

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

JANUARY 7, 2010 SESSION

JOURNAL 59

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ADJOURNMENT UNTIL JANUARY 21, 2010 AT 9:30 A.M.

January 7, 2010 Organizational Meeting

JANUARY 7, 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 January 7, 2010, at 9:30 A.M. in accordance with the rules of this Board; County Clerk Joyce Watts presiding.

The invocation was offered by District #1 Commissioner Burns.

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	FRITZ SPREITZER
DIST #4	MARK DeYOUNG	DIST #10	JON CAMPBELL
DIST #5	DEAN KAPENGA [Left 11:30 AM]	DIST #11	LARRY JONES
DIST #6	MAX THIELE		

ELECTION - TEMPORARY CHAIRPERSON

2/ Clerk Watts called for nominations for the election of a temporary Chairperson. Commissioner Spreitzer nominated Commissioner VanEck.

Moved by Commissioner Campbell, seconded by Commissioner Thiele to close the nominations and cast a unanimous ballot for Commissioner VanEck. The motion carried unanimously and the Clerk turned the meeting over to Temporary Chairperson, Commissioner VanEck.

ELECTION - PERMANENT CHAIRPERSON

3/ Temporary Chairperson VanEck called for nominations for the election of a permanent Chairperson by secret ballot.

Commissioner Burns nominated Commissioner McNeal
 Commissioner DeYoung nominated Commissioner Campbell
 Commissioner Spreitzer nominated Commissioner Jones

Temporary Chairperson VanEck appointed Commissioners Kapenga and Jessup to act as tellers and they were duly sworn by the Clerk.

Results of the first ballot are as follows:

McNeal - 4 votes
 Jones - 4 votes
 Campbell - 3 votes

4/ Results of the second ballot are as follows:

McNeal - 4 votes
 Jones - 7 votes

Commissioner VanEck congratulated Commissioner Jones on his election as the 2010 Chairman of the Allegan County Board of Commissioners and turned the meeting over to him.

ELECTION - PERMANENT VICE CHAIRMAN

5/ Chairman Jones called for nominations for election of the Vice-Chairman of the Board.

Commissioner Campbell nominated Commissioner DeYoung
 Commissioner Black nominated Commissioner Kapenga
 Commissioner Spreitzer nominated Commissioner Thiele

Chairman Jones stated that voting is to be by signed ballot and the previously appointed tellers will count the votes.

The results of the first ballot are as follows:

DeYoung - 4 votes
 Kapenga - 4 votes
 Thiele - 3 votes

Results of the second ballot are as follows:

DeYoung - 5 votes
 Kapenga - 6 votes

Chairman Jones declared Commissioner Kapenga elected as the 2010 Vice-Chairman of the Allegan County Board of Commissioners.

BREAK - 10:05 A.M.

6/ Upon reconvening at 10:15 A.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Kapenga, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - None.

RULES OF ORGANIZATION-ROBERT'S RULES OF ORDER & RECONSIDERATION

7/ Moved by Commissioner VanEck, seconded by Commissioner Burns that the Board Rules of Organization and Procedure shall govern all meetings. Any situation which may arise and is not covered by the rules as adopted by the Board shall be determined on the basis of Robert's Rules of order. Motion carried.

Moved by Commissioner Thiele, seconded by Commissioner Campbell to reconsider the previous motion and review the changes individually. Motion carried by roll call vote: Yes - 10 votes. No - 1 vote. Absent - 0 votes.

N	TERRY BURNS	Y	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		

Rob Sarro went through the various changes made to the Rules of Organization and procedure.

PAGE 3, ITEM 3 b, ii

8/ Moved by Commissioner McNeal, seconded by Commissioner Kapenga to change the word "shall" to "may" ask for assistance from the Administrator. The motion carried by roll call vote: Yes - 9 votes. No - 2 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
Y	MAX THIELE		

PAGE 4, 3, C, V, DUTIES OF STANDING COMMITTEES & CHAIRPERSON (3)

9/ Moved by Commissioner McNeal, seconded by Commissioner Kapenga to change the phrase on Page 4, ". . .for distributing. . ." to ". . .make available. . ." and (after Board of Commissioners) insert, ". . .upon request". Change the second sentence from ". . .board packet prior to the meeting." Should be changed to ". . .board/committee packet prior to the meeting."

Motion carried by roll call vote: Yes - 9 votes. No - 2 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 |
| Y | MAX THIELE | | |

PAGE 6, (C), IV ACTION ITEMS/ADDITIONS TO AGENDA, LINE 4

10/ Moved by Commissioner Thiele, seconded by Commissioner Black to insert after same day ". . .reflecting any changes to the agenda with appropriate revision number noted."; eliminate ". . .should any items have been changed." Motion carried.

PAGE 8, 6. VOTING, SUBSECTION G

11/ Moved by Commissioner Thiele, seconded by Commissioner Campbell to remove the last four words in g: ". . .that are not unanimous". Motion carried.

BOARD RULES - ADOPTED AS AMENDED

12/ Moved by Commissioner Spreitzer, seconded by Commissioner Black to adopt the Board Rules as amended. Motion carried by roll call vote: Yes - 11 votes. No - 0 votes. Absent - 0 votes.

COUNTY OF ALLEGAN

Rules of Organization and Procedure

of the

Allegan County Board of Commissioners

January 7, 2010 Session

Revised and Adopted: January 4, 1993 [Journal 39.6-15/11]
 [Addendum A RE: Committee of the Whole adopted April, 28, 1994: Journal 41.199-201/58]
 Amended: January 13, 1994 [Journal 41.3-4/6]
 Amended: October 27, 1994 [Journal 41.424/32]
 Amended: January 5, 1995 [Journal 42.7/11]
 Amended: June 22, 1995 [Journal 42.260/35]
 Amended: January 11, 1996 [Journal 43.4-5/10]
 Amended: June 26, 1997 [Journal 44.330/28; 341/33]
 Amended: January 2, 2003 [Journal 52.6-11/5]
 [Revisions adopted January 9, 2003: Journal 52.13-22/29]
 Amended: January 8, 2004 [Journal 53.3-9/7]
 Amended: March 24, 2005 [Journal 54.197-203/36]
 Amended: January 5, 2006 [Journal 55.4/11]
 Amended: July 27, 2006 [Journal 55.492-499/44]
 Amended: January 11, 2007 [Journal 56.26-32/38]
 Amended: February 1, 2007 [Journal 56.85/86]
 Amended: February 15, 2007 [Journal 56.95-96/41]
 Amended: February 22, 2007 [Journal 56.117/57]
 Amended: June 28, 2007 [Journal 56.280-281/51]
 Amended: January 3, 2008 [Journal 57.5/14]
 Amended: January 8, 2009 [Journal 58.3-4/8]
 Amended: January 7, 2010 [Journal 59.3-4/8-12]

RULES OF ORGANIZATION AND PROCEDURE
 of the
ALLEGAN COUNTY BOARD OF COMMISSIONERS

RULES OF ORGANIZATION

1. **THE BOARD OF COMMISSIONERS** shall meet on the first Thursday of the new calendar year, except as otherwise ordered by the Board, elect two (2) officers, the Chairperson and the Vice-Chairperson and adopt its "Rules of Organization and Procedure" for that year [MSA 5.323] The Board Chairperson and Vice-Chairperson shall serve a one (1) year term and be chosen annually at the Board Organizational Meeting. The Annual Board of Commissioners Meeting for the year shall be held in the evening between September 14 and October 16; per Act 156 of 1851, 46.1; Sec. 1.1.

2. **BOARD OFFICERS**

a **CHAIRPERSON**

Statutory Powers and Duties [MSA 5.323]

- i. Presides at all Board meetings during the year, if present.
- ii. Administers oaths and issues subpoenas. [MSA 5.323]
- iii. Signs contracts [MSA 5.323], Board minutes, [MSA 5.352] and certifies the equalized tax rolls. [MSA 7.52]
- iv. Appoints Directors of Economic Development Corporation with advice and consent of Board [MSA 5.352 (4)] and Boards of determination under Chapter 4 (County Drains) and Chapter 19 (Consolidated districts) of the drain code. [MSA 11.1072,11.1441]
- v. Decides and signs denials of requests for public records (or in writing designates someone else to do so) under the Freedom of Information Act. [MSA4.18016]
- vi. Serves on drainage Boards under Chapter 20 (intra-county drains) and Chapter 21 (inter-county drains) of the drain code [MSA 11.1464,11.1515]
- vii. Reviews, with other officers, the Sheriff's determination of jail overcrowding. [MSA 28.1748-2]

Other Duties

- viii. Serves ex-officio on all committees.
- ix. Appoints Board committees.
- x. Makes other county appointments subject to Board approval.
- xi. Shall preserve order and shall decide questions of order subject to approval of the Board.
- xii. Shall vote on all questions taken by roll call vote, except on appeals from the Board on decision of the chair.
- xiii. Duties of the Board Chairperson may be expanded by the Board of Commissioners for the duration of the term

b. VICE CHAIRPERSON

Statutory Powers and Duties

- i. Presides over Board meetings if Chairperson is absent. [MSA 5.323]
- ii. Serves on drainage Board under Chapter 20 (intra-county drains) of the drain code, when county commission member is disqualified. [MSA 11.1464]

Other Duties

- iii. Serves ex-officio on all Board committees.
- iv. Shall sign necessary documents for county if the Chairperson is not available.

c. CLERK-OF-THE-BOARD

- i. Shall be the County Clerk, or in the Clerk's absence a Deputy Clerk.
- ii. Duties - As specified by law. [MSA 5.324, MSA 5.330, MSA 5 325, MSA 5 352]

3. BOARD COMMITTEES

- a. Standing, advisory, and special use committees shall address items only after being referred by the Board of Commissioners. Committees shall be appointed by the Chairperson and are subject to Board approval; each committee is to have a Chairperson and Vice-Chairperson. The number of members on any committee, special use committee or advisory committee shall not exceed one (1) less than a majority number of those elected and serving on the full Board of Commissioners. Any items for Board Committees are to be submitted through the same work flow process as regular meetings.

b. PROCEDURES FOR USE OF COMMITTEES

- i. Items which have been referred to a committee by the Board of Commissioners will be addressed in accordance with the Board Rules and Procedures for meetings.
- ii. If the committee determines additional information or clarification is necessary to form a recommendation, the committee may ask for assistance from the County Administrator.
- iii. When the committee has completed its review and formed a recommendation, the item shall be placed on the next regular business meeting of the Board of Commissioners.
- iv. The Board shall, after receiving a recommendation from the committees and from the County Administrator do one of the following:
 - (1) Move the item by voting.
 - (2) Table the request for a future date.
 - (3) Return to committee for further work or forward to another committee for work/study.

c. STANDING COMMITTEES

- i. **FINANCE COMMITTEE** - General duties to include auditing, claims, equalization, investments, revenue sharing and special appropriations. [MSA 5.571] The Director of Finance shall be the chief financial officer of the county. [P.A. 621 of 1978]
- ii. **COUNTY SERVICES COMMITTEE** - General duties to include liaison with elected and appointed county officials, liaison with townships, cities, and villages, building and grounds maintenance, publicity and printing, Board rules, legislation, drains and building codes.
- iii. **HUMAN RESOURCES COMMITTEE** - Duties to include labor negotiations, fringes, personnel rules, affirmative action, vacancies and employee classifications.
- iv. **HEALTH SERVICES COMMITTEE** - Considers issues pertaining to public and environmental health.

v. DUTIES OF STANDING COMMITTEES AND CHAIRPERSONS

- (1) Each committee Chairperson may appoint committee members to meet with the various Boards or commissions under its jurisdiction when necessary. The members so appointed shall report their finding to the whole committee.
- (2) Each committee Chairperson shall be responsible for keeping a written record of committee proceedings.
- (3) Any commissioner who serves on an outside board/commission is responsible to make available copies of the minutes or other relevant materials to the other members of the Board of Commissioners upon request. Should those materials become supporting documentation to any discussion/action at a meeting of the Board/Committee, the material should be submitted to Administration to be placed in the Board/Committee packet prior to the meeting.

- (4) Standing committees, to whom matters have been referred, shall report a statement of fact and their opinion to the Board

d. **ADVISORY COMMITTEES**

- i. **LAW COMMITTEE** - Provides liaison with the sheriff's department, prosecuting attorney, and judicial offices.
 - ii. **SOUTHWEST MICHIGAN AREA REGION THREE (S.M.A.R.T.)** - Attends district meetings of participating counties.
 - iii. **MULTI-AGENCY COLLABORATIVE COMMITTEE** – Represents the County in meeting with various human service agencies.
 - iv. **PLANNING COMMISSION** – shall review projects involving the expenditure of funds by a county board, department, or agency for the acquisition of land, the erection of structures, the extension, construction, or improvement of any physical facility by any proposed location and extent, and shall report and advise on such projects to the Board of Commissioners and the department or agency submitting the proposal before any work is initiated [per 125.3861 § 61(2) of P.A. 33 of 2008 County Planning].
- e. **SPECIAL USE COMMITTEES** - To perform specific functions or projects that may be authorized by resolution of the Board of Commissioners and appointed by the Chairperson, to remain in existence until completion of the project or function.

4. RULES OF ORDER

- a. **REGULAR MEETINGS:** The Board of Commissioners of Allegan County shall meet the second and fourth Thursdays of each month as posted (see agenda Format A).
- b. **BOARD PLANNING SESSIONS:** The Board of Commissioners of Allegan County may meet the first and/or third Thursday of each month to conduct planning (strategic or project related), policy review and other time sensitive matters (see agenda Format B) The decision to meet on the first and/or third Thursday is to be made by the Chairman at least 7 days in advance of the meeting.
- c. **SPECIAL MEETINGS:** Special meetings may be set by one of the following methods:
 - i. Called by the Board at a regular meeting.
 - ii. At the "Call of the Chairperson".
 - iii. By the Clerk-of-the-Board upon receipt of a written request signed by 1/3 of the Board members. Upon receipt of the request, the Clerk-of-the-Board shall immediately give notice to each of the members by telephonic or other communication at least 24 hours before the time of reconvening and upon giving public notice in accordance with the Open Meetings Act.
- d. **START OF MEETING:** The Chairperson shall take the chair at the time specified in the meeting notice; the Board shall then be called to order and the roll of members called
- e. **QUORUM:** A majority of the members elected and serving shall constitute a quorum for the transaction of the ordinary business of the county. [MSA 5.323] All questions which arise at the meeting shall be determined by a vote of a majority of the commissioners present, except upon final passage or adoption of any measure or resolution or the allowance of any claim against the county, in which case, a majority of all members elected and serving shall be necessary. [MSA 5.323]
- f. **AGENDA FORMAT FOR REGULAR MEETINGS (Format A):**
 - i. Agenda items must be submitted to County Administration not less than ten (10) **business** days prior to the next scheduled Regular Meeting to be considered for placement on the agenda.
 - ii. During the meeting of the Board, the order of business shall be as follows:
 - (1) Call to order
 - (2) Opening Prayer
 - (3) Pledge of Allegiance
 - (4) Roll call
 - (5) Communications
 - (6) Approval of minutes
 - (7) Public participation
 - (8) Additional agenda items
 - (9) Approval of the agenda
 - (10) Presentations
 - (11) Proclamations

- (12) Informational Sessions
- (13) Administrative Reports
- (14) Consent Items
- (15) Action Items
- (16) Discussion Items
- (17) Appointments
- (18) Elections
- (19) Public participation
- (20) Round table
- (21) Adjournment

g. AGENDA FORMAT FOR BOARD PLANNING SESSIONS (Format B).

- (1) Call to Order
- (2) Opening Prayer
- (3) Pledge of Allegiance
- (4) Roll Call
- (5) Public Participation
- (6) Additional Agenda Items
- (7) Approval of Agenda
- (8) Discussion Items
- (9) Other Items
- (10) Public Participation
- (11) Adjournment

h. INFORMATION FLOW TO THE BOARD MEMBERS:

- i. INFORMATIONAL SESSIONS: Departmental Information Sessions or presentations from public or other agencies will be given a specific time and duration; twenty (20) minute maximum, including a question/answer period. Departments will be asked to supply their presentation to the Board prior to their scheduled date to allow the Board's review and an opportunity to supply questions to departments in advance of their presentation
- ii. REGULAR MEETING PACKETS. In general, on the Friday before each Board meeting, County Administration will provide the Board with a written recommendation and relative background information within the meeting packet for each item to be addressed by the Board. Any questions or additional information needed by Board members should be directed to County Administration by the Tuesday prior to the meeting, and that information shall be provided back to all Board members before the meeting.
- iii. BOARD PLANNING SESSION PACKETS: Materials will be provided as it becomes available. However, the intent of the Planning Session is for discussion, feedback, updates, etc., therefore, it should be expected materials may be provided up to the time of the meeting.
- iv. ACTION ITEMS/ADDITIONS TO AGENDA: At the discretion of the County Administrator and/or Board Chairman, items requiring immediate action can be added to the agenda until noon on the Tuesday prior to the scheduled Board Meeting. The Board will receive a revised agenda by the end of business that same day reflecting any changes to the agenda with appropriate revision number noted. If no changes have been made, the meeting packet previously sent should be considered the final agenda for the meeting. Items to be considered by the Board after noon on Tuesday must be added to the agenda at the beginning of the meeting by a two-thirds (2/3) majority vote.
- v. DISCUSSION ITEMS: Items can be of a specific nature in which action will be required at a future meeting and/or of a broader nature requiring discussion on subsequent agendas. Following discussion of each item, the Board Chairman should clarify the intent of further action or discussion needed. The County Administrator may request immediate action if appropriate and the Board may consider it for immediate action.
- i. PUBLIC ATTENDANCE: All Board meetings shall be open to the public, closed meetings may be held only for the following purposes: [MSA 4.1800.11,5.321]
 - i. To consider the evaluation, dismissal, suspension, or disciplining of, or to hear complaints or charges brought against a public official, employee, staff member, or individual agent, when the named person requests a closed hearing.
 - ii For strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement when either negotiating party requests a closed hearing.
 - iii To consider the purchase or lease of real property up to the time an option to purchase or lease that real property is obtained.
 - iv. To consult with its attorney regarding trial or settlement strategy in connection with specific pending litigation, but only when an open meeting could have a detrimental financial effect on the litigating or settlement position of the public body.

- v. To review the specific content or an application for employment or appointment to a public office when the candidate requests that the application remain confidential. However, all interviews by a public body for employment or appointment to public office shall be held in an open meeting, according to the Open Meetings Act.
- vi. To consider material exempt from discussion or disclosure by a state or federal statute. The Michigan Court of Appeals has ruled that a Board may be in closed session to consider the opinion of its attorney [93 MICH AP 100(1979)] Except for purposes (1) and (2), a 2/3 roll call vote of all members elected or appointed and serving is required to call a closed meeting.
- j. PUBLIC PARTICIPATION - The right of public address is granted by the Open Meetings Act under rules established and recorded by the Board of Commissioners. [MSA 4 1800 (13) & (5)] the public will be allowed to address the Board of Commissioners within the following restrictions:
 - i. During the public participation portion(s) of the agenda
 - ii. Name and address must be given before speaking.
 - iii. The purpose of the statement must be revealed.
 - iv. A maximum of five (5) minutes will be granted for comments
 - v. Any exception to the rules will be at the discretion of the Chairperson.

5. RULES OF FORM

- a. Every member, previous to speaking upon a question shall address the chair. When two or more members speak at once, the chair shall designate the member who shall be first to speak
- b. When a member is speaking on any question before the Board, the member shall not be interrupted except to be called to order. A member called to order shall immediately be silent unless permitted to explain, and the Board, if appealed to, shall decide the case. If there is no appeal, the decision of the chair shall stand.
- c. No motion shall be debated or put in the minutes unless the same is seconded. It shall be stated by the Chairperson before debate, and any such motion shall be reduced to writing if any members desire it, or at the request of the Chairperson or Clerk-of-the-Board
- d. After a motion is stated by the Chairperson, it shall be deemed to be in possession of the Board, but may be withdrawn at any time by permission of the Board. All motions, resolutions or amendments shall be entered in the Board proceedings unless withdrawn.
- e. When a question is under debate, no motion shall be received but to adjourn, to call the previous question, to table, to postpone indefinitely, to postpone to a day certain, to refer and to amend, which several motions shall have precedence in the order in which they are stated.
- f. The motion to adjourn shall always be in order, and the motion to table shall be decided without debate. A motion simply to adjourn shall be understood to mean for the day only. When the Board adjourns, the members shall keep their seats until the Chairperson announces the adjournment.
- g. When the previous question is called and when seconded, a 2/3rds vote is required for passage. The next vote shall be upon possible amendments and then upon the main question. The motion for the previous question shall put an end to all debate.
- h. If the question being discussed contains several points, any member may request to have it divided.
- i. All petitions, memorials and requests addressed to the Board shall be in writing and presented to the Chairperson for appropriate action.
- j. In all cases, every written report, resolution, or motion shall have the name of the proper committee, the commissioner moving and the commissioner seconding the same shall be entered in the Board proceedings.
- k. A commissioner wishing to have his/her comments entered in the Board proceedings shall submit the comment in writing to the Clerk-of-the-Board.
- l. Any measure or motion having been placed on special orders for some future time shall not be taken up prior to that time except by unanimous consent of the members present

6. VOTING

- a. When a roll call vote is taken, every member shall vote except when excused by the Chairperson.
- b. During a roll call vote, members shall not "pass" when they are called upon for their vote.
- c. A vote on any question shall be taken by roll call vote when called for by any member of the Board or at the discretion of the Chairperson
- d. In the event of a tie vote of the Board upon any matter presented to them for consideration, the motion or proposal does not pass for lack of a majority approval, the matter, however, may be proposed to the Board for reconsideration in the identical, similar or revised form at any time, to

be voted on by the same number of Commissioners, or more, present at the time of the tie vote.

- e. A motion to rescind any question may be made on any day of any session, provided that it be moved and seconded by members who voted with the majority, but there must be as many members present, or more as there was when the matter to be rescind was first voted upon.
- f. The Clerk-of-the-Board shall vary the order of calling the roll for voting of the Board at each session.
- g. The Clerk-of-the-Board shall include in the minutes of Board meetings the names of Commissioners voting no and yes on all roll call votes.

7. MISCELLANEOUS RULES

- a. The Clerk-of-the-Board shall print in the Board proceedings a report of the total of claims against the different funds as they are submitted each month by the finance committee, rather than a detailed report of the individual claims.
- b. A copy of the completed agenda of the monthly Board proceedings shall be provided to each county commissioner, each township supervisor and each city clerk as soon as possible by the Clerk-of-the-Board. A copy of the minutes of the monthly Board proceedings shall be available for the public at the County Clerk's office. The monthly Board proceedings shall be approved by the Board as written with any necessary corrections.
- c. County ordinances that have been enacted by the Board shall be numbered for reference in the following manner: The first ordinance, 1001; the second, 1002; the third, 1003 and so forth.
- d. The Board shall not elect and fill vacancies on any Board or commission at the meeting the Board receives first notification. The Administrator shall be responsible for placing on the agenda a month in advance the offices that will be voted upon at the subsequent meeting.
- e. Any commissioner who shall be absent from a session shall upon his arrival report his presence to the Clerk-of-the-Board.
- f. As a courtesy, a Commissioner that will knowingly be absent from an official proceeding of the Board shall notify the Chairperson or the Administrative Office as soon as possible prior to said meeting.
- g. No commissioner, while a member of the Board shall be eligible to election or appointment to any other County office or position, the election of which is within the jurisdiction of the County Board of Commissioners. [MSA 5.323]
- h. Any situation, which may arise and is not covered by the rules as adopted by the Board, shall be determined on the basis of Robert's Rules of order. These rules shall apply at all times except in cases where they may be in conflict with Michigan State Statutes.
- i. No rule of the Board shall be suspended, altered or amended without concurrence of the majority of all members elect.
- j. Any suggested changes in the Board rules shall be initially referred to a Board of Commissioners Meeting as a discussion item only, and consider those changes no later than one month after the proposed amendment was submitted.

8. PER DIEM GUIDELINES

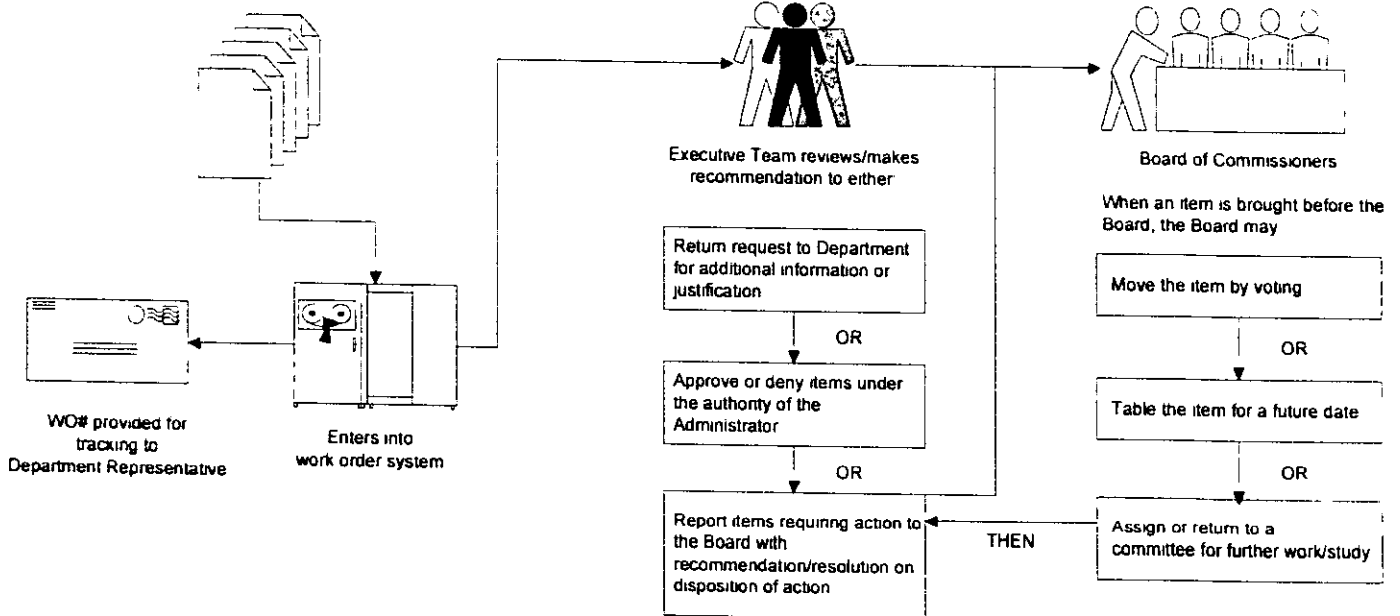
- a. Per diem will be paid for regular County Board meetings and committee meetings.
- b. Per diem will be paid when authorized by the Board Chairperson or Committee Chairperson for special activities.
- c. Per diem will be paid when a member represents the Board of Commissioners at a meeting other than a County Board or Committee meeting when appointed to do so by the Chairperson or the Board of Commissioners.
- d. Per diem and mileage will be paid for attendance at Interdepartmental Meetings normally held the last Wednesday of each month.
- e. Members will be paid at the same rate as other members of the Boards and commissions when they are members of those Boards and commissions.
- f. The County Board of Commissioners will set the amount of per diem to be paid to County Commissioners for attendance at meetings consistent with their responsibilities. Two (2) or more meetings in one (1) day will be considered one (1) full day. One (1) meeting in one (1) day four (4) hours or more will be considered one (1) full day. One (1) meeting in one (1) day less than four (4) hours will considered one half (1/2) day. Travel time is included.

- g. Board or Commission meetings other than County Board or Committee meetings held prior to or after regular County Board of Commission meetings (Board or Committee meetings) – normal per diem may be claimed for each, but only actual mileage may be charged.
- h. Each Commissioner will be responsible to submit all necessary records and audit their own monthly reports for compensation.
- i. Compensation for County Board meetings or County Board Committee meetings will not exceed the established per diem amount for any one (1) day (Committees – Finance, County Services, Human Resources, Law, S.M.A.R.T., Multi-Agency Collaborative Committee, or Health Services Committee and/or any Committee for which per diem is paid for by the County Board of Commissioner’s budget).
- j. Per diem and mileage shall be paid to Commissioners attending MAC annual conferences (maximum two per year per Commissioner).
- k. Per diem and mileage shall be paid to County Commissioners who are appointed to the MAC Board of Directors, MAC standing committees, and MAC work groups requesting Board participation which have been confirmed by the Board of Commissioners.
- l. Per diem and mileage for all other conference and/or related training shall be reimbursed as pre-authorized by the Board of Commissioners.
- m. Commissioners shall be reimbursed for their per diem and mileage when they attend district specific or Commissioner prerogative type meetings when the same has been pre-authorized by the Board of Commissioners.

Allegan County Board of Commissioners

Board Procedure and Action Flow Revised January 7, 2010

Items for consideration by BOC should be submitted by Department Heads/Elected Officials with a Request for Action Form through the work order system. Must be not less than 10 business days prior to the next scheduled Regular and Board Committee Meetings to be placed on the agenda.



9. CLARIFICATION OF VOTING ON COMMITTEE RELATED MATTERS

- a. When a matter is brought by a standing committee to the Board of Commissioners meeting and a vote is taken, all Commissioners present will vote on the issue. When the committee meets separately [different day, different room], only committee members will vote on the issue before the committee

- i. To be considered by the Board of Commissioners, items from Department Heads and Countywide Elected Officials will be submitted with complete documentation (see attached Request for Action [RFA] Form) through the County work order system. The work order system will automatically assign a work order number which is transmitted to the requestor so that they may refer to it when communicating with the County Administrator. The County Administrator will review the request and take one of the following actions:
 - (1) Request additional information as needed before making recommendation or taking action.
 - (2) Approve or deny items under the authority of the County Administrator. Items denied may be appealed in writing to the Chairperson of the Board of Commissioners detailing specific reasons why an item should be considered. Requests for consideration/appeal must be received within 10 business days from the receipt of the denial.
 - (3) Report items requiring action to the Board with recommendation/resolution on disposition of action.

CODE OF ETHICS - ADOPTED AS AMENDED

13/ Moved by Commissioner Black, seconded by Commissioner Campbell to adopt the Code of Ethics as amended. Motion carried by roll call vote: Yes - 9 votes. No - 2 votes. Absent - 0 votes.

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

Allegan County Code of Ethics

For the Board of Commissioners, County Administrator,
and County Department Heads



Adopted by the Allegan County Board of Commissioners
September 7, 2006
Effective September 7, 2006
Reaffirmed January 18, 2007
Reaffirmed January 3, 2008
Amended February 28, 2008
Reaffirmed January 8, 2009
Amended January 7, 2010

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Purpose

The intent of this document is to establish guidelines for appropriate and ethical relationships among the Allegan County Board of Commissioners; the Allegan County Administrator; appointed Allegan County Administrative Directors; and the Allegan County public which promotes trust and truth, and open and credible communication which are essential to the successful operation of Allegan County government.

Code of Ethics for the Board of Commissioners, County Administrator, and County Administrative Directors

The Board of Commissioners, County Administrator, and Administrative Directors are a Leadership Team that is dedicated to the following principles of behavior in the performance of their responsibilities.

Principle I: Commitment to be Trustworthy

The Leadership Team must be ethically self-governing. They will confine their performance to those services which elicit trust from the individuals whom they serve using their knowledge, skills and competencies.

Principle II: Commitment to Governmental Mission

The Leadership Team has a common mission to implement governmental services essential to the general welfare of Allegan County residents.

Principle III: Commitment to be Responsible

The Leadership Team is committed to responsible decision-making. The quality decisions, actions and performance are in proportion to the dedication and contributing competencies of the Board of Commissioners, County Administrator, and Administrative Directors.

Principle IV: Commitment to a Profession

The Leadership Team shall strive to meet the standards of their profession and will advocate, engage in and support professional development.

Principle V: Commitment to Serve the Greater Good

The Leadership Team, to achieve effective and efficient county government, is dedicated to improving the status and conditions of the County by serving those it represents.

PRINCIPLE I

Commitment to be Trustworthy

The Leadership Team must be ethically self-governing. They will confine their performance to those services which elicit trust from the individuals whom they serve using their knowledge, skills and competencies.

10.00	Board of Commissioners	11.00	Administrator and Administrative Directors
10.10	Commissioners are elected by district to represent the interests of their constituents. In determining policy, the Board collectively should represent the general welfare and individual rights of those it represents.	11.10	The County Administrator is employed by and represents the Allegan County Board of Commissioners. The County Administrator has the responsibility to oversee all administrative functions relative to the authorities and responsibilities delegated by the Board of Commissioners and to advise and assist the Board in establishing policy. Administrative Directors having assigned areas of specialized expertise are employed to oversee specific Administrative functions and to assist the County Administrator in advising the Board during policy development.
10.20	The Board recognizes and respects the diversity, value and dignity of all persons in all interactions and leadership activities.	11.20	The County Administrator and Administrative Directors fully recognize and respect the diversity, value and dignity of all persons in all interactions and leadership activities.
10.30	The Board establishes specific responsibilities and delegates specific authorities to the County Administrator to perform his/her duties in accordance with applicable laws, the adopted bylaws and policies of the Board and other such rules and regulations as may be applicable.	11.30	The County Administrator respects the functions of the Board of Commissioners and accepts the responsibilities as assigned. Administrative Directors accept responsibilities as assigned by the County Administrator. When acting as a County representative the County Administrator and non-elected Administrative Directors must avoid independent political actions and statements in the course of County business.
10.40	The Board of Commissioners recognizes that the authority and responsibility to act collectively rests with the entire Board of Commissioners and that shall be demonstrated only in official meetings.	11.40	The County Administrator and Administrative Directors as agents of the Board of Commissioners, refrain from making commitments not covered by board policy or board action, which may obligate the county. The County Administrator must support decisions made by the Board at all times.

10.50	The Board is impartial in the development of bylaws and policies.	11.50	In the development of bylaws and policies, the County Administrator and Administrative Directors, through the County Administrator, have the responsibility to be impartial in advising and counseling all members of the Board.
10.60	The Board should consult with the County Administrator to acquire essential data and information before developing policy or making decisions.	11.60	The County Administrator confers with Administrative Directors to obtain essential data, information and ideas relevant to their areas of specialization in carrying out his/her requirement to supply the Board with information and make recommendations, when applicable, and assists the Board in formulation of new policies and revisions of existing policy.
10.70	The Board has a responsibility to review and resolve conflicts, when appropriate, to administer fairness, and when rendering a decision, adheres to standards of due process.	11.70	The County Administrator and Administrative Directors have a responsibility to review and resolve conflicts, administer fairness, and, when appropriate, shall provide such expert testimony and records as may be essential to the equitable judgment of all conflicts.
10.80	Commissioners in all situations should refrain from using their position of the Board for personal gain of any nature other than that established the Code of Federal Regulations Sections 2635.201 through 2635.205.	11.80	The County Administrator and Administrative Directors in all situations refrain from using their position for personal gain of any nature other than that established by the Code of Federal Regulations Sections 2635.201 through 2635.205.
10.90	The Commissioners will work to maintain and demonstrate a relationship of trust and respect among themselves and with the County Administrator.	11.90	The County Administrator will maintain and demonstrate a relationship of trust and respect with the Board. In addition, Administrative Directors will conduct business in a manner that supports this relationship and will maintain trust and respect among themselves, the County Administrator, the Board, and throughout the rest of the organization.

PRINCIPLE II
Commitment to Governmental Mission

The Leadership Team has a common mission to implement governmental services essential to the general welfare of Allegan County residents.

20.00	Board of Commissioners	21.00	Administrator and Administrative Directors
20.10	The Board will strive to act in the best interest of the County by placing the highest priority on the establishment of governmental goals and objectives and reviewing these on a regular basis, and translating them into policy.	21.10	Administrative Directors, through the County Administrator, provide the data and expertise in the development of governmental goals and objectives, and policies. The County Administrator and Administrative Directors shall support such goals, objectives and policies adopted by the Board.
20.20	The Board adopts those fiscal policies necessary to support the approved programs and activities.	21.20	The County Administrator, after counsel with the appropriate staff and Administrative Directors, recommends to the Board for adoption, a budget which supports programs and activities essential to meeting the established governmental goals and objectives of the Board.

PRINCIPLE III
Commitment to be Responsible

The Leadership Team is committed to responsible decision-making. The quality decisions, actions and performance are in proportion to the dedication and contributing competencies of the Board of Commissioners, County Administrator, and Administrative Directors.

30.00 Board of Commissioners	31.00 Administrator and Administrative Directors
30.10 The Board causes policy to be developed and adopted based upon the best knowledge, research available, and County Administrator's counsel.	31.10 The County Administrator and Administrative Directors cause decisions to be made upon the best knowledge and research available and in accordance with existing adopted Board policies. The County Administrator and Administrative Directors adhere to and support adopted policies.
30.20 The Board of Commissioners acts on policy matters normally after seeking and receiving pertinent information, the County Administrator's recommendation, and following full Board discussion.	31.20 Administrative Directors through the County Administrator, provide the best possible information essential to the development of policies and administrative rules and regulations. The County Administrator should make recommendations on all matters requiring Board action.
30.30 The Board of Commissioners acts on policy matters in accordance with applicable laws, and to advance the goals and objectives of the County.	31.30 The County Administrator and Administrative Directors apply their experience in maintaining Board of Commissioners policies and administrative rules and regulations which are consistent with current laws and the goals and objectives of the County.
30.40 The Board of Commissioners will strive to employ competent persons and will not unjustly direct the County Administrator to make appointments or terminations of staff.	31.40 The County Administrator shall hire qualified Administrative Directors pending final confirmation from the Board of Commissioners. The County Administrator shall make terminations of Administrative Directors when necessary and shall inform the Board in a timely manner.
30.50 The Board of Commissioners develops HR policies to assure fairness and competence in all assignments of personnel in keeping the goals and objectives of the County.	31.50 The County Administrator and Administrative Directors make objective recommendations with adequate supporting data on assignments, transfers, promotions, demotions, non-renewal of contracts, dismissals, or reclassifications of all personnel in accordance with Board of Commissioner policies, administrative rules and regulations, and existing law.
30.60 Individual Commissioners will attempt to keep the County Administrator advised of public or staff concerns, without promising outcomes, and normally refer persons with requests and criticisms to the County Administrator.	31.60 The County Administrator keeps Commissioners and appropriate Administrative Directors informed of public and/or staff concerns. Individual Administrative Directors, through the County Administrator, keep the Board of Commissioners and other Administrative Directors apprised of public and/or staff concerns as they arise.
30.70 The Board of Commissioners conducts its regular and committee meetings based on a planned written agenda prepared by the County Administrator in consultation with the Chairman of the Board of Commissioners and/or committee chair and/or County Clerk, and in accordance with Board bylaws, state law, and the Open Meetings Act.	31.70 The County Administrator, in consultation with the Chairman of the Board of Commissioners and/or committee chair and/or County Clerk, prepares a written agenda. The County Administrator, with supportive data from Administrative Directors and in accordance with Board bylaws, Open Meetings Act, and policies, provides pertinent information and recommendations to the Board in a timely manner.
30.80 The Board should strive to establish and maintain long-range strategic plans including, County capital improvement plans, which anticipate the future needs, trends and fiscal requirements of the County.	31.80 The County Administrator and Administrative Directors through the County Administrator propose long-range strategic plans, including County capital improvement plans, and make recommendations using competent advice and assistance.
30.90 The Board, to promote quality performance, encourages and supports continuing education. The Board also supports other professional development opportunities.	31.90 The County Administrator accepts responsibility for placement planning for key positions as well as planning, initiating, maintaining, and encouraging the use of training and professional development for Administrative Directors.

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| 30.100 | Commissioners should respect all confidential information received and refrain from disclosing opinions expressed in confidence by other Commissioners and the County Administrator. | 31.100 | The County Administrator and Administrative Directors respect all confidential information and refrain from disclosing opinions expressed in confidence by other Administrative Directors and the County Administrator. |
| 30.110 | Commissioners make a commitment to devote time, thought and study to the duties and responsibilities of a Commissioner and recognize that regular attendance at Board meetings is a requisite to the effective management of the County. | 31.110 | The County Administrator accepts responsibility for assisting Commissioners in making a commitment to good boardmanship and effective management of the County. |
| 30.120 | The Board establishes policy that will ensure the existence of the County's fair, legal, and objective process for hiring and maintaining quality personnel. | 31.120 | The County Administrator will ensure the existence of the County's fair, legal, and objective process for hiring and maintaining quality personnel. |
| 30.130 | The Board strongly encourages an administrative team concept of management. | 31.130 | The County Administrator actively promotes and supports an administrative team concept of management. |
| 30.140 | The Board during its meetings strongly encourages open communication through dialogue among the Commissioners and with the County Administrator when appropriate. | 31.140 | The County Administrator strongly encourages and expects a high level of communication among all Administrative Directors during regularly scheduled leadership meetings and maintains an atmosphere of open communication within the organization. |

PRINCIPLE IV

Commitment to a Profession

The Leadership Team shall strive to meet the standards of their profession and will advocate, engage in and support professional development.

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| 40.00 | Board of Commissioners | 41.00 | Administrator and Administrative Directors |
| 40.10 | Individual Commissioners, as locally elected officials with state delegated responsibilities, by their words and actions, reflect upon all Commissioners, even beyond their own County. | 41.10 | The County Administrator and Administrative Directors, as professionals, by their words and actions, reflect upon each other and the County as an organization. |
| 40.20 | The organizations for Commissioners provide the standards for professional competence and performance to which each Commissioner should aspire. | 41.20 | The professional organizations related to the experience of the County Administrator and Administrative Directors provide the standards of professional competence and performance by which the member shall be judged. |
| 40.30 | The Board shall belong to and be active in associations and organizations for Commissioners and remain current in governmental trends and developments. | 41.30 | The County Administrator and Administrative Directors shall belong to and be active in their professional associations and remain current in governmental trends and developments. |
| 40.40 | The Board expects and supports its County Administrator and Administrative Directors to be active members in their professional associations. | 41.40 | The County Administrator and Administrative Directors support the Commissioners being active members of their professional associations. |

PRINCIPLE V

Commitment to Serve the Greater Good.

The Leadership Team, in the pursuit to achieve effective and efficient county government is dedicated to improving the status and conditions of the County by serving the County residents.

50.00	Board of Commissioners	51.00	Administrator and Administrative Directors
50.10	Commissioners serve to assure that the mission of the County is achieved without discrimination.	51.10	The County Administrator and Administrative Directors are dedicated to administering their specific area of responsibility as an articulate part of the governmental mission to provide, without discrimination, the right of each person to equal governmental benefit.
50.20	The Board, as a prerequisite to autonomy and maintenance of professionalism, acts to provide appropriate compensation for all employees.	51.20	The County Administrator and Administrative Directors, through the County Administrator, evaluate and recommend appropriate compensation for all personnel within their area of responsibility.
50.30	When conflicts of interest arise on any issue, the involved Commissioner shall refrain from all related deliberations and decisions.	51.30	When conflicts of interest arise, the County Administrator or Administrative Director shall refrain from any recommendations or deliberations related to the issue.
50.40		51.40	The County Administrator and Administrative Directors do not use their position in the County as a means of promoting political aspirations of the Board or themselves.
50.50	As a leader of a governmental organization County Commissioners should represent Allegan County at all times in a manner that reflects positively on Allegan County Government.	51.50	As a leader of a governmental organization the County Administrator and Administrative Directors represent Allegan County at all times in a manner that reflects positively Allegan County Government.

STANDING COMMITTEES - APPOINTMENTS

14/ Chairman Jones announced the following appointments to Board Standing, Advisory and Special Use Committees:

STANDING COMMITTEES

FINANCE COMMITTEE

Mark DeYoung, Chairman
 Max Thiele, Vice Chairman
 Jon Campbell
 Paul VanEck
 Dean Kapenga

HUMAN RESOURCES COMMITTEE

Don Black, Chairman
 Larry "Casey" Jones, Vice Chairman
 Terry Burns
 Dean Kapenga
 Max Thiele

COUNTY SERVICES COMMITTEE

Jon Campbell, Chairman
 Tom Jessup, Vice Chairman
 Steve McNeal
 Mark DeYoung
 Dean Kapenga

HEALTH SERVICES COMMITTEE

Paul VanEck, Chairman
 Mark DeYoung, Vice Chairman
 Tom Jessup
 Larry "Casey" Jones
 Fritz Spreitzer

ADVISORY COMMITTEES

LAW COMMITTEE

Dean Kapenga, Chairman
 Jon Campbell, Vice Chairman
 Mark DeYoung
 Terry Burns
 Paul VanEck

MULTI-AGENCY COLLABORATIVE COMMITTEE

Jon Campbell, Executive Committee
 Larry "Casey" Jones
 Fritz Spreitzer
 Terry Burns
 Paul VanEck

SOUTHWEST MICHIGAN AREA REGION THREE

Jon Campbell
 Max Thiele
 Tom Jessup
 Dean Kapenga
 Fritz Spreitzer

SPECIAL USE COMMITTEES**LABOR NEGOTIATIONS COMMITTEE**

Robert Sarro, Administrator
 Vickie Herzberg, HR Director
 David VandeRoovaaart, Finance Dir.
 Larry "Casey" Jones, Bd. Chairman
 Mark DeYoung, Finance Chairman
 Don Black, HR Chair

ORDINANCE REVIEW COMMITTEE

Dean Kapenga, Chairman
 Paul VanEck
 Tom Jessup
 Fritz Spreitzer
 Jon Campbell
 Blain Koops (or designee)
 Fred Anderson (or designee)
 Linda Lenahan (or designee)
 Rob Sarro (or designee)

BUILDING COMMITTEE

Mark DeYoung, Finance Chairman
 Jon Campbell, Co. Services Chair
 Larry "Casey" Jones

Moved by Commissioner Black, seconded by Commissioner Burns to confirm the appointments as made. Motion carried.

RECESS FOR LUNCH - 11:30 P.M.

15/ Moved by Commissioner Thiele, seconded by Commissioner DeYoung to recess for lunch and to reconvene at 1:00 P.M. Motion carried and the meeting was recessed at 11:30 A.M.

RECONVENE/ROLL CALL

16/ Upon reconvening at 1:05 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - Commissioner Kapenga.

DECEMBER 3, 2009 MINUTES - APPROVED AS DISTRIBUTED

17/ Moved by Commissioner Thiele, seconded by Commissioner VanEck to approve the minutes of the December 3, 2009 session as distributed. Motion carried.

AGENDA - ADOPTED AS PRESENTED

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

HEALTH DEPARTMENT—APPLY/ACCEPT EPA ENVIRONMENTAL JUSTICE GRANT

19/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the request from the Health Department to apply for and accept when awarded an Environmental Justice grant for the Maternal Infant Health Program from the Environmental Protection agency in the amount of \$25,000.00 for:

- nitrate and radon environmental testing of wells and dwellings of MIHP clients at MIHP home visits.
- health promotions during Public Health Week initiatives and press releases to raise awareness in the community to these two environmental risks.

BE IT FINALLY RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

Moved by Commissioner VanEck, seconded by Commissioner Burns to adopt the resolution as presented. Motion carried by roll call vote: Yes - 10 votes. No - 0 votes. Absent - 1 vote.

HUMAN RESOURCES—EMPLOYEE LIFE/SHORT TERM DISABILITY INSURANCES

20/ **BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the recommendation from Human Resources to award the bid for the amounts as follows:

- \$0.16 per \$1000 - Basic Life
- \$0.01 per \$1000 - Basic AD&D
- \$0.63 per \$10.00 of Weekly Benefit - Short Term Disability
- \$0.70 per employee per year - Benefit Deduction Services

to provide Allegan County employee group Short Term Disability and Basic and Supplemental Life/Accidental Death and Dismemberment Insurances from February 1, 2010 to January 31, 2013 to Hartford Life and Accident Insurance Company of 200 Hopmeadow Street, Simsbury, CT, 06089; and

BE IT FURTHER RESOLVED that the Board Chairman and the County Administrator are authorized to sign the necessary documents on behalf of the County and that the Budget and Finance Director is authorized to make the necessary budget adjustments to complete this action.

Moved by Commissioner Thiele, seconded by Commissioner VanEck to adopt the resolution as presented. Motion carried by roll call vote: Yes - 9 votes. No - 1 vote. Absent - 1 vote.

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

JAIL TIMELINE

21/ Rob Sarro reported that the jail timeline is comprised of Jack's draft timeline with estimated dollar amounts. What this doesn't have in it is the cost for debt service. David Van de Roovaart explained how they arrived at the figures shown on the sheet and stated this does not include an analysis on how we will pay for the project. He is confident sufficient funds are set aside to carry us through the charrette.

PROPOSED BUDGET POLICY

22/ Rob Sarro explained that there have been no substantive changes to this document. It is written from the perspective of as the budget is happening. Finance Director Van de Roovaart explained the difference between budget and actual revenue/expenses.

Moved by Commissioner VanEck, seconded by Commissioner Spreitzer to set this item on the January 14, 2010 consent agenda for adoption. Motion carried with Commissioner McNeal dissenting.

BOARD RETREAT - JANUARY 21, 2010

23/ Rob Sarro addressed the two different draft agendas with topics for the Board retreat scheduled for January 21, 2010; place and time to be determined. There was discussion on whether the Board wants to have departments attend. Rob stated that Commissioners can submit topics they want to see covered in addition to the project review and determine the top three goals. He reported that budget will be a topic on the interdepartmental agenda.

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.

RECESS TO CLOSED SESSION - TO DISCUSS PROPERTY ACQUISITION

25/ Moved by Commissioner Black, seconded by Commissioner McNeal to recess to closed session to discuss property acquisition. Motion carried by roll call vote: Yes - 9 votes. No - 0 votes. Absent - 2 votes. [Commissioners Burns & Kapenga]

The meeting was recessed at 2:47 p.m.

C L O S E D S E S S I O N**RECONVENE - ROLL CALL**

26/ Upon reconvening at 3:20 P.M., the following Commissioners were present: Commissioner Burns, McNeal, VanEck, DeYoung, Thiele, Black, Jessup, Spreitzer, Campbell and Jones. Absent - Commissioner Kapenga.

ADJOURNMENT UNTIL JANUARY 21, 2010 AT 9:30 A.M.

27/ Moved by Commissioner VanEck, seconded by Commissioner Spreitzer to adjourn until January 21, 2010 at 9:30 A.M. The motion carried and the meeting was adjourned at 3:21 P.M.

Clerk-Register

