

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, October 25, 2010

1:30 PM

The regular meeting was called to order by Chairman Carr at 1:30 p.m.

The meeting opened with the Pledge of Allegiance. Pastor Kurt Hoffman from Trinity Church in Stanton offered invocation.

Members present at roll call: Commissioners Blanding, Lindeman, Retzloff, Johansen, Paepke, Baker, Carr, Caris and Crouse. Members absent: None.

Others present: Chris Hyzer, Kristen Millard, Mark Sabin, Gisela Peek, Eric Halvorsen, Chuck Zilch, Rick Outman, Betty Kellenberger, Sandy Carlton, Mike and Jeanne Urbasnski and Elisabeth Waldon.

Moved by Commissioner Paepke supported by Commissioner Blanding to approve September 27, 2010 minutes as written. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Paepke to approve the agenda with the addition of *#5 Solid Waste Committee minutes* and *#6 Economic Development Committee minutes* under Committee Reports and under New Business *#3 Executive Session/Real Estate Purchase* and *#4 Executive Session/Collective Bargaining*. Motion carried.

Public comments were offered. Rick Outman, candidate for State Representative, 70<sup>th</sup> District, introduced himself to the Board and the audience.

Gisela Peek addressed the board regarding Mr. Woudenburg getting a dog from the Animal Shelter last week.

Chris Hyzer, Controller, provided the board with a contract amendment for the AAAMW, Older American's Act Nutrition Funding. Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve the Contract Amendment, No. 61.76-2 between AAAMW and Montcalm County and obtain the appropriate signatures. Motion carried.

Chris Hyzer, Controller, provided the board with a contract amendment for AAAMW, Older American's Act Nutrition Funding for FY 2011. Moved by Commissioner Retzloff, supported by Commissioner Paepke to approve the Contract Amendment, No. 61.76-3 between AAAMW and Montcalm County and obtain the appropriate signatures. Motion carried.

Chris Hyzer, Controller, provided the board and Intergovernmental Agreement between Kalamazoo County and Montcalm County for out-of county lodgers in the jail. Moved by Commissioner Blanding, supported by Commissioner Retzloff to approve the Intergovernmental Agreement with Kalamazoo County for out-of-county lodgers in the amount of \$26.00 per day. Motion carried.

Chris Hyzer, Controller, provided the board with a Board of Directors Election Ballot from Michigan Municipal League. Moved by Commissioner Retzloff, supported by Commissioner Johansen to place the ballot from MML on file. Motion carried.

Chris Hyzer, Controller, provided the board with the MDOT Project Authorization for the Commission on Aging Volunteer Driver program. Moved by Commissioner Retzloff, supported by Commissioner

Blanding to approve the MDOT Commission on Aging Volunteer Driver Project # 2007-0263/Z6 and authorize Chairman Carr to sign it. Motion carried.

Chris Hyzer, Controller, provided the board with the AAAWM, Services for FY 2010-2011 under the Older Americans Act Contract. Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve the AAAWM, Services for FY 2010-2011 under the Older Americans Act Contract and authorize Chairman Carr to sign it. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve consent agenda items 7 through 15 and move stated action:

Controller	Application for Brownfield Hazardous Substances And Petroleum Assessment Grant	Place on file
Scott Minard	Dodge Report, September 2010	Place on file
Controller	AAAWM, Contract Amendment, No. 51-76-1	Place on file
Controller	Out of County Lodgers, Intergovernmental Agreement	Place on file
Controller	MML, Board of Directors Election Ballot	Place on file
Controller	MDOT Project Authorization 2007-0263/Z6	Place on file
Controller	AAAWM, Services for FY 2010-2011 Under Older Americans Act Contract	Place on file

Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to refer the letter from the President of the Flat River Conservation Club to the Health and Human Services Committee. Motion carried.

At 1:49 p.m. Eric Halvorsen and Chuck Zilch were in attendance to present the board with the Annual Report of the Soldiers & Sailors Relief Commission. Mr. Halvorsen was thanked for putting together such a nice report.

Moved by Commissioner Paepke, supported by Commissioner Blanding to file an appeal to the Winfield Township ZBA's decision in Circuit Court since the alternate location is not permitted under the DNRE Trust Fund funding. Motion carried with Commissioners Lindeman and Carr voting no.

Moved by Commissioner Paepke, supported by Commissioner Blanding to place the October 5, 2010, Parks & Recreation Commission minutes on file. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to approve the 2008-2012 County Recreation Plan as amended, **RESOLUTION 2010-22:**

WHEREAS, the Montcalm County Board of Commissioners has reviewed the Recreation Plan; and

WHEREAS, after due notice, a meeting was held Tuesday, September 7, 2010 at the County Courthouse, a handicapped accessible building, for the purpose of hearing comments related to the County's Recreation Plan.

NOW THEREFORE BE IT RESOLVED, the Montcalm County Board of Commissioners approved the Montcalm County Recreation Plan as Amended.

Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Blanding to place the October 12, 2010, Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke allow EMS to purchase the video surveillance equipment to be installed by Casair in the amount of \$5,115. Motion carried with Commissioner Lindeman voting no.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve the Interdepartmental Agreement between the Friend of the Court, the 8<sup>th</sup> Circuit Court and the Sheriff's Office and allow for the Chairman's signature. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve the OHSP Safe Communities Grant application and allow the Chairman to submit the application electronically. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve warrant number 092710 in the amount of \$411,300.55 and warrant number 101210 in the amount of \$250,773.37. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Baker to place the October 12, 2010, Finance and Personnel Committee minutes on file. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve **RESOLUTION 2010-23, RESOLUTION AUTHORIZING THE SALE OF SPIRITS AND MIXED SPIRIT DRINK FOR CONSUMPTION OFF THE PREMISES ON SUNDAY:**

WHEREAS, pursuant to the provisions of the Michigan Liquor Control Code of 1998, Act No. 58 of the Michigan Public Acts of 1998, as amended (the "Act"), the County of Montcalm (the "County") is authorized to permit the sale of spirits and mixed spirit drink for consumption off the premises on Sunday after twelve noon, EST or EDT, whichever is legally in effect at the time, in a retail establishment licensed under the Act; and

WHEREAS, it has been determined that it is in the best interest of the County to allow the sale of spirits and mixed spirit drink on Sunday after twelve noon, EST or EDT, whichever is legally in effect at the time, in retail establishments licensed under the Act; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Montcalm, Michigan:

1. That pursuant to the Act, the sale of spirits and mixed spirit drinks for consumption off the premises on Sunday after twelve noon, EST or EDT, whichever is legally in effect at the time, is hereby approved by a majority of the Board of Commissioners for the County of Montcalm, State of Michigan. This Resolution shall be effective immediately.

2. The Chairman of the Board of Commissioners and the County Clerk is each authorized to file this Resolution and any other documentation necessary to effectuate this Resolution with the Michigan Liquor Control Commission on behalf of the County.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be, and the same hereby are, rescinded.

Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Blanding to place the October 12, 2010, Law Enforcement & Courts Committee minutes on file. Motion carried.

Moved by Commissioner Paepke, supported by Commissioner Blanding to approve the extension of the current Recycling Service Agreement with Recycle World, LLC, for one year (November 1, 2010 to October 31, 2011). Moved by Commissioner Lindeman, supported by Commissioner Johansen to have the Controller draft a letter to Recycle World indicating to them that the Board has received complaints regarding Recycle World's customer service and informing Recycle World that the Board will be monitoring their performance. Amendment carried with Commissioner Retzloff voting no. Original motion carried as amended with Commissioner Retzloff voting no.

Moved by Commissioner Paepke, supported by Commissioner Lindeman to place the September 16, 2010, Solid Waste Management Planning committee minutes. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Paepke to enter into Executive Session at 2:35 pm to discuss the purchase of property under Section 8 (D) under the Open Meetings Action. Motion carried.

The Board returned to open session at 3:03p.m.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to place the October 25, 2010, Economic Development & Physical Resources Committee minute on file. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Caris to enter into Executive Session at 3:05 p.m. for the purpose of collective bargaining. Motion carried.

The board returned to open session at 3:36 p.m.

Public comments were offered. Sandy Carlton addressed the board and thanked Commissioner Crouse for his work on the board.

Jeanne Urbanski addressed the board regarding the amount of food that dogs are receiving at the Shelter. She also addressed the need to have all dogs at the Shelter vaccinated.

Mike Urbanski addressed the board regarding the need to have all dogs in the shelter vaccinated.

Commissioner Johansen asked Chris Hyzer to thank Jeni Williams for the effort that she made to have the videos on the website.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to adjourn at 3:43 p.m. Motion carried.

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Kristen Millard, County Clerk

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Patrick Q. Carr, Chairman