

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, August 28, 2006

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 the 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, Marcia Sawdy, Joanne Vukin, Dean Looyengoed, Shelly Strautz and John Berchtold.

Moved by Commissioner McCrackin, supported by Commissioner Paepke to approve the August 28, 2006, regular meeting minutes as written. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Paepke to approve the agenda with the following amendments: Move the 1:40 p.m. resolution presentation to 1:05 p.m.; and the additions of a 2:00 p.m. agenda item entitled *RWG update* and a 2:15 p.m. item entitled *Executive Session under Attorney/Client Privilege*. Motion carried.

Public comments were offered. Marcia Sawdy, County Treasurer, introduced her new Chief Deputy (in training), Joanne Vukin, to the board. Ms. Vukin is from Pierson and has been involved in the tax collection business for 16 years.

At 1:05 p.m. Dean Looyengoed was in attendance. Commissioner Paepke presented him with a Resolution acknowledging his accomplishment of achieving Eagle Scout. Mr. Looyengoed thanked the board for the recognition.

A request for an annual 3% cost of living increase to house Rescue 29 was received from Mark Rambo, Howard City Village Manager. Moved by Commissioner Retzliff, supported by Commissioner Johansen to refer the correspondence from the Village of Howard City to the Finance and Personnel Committee for their recommendation. Motion carried.

Moved by Commissioner Retzliff, supported by Commissioner Petersen to approve consent agenda items 3 through 17 and move stated action:

Ionia/Montcalm DHS	Board minutes, July 20, 2006	Place on file
Office of Highway Safety	Secondary Road Patrol Grant Application	Place on file
Montcalm BOC	Remonumentation Agreement	Place on file
Controller	Consumers Power – Power Outage	Place on file
Controller	Multi Year Plan Approval – COA	Place on file
Michigan Housing Authority	Homelessness Summit	Place on file
Controller	Change Order – Jail Project	Place on file
Controller	Purchase of Service Agreement (COA)	Place on file
Controller	HHS (COA) Funding	Place on file
Judge Skinner	AFSCME Contract 2006-2008 Family/Juvenile Division	Place on file
Judge Skinner	AFSCME Contract 2006-2008 Probate Employees	Place on file
Lori Wilson	Thank You Letter	Place on file
Animal Control	July 2006 Report	Place on file
Building Official	Status of RWG Building	Place on file
Controller	Paint Bid Terms	Place on file

Motion carried.

Moved by Commissioner Retzliff, supported by Commissioner Petersen to approve additional correspondence items 1 through 4 and move stated action:

Controller	MDOT Contract – COA Vans	Place on file
Finance & Personnel	Minutes, August 22, 2006	Place on file

Motion carried.

Moved by Commissioner Paepke, supported by Commissioner Walker to offer the Road Commission \$10,000 for a Warranty Deed to purchase the Johnson Road property, Montcalm Township Section 19 (59-014-019), parcels 008-00 and 011-30, for the sole purpose of future development of a county park, with the Road Commission retaining the flowing first right of refusal:

If Grantees no longer have a use for the property for the public benefit of the residents of Montcalm County, Grantees shall so notify Grantors in writing. Grantors shall then have sixty (60) days from the receipt of that notice to exercise an exclusive option to repurchase the property for the sum of \$10,000.

If it is further recommended that the \$10,000 purchase price come from the parks capitol improvement fund and any refund(s) be returned to the parks capitol improvement fund.

Motion carried.

Moved by Commissioner Paepke, supported by Commissioner Walker to place the August 16, 2006 Parks and Recreation Commission minutes on file. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to approve the Michigan Spatial Reference Network project through the Michigan Department of Transportation to establish a reference station at the Public Safety/Court Complex. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to approve the roof bid options 1, 2, 3 & 5 from Arrow Roofing & Supply Co., in the amount of \$70,308.00. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Petersen to place the August 28, 2006 Economic Development and Physical Resources Committee minutes on file. Motion carried.

At 1:30 p.m. Vera Beech, Relief after Violent Encounter, was in attendance. She provided the board with information regarding the Ionia/Montcalm Continuum of Care-Homeless Resolution Task Force and its efforts to develop a 10 year plan to end homelessness. This is a community based effort that is supported by the Michigan State Housing Development Authority and the Corporation of Supportive Housing. Partners in this project include the Department of Human Services, Department of Community Mental Health, RAVE-1/M, Inc, the Montcalm Human Services Planning Committee and the ICCFCC in Ionia. Ms. Beech informed the board that they will have the opportunity to attend a Summit and offer their support to end homelessness in Montcalm County. MSHDA and HUD will only fund communities that have a 10 year plan in place.

At 1:31 p.m. Andrea Krause was in attendance to discuss the bad check program called Bounce Back that she first presented to the board on August 14<sup>th</sup>. She informed the board that there are individuals in the audience that have public comments on this topic.

Commissioner Retzloff shared information he obtained regarding ACCS, which is a similar program to Bounce Back. In his research he found a case in which companies have had to pay damages far in excess of what the original damages for the bad check were. He has concerns about entering into an agreement with a company of this sort.

Moved by Commissioner Johansen, supported by Commissioner Petersen to allow public comment from the audience regarding the Bounce Back proposal. Motion carried.

Daire Rendon, President of Check Alert Systems, Inc. introduced herself to the board. Her company has been in the business of check acceptance since 1987. Ms. Rendon explained that Dragon Payment Services, Inc., is a spin off company of Check Alert Systems and the basic function of DPS is check verification and electronic banking processes. All collection of returned checks and accounts receivable are handled by the parent company, Check Alert Systems. She gave the board a brief presentation on the services they provide and also the requirements companies like hers must follow. She explained that her company does not require the writers of bad checks attend any classes or pay any fees other than those allowed by law. She also explained that local businesses like Leppink's and Jorgensen's are using their check verification services.

When asked what the benefit of having the county enrolled in this program was, Ms. Rendon stated that the benefit is that the county would gain access to a national database for all bad checks which would reduce the number of bad checks the county would take in. Currently Missaukee County is using their county program which is administered by their Sheriff. Recovery rates on bad checks for those subscribing with her service are 85%. She stated that if the county goes on board with a company like Bounce Back the bad check writer is not prosecutable because when the retailers sign up for the program they are waiving their right to prosecute the writers of bad checks. That is not the case with her company.

Discussion took place regarding the American Corrective Counseling Services (ACCS) and the program they used to have available to prosecutors. Ms. Rendon explained to the board that the ACCS lost a law suit due to their collection practices and were ultimately shut down.

Andrea Krause stated that these bad check programs are not designed for one time bad check writers that make an honest mistake. These programs are aimed intentional bad check writers. From her review of the different programs she feels that law enforcement would have more administrative duties with DPS than with Bounce Back.

Ms. Krause stated that she was just trying to bring something positive to the county by introducing this program to the board.

Moved by Commissioner Walker, supported by Commissioner Johansen to authorize the Prosecuting Attorney to enter into an agreement with Bounce Back for the enforcement of bad checks. Roll call vote: Ayes: None. Nays: Commissioners Petersen, Retzloff, Johansen, Paepke, Baker, Carr, Caris, McCrackin and Walker. Motion failed.

Andy Garlock, RWG, was in attendance to inform the board that all of the issues with the Village of Sheridan have been taken care of. Progress has been made toward the cleanout of the old Carnation building and demolition is approximately 2 years away. Scott Minard did take a tour of the building with him this morning and Mr. Garlock asked for direction as to how to proceed and whether he needed to personally report to the board. Chairman Carr stated that he feels the board's reports should come from the Building Official, Scott Minard.

Moved by Commissioner Retzloff, supported by Commissioner Petersen to enter into Executive Session at 2:20 p.m. for the purpose of Attorney/Client Privilege. Motion carried.

The board returned to open session at 2:48 p.m.

Moved by Commissioner Caris, supported by Commissioner Baker to allow the Sheriff's Department to apply for a traffic enforcement grant through OHSP in the amount of \$12,500. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Retzloff to approve the job description of the Addressing Code Enforcement Officer. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve warrant number 082806 in the amount of \$379,685.03. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Walker to place the August 28, 2006, Finance and Personnel Committee minutes on file. Motion carried.

John Berchtold spoke to the board regarding the change orders for the jail expansion. He explained that the Fire Marshall did not agree with the architect's drawings and that resulted in the first change order. He will inquire as to whether the architect can provide some money back for that change order. Further, Mr. Berchtold stated that the most recent change order is clearly the fault of the architect and engineer because the engineer admitted he did not provide information to the architect.

Chairman Carr stated his strong displeasure over the change orders. He feels the architect should know the fire code and errors such as these are not acceptable. The county should not be paying for change orders when errors are clearly the architects. The county hired a professional architect and should not be dealing with these types of expenses when they are not at our request. He would like to see something a little stronger sent to the architect than just a letter from the Controller.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to direct the Controller to send a factual letter to the architect that specifically states that the County will not be paying for non-discretionary change orders and ask him how he intends to make the County whole. Motion carried.

Public comments were offered. Lori Wilson thanked the board for their letter recognizing of her presidency of the Michigan Association of Register of Deeds and also commending her for being elected 2006 Register of the Year.

Moved by Commissioner Retzloff, supported by Commissioner Walker to adjourn at 3:16 p.m. Motion carried.

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Kristen Millard, County Clerk

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Patrick Q. Carr, Chairman