

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, March 24, 2008

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 Bob Goodenough from Nevins Lake 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, Steven L. Stewart, Mark Rambo, Bonnie Ashbaugh, Julie Klaczkiewicz, Paul Kluwe, Lon Leonard, Terry R. Bode, Susan Day, Tom Hazlewood, Lisa Lund, Bob Brown, Franz Mogdis, Scott Koerigsknecht, Bob Goodenough, Bob Clingenpeel, Jeanne Urbanski, Mike Urbanski, Jim Woudenberg, Ryan Jeltema and Chris Hyzer.

Moved by Commissioner McCrackin, supported by Commissioner Paepke to approve the March 10, 2008, regular meeting minutes as written. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to approve the agenda with the addition of #3 under New Business entitled *Eagle Scouts*. Motion carried.

Public comments were offered. Jeanne Urbanski, Pine Township, addressed the board regarding the Montcalm County Animal Shelter. She read from a prepared statement that was distributed to each of the board members. Her comments encompassed three basic ideas: more convenient Animal Shelter hours; utilizing petfinder.com; and a implementing a volunteer program.

At 1:05 p.m. Franz Mogdis was in attendance to give the board a transportation presentation. Members of the Montcalm Human Services Coalition were also in attendance. Mr. Mogdis presented the board with results of the 2006 Countywide Transportation survey, which he stated illustrates the need for countywide transportation. One of the questions on the survey was whether individuals would support a millage for countywide transportation. Of those surveyed, 35% said yes, and 32% stated they were undecided.

Mr. Mogdis explained that demand for public transportation is increasing dramatically, and will continue to do so based upon the future of the economy and Montcalm County's demographics. He presented the board with the proposed committee structure for the Montcalm Bus Campaign. This campaign is mirrored from the successful campaign in Benzie County. He also presented the board with the proposed bus campaign work plan from March, 2008 to August, 2009.

Mr. Mogdis explained that the Board of Commissioners will need to decide whether the County Board would oversee the countywide transportation department or if an independent transit authority board would be established. The Human Services Coalition is shooting for an August 2009 millage vote, but the committee is flexible as to the timing of the vote.

Chairman Carr asked Mr. Mogdis if he would like an answer from the board now as to whether they are interested in going to the public to ask for a millage, or if he would like to put more work into this project knowing that the board may not be interested. Mr. Mogdis stated that he would like to be able to come back to the board with specifics on exactly what this system will cost the county and how much millage they will have to ask for. He explained that there is much more data to be collected and that the presentation today was just to give the board a status update on where the committee is at. Mr. Mogdis was thanked for his presentation.

Moved by Commissioner Retzliff, supported by Commissioner Johansen to enter into a Public Hearing at 1:30 p.m. for the purpose of the Village of Edmore Annexation. Motion carried.

Paul Kluwe, Village of Edmore Manager; Lon Leonard, Village President; and Bonnie Ashbaugh, Village Council member, were in attendance. Mr. Kluwe explained the purpose of the annexation hearing. He presented the board members with a letter outlining the proposed annexation. He explained that Hitachi Magnetics Corp donated their 63 acre manufacturing site immediately west of the Edmore Village Limits to the village, along with a grant of \$2,400,000.00 to aid in the commercial redevelopment of the property. Therefore the Village currently owns the property that is to be annexed.

Moved by Commissioner Paepke, supported by Commissioner Johansen to close the public hearing at 1:46 p.m. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Petersen to approve and adopt **RESOLUTION 2008-06, A RESOLUTION ORDERING AND DETERMINING TO GRANT THE PETITION OF THE VILLAGE OF EDMORE TO AMEND ITS BOUNDARIES.**

WHEREAS, Act No. 3 of the Public Acts of 1895, as amended (the "Act"), authorizes the changing of village boundaries; and

WHEREAS, the Village of Edmore, in accordance with the Act, has adopted a resolution to alter its boundaries so as to include the real property legally described on the attached Exhibit A, which is incorporated by reference; and

WHEREAS, the Village of Edmore, further in accordance with the Act, has submitted to this Board a petition requesting the entry of an order altering the Village's boundaries as described above; and

WHEREAS, notice of a public hearing to consider the Village's petition was published in the Greenville Daily News for three (3) successive weeks immediately preceding the presentation of the petition and/or posted (by attaching the same in a secure manner) for three (3) successive weeks immediately preceding the presentation of the petition in three (3) of the most public places within the Village and in three (3) of the most public places of the territory directly affected; and

WHEREAS, a public hearing to consider the Village's petition was held by this Board, in accordance with the published notices, on March 24, 2008, at which all interested parties were given an opportunity to be heard regarding the proposed change in boundaries; and

WHEREAS, upon due consideration the Board has determined that it is appropriate and reasonable to grant the Village's petition.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The petition for annexation submitted by the Village of Edmore, dated February 15, 2008, is granted.
2. It is ordered and determined that the real property legally described on the attached Exhibit A shall be annexed into the Village's boundaries.
3. A certified copy of this order shall be transmitted to the Clerk of the Village of Edmore and to the Michigan Secretary of State (Office of the Great Seal).
4. All resolutions or parts of resolutions in conflict herewith are, to the extent of such conflict, rescinded.

Motion carried.

Kristen Millard provided the board with a PA 116 application for Sackett Ranch, Inc.. She informed the board that she has received approval from the Planning Commission, but the Conservation District did not have a quorum at their last meeting, therefore they did not formally approve it. Bruce Noll, Chairman of

the Conservation District, has indicated that he does not see a reason for the Board of Commissions to not approve the Sackett's application. Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve PA 116 application # 2008-1 for Sackett Ranch, Inc., Day Township, Montcalm County, MI. Motion carried.

The West Michigan Regional Planning Commission provided the board with notice of the Lighting the Way – A Regional Digital Mammography Women's Cancer and Wellness Resource Project that is being established by the Mecosta County Medical Center. Comments must be received by April 10, 2008. Moved by Commissioner Retzloff, supported by Commissioner Paepke to place the correspondence from the WMRPC on file. Motion carried.

Kristen Millard provided the board with a letter from George Bosanic, Greenville City Manager, regarding Montcalm County's interest in joining forces with the City of Greenville to contest Electrolux AB's appeal to the State Tax Commission regarding its 2006 and 2007 assessments. Montcalm County stands the risk of having to pay back up to \$121,266 if the Electrolux's appeal is successful. Mr. Bosanic estimates that contesting the appeal will cost between \$75,000 to \$100,000 and should the county wish to join forces contesting the appeal, the county portion would be 11% or up to \$11,000. Moved by Commissioner Petersen, supported by Commissioner Johansen to allow the County Controller to speak with George Bosanic regarding the board's interpretation of Mr. Bosanic's letter dated March 14, 2008, and that the Controller be authorized to spend up to \$11,000 to join in the contention of Electrolux's appeal if the City of Greenville decides to move forward. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Paepke to approve consent agenda items 4 through 6 and move stated action:

Animal Control	Animal Control Report – February 2008	Place on file
Clerk	Resolution 2008-05	Place on file
Controller	State Tax Commission	Place on file

Motion carried.

Moved by Commissioner McCrackin, supported by Commissioner Paepke to place the March 10, 2008 Health and Human Services Committee Minutes on file. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Walker that the Parks and Recreation Committee be allowed to seek design services bids for the fishing pier at Krampe Park. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to accept the offer on the Edmore Ambulance Base, with the contingencies, and allow the Chairman of the Board to sign the offer. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Walker to add the retention facility to the 2008 Economic Development and Physical Resources work plan. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to place the March 24, 2008 Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve the job description for the confidential administrative aide for the Sheriff's Department. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to allow the Sheriff to post the confidential administrative aide position. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Baker to pay the two weeks of vacation that would have been accrued to the individual that was laid off from the Building Department. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Retzliff to approve warrant number 032408 in the amount of \$420,676.12. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Petersen to place the March 24, 2008 Finance and Personnel Committee minutes on file. Motion carried.

Chris Hyzer informed the board that the new County Recreation Plan is completed and on file in his office should anyone want a copy.

Mr. Hyzer also informed the board that Don Lehman, MSU Extension Director, has accepted a regional position with MSU Extension, so locally they will be looking for a new director.

Mr. Hyzer informed the board that the 911 Authority Board met last week. The Public Service Commission has reduced the surcharge down to \$1.89. There is an appeal process that the Authority Board has voted to move forward with. The Authority Board is looking for a motion of support from the Board of Commissioners.

Moved by Commissioner Johansen, supported by Commissioner Paepke to support the 911 Authority Boards appeal of the recent 911 surcharge reduction. Moved by Commissioner Caris, supported by Commissioner Paepke to amend the motion to add that the Montcalm County Board of Commissioners will match the 911 Authority Boards legal fees, up to \$1,000 for the appeal. Amendment carried. Original motion carried as amended.

Commissioner Paepke addressed the board regarding individuals that have earned the rank of Eagle Scout and are members of a Montcalm County troop, however they physically live outside of Montcalm County. Commissioner Paepke would like to recognize these scout with all of the others.

Moved by Commissioner Walker, supported by Commissioner Petersen to allow Commissioner Paepke to honor individuals that have earned the rank of Eagle Scout and belong to a Montcalm County troop, but live outside of Montcalm County. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Johansen to enter into Executive Session at 2:25 p.m. for the purpose of pending litigation. Roll call vote: Ayes: Commissioners Johansen, Paepke, Baker, Carr, Caris, McCrackin, Walker, Petersen and Retzliff. Nays: None. Motion carried.

The board returned to open session 2:33 p.m.

Moved by Commissioner Petersen, supported by Commissioner Johansen to accept the settlement offer on the Phelps case. Motion carried.

Public comments were offered. Jim Woudenberg, R & R Research, addressed the board regarding animals that are used for medical research. He stated that many of the pets that go to research are used for veterinarian training programs. Trainees use these animals to learn to draw blood, give vaccinations, and practice spay and neutering them. These animals are then placed up for adoption.

Some animals are also being used for Multiple Sclerosis experimentation. He stated that it is very important for medical research to have animals that are not genetically engineered. He encouraged anyone with questions to contact him.

Jeanne Urbanski addressed the board again and clarified that there is a difference between Class A and Class B animal dealers. Class A dealers are using genetically engineered animals, while Class B dealers are selling animals that were family pets. She does not feel that the animals in our shelter should be sold for research.

Commissioner Baker addressed the board regarding the assault charge that was filed against him. He apologized for his bad judgment and stated that the case has been resolved.

Commissioner Petersen submitted his letter of resignation from the Board of Commissioners effective April 2, 2008. He thanked the board for the opportunity to serve with them. He has accepted a position with the City of Ironwood.

Moved by Commissioner Retzloff, supported by Commissioner Caris to adjourn at 2:38 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman