

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, June 28, 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 Dennis Ross from Nevins Lake 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, S. Michael Scott, Charlie Braman, Gisela Peek, Bill Barnwell, Michael Boerman, and Elisabeth Waldon.

Moved by Commissioner Paepke supported by Commissioner Lindeman to approve the May 24, 2010, regular meeting minutes as written. Motion carried.

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

Public comments were offered. Charlie Braman, Crystal Township Supervisor, addressed the board regarding the Department of Public Works taking over the Crystal Township Sewer. He believes it is a shame to have the DPW to take over the Crystal Township Sewer when the sewer has run well over the years. He believes that the county will not be able to match the service that Crystal Township was able to provide their constituents.

At 1:36 p.m. Alan J. Beerthuis was in attendance to be presented with Resolution 2010-02, acknowledging and commending his achievement of Eagle Scout. Commissioner Lindeman presented the Resolution.

At 1:40 p.m. Linda Huyck, Montcalm MSU Extension, were in attendance to inform the board of restructuring within MSU Extension and to introduce Don Lehman as the new MSU Extension District 8 Coordinator. Regional and County Extension Director positions were eliminated during the restructuring of MSU Extension. Mr. Lehman distributed a handout which explains the redesign process and also contains a list of all of the MSU Extension Districts and Coordinators.

Chris Hyzer, County Controller/Administrator, presented the board with the Friend of the Court Contract between the State of Michigan, Department of Human Services and the County of Montcalm. Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve Contract No. CSFOC 10-59001, Agreement between the State of Michigan, Department of Human Services and the County of Montcalm and authorize Chairman Carr to sign it. Motion carried.

Chris Hyzer, County Controller/Administrator, presented the board with requests from the City of Greenville and Carson City for Recovery Zone Bond allocations. The City of Greenville is asking for \$500,000 to help fund their Tunnel Project for the Fred Meijer Flat River Trail and the City of Carson City is asking for \$2,100,000 to help fund water system improvements within the City. The total amount the County has remaining to use is \$2,190,000. Moved by Commissioner Blanding, supported by Commissioner Johansen to allocate \$500,000 of the Recover Zone Bonds to the City of Greenville and \$1,690,000 to Carson City. Motion carried.

Communication was received from the West Michigan Regional Planning Commission regarding a Telemedicine project that Spectrum Health has applied for. Comments are due to WMRPC no later than July 5, 2010. Moved by Commissioner Retzlloff, supported by Commissioner Paepke to place the correspondence from the WMRPC on file. Motion carried.

Moved by Commissioner Retzlloff, supported by Commissioner Blanding to approve consent agenda items 4 through 15 and move stated action:

Controller	2010 Tax Rate Request	Place on file
Controller	AAAWM, Nutrition Services Contract	Place on file
Controller	MSPCMD, Emergency Management Coordinator	Place on file
Controller	Dept of Human Services, Prosecuting Attorney Contract	Place on file
Scott Minard	Dodge Report, May	Place on file
Controller	WMRDC, Transfer of Ownership	Place on file
	<ul style="list-style-type: none"> o Net Motion Pilot/License o Monitors, Mounts, USB Cables, 42" LCD TV o CC-Brochures Holders, Marketing Materials 	
Controller	Resolution 2010-17	Place on file
Controller	2010 Remonumentation Grant	Place on file
Controller	State of Michigan Equalized Valuation	Place on file
Controller	State of Michigan Department of Treasury, Liquor & Cigarette Tax	Place on file
Carl Paepke	Parks & Recreation Commission Minutes, 6/1/2010	Place on file
Controller	Motor Vehicle Accident Committee Minutes, 6/14/10	Place on file

Motion carried.

At 1:58 p.m. Don Cooper, Drain Commissioner, was in attendance to discuss the Department of Public Works. Mr. Cooper presented the board with a memorandum from Dickinson Wright, PLLC, which explained how the DPW was set up.

Chairman Carr asked for an explanation as to what type of building Mr. Cooper is planning to build and stated that he was surprised by a professional rendering of a Public Works building to house all of the sewer districts, and the Drain Commissioners Office. Mr. Cooper stated that the drawing was provided for no fee by Spicer Engineering and explained that he must build a pole building for the Derby/Nevins Sewer to store at least \$50,000 worth of pipe and tile. The cost of the building is already in the budget. The second building drawing was a rendering that Mr. Cooper had drawn because he is out of room in his current office and he will have to hire two more people to run the Derby/Nevins Sewer. Since he already has to build a building for Derby/Nevins, and he has terminated the contract with Crystal Township for the Crystal/Duck Lake sewer, he is exploring a building big enough to consolidate all sewers into one building. Mr. Cooper stated that the Board of Commissioners have total control over the building.

Mr. Cooper explained that the approach he took was to contact USDA Rural Development for possible funding to build this building. During that meeting, it was discovered that this project would not qualify for any funding. Commissioner Johansen and Chris Hyzer attended this meeting and Mr. Cooper stated that if the information from this meeting was not communicated back to the board, then it was not done so by Chris Hyzer and Commissioner Johansen. Commissioner Johansen explained that all the Economic Development Committee approved was land acquisition for the DPW, not the construction of a building.

Mr. Cooper was asked why he terminated the contract with Crystal Township. He stated that the Liaison Committee recommended that Crystal/Duck Lake letter of agreement be terminated. He does not wish to go into the details of that recommendation at this time.

Mr. Cooper was then asked what would happen should the Crystal Township Board oppose the Drain Commissioner's decision to terminate the agreement. Mr. Cooper stated that the issue would then go before the Drain Board which Commissioners Carr & Caris sit on. He explained that the Crystal/Duck Lake Sewer was organized as a County Drain. When asked if Crystal/Duck Lake Sewer would ever be run by Crystal Township again and his answer was no.

Mr. Cooper was asked what the advantage was for the Drain Commissioner to take over Crystal/Duck Lake Sanitary Sewer District. Mr. Cooper gave the following reasons from the termination of the agreement:

- 21 years ago, a special assessment district was set up for the Crystal/Duck Lake Sanitary Sewer District.
- Over time, Crystal Township began not submitting their audits and budgets to the Drain Commission for approval, which is required.
- The Drain Commissioner was notified that Crystal Township was going to take the excess funds from the special assessments to start paving roads, which they cannot do. T
- The Crystal/Duck Lake Sewer operator was discharged, wrongfully in Mr. Cooper's opinion, because it put the Sewer District was put at risk.
- Crystal Township has been subsidizing their DPW out of the sanitary sewer funds, which they cannot do.
- Crystal Township has continued to assess the special assessment even after the bond was paid off early.
- Following the explosion at the Crystal/Duck Lake Sewer Plant, it was discovered that there was \$65,000 in sewer equipment that was not insured.
- Payments have been being made on a \$327,000 building that doesn't exist.
- The Liaison Committee asked Crystal Township to reimburse the sewer district approximately \$6,000 for the money the Township paid their Department of Public Works, which hasn't been done.
- Given all of this information, Mr. Cooper terminated the contract with Crystal Township. He emphasized that the Liaison Committee waited until they had the report that was done to prove that they would save money by taking over the Crystal/Duck Lake Sewer.

In closing, Mr. Cooper encouraged board members to come and talk to him if they have any questions. He emphasized that the Board of Commissioner have control in the major decision-making and the last thing he wants to do is to set up another layer of government that will just cost taxpayers more money.

Moved by Commissioner Johansen, supported by Commissioner Blanding to accept the parking lot estimate from Diamond Asphalt for crack filling ad restriping of the parking lots with a cost not to exceed \$7,371.00. Motion carried with Commissioners Retzloff and Lindeman voting no.

Moved by Commissioner Johansen, supported by Commissioner Blanding to place the June 14, 2010, Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Lindeman, supported by Commissioner Johansen to authorize the Health & Human Services Committee to review and get qualified applicants for the Medical Examiner appointment that will start 1/1/11. Motion carried.

Moved by Commissioner Lindeman, supported by Commissioner Retzloff to place the June 14, 2010, Health & Human Service Committee minutes on file. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve Amendment 2010-1 to the Montcalm County Pension Plan. Moved by Commissioner Retzloff, supported by Commissioner Johansen to postpone action until the next meeting. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to place the June 14, 2010, Pension Trust Committee minutes on file. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve the bid from CasAir in the amount of \$15,711 for the rescue accessories. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve the remount to A7 ambulance on the chassis purchased in May according to the previously approved bids and specifications for \$33,980 with delivery accepted after October 2, 2010. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Baker to allow COA to hire one temporary part time staff up to 30 hours per week to work in the meal program at a rate of \$9.25 per hour. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to ratify the five year contract with Securis Technologies for the inmate phone contract as written and allow the Chairman to sign. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Lindeman to allow the Controller to receive bids and sell one truck from the Building Department. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to approve warrant number 052410 in the amount of \$426,930.46 and warrant number 061410 in the amount of \$296,548.76. Motion carried.

Moved by Commissioner Caris, supported by Commissioner Paepke to place the June 14, 2010, Finance and Personnel Committee minutes on file. Motion carried.

Kristen Millard presented the board with a quote from PSI for used roller shelving for her vault in the Administration Building.

Moved by Blanding, supported by Johansen to purchase the used mobile shelving unit from PSI in the amount of \$4,100. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Retzloff to place the annual report of the Balance in the Land Sale Proceeds Accounts on file. Motion carried.

Chris Hyzer provided the board with two comments he has received regarding the proposed ORV Ordinance, as well as a final copy of the proposed ordinance. Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve and adopt the ORV Ordinance as presented. Roll call vote: Ayes: Commissioners Baker, Caris, Crouse, Carr, Retzloff, Blanding, Lindeman and Johansen. Nays: Commissioner Paepke. Motion carried.

Public comments were offered. Charlie Braman, Crystal Township Supervisor, stated that he appreciated the board's efforts and he will follow up on the concerns that the Drain Commissioner verbalized at the meeting today.

Commissioner Johansen discussed the upcoming the MSUE Restructuring Meeting on June 30th and wondered if any commissioner wanted to attend other than himself.

Moved by Commissioner Lindeman, supported by Commissioner Caris to allow John Johansen and Chris Hyzer to attend the June 30, 2010, MSU Restructuring Meeting in Mt. Pleasant. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to adjourn at 3:38 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman