118.50	
Delinquent Tax Revolving Fund	\$113,146.97	\$113,146.97	
Tax Reversion	\$127.72	\$127.72	
Drain Funds	\$40,429.62	\$40,429.62	
City of Saugatuck 1195-Debt #13	\$200.00	\$200.00	
Water Sewer #3 Refunding Bonds Otsego	\$112.50	\$112.50	
Casco-South Haven Debt	\$112.50	\$112.50	
Fillmore Water/Sewer #8 Debt Service	\$112.50	\$112.50	
Otsego Water/Sewer Refunding Bond	\$112.50	\$112.50	
Child Care -Circuit/Family	\$40,464.68	\$40,464.68	
TOTAL AMOUNT OF CLAIMS	\$940,583.26	\$940,583.26	

Respectfully submitted, COMMITTEE OF FINANCE

PLANNING COMMISSION ORDINANCE - FAILED

16/ Rob addressed the changes as well as various questions from the Commissioners. He stated both ordinances have been reviewed by the county attorney. The version in the packet is the one that the Board asked Administration to create and is based on the MSU template. He stated the main differences between the two ordinances are in membership and the ex-officio positions. Members may receive compensation but there is no tie between the Commissioners' per diem rate and the per diem rate which might be approved for the Planning Commission members. The appointment process removes the need to have recommendation from the planning commission before being considered for appointment. Also, the Board can accept or reject amendments to the by-laws.

COUNTY ORDINANCE 1007.02-ALLEGAN COUNTY PLANNING COMMISSION

WHEREAS, a public hearing, duly noticed, was held at the Allegan County Services Building on June 23, 2011 at 1:15 pm in the Commissioner's Chambers, to allow public review and comment.

THEREFORE BE IT RESOLVED that upon hearing public comment, the Allegan County Board of Commissions hereby adopts Ordinance #1007.02 (Allegan County Planning Commission) as presented; and

BE IT FURTHER RESOLVED that Ordinance #1007.02 shall take effect July 1, 2011; and

BE IT FURTHER RESOLVED that notice of said adopted ordinance shall be published in a newspaper of general circulation in Allegan County within ten (10) business days of adoption; and

BE IT FINALLY RESOLVED that the Clerk is authorized to publish and post notices of this ordinance to properly inform the general public of its adoption.

Moved by Commissioner McNeal, seconded by Commissioner Black to adopt the resolution as presented. Motion lost on roll call vote: Yes - 5 votes. No - 6 votes. Absent - 0 votes.

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

BREAK - 2:30 P.M.

17/ Upon reconvening at 2:50 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Sage, Campbell and Jones. Absent - None.

ADOPT POLICY-FAIR HOUSING

18/ WHEREAS, Allegan County is committed to providing safe, affordable, decent housing, where people choose to live.

THEREFORE BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the Fair Housing Policy, as attached, effective immediately; and

BE IT FURTHER RESOLVED, that the Finance Department will provide copies of the policy and post it to the website as necessary to inform all employees and citizens.

Moved by Commissioner Thiele, seconded by Commissioner VanEck to adopt the resolution as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

Title: FAIR HOUSING POLICY
 Document Code: BOC__
 Department: Board of Commissioners
 Effective Date: January 1, 2011
 Approved: June 2011
 Type of Action: New Policy
 Subject Title: FAIR HOUSING POLICY

1.0 Purpose:

To provide a policy that Allegan County is committed to the principle of providing fair housing to the individuals and families within its communities through existing federal and state legislation.

2.0 Organizations Affected:

- 2.1 Allegan County
- 2.2 ACRDC
- 2.3 Residents of Allegan County

3.0 References:

- 3.1 Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968
- 3.2 Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended

4.0 Definitions:

- 4.1 Fair Housing: all individuals and families should have equal access to housing of their choice wherever it is situated.

5.0 Policies:

- 5.1 Allegan County is committed to the principle of providing safe, affordable, descent housing where people choose to live pursuant to the Federal Fair Housing Law, Title VIII of the Civil Rights Act of 1968, which states, it is illegal to deny housing to any person because of race, color, religion, gender, physical or mental disabilities or national origin; and the Michigan Elliott-Larsen Civil Rights Act, PA 453 of 1976, as amended, which states, it is illegal to deny the opportunity to obtain housing to any person because of religion, race, color, national origin, age, sex, height, weight, familial status, or marital status.

6.0 Procedure:

- 6.1 **Contact Person:** The Allegan County Resource Development Committee Housing Director is appointed as the Contact Person for Fair Housing issues. The Contact Person will be available to address Fair Housing issues during normal County business hours.
- 6.2 **Complaint Referral:** The following complaint referral system is implemented:
 - 6.2.1 Persons wishing to file a housing related complaint or concern will be referred to their local Fair Housing Center, the Michigan Department of Civil Rights (MDCR) and HUD. Persons wishing to file a complaint or concern that is employment related will be referred to the Equal Employment Commission and the MDCR.
 - 6.2.2 If the complaint is against the Allegan County Resource Development Committee or an agent of the ACRDC, the Contact Person will immediately advise the County Administrator in writing of the complaint with their proposed recommendation for resolution. If the County Administrator is unable to resolve the issue, final resolution will be the responsibility of the Board Chairman, with appropriate notification to the Board of Commissioners.
 - 6.2.3 The Contact Person will notify MSHDA if a complaint is filed.

7.0 Responsibilities:

- 7.1 **Records Maintenance:** The Allegan County Resource Development Committee has established a Fair Housing Log. The Fair Housing Log will be maintained by the Allegan County Resource Development Committee Housing Director and will disclose information regarding any and all fair housing concerns and their outcomes. The log will be maintained in the

Community Development and Housing Department and available for viewing during normal business hours.

- 7.2 Fair Housing Information: The Allegan County Resource Development Committee will post a Fair Housing poster in a place visible to the public. ACRDC will also secure and distribute Fair Housing Material provided by MSHDA and various other Fair housing agencies and organizations to our applicants, other organizations and at public events. Additionally, "Fair Housing, It's Your Right" brochures will be distributed to all applicants.
- 7.3 Fair Housing Logo: The Allegan County Resource Development Committee will include the Fair Housing Logo and EEO language in all advertising and printed materials.
- 7.4 Anti-Discrimination: The Allegan County Resource Development Committee will consider all applications and contractors based on qualifications. No applicant or contractor will be denied based on their race, color, national origin, religion, age, sex, marital status, familiar status or handicap. Persons raising concerns regarding discrimination will not be retaliated against. Anti-discrimination language of E.O. 11246 will be included in all contracts in excess of \$10,000.
- 7.5 Accessibility: The offices for the Allegan County Resource Development Committee are accessible and barrier free. ACRDC will make every attempt to reasonably accommodate all clients.

8.0 Appendices:

None.

9.0 Created: June 2011

Updated:

SHERIFF'S DEPARTMENT—BUDGET ADJUSTMENT FOR K9 REPLACEMENTS

19/ **WHEREAS**, the Sheriff's Department lost two of the four established K9 unit dogs; and

WHEREAS, donated funds specifically designated for K9 replacements have been received from various agencies and placed in the Sheriff's Department fund balance.

THEREFORE BE IT RESOLVED, that the Allegan County Board of Commissioners hereby approves the request from the Sheriff's Department for a budget adjustment from the fund balance in an amount not to exceed \$24,000 to be used for the purchase and training of two new dogs for our K9 unit; and

BE IT ALSO 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 Kapenga, seconded by Commissioner Sage to adopt the resolution as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

FACILITIES MANAGEMENT—KUBOTA LAWN MOWER PURCHASE

20/ **WHEREAS**, CIP # 11-272-10 was approved for the purchase of a lawn mower to replace one John Deere 1145 with six foot mower deck, four foot two stage snow blower and rigid cab; and

WHEREAS, upon review of the cost to replace that unit it was determined that if we replaced that purchase with two zero turn commercial mowers we could use those mowers to replace the mowing function of both 1145's and keep the 1145's for their snow blowing function, thus extending their life for many years; and

WHEREAS, this alternative will create some time efficiencies which will be focused on prioritized projects; and


WHEREAS, three quotes for the purchase of two zero turn commercial mowers were obtained from Cooperative Government Contract vendors.

THEREFORE BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the recommendation from the Facilities Management Department to purchase the mowers from Kubota Tractor Corporation, of 3401 Del Amo Blvd., Torrance, CA, 90503 for an amount not to exceed \$27,045.02; and

BE IT FURTHER RESOLVED that the funds for this purchase are budgeted; and

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 Jones, seconded by Commissioner Campbell to adopt the resolution as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

		PURCHASE ORDERS MUST BE MADE OUT TO KUBOTA TRACTOR CORPORATION 3401 Del Amo Blvd, Torrance CA 90503				081209-KBA		
Contract Pricing Worksheet		PHONE: 310-370-3370 EXT. 1813 FAX: 310-370-3846 EMAIL: CBENNETT@KUBOTA.COM				NJPA2011-166		
Purchasing Party		Allegan County Facilities Operations - #33664		REMIT TO		Kubota Tractor Corporation		
Contact		Jim Watts		ADDRESS		3401 DEL AMO BLVD		
Phone #		269 366 6582		CITY		TORRANCE STATE CA 90503		
Fax #				DLR		25602 PHONE		
Email				CONTACT		FAX		
COMMENTS: Prices for product quoted are good for 60 days from quote date. IMPORTANT - This WORKSHEET MUST BE VERIFIED BY KUBOTA NATIONAL ACCOUNTS before a PO is issued. Please fax to Cynthia Bennett (310) 370-3846 or email the worksheet to cbennett@kubota.com. PO's without verified quote may be subject to change. PO Must Be Issued To Kubota Tractor Corporation								
General Description of Product		KX & RTV Series (17%)		R Series (14%)		Z, F, BX, B, TLB, L, M Series (20%)		
Discounts from MSRP						T/G Series (18%)		
ORDERING INFORMATION				FOR KUBOTA USE ONLY				
QTY	Product Code	MODEL CODE	DESCRIPTION	UNIT LIST PRICE	LIST DISC %	NATIONAL ACCT DISCOUNT PRICE	TOTAL LIST PRICE	TOTAL NATIONAL ACCOUNT PRICE
A. Catalog / Price Sheet Items being purchased - Itemize Below								
2	Z	ZD331LP-72	Diesel - Zero-Turn w/ ROPS	\$ 16,350 00	20%	\$ 13,080 00	\$ 32,700 00	\$ 26,160 00
4		AZR8638	Front 15 x 6 0 - 6 Flat-Free	In Base Price		In Base Price	In Base Price	In Base Price
4		AZR8632	Rear 26 x 12 - 12 Turf	In Base Price		In Base Price	In Base Price	In Base Price
2		RCK72P-331Z	72" Pro Commercial Deck	In Base Price		In Base Price	In Base Price	In Base Price
4	Z	K5677-97530	Rplcmnt Blades (Set of 3)	\$ 58 10	20%	\$ 46 48	\$ 232 40	\$ 185 92
Subtotal A:				\$ 16,408 10		\$ 13,126 48	\$ 32,932 40	\$ 26,345 92
B. Unpublished Options, Accessory or Service Items - Itemize Below								
Subtotal B:				\$ -		\$ -	\$ -	\$ -
C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges								
2		KUBOTA STANDARD INBOUND FREIGHT		\$ 100 00		\$ 100 00	\$ 200 00	\$ 200 00
2		ASSEMBLY FEES		\$ 250 00		\$ 250 00	\$ 500 00	\$ 500 00
Subtotal C:				\$ 350 00		\$ 350 00	\$ 700 00	\$ 700 00
Check: Total cost of Unpublished Options (B) cannot exceed 25% of the total of the Base Unit Price plus Published Options (section A)				For this transaction the percentage is		0%		
TOTAL (A+B+C)				\$ 16,758.10		\$ 13,476.48	\$ 33,632.40	\$ 27,045.92
AUTHORIZED SIGNATURE X				DATE				
NJPA order processing charge of 1.5% on Section B items is the responsibility of the delivering dealer. Kubota will reimburse NJPA for the entire order processing charge and deduct the amount applicable to Section B from internal Kubota bid discount.							\$	
All orders are subject to the terms and conditions as outlined in the National Purchase Agreement. The Standard Kubota Warranty Applies, which does not include pick up or delivery.						Payment Terms = Net 45 Days		
FOR KTC INTERNAL USE -		Quote #, NJPA2011-166		Quote Date: 5/04/2011		Verified By: kh		

FACILITIES MANAGEMENT—COURTHOUSE RETAINING WALL REPLACEMENT BID

21/ **WHEREAS**, Request for Proposal (RFP) 10094 was posted on the County website to solicit bid proposals for a General Contractor to replace the retaining wall structure located at the Courthouse; and

WHEREAS, an additional appropriation of funds in the amount of \$38,899.00, to come from unexpended capital funds, is needed to cover the costs of the project.

THEREFORE BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request from Facilities Management for the additional appropriation of funds for the project and the recommendation from the Facilities Management Department to award the bid for the General Contractor for the retaining wall structure as specified in RFP10094, as attached, to Apex Contractors, Inc., of Box 10, Dorr, MI, 49323 for an amount not to exceed \$57,649.00; and

BE IT FINALLY RESOLVED that the Budget and Finance Director and the County Administrator are authorized to negotiate the services contract with Apex Contractors, Inc., and that the Board Chairman and/or County Administrator are authorized to sign the final contract 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 Jones, seconded by Commissioner Kapenga to adopt the resolution as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

Allegan County
PROPOSAL CONTRACT

Bid Proposal Number	10094
Item Being Proposed	Retaining Wall Replacement
Date of Bid Proposal Opening	May 13, 2011 @ 4:00PM

Product(s) or Service(s) Required:
See attachment "A"

BIDS MUST BE SUBMITTED ON OR BEFORE May 13, 2011 @ 3:00PM.

*Eastern Standard Time or Eastern Standard Daylight Savings Time, as applicable. The official time shall be recorded in the County Administrator's office. It will be the sole responsibility of the bidder to ensure that their proposal reaches the office of the County Administrator on or before closing hour and date shown above.

The Legal Notice, Invitation-to-Bid, Instruction to Bidders, Specifications, and/or any other pertinent documents form a part of the proposal and are made a part hereof.

Anti-Collusion Statement: The below signed bidder has not divulged to, discussed or compared its bid with other bidders and has not colluded with any other bidder, with the exception of qualified subcontractors, or parties to the bid. (Note: No premiums, rebates or gratuities to employees or officials of the County are permitted either with, prior to, or after any delivery of product(s) or service(s). Any such violation will result in cancellation and/or return of the item(s), as applicable, and removal from Bid List(s)).

Allegan County Administrator: We (I), the below signed, hereby agree to furnish the following product(s) or service(s) at the price(s) and terms stated subject to all instructions, conditions, specifications, and all attachments hereto. We (I) have read all attachments including the Specifications and fully understand what is required. By submitting this signed Proposal-Contract, we (I) officially accept a Contract if approved by the Board of Commissioners and such acceptance covers all terms, conditions and specifications of this Proposal-Contract; and we (I) hereby agree that we (I) will make available for audit to appropriate County officials any applicable records pertinent to a resulting order and/or Contract for verification of pricing per terms of purchase agreement

All prices to be quoted F.O.B. Allegan County, Michigan (Delivered at the applicable County address indicated in bidding document and/or purchase order).

We (I) propose to furnish the following to Allegan County, Michigan. (Full description and price - attach separate sheet if necessary).

Retaining Wall Replacement Located at the
Allegan County Courthouse \$54,611.00

Variance: State any variances to the specifications, terms and/or conditions in this space or reference herein all variances contained on other pages of this proposal form or in any bid attachment. Failure to do so may be cause for rejection of bid, or if order is executed, material and/or services provided which do not comply will not be accepted. If no statement is contained in the above space, it is hereby implied that your bid complies with the full scope of this bid invitation. (Variances may be outlined on a separate sheet to be attached to this Proposal-Contract form.)

None

Bid is firm for acceptance within 60 days after bid opening (minimum of 30 days).

Completion of Delivery: 30 calendar days after receipt of Purchase Order.
[Note: County reserves the right to consider delivery or completion time as a vital consideration when making or recommending award.]

Guarantee or Warranty: 1 year from completion

Proposal-Contract Submitted by:

Company/Address: APEX Contractors Inc
4101 27th St
Dorr MI 49323

Telephone: 616-89678699
 Signature: *Steve*
 Title: Agent
 E-mail address: apexcontractorsinc.steve@yahoo.com

911 POLICY BOARD-APPROVE AMENDED BY-LAWS

22/ **BE IT RESOLVED**, that the Allegan County Board of Commissioners hereby approves, as attached, the amended by-laws of the Allegan County 911 Policy Board, and recognizes the relationship between itself and the Allegan County 911 Policy Board, as defined therein; and

BE IT FURTHER RESOLVED, that these attached by-laws supersede any previously established by-laws.

Moved by Commissioner Campbell, seconded by Commissioner Sage to adopt the resolution as presented. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

**OPERATIONAL BYLAWS
 ALLEGAN COUNTY CENTRAL DISPATCH
 POLICY AND PROCEDURE BOARD**

SECTION I

PURPOSE

Consistent with the Allegan County 9-1-1 Plan, the Board is established to create policy and operating procedures with a particular concentration on technical operating procedures to be used by the dispatchers and dispatched public and private emergency service providers and agencies. Upon approval of the Board, the policy or dispatch procedure shall be implemented by the director.

SECTION II

DEFINITIONS

As used in this agreement, the following terms / phrases shall have the following meanings:

- 2.1 "Allegan County Central Dispatch" (ACCD) is defined as an operations center designed to communicate with police, fire, E.M.S., and other emergency providers within Allegan County.
- 2.2 "Committee" refers to a subcommittee of the Policy and Procedure Board described in these Bylaws.
- 2.3 "Board" refers to the Allegan County Central Dispatch Policy and Procedure Board.
- 2.4 "Legislative Body" refers to the governing body of a public agency.
- 2.5 "Private Safety Entity" refers to a private entity which provides emergency fire, ambulance, or medical services.
- 2.6 "Public Agency" refers to any tax supported agency of a state, county, and/or local governmental unit.
- 2.7 "Public Safety Agency" refers to a functional division of a public agency that provides law

enforcement, fire fighting, and/or emergency medical services response.

- 2.8 "Participating Public Safety Agency" refers to a public safety agency that participates in the Allegan County Central Dispatch system through either the direct dispatch method, or the transfer method.
- 2.9 "Properly convened meeting" refers to guidelines which follow the Open Meetings Act.
- 2.10 "Proper vote" refers to a polling of the members of the Board or Committee which results in an affirmative majority of those members present and voting.
- 2.11 "Public Safety Answering Point" or "PSAP" refers to a communications facility operated on a 24 hour, 7 day a week basis, and assigned responsibility to receive both emergency and non-emergency requests by means of either the direct dispatch method, the relay method, or the transfer method.
- 2.12 "Relay Method" refers to a method of responding to a request for service whereby a PSAP notes pertinent information and, in accordance with established operating standards and policies, relays it by telephone, radio, or private line to the appropriate public safety agency or other provider of emergency services.
- 2.13 "Transfer Method" refers to a method of responding to a request for service whereby a PSAP, in accordance with established operating standards and policies, transfers the call directly to the appropriate public safety agency or other provider of emergency services.
- 2.14 "Direct Dispatch Method" refers to a method of responding to a request for service whereby a PSAP, in accordance with established operating standards and policies, decides on the proper action to be taken and dispatches the appropriate available emergency service unit(s).
- 2.15 "9-1-1 Plan" refers to the plan adopted by the Allegan County Board of Commissioners pursuant to the Emergency Telephone Service Enabling Act.

SECTION III

GOVERNANCE

3.1 STATUS:

- A) The Board is a policy making board.

3.2 BOARD MEMBERS:

- A) The Board shall be made up of one representative from each of the following:

GOVERNANCE-Continued

Ex-officio Members

- o Allegan County Board of Commissioners Chairman or his/her designee
- o Allegan County Sheriff or his/her designee
- o Allegan County Administrator
- o Michigan State Police Post Commander or his/her designee
- o Gun Lake Tribe Public Safety Director or his/her designee

Appointed Members

- o Allegan County Townships Association
- o Elected representative of city or village government
- o Private citizen at large
- o Allegan County East side Fire Service representative
- o Allegan County West side Fire Service representative
- o Representative of E.M.S. providers within Allegan County
- o Allegan County Medical Control
- o City or Village Police Chief from within Allegan County

- B) The Board may establish additional advisory or Ad-Hoc Committees to serve specific purposes as set forth by the Board.
- C) The Allegan County Board of Commissioners shall make all appointments to the Board. Recommendations to the Allegan County Board of Commissioners for appointment may be provided by groups and shall be attached to application for appointment prior to submission.

3.3 DISPATCH POLICY AND PROCEDURE BOARD ELECTIONS:

- A) The first meeting of the year shall be an organizational meeting. The Board shall elect a Chairperson and a Vice Chairperson.

3.4 TERMS OF OFFICE:

- A) The term of office for ex officio members shall be coterminous with the terms of their position; all other members of Board shall be two years. The terms of the membership shall be staggered so no more than six positions expire in any one year.

3.5 CHAIRPERSON:

- A) The Chairperson shall preside over meetings and will coordinate activities of the Board.

3.6 VICE CHAIRPERSON:

- A) The Vice Chairperson shall act as the Chairperson in the Chairperson's absence.

3.7 MINUTES:

- A) Minutes shall be taken at each meeting as directed by the Chairperson.

3.8 MEETINGS:

- A) The Board shall meet no less than once a quarter.
- B) All meetings of the Board and its committees shall be in accordance with Robert's Rules of Order.
- C) Public comments offered during the public participation portion of regular meetings shall be limited to no more than five (5) minutes per individual with a total of fifteen (15) minutes overall.

3.9 VOTING:

- A) Each member of the Board shall be entitled to equal voice in the operation of the Board. For purposes of voting the "one person - one vote" policy shall apply.
- B) A majority of the members serving shall constitute a quorum and all proceedings of the Board shall require for favorable action a vote of a simple majority of members of the Board.

3.10 COMPENSATION:

- A) Members not otherwise compensated shall be paid at a rate established by the County Board of Commissioners.

3.11 BOARD RESPONSIBILITIES:

The Board is authorized to:

- A) Review the 9-1-1 service plan, and make recommendations to the County Board of Commissioners as to modifications of the plan.
- B) Review existing policies no less than once annually.
- C) Through the Director and County Administrator, review and recommend an annual Allegan County Central Dispatch budget to the County Board of Commissioners.
- D) Review and recommend purchases in excess of \$50,000 to the County Board of Commissioners.
- E) Notwithstanding the above, the authority of the Policy and Procedure Board shall be limited to Allegan County Central Dispatch and its funds. The Board and Committee, shall not have authority to bind, commit, or encumber the funds of the participating municipalities or the participating agencies. Board shall not possess the power to levy any type of tax or issue any type of bond in its own name.

SECTION IV

OPERATIONS

4.1 DIRECTOR:

- A) The Director is responsible to the County Administrator for matters of personnel, budget, general department operations, and adherence to all county policy.
- B) For purpose of policy and procedure the Director is responsible to the Board.

- C) The Central Dispatch Director shall be hired pursuant to the County Employee Selection Policy 301.
- D) The Director shall keep the Board informed on issues of Central Dispatch as it pertains to the purpose of the Policy and Procedure Board.

SECTION V

FISCAL ADMINISTRATION

5.1 BUDGET:

- A) The Director shall report the financial condition of the operation to the Board on a regular basis so all members remain aware of the financial status of the operation.

SECTION VI

AMENDMENT

6.1 AMENDMENT:

- A) The operational bylaws of the Board may be amended upon recommendation of the Board and approval of the Allegan County Board of Commissioners.

REVENUE PROJECTIONS FOR 2012

23/ Rob Sarro stated that the audit will be done shortly and he and David hope to bring more detailed information on July 14, 2011.

JAIL DESIGN DEVELOPMENT

24/ After discussion it was determined that if the design team can bring functional plans by July 8, 2011 which will come in at no greater than \$16.5 million, that plan will be considered.

ADJOURNMENT UNTIL JULY 14, 2011 AT 1:00 P.M.

25/ Moved by Commissioner VanEck, seconded by Commissioner Kapenga to adjourn until July 14, 2011 at 1:00 P.M. The motion carried and the meeting was adjourned at 4:25 P.M.


 Clerk-Register