

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, September 28, 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 Dennis Ross from Nevins Lake Church offered invocation.

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

Others present: Chris Hyzer, Kristen Millard, Ryan Jeltema, Rosemary Horvath, Diane Hamlin, Trent Hilding, Fred Springborn, Linda Huyck, Jack McCrackin, Pete Boerner, Christina Currell, Joel Petersen, Cheryl Strautz, Bruce Noll, and Don Smucker.

Moved by Commissioner Blanding, supported by Commissioner Lindeman to approve the September 14, 2009, regular meeting minutes as written. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Caris to approve the agenda with the addition of #3 under New Business entitled *Application for MAC Subcommittee for Agriculture & Tourism*. Motion carried.

Public comments were offered and none were given.

Chris Hyzer provided the board with the Jail Medical Services Agreement between Montcalm County and Willis Gaffney M.D. and Sana Gaffney R.N. in the amount of \$60,000 for one year, beginning October 1, 2009. Moved by Commissioner Retzloff, supported by Commissioner Blanding to approve the Jail Medical Services Agreement with Willis Gaffney M.D. and Sana Gaffney R.N. in the amount of \$60,000 for one year, beginning October 1, 2009. Motion carried.

Chris Hyzer provided the board with MDOT Project Authorization 2007-0263/Z5 for Commission on Aging. This agreement is for the Volunteer Driver program. Moved by Commissioner Retzloff, supported by Commissioner Johansen to approve the MDOT Project Authorization 2007-0262/Z5 and allow the Chairman to sign it. Motion carried.

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

County Clerk	Resolution 2009-20, Maintain State Funding Levels	Place on file
COA	Catering Agreement	Place on file
Controller	Amendment to Grant # MSC-2008-0765-HOA	Place on file
Controller	Grant Award, Michigan State Police	Place on file
Controller	Software License & Services Agreement (SunGard)	Place on file
Controller	Software Maintenance Agreement (SunGard)	Place on file
Controller	Agency Access Agreement (Central Dispatch/SunGard)	Place on file

Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to remove from the table the Planning Commission Ordinance from the September 14, 2009, meeting. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to approve the Montcalm County Planning Commission Ordinance. Motion carried.

Moved by Commissioner Johansen, supported by Commissioner Lindeman to place the September 28, 2009, Economic Development and Physical Resources Committee minutes on file. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to enter into Public Hearing at 1:13 p.m. for the FY 2010 Budget. Motion carried.

The Chairman stated that the purpose of the Public Hearing was to hear comments on the FY 2010 proposed budget.

Trent Hilding addressed the board regarding Agriculture Educator position in MSU Extension that is being reduced to part-time. Mr. Hilding is a farmer and also an attorney who represents many in the agricultural industry in Montcalm County. Mr. Hilding explained the extent of Fred Springborn's position in the county and stressed how important it is for the Montcalm County farmers to have a full time Agriculture Educator they can call upon.

Linda Huyck, MSU Extension Director, addressed the board regarding the Ag Educator position that the county shares with MSU. She stated that while Montcalm County pays the wage for this position, MSU pays the benefits, making to position a cooperative position with MSU.

Ms. Huyck stressed the importance of having the Ag Educator position a full-time position in Montcalm County and stated that the information provided by MSU Extension is the only unbiased information that farmers have available to them.

Bruce Noll addressed the board regarding the Ag Educator position and stressed how important it is for the farmers in Montcalm County to have immediate access to information.

Cheryl Strautz addressed the board regarding the board's decision to reduce the Ag Educator position to part-time. She stated that agriculture is the largest industry in Montcalm County and feels the position is so valuable the position needs to be a full-time position.

Fred Springborn addressed the board regarding his Ag Educator position at MSU Extension. He explained that it is difficult for him to service those that request his assistance during the 40 hours he is currently working. If the position is moved to part-time he will need to evaluate who he can provide assistance to. Mr. Springborn informed the board that he also provides services to businesses outside of agriculture, such as providing assistance to septic haulers. He feels the responsibilities of the position warrant the position being full-time in Montcalm County. He also stressed that supporting MSU Extension is a good investment in the future.

Christina Currell, Regional Educator for MSU Extension, addressed the board regarding positions having to serve multiple counties. She is multi-county educator and explained that it is very difficult for someone assigned to multiple counties to provide timely and quality service the farmers of Montcalm County. She feels the Ag Educator position should be a full-time position in Montcalm County.

Pete Boerner, Master Gardner, addressed the board regarding the Ag Educator position. He stated that that position is a wealth of information for gardeners and farmers alike.

Joel Petersen addressed the board regarding how helpful the Ag Educator position is with manure management. He stated that Mr. Springborn was immediately there for him when he needed assistance.

Chairman Carr asked if there were any more comments regarding the FY 2010 proposed budget. There were none.

Moved by Commissioner Baker, supported by Commissioner Lindeman to approve the revised job description for the Administrative Assistant in the County Controller's office. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Lindeman to pay 3 weeks of vacation time to Diane Hamlin on the next payroll run. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Blanding to allow the Controller to refill the Administrative Assistant position in his office. Motion carried.

Moved by Commissioner Retzloff, supported by Commissioner Johansen to close the Public Hearing on the FY 2010 Budget at 1:39 p.m. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Lindeman to approve **RESOLUTION 2009-21 BUDGET RESOLUTION** with the changes as presented:

**WHEREAS**, the Montcalm County Board of Commissioners (“Board”) has examined the fiscal requests for 2010 of the various departments, agencies, offices and activities (“budgetary centers”) which by law it must finance or assist in financing; and

**WHEREAS**, the Board has taken into consideration the fact that there are certain required functions of county government or operations which must be budgeted at a serviceable level in order to provide statutory and constitutionally required services and programs; and

**WHEREAS**, the Board has interviewed officials responsible for providing such mandated services to determine serviceable levels and the funds to sustain such levels;

**WHEREAS**, the Uniform Budgeting & Accounting Act (“UBAA”), MCLA 141.21 et seq., requires that the Board enact a general appropriation act designed to meet all County-funded expenditures;

**NOW THEREFORE BE IT FURTHER RESOLVED**, that the County Treasurer is hereby directed to collect 4.4082 mills for the County’s general operations, .7000 mills for the maintenance and operation of an Ambulance and Rescue Service, .4407 mills for the purpose of providing funds for local libraries in Montcalm County, .2433 mills for the Commission on Aging for Senior Citizens Services, and .0200 mills for the purpose of funding the Soldiers and Sailors Relief Fund for a total 5.8100 mills levied for all county operations.

**BE IT FURTHER RESOLVED**, the Michigan Public Service Commission has deemed that a monthly county-based surcharge of \$1.89 be collected on all communications devices capable of accessing the 9-1-1 system beginning July 1, 2008 as allowed under Public Act 164 of 2007 to defray the costs of being ready to process and of actually processing 9-1-1 calls placed within Montcalm County;

**BE IT FURTHER RESOLVED**, that the amounts indicated in the attached “Budgetary Detail” are hereby appropriated from the General Fund and other funds of Montcalm County according to the activities and accounts contained in that detail which is incorporated herein by reference, and that such appropriations shall be restricted to the purpose described in the title of the accounts specified in detail and by the provisions of this Act.

**BE IT FURTHER RESOLVED**, that the County Treasurer is hereby authorized to deposit or invest money into the following institutions; Chemical Bank, Firstbank of Lakeview, Huntington National Bank, Invesco Aim, Isabella Bank, MBIA Asset Management, Mercantile Bank of Michigan, UBS Financial Services Inc., Commercial Bank, Fifth Third Bank, Independent Bank, and Sidney State Bank.

**BE IT FURTHER RESOLVED**, that Montcalm County will reimburse mileage in accordance with the 2010 Expenditure Procedures at the Internal Revenue Service rate per mile.

**BE IT FURTHER RESOLVED**, that the fee charged by Montcalm County for boarding of inmates from other jurisdictions will be no less than \$33.00 per day.

**BE IT FURTHER RESOLVED**, that the revenues received by the County under Public Acts 106 and 107, 1985, (Convention Facility Tax revenue) shall not be used to reduce the County’s

2007/2008 operating millage as defined by Public Act 2, 1986. In accordance with Public Act 2, 1986, 50% of the actual Convention Facility Tax revenue not used to reduce the County's operating tax rate shall be appropriated to the Substance Abuse Coordinating Agency for use in substance abuse programs in Montcalm County, with the remaining revenues to be deposited in the County's General Fund.

**BE IT FURTHER RESOLVED**, that the revenues received by the County under Public Act 264 of 1987, (Health and Safety Fund Act) shall not be used to reduce the County's 2008/2009 operating millage, and that 12/17ths of the actual Health and Safety Fund Act revenue not used to reduce the County's operating tax rate shall be appropriated to the Mid-Michigan District Health Department for public health programs and services, with the remaining revenues to be deposited in the County's General Fund.

**BE IT FURTHER RESOLVED**, that it is understood that revenues and expenditures may vary from those which are currently contemplated and may be changed from time to time by the Board of Commissioners during the 2010 fiscal year, as deemed necessary. Consequently, there may be a need to increase or decrease various portions of the budget and/or reduce the workforce due to unforeseen financial changes; therefore, the Board of Commissioners reserves the right to change the Staffing Control Summary List at any time. The County Elected Officials and County Department Heads shall abide by whatever changes are made by the Board of Commissioners, if any, relative to the approved positions and the number of employees stated in the Staffing Control Summary.

**BE IT FURTHER RESOLVED**, that authorization to hire an employee, re-fill or promote all vacancies during 2010 fiscal year shall be subject to approval by the Finance and Personnel Committee.

**BE IT FURTHER RESOLVED**, that positions on the Staffing Control Summary which are supported by some grant, cost sharing, reimbursement, or some other source of outside funding are only approved contingent upon the County receiving the budgeted revenues. Upon notification that budgeted funding of a position shall not be received the elected official or department head shall immediately notify the County Controller/Administrator and the Finance Committee, and that position shall be immediately removed from the Staffing Control Summary if funding is exhausted.

**BE IT FURTHER RESOLVED**, maintenance agreements are essential to a variety of building and operating equipment. County Elected Officials and County Department Heads are authorized to renew existing maintenance agreements upon the approval of the County Controller/Administrator.

**BE IT FURTHER RESOLVED**, that the following regulations shall apply to these appropriations, and budgetary centers shall be deemed to have agreed to these restrictions and obligations by accepting funds pursuant to this Act or otherwise incurring expenditures in exception of County funding:

1. All terms in this Act shall have the meaning assigned to them in the UBAA. The term "budgetary center" includes all courts receiving funds through this Act.
2. All budgetary centers receiving funds herein shall abide by the UBAA and the Uniform Chart of Accounts referenced therein. Each administrative officer in charge of a budgetary center shall promptly provide the budget officer with all information which the fiscal officer considers necessary and essential to the preparation of a County budget for the ensuing fiscal period.
3. The amounts appropriated herein shall be paid from the County Treasury at the time and in the manner provided by law and other applicable policies or resolutions of the Board, whether enacted to date or subsequently adopted.
4. Expenditures and revenues shall be recorded and reported in the manner provided by law. Fees and other money received by budgetary centers should be forwarded promptly to the County Treasurer and credited to the appropriate County Fund, except as otherwise provided by this Act or by any other act of the Board.

5. Except as otherwise provided by law, each budgetary center shall limit expenditures within the appropriations authorized herein and shall not attempt to expend funds at a rate which will eventually result in a deficit in any account without the approval of the Board. Further, all expenditures of the County funds and other funds under the control of any budgetary center, except as otherwise provided by law, shall be expended only for purposes attached to the accounts and within the various policies of the Board of Commissioners, including, but not limited to, travel policy, purchasing policy, vehicle-use policy, applicable collective bargaining agreements, applicable personnel policies, and the "2010 Expenditure Procedures", the latter being attached hereto and specifically approved by the Board herein. The County of Montcalm shall only be responsible for the payment of purchases made in accordance with the provisions of MCLA 46.13B and the UBAA.
- 5a. All Court budgetary centers (Circuit Court, Circuit Court Probation, District Court, District Court Probation, Probate Court, and Juvenile Probation) are line-item appropriations. The line item budgets will be administered in accordance with Supreme Court Administrative Order 1998-5.
- 5b. In the event that State of Michigan fails to provide certain revenue transfer payments as required by state law and/or contractual agreements between the State of Michigan and Montcalm County, the specific programs funded by such state revenue transfer payments shall bear the full impact of such revenue reduction. In the event that the State of Michigan defaults or otherwise fails to provide general, unrestricted revenue transfer payments, the Board, upon the recommendation of the Finance & Personnel Committee, shall allocate said revenue reduction in its legislative judgment.

**THE MONTCALM COUNTY BOARD OF COMMISSIONERS CANNOT, AND WILL NOT, ABSORB THE PROGRAM COSTS CREATED BY REVENUE TRANSFER PAYMENT DEFAULTS BY THE STATE OF MICHIGAN.**

6. If a budgetary center desires an additional appropriation or transfer between accounts it shall forward a detailed request to the Board describing the proposed budgetary amendment or transfer and the reasons for the action. The County Controller is given authority to make line item transfers within budgetary centers except to increase conference travel line items and to increase capital expenditure line items. Line item transfers affecting the budget of a wage line item require the approval of the Board of Commissioners.
7. Except as otherwise provided by law, the number of positions noted for certain budgetary centers in their salary account appropriations shall be the maximum staffing level authorized to be drawn from such accounts. No budgetary center shall maintain more employees on the payroll than the maximum specified for the appropriate account. Further, if a budgetary center employs at any time fewer employees than the maximum specified for the appropriate account in this Act, unexpended appropriations in an amount identified with the unfilled position(s) by payroll recorded shall immediately and automatically revert to the General Fund contingency account.
8. This Act shall become effective October 1, 2009. This Act may be amended by the Board at any time and any appropriation made hereunder may be increased or decreased in the Board's discretion.
9. This Act and attachments as incorporated by reference herein and all amendments hereto shall constitute the 2010 General Appropriations Act for Montcalm County for all purposes and the law.

Moved by Commissioner Johansen, supported by Commissioner Blanding to amend the motion to transfer \$1,500 from the Department of Social Services (FIA), Page 133, line item 19765-999000 to the Conservation District, Page 102, line item 19735-999000 there by reducing the DHS from \$9,500 to \$8,000 and increasing Conservation District from \$7,500 to \$9,000. Amendment carried.

Moved by Commissioner Johansen, supported by Commissioner Blanding to amend the motion to add \$1,500 to the Planning Commission Budget, Consultants, Page 129, line item 17211-810000 with funds

to come from contingency. Roll call vote: Ayes: Commissioner Blanding, Johansen, Baker and Carr. Nays: Commissioners Retzloff, Lindeman, Caris and Crouse. Amendment failed.

Under discussion on the original motion to adopt the FY 2010 Budget Resolution Commissioner Lindeman stated that he is opposed to any more transfers out of fund balance.

Commissioner Retzloff stated that while he is sympathetic to those affected by the cuts made in the proposed budget, these cuts are only the beginning given the loss of revenue sharing that is anticipated.

Commissioner Blanding stated that agriculture is not the only area being affected by cuts. Animal Control is being cut by 20%. He stated for the record that he is opposed to the reduction of the census position in the Animal Control. He fears that there will be a loss of revenue due to the reduction of dog licenses issued.

Chairman Carr made a statement regarding the reduction in the Ag Educator position. He informed those in the audience that the Finance Committee worked very hard on this budget and made cuts where they thought the cuts were necessary. Agriculture was not the only area that saw cuts in this budget. It is his hope that these cuts are not etched in stone and will be able to be restored if funding is once again available.

Roll call vote on Resolution 2009-21, as amended: Ayes: Commissioners Caris, Crouse, Carr, Retzloff, Blanding, and Lindeman. Nays: Commissioner Johansen. Original motion carried as amended.

Moved by Commissioner Baker, supported by Commissioner Retzloff to approve warrant number 092809 in the amount of \$358,089.81. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Lindeman to place the September 28, 2009, Finance and Personnel Committee minutes on file. Motion carried.

Kristen Millard informed the board that she has received approval from the Montcalm Conservation District and the Planning Commission for David & Michelle Patin's PA 116 applications. The property is in Crystal Township. Moved by Commissioner Johansen, supported by Commissioner Retzloff to approve PA 116 application numbers 2009-1, 2009-2 and 2009-3 for David & Michelle Patin, Crystal Township. Motion carried.

Chris Hyzer recommended that the board appoint Mark Christensen and Lonnie Smith to the Brownfield Authority. Moved by Commissioner Baker, supported by Commissioner Lindeman to appoint Mark Christensen, term expiring 1/22/10 and Lonnie Smith, term expiring 1/22/12 to the Brownfield Authority. Motion carried.

Moved by Caris, supported by Commissioner Lindeman to make application on behalf of Commissioner Johansen to the MAC Agriculture and Tourism Subcommittee. Motion carried with Commissioner Johansen abstaining.

Public comments were offered and none were given.

Moved by Commissioner Retzloff, supported by Commissioner Lindeman to adjourn at 2:06 p.m. Motion carried.

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Kristen Millard, County Clerk

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Patrick Q. Carr, Chairman