

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, March 12, 2007

1:00 PM

The regular meeting was called to order by Chairman Carr at 1:00 p.m.

The meeting opened with the Pledge of Allegiance. Pastor Curt Mudgett from Trinity Evangelical Free Church in Stanton offered invocation.

Members present at roll call: Commissioners Walker, Petersen, Retzliff, Johansen, Paepke, Baker, Carr, Caris, and McCrackin. Members absent at roll call: None.

Others present: Kristen Millard, Chris Hyzer, John Berchtold, Bill Kemp, John Kroneck, Chuck Cross, Dave Bee and Ryan Jeltema.

Moved by Commissioner McCrackin, supported by Commissioner Caris to approve the February 26, 2007, regular meeting minutes as written. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Paepke to approve the agenda as presented. Motion carried.

Public comments were offered. Bill Kemp, Greenville, addressed the board regarding the proposed smoking regulation. He stated that the county is experiencing a struggling economy right now and stated that the last thing businesses want to do is expose their employees and customers to second hand smoke, however he does not think it is in the best interest of this county to hand down more government regulation to area businesses. He stated that a regulation of this sort would just add an additional burden to businesses. He believes business owners use common sense and don't need additional regulations.

Chuck Cross, Greenville, addressed the board regarding the proposed smoking regulation. He stated that he has visited several area businesses and none of them are in support of the smoke free regulation. He stated that the Gratiot County Commissioners broke the proposed regulation apart and looked at it as a business owner would and decided to turn down the regulation. He also suggested that the Health Department may want to look at their own situation because when he delivered a FOIA request to the Health Department, two MMDHD employees were smoking outside the back door.

Kristen Millard presented the board with two P.A. 116 Farmland Agreement applications from Sackett Ranch, Inc. The property is located in Day Township, which is not zoned, therefore the Board of Commissioners must approve the applications. Ms. Millard provided the board with an approval letter from the Montcalm County Planning Commission, however due to the timing of receiving the application, the approval from the Conservation District will not come until after their meeting tomorrow. Since the applications must be forwarded on to the State, Ms. Millard suggests approving the applications contingent upon receiving approval from the Conservation District later this week. Moved by Commissioner Retzliff, supported by Commissioner Johansen to approve the P.A. 116 Farmland Agreement applications received from Sackett Ranch, Inc. contingent upon approval of the Montcalm Conservation District. Motion carried.

Correspondence regarding Road Funding was received from Dale Linton, Chairman of the Road Commission for Montcalm County. Mr. Linton is asking the board members to visit www.drivemi.org and "Send a Postcard" to support increased funding for roads in Michigan. Moved by Commissioner Retzliff, supported by Commissioner Johansen to place the correspondence from Dale Linton on file. Motion carried.

A proposed Public Hearing notice was received from the County Controller for the grant application to the Michigan Natural Resources Trust Fund for improvement to Krampe Park. Moved by Commissioner Walker, supported by Commissioner Paepke to set a Public Hearing for March 26, 2007 at 1:30 p.m. for

the grant application to the Michigan Natural Resources Trust Fund for improvement to Krampe Park. Motion carried.

Notice regarding collection and treatment system improvement in Howard City was received from the West Michigan Regional Planning Commissioner. The Board of Commissioners may provide comment if they wish. Moved by Commissioner Baker, supported by Commissioner Johansen to correspond with WMRPC and pledge the Board of Commissioners' support on the Howard City project and wish them well. Motion carried.

Resolutions for Matthew R. Kammers, Jason A. Michalek, Jesse L. VanderBank, James Durga, Tim P. Hanson, Scott E. Hanson, Justin Irwin, and Randy L. White who have reached the rank of Eagle Scout were presented to the Board. Moved by Commissioner Retzloff, supported by Commissioner Paepke to approve and adopt **RESOLUTIONS 2007-02, 2007-03, 2007-04, 2007-05, 2007-06, 2007-07, 2007-08 and 2007-09** honoring Matthew R. Kammers, Jason A. Michalek, Jesse L. VanderBank, James Durga, Tim P. Hanson, Scott E. Hanson, Justin Irwin, and Randy L. White who have reached the rank of Eagle Scout. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Paepke to appoint Judge Charles W. Simon III and Dennis Moore to the Community Corrections Advisory Board represent Probate Court and defense attorneys, respectively. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner McCrackin to appoint Jail Administrator, Mark Sabin, and Judge David Hoort to the Community Corrections Advisory Board. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Paepke to approve consent agenda items 7 through 22 and move stated action:

Scott Minard	Dodge Report 2/1/07 – 2/28/07	Place on file
Diane Murray, COA Controller	MDOT Specialized Services FY 2008 Grant At-Large Assessments (Road Commission)	Place on file Place on file
Controller	Loss Control Prevention	Place on file
Collective Bargaining Comm.	Minutes, Feb. 20, 2007	Place on file
Central Dispatch Authority	Minutes, November 9, 2006	Place on file
Central Dispatch Authority	Minutes, December 14, 2006	Place on file
Central Dispatch Authority	Minutes, January 4, 2007	Place on file
CCAB	Minutes, November 21, 2006	Place on file
MMDHD, Board of Health	Organizational Minutes, January 31, 2007	Place on file
COA	Minutes, January 25, 2007	Place on file
John Johansen	Minutes, Human Services Coalition 2-6-07	Place on file
Pension Trust Committee	Minutes, Feb. 16, 2007	Place on file
Kristen Millard	Resolution 2007-01, Sheriff's Posse	Place on file
Kevin Weaver	Animal Control Report, January 2007	Place on file
Kevin Weaver	Animal Control Report, February 2007	Place on file

Motion carried.

At 1:30 p.m. Dave Bee, Director of the WMRPC was in attendance to present a letter of appreciation to Don Smucker for service on the Comprehensive Economic Development Strategy. Mr. Bee presented Mr. Smucker with a certificate of appreciation.

At 1:35 p.m. John Kroneck, Substance Abuse Advisory Council, was in attendance to ask the board to continue action on smokefree worksites and public places. Since the Gratiot County Board of Commissioners failed to pass the proposed Smokefree Initiative brought forth by the Mid Michigan District Health Department, the action taken by the Montcalm County Board of Commissioners is now null and void. Mr. Kroneck and the Substance Abuse Advisory Council of Montcalm County would like to see the board pass a resolution making all Montcalm County businesses and public places smoke free.

He would also like the Montcalm County Board of Commissioners to talk with the Gratiot County Board members to urge them to reconsider their position and pass this regulation. Mr. Kroneck stated that this regulation is to protect the health of workers, not customers. He stated that customers are already staying away from business that allow smoking.

Mr. Kroneck stated that what makes this regulation necessary is that some business owners won't protect their employees for whatever reasons. He stated that he shares the personal rights issue, however when there is harm to other individuals he believes regulation is necessary.

Moved by Commissioner Johansen, supported by Commissioner Walker that Commissioner Dan Petersen be allowed to attend the Community Development Block Grant for Economic Development seminar in Kalamazoo on March 27th. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to place the March 12, 2007 Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Baker to increase the building department overtime budge (593711-706000) to \$7,200.00 to maintain current level of service and use compensatory time to balance actual hours worked. Motion carried with Commissioners Carr and Retzloff voting no.

Moved by Commissioner Caris, supported by Commissioner Baker to allow EMS to purchase the 6 Gateway computers from Banc of America Leasing for \$1,000. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Petersen to approve the revised job descriptions for Administrative Aide, Billing Clerk and Billing and Accounts Manager, and reclassifies the current Office Assistant to Administrative Aide. Motion carried with Commissioner Carr voting no.

Moved by Commissioner Caris, supported by Commissioner Baker that the Montcalm Behavioral Health lease be reviewed by the county's legal counsel due to issues that have arisen. Motion carried with Commissioner McCrackin abstaining.

Moved by Commissioner Caris, supported by Commissioner Paepke to authorize the purchase of deer guards for all county vehicles that deal with emergency calls (with lights and sirens). Motion carried.

Moved by Commissioner Caris, supported by Commissioner Johansen to allow the members of the Finance and Personnel committee who desire to attend the County Budget and Finance workshop presented by MSU Extension and all workshop expenses be covered. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Petersen to approve warrant number 031207 in the amount of \$397,270.47. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Petersen to place the March 12, 2007, Finance and Personnel Committee minutes on file. Motion carried.

John Berchtold asked for individual commissioner support in promoting Camp Ford Lincoln. He stated that the park is rented the entire months of July and August but so far only one week is full in June. He encouraged the board members to spread the word about the rental of the camp, as the revenue stream is needed.

Discussion took place on the appointment of a new Chaplain for the Board of Commissioners. Moved by Commissioner Johansen, supported by Commissioner Petersen to accept the resignation of Pastor Ken Kraft and accept the appointment of Pastor Curt Mudget from Trinity Evangelical Free Church in Stanton as the Board of Commissioners Chaplain. Motion carried.

John Berchtold presented the board with an email from Dean Peterson, MDOT, regarding meeting with the board to answer questions regarding public transportation. Mr. Peterson is available to meet with the board on April 23, 2007. Board members are to have their questions regarding countywide public transportation to John Berchtold in sufficient time so those questions can be forwarded to Mr. Peterson.

Public comments were offered. Chuck Cross addressed the board regarding the Gratiot County Board of Commissioners voting to turn down the smoking regulation. He stated that all of the board members in Gratiot were opposed, not just one as stated by Mr. Kroneck. Mr. Cross stated that the Board must get by the concept that this is a smoking issue. This is an issue about individual rights. He has a problem with the fines and penalties associated with the smoking regulation. He referred to the businesses in Greenville that would be in violation of the regulation if someone was smoking on the sidewalk in front of their business. All of the sidewalks in Greenville fall within the 15 feet outlined in the regulation, therefore if someone is walking down the street those business would be in violation. He stated that as a business owner he does not feel that he should be responsible to police the county's ordinance or face penalties.

Moved by Commissioner Petersen, supported by Commissioner Johansen to adjourn at 2:25 p.m.
Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman