

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, December 13, 2010

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 Mark Edwards from Trinity Evangelical Free Church in Stanton offered invocation.

Members present at roll call: Commissioners Blanding, Lindeman, Retzlöff, Johansen, Paepke, Carr, Baker and Crouse. Members absent: Commissioner Caris.

Others present: Chris Hyzer, Kristen Millard, Marcia Sawdy, Don Cooper, Betty Kellenberger, Dave Feldpausch, Lloyd Walker, Bob Clingenpeel and Elisabeth Waldon.

Moved by Commissioner Paepke, supported by Commissioner Lindeman to approve the November 29, 2010, regular meeting minutes as written. Motion carried.

Moved by Commissioner Lindeman, supported by Commissioner Johansen to approve the agenda as presented. Motion carried.

Public comments were offered and none were given.

Chris Hyzer provided the board with notification from the Liquor Control Commission regarding the sale of sale of spirits, mixed spirit drink and beer and wine between the hours of 7:00 a.m. on Sunday and 2:00 a.m. on Monday. Any governmental unit choosing to prohibit these Sunday sales must submit their resolution or ordinance to the Liquor Control Commission by 5:00 p.m. on December 15, 2010. Moved by Commissioner Retzlöff, supported by Commissioner Johansen to place the correspondence from the Liquor Control Commission on file. Motion carried.

Chris Hyzer provided the board with the Committee appointments that will be expiring on 12/31/2010 and in early 2011. Moved by Commissioner Lindeman, supported by Commissioner Johansen to add Dr. Markey from Sparrow Forensic Pathology to the Committee Appointment list as the medical examiner effective January 1, 2011, for a four year term ending December 31, 2014, and the Board Chairman to sign the contract. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Paepke to approve the committee appointments as presented by the County Controller as follows:

Brownfield Authority

Brian Blomstrom 12/31/11
Doug Hinken 12/31/11

Building Board of Appeals

Kevin Griffith 2/12/13
Richard Carter 2/12/13

CIS Oversight Committee

Mark Rambo 12/31/12
Lisa Lund 12/31/12
Franz Mogdis 12/31/12
Cindy Hanson 12/31/12

COA Executive Board

Ralph Hauenstein 12/31/13
Norb VanderSteen 12/31/13
Fred Brown 12/31/13

Housing Commission

Richard Stevens 2/15/14
Paul Rehfus 2/15/14

Library Board

VACANT 12/31/15

Medical Examiner

Dr. Markey 12/31/14

Montcalm Center for Behavioral Health

Jan Wyckoff 3/31/14
Ralph Hauenstein 3/31/14
Aaron Sorrels 3/31/14
VACANT 3/31/14

Parks & Recreations Commission

S. Michael Scott 1/1/14
Robert Bramen 1/1/14

Planning Commission

S. Michael Scott 12/31/13
Don Smucker 12/31/13
Pete Haines 12/31/13

Solid Waste Management Planning Committee

Albert Hackbardt 12/31/12
Roger Rockburn 12/31/12

Substance Abuse Advisory Committee

Michelle Seigo 12/31/13
Mary Ellen Wiles 12/31/13

Transportation Authority

George Hubbard 12/31/13
Martin Combs 12/31/13

West Michigan Regional Medical Control Authority

Dave Feldpausch 12/31/11

West Michigan Regional Planning Commission

Leslie Wood 12/31/11

West Michigan Regional Planning Commission CEDS

VACANT 12/31/11

Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to approve consent agenda items 3 through 9 and move stated action:

Scott Minard	Dodge Report, November 2010	Place on file
Controller	USDA Loan Resolution	Place on file
Clerk	Resolution 2010-24, Amending Resolution 2010-20	Place on file
	Authorizing Issuance of Sewage Disposal Bonds, Series 2010	
Clerk	Resolution 2010-26, Extension of Renaissance Zone Time	Place on file
Controller	Stephen Book, Resignation from Parks & Recreation Comm	Place on file
Controller	Notice of Insurance Change, POAM	Place on file
Controller	Notice of Insurance Change, COAM	Place on file

Motion carried.

At 1:45 p.m. Don Cooper, Drain Commissioner, was in attendance to present the Board with the Rural Development Grant Agreement for the Sidney Township Sewer. The signatures of Chairman Carr and Kristen Millard, County Clerk, are required for the closing of the loan.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to approve the Rural Development Grant Agreement for the Sidney Township Sewer and allow for the appropriate signatures. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to adopt **RESOLUTION 2010-27, MICHIGAN REMONUMENTATION PROGRAM:**

WHEREAS Act 345 of 1990 established the statewide Michigan Remonumentation Program, to be administered by the counties, but funded by annual grants from the State of Michigan, and

WHEREAS Act 346 of 1990 established the funding mechanism for those grants, and

WHEREAS the Headlee Amendment to the Constitution of the State of Michigan prohibits state government and its agencies from imposing new mandated programs on counties and municipalities unless those mandates are fully funded, and

WHEREAS the Headlee Amendment also prohibits state agencies from reducing the state financed proportion of necessary costs for existing activities or services mandated by the state, and

WHEREAS since 1993, the State of Michigan has full funded the necessary costs for the Remonumentation Program for many counties, and shared costs with other counties based on voluntary local contributions, and

WHEREAS many counties have developed a long and productive partnership with the state based on those voluntary contributions and the associated Category III grant funds, significantly accelerating program completion and

WHEREAS the Office of Land Survey and Remonumentation within the Department of Energy, Labor & Economic Growth has issued Information Memorandum No. 16, dated November 18, 2010 which purports to drastically change the funding formula, drastically reduce the reimbursable cost items, and drastically limit each county's ability to properly fulfill the basic goals of the Remonumentation Program, and

WHEREAS many of the provision of Memorandum No. 16 are in direct violation of the Headlee Amendment, and

WHEREAS there are far too many onerous provisions within Memorandum No. 16 to fully itemize within a single resolution, now therefore

NOW, THEREFORE BE IT RESOLVED that the Montcalm County Board of Commissioners demands that Memorandum No. 16 be immediately withdrawn in its entirety so that the grant process for 2011 may proceed without unconstitutional restrictions, and that any future program revisions be developed in cooperation and collaboration with the counties.

BE IT FURTHER RESOLOVED that copies of this resolution be sent to Governor Jennifer Granholm, Lieutenant Governor John Cherry, Governor-elect Rick Snyder, Lieutenant Governor-elect Brian Calley, Department of Energy, Labor & Economic Growth Director Andy Levin, State Representative Mike Huckleberry, Senator Alan Cropsey, State Representative-elect Rick Outman, Senator-elect Judy Emmons, the Michigan Association of Counties and the other 82 counties.

Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to place the December 13, 2010, Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Paepke to allow the Emergency Services Department to post and fill the vacant supervisor position and to reclassify one of the current supervisors to the position of Deputy Director. Moved by Commissioner Lindeman, supported by Commissioner Johansen to postpone this appointment until the January Finance and Personnel Committee Meeting so that Dave Feldpausch and the County Controller can work out the details and job description for this position. Motion to postpone failed. Original motion carried with Commissioner Lindeman voting no.

Moved by Commissioner Baker, supported by Commissioner Paepke to approve the Medical First Responder vehicle specifications as presented and allow the Emergency Services Department to submit the specifications to vendors for bids. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Paepke to accept the agreement between the Montcalm Center for Behavioral Health and Montcalm County Sheriff's Office as submitted and authorize for the proper signatures. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Paepke that the Controller contract with Michigan Municipal Risk Management Authority for the property and liability insurance for 2011. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Paepke that the county pay the proposed contractual pay raises beginning January 1, 2011, as set, and a 2% raise for the non union employees. Motion carried with Commissioner Blanding voting no.

Moved by Commissioner Baker, supported by Commissioner Paepke to approve warrant number 112910 in the amount of \$457,858.68 and warrant number 121310 in the amount of \$204,833.01. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Paepke to place the December 13, 2010, Finance and Personnel Committee minutes on file. Motion carried.

Chris Hyzer informed the board that Don Lehman informed him that MSU Extension is looking to change the 4-H program structure. There will not be a financial impact to the county, just a change in structure. A Memorandum of Agreement was provided to Mr. Hyzer on Friday.

Moved by Commissioner Johansen, supported by Commissioner Paepke to approve the Memorandum of Agreement for the 4-H Program between MSU Extension and Montcalm County and allow for the proper signatures. Motion carried.

Mr. Hyzer informed the board that the Employee Recognition Luncheon will be held January 27, 2011, at noon. The location is yet to be determined.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to enter into Executive Session at 2:14 p.m. for the purpose of Collective Bargaining, FOP. Roll call vote: Ayes: Commissioners Blanding, Lindeman, Retzloff, Johansen, Paepke, Baker, Carr and Crouse. Motion carried.

The Board returned to open session at 2:30 p.m.

Public comments were offered. Commissioner Johansen asked that the Controller draft letters for Bob Schuleit for his service on the CEDS Committee and Sue Eller for her service on the COA Executive Board.

Chairman Carr thanked Commissioners Crouse and Blanding for their service on the board.

Moved by Commissioner Retzloff, supported by Commissioner Paepke to adjourn at 2:39 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman