

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, December 21, 2009

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 Blanding, Lindeman, Retzloff, Johansen, Paepke, Carr, Caris and Crouse. Members absent: Commissioner Baker.

Others present: Chris Hyzer, Kristen Millard, Franz Mogdis, Jim Woudenburg, Keith Grannis, Terri Grannis, Tina Porzondek, Roger Stedman, Heather Hemmingsen, Robert L. Hemmingsen, Dan Fisk, Sherry Fisk, Andrea Tabor, Shelly VanDrunen-Yaw, Vera Bogart, Tammy Deacons, Nile & Shirley Pool, Vickie Doyer, Dallas Bell, Rob Sprague, Ed Bodwin, William Belyou, Lou Thomas, Mary Hendricksen, Cindy Barnum, Glenn Ritter, Lisa Lund, Dan Petersen, Brenda Greenhoe, Susan Dunden, Larry Moss, Don Cooper, Sandra Raines and Ryan Jeltema.

Moved by Commissioner Paepke, supported by Commissioner Lindeman to approve the December 7, 2009, regular meeting minutes as written. Motion carried.

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

Public comments were offered. Lisa Lund addressed the board in support of the establishment of the Public Transportation Authority. She presented the board with 18 additional signatures in support of public transportation to be placed on file.

Kristen Millard provided the board with a PA 116, Farmland Agreement, filed by Brent and Nancy Wilson, Crystal Township. The application has been sent to the Montcalm County Planning Commission, the Montcalm Conservation District and Crystal Township. However, none of the agencies will be holding meetings prior to the deadline to approve or deny the application. Therefore, the Board of Commissioners must act on the approval of the application. Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve the PA 116 application for Brent and Nancy Wilson, 2009-11, Crystal Township. Motion carried.

Chris Hyzer presented the board with the Homeland Security Grant Program Intergovernmental Agreement between West Michigan Shoreline Regional Development Commission and Montcalm County. Moved by Commissioner Retzloff, supported by Commissioner Lindeman to approve the Homeland Security Grant Program Intergovernmental Agreement between West Michigan Shoreline Regional Development Commission and Montcalm County and allow the County Controller/Administrator to sign. Motion carried.

Chris Hyzer provided the board with the 2010 Blue Cross Blue Shield rates. Moved by Commissioner Retzloff, supported by Commissioner Paepke to approve the 2010 Blue Cross Blue Shield rates. Motion carried.

Chris Hyzer provided the board with the Committee appointments that will be expiring on 12/31/2009. Moved by Commissioner Retzloff, supported by Commissioner Lindeman to re-appoint the Commissioners to the respective committees that are expiring 12/31/2009. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve consent agenda items 5 through 9 and move stated action:

Controller	Resolution 2009-21, Resolution to Designate a Recovery Zone and Allocate Volume Cap	Place on file
Controller	POAM Union Contract, 1/1/2010 – 12/31/2012	Place on file
Controller	COAM Union Contract, 1/1/2010 – 12/31/2012	Place on file
Building Official	Dodge Report, November 2009	Place on file
Controller	Animal Control Advisory Committee, December 2, 2009	Place on file

Motion carried.

At 1:15 p.m. Don Cooper, Drain Commissioner, and Sandy Raines, Deputy Drain Commissioner, were in attendance to discuss the timeline of the drain proceedings for the Perry Drain. Mr. Cooper provided the board with a written timeline starting with the summer of 2007. (A copy of the timeline is on file in the County Clerk’s Office.) Mr. Cooper went through the timeline with the board.

Chairman Carr stated, for the benefit of those in the audience, that the Board of Commissioners do not have any say as to whether any drain project move forward or not, nor do they have any say over the way the Drain Commissioner runs his office. The Drain Commissioner is an elected official and does not work for the Board of Commissioners.

Mr. Cooper stated that he has an open door policy in his office and is willing to help anyone that that requests his help in understanding drain issues. He also reiterated to the Board that the Drain Commissioner does not make the decision to move forward with projects, nor did he initiate this project. The three member Board of Determination makes the final decision on whether action needs to be taken after a petition as been filed. In accordance with the Drain Code the Board of Commissioners do have the right to appeal, but they have no more rights than any other citizen in regards to county drains.

Commissioner Lindeman read a statement Commissioner Baker asked him to read in his absence: “My goal in asking the Drain Commissioner to attend this meeting was to ultimately reach a point where constituents will NEVER be surprised about the scope or cost or a project without first being fully informed by the Drain Commissioner.”

Commissioner Lindeman stated that the only comment made to him was that the property owners were surprised by the scope of the project. It turned out to be much more than what they were originally lead to believe.

Mr. Cooper responded by saying that he believes that the residents possibly do not remember everything that occurred within project since the process started in the summer of 2007, nor did they attend all of the information meetings that were held.

Mr. Cooper was thanked for his presentation and left the meeting at 1:48 p.m.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to place the December 21, 2009, Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to sell the old Rescue 29 unit to Quality Car and Truck for \$1,000. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve warrant number 122109 in the amount of \$333,206.39. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to place the December 21, 2009, Finance and Personnel Committee minutes on file. Motion carried.

Chris Hyzer informed the board that the Organization Board meeting will be held on January 4, 2010, at 9:00 a.m. He provided the board with a copy of the Board of Commissioner By-laws that need to be approved or amended at the Organization Board meeting on January 4th.

Chris Hyzer asked the board when they would like to hold the Service Awards for employees in January. Mr. Hyzer will schedule the awards luncheon for January 26, 2010.

Chris also informed the board that the mileage rate will go down to \$.50 per mile effective January 1, 2010.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to remove the motion regarding the County Transportation Authority from the table. Motion carried.

Motion on the table: Moved by Commissioner Johansen, supported by Commissioner Lindeman to adopt the Articles of Incorporation to form the Montcalm County Transportation Authority. Roll call vote: Ayes: Commissioners Caris, Crouse, Carr, Retzloff, Blanding and Johansen. Nays: Commissioners Lindeman and Paepke. Motion carried.

Public comments were offered. Keith Grannis, Reynolds Township Supervisor, addressed the board regarding the sale of Rescue 29 and the purchase of the new unit. He is very happy to see the old unit go and very appreciative for the new rescue unit.

Mr. Grannis also addressed the board regarding the Perry Drain project. He stated that legally the Drain Commissioner did everything he should have. However, ethically and morally he did not. He stated that the citizens did not understand the scope of the project, and the meetings that were held by the Board of Determination were scheduled at inopportune times for residents to attend. Mr. Grannis stated that Don Cooper is the expert and therefore has a responsibility to make sure that those affected understand the impact this project will have on them.

Tina Porzondek, Reynolds Township Clerk, addressed the board and informed them that the Board of Commissioners can do something by supporting changes to the Drain Code. She stated that on the state level they only hear that everything is fine from Don Cooper. She asked the board members to inform their representatives in Lansing that changes need to be made to the Public Act.

Franz Mogdis thanked the board for supporting the formation of the Transportation Authority.

Larry Moss, Greenville, thanked the board for setting up the Transportation Authority. He stated that while he is a member of the Greenville City Council, he has never presented himself as representative for the City of Greenville when discussing the Transportation Authority. He stated that the transportation committee has never stated that they would like to take over the Greenville Transit system. Instead, they are hoping to come up with a solution for the two systems to work together.

Jim Woudenburg, R & R Research, thanked the board for the animals that were donated to R & R Research over the years to help in medical research.

Commissioner Lindeman addressed the board regarding his voting no on the Transportation Authority. He explained that he feels the transportation issue should be under the Board of Commissioners not an independent authority.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to adjourn at 2:12 p.m.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman