



NEWAYGO COUNTY BOARD OF COMMISSIONERS
1087 NEWELL STREET, WHITE CLOUD MI 49349

JANUARY 15, 2003

Meeting called to order by Chairman Stanley DeKuiper at 9:30 A.M.

Prayer by Laurel J. Breuker, Newaygo County Clerk.

Pledge of Allegiance to the Flag led by Commissioner Willett.

PRESENT: Mary Balberde; Stanley DeKuiper; Gerald Derks, Jr.; Rosswell
Fulton, Jr.; James Maike, Jr.; Timothy Purcell, Lavern
Willett

CORRESPONDENCE: Correspondence received from Newaygo County
Prosecuting Attorney Chrystal Roach in reference to a reclassification
of a Victim Rights position.

PUBLIC COMMENT: Dale Black was present representing Brooks Township
and the Supervisors' Association.

03-031

MOTION BY BALBERDE, SECONDED BY DERKS, TO APPROVE THE AGENDA OF
JANUARY 15, 2003, WITH THE ADDITION OF ROBERT BENDZINSKI TO GIVE A
REPORT ON THE BOND SALE ON THE CHAIN OF LAKES SEWER PROJECT.
AYES-ALL. MOTION CARRIED.

03-032

MOTION BY BALBERDE, SECONDED BY DERKS, TO APPROVE THE MINUTES OF
DECEMBER 26, 2002. AYES-ALL. MOTION CARRIED.

03-033

MOTION BY BALBERDE, SECONDED BY MAIKE, TO APPROVE THE MINUTES OF
JANUARY 2, 2003. AYES-ALL. MOTION CARRIED.

03-034

MOTION BY MAIKE, SECONDED BY DERKS, TO APPOINT LORA JONES-REPRESENTING
TOWNSHIPS, KAY HAVEN-REPRESENTING CITIES, AND EDWARD
HAYNOR-REPRESENTING SCHOOLS, TO THE NEWAYGO COUNTY ELECTION SCHEDULING
COMMITTEE. THE APPOINTMENTS EXPIRE JANUARY 2005. AYES-ALL. MOTION
CARRIED.

COMMITTEE REPORT/FINANCE WAYS AND MEANS/PURCELL

03-009

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED JANUARY 8, 2003, CHECK #238932 THROUGH CHECK #239176, FOR A TOTAL OF \$321,635.29. AYES-ALL. MOTION CARRIED.

03-010

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE RESOLUTION #01-002-03 TO BORROW AGAINST ANTICIPATED DELINQUENT 2002 REAL PROPERTY TAXES. AYES-ALL. MOTION CARRIED.

03-011

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE RESOLUTION #01-003-03, THE RESOLUTION OF AGENCY PURSUANT TO SECTION 87c OF ACT 206. AYES-ALL. MOTION CARRIED.

03-012

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO APPROVE THE PROPOSAL FROM MIDSTATE SECURITY FOR INSTALLATION OF WIRELESS PANIC BUTTON SYSTEMS IN THE ADMINISTRATION BUILDING IN THE AMOUNT OF \$2,859.50 AND THE COURTHOUSE BUILDING IN THE AMOUNT OF \$2,461.50 FOR A TOTAL AMOUNT OF \$5,321.00. AYES-6, NAY-WILLET. MOTION CARRIED.

03-013

MOTION BY FINANCE COMMITTEE, SECONDED BY BALBERDE, TO APPROVE THE 2002 FY BUDGET ADJUSTMENTS #2002098 - #2002116. AYES-ALL. MOTION CARRIED.

03-014

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO APPROVE THE 2ND QUARTER APPROPRIATIONS FOR 2002-2003 IN THE AMOUNT OF \$1,027,216.50. AYES-ALL. MOTION CARRIED.

03-015

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO APPROVE THE TRANSFER OF MONIES FROM THE O.U.I.L. FUND 207.0-301.000-602.300 INTO THE OFFICER'S EQUIPMENT FUND 207.0-301.000-734.000 IN THE AMOUNT OF \$14,749.00 FOR FIVE (5) ADDITIONAL IN-CAR VIDEO CAMERAS FOR PATROL CARS. AYES-ALL. MOTION CARRIED.

03-016

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE THE DUES FOR WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION FOR FISCAL YEAR OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003, IN THE AMOUNT OF \$12,925.98. AYES-ALL. MOTION CARRIED.

03-017

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE THE NEWAYGO COUNTY 78TH DISTRICT COURT PUBLIC DEFENDER AGREEMENTS BETWEEN THE 78TH DISTRICT COURT AND THE LAW FIRMS OF SPRINGSTEAD, WALTZ, SPRINGSTEAD AND FOX, P.C., REBER, GREER, SCHUITEMAN AND GREER, P.C., AND MARK R. SCHROPP, P.C. IN THE AMOUNT OF \$2,000 PER MONTH PER LAW FIRM. AYES-ALL. MOTION CARRIED.

03-018

MOTION BY FINANCE COMMITTEE, SECONDED BY BALBERDE, TO APPROVE THE 2003 SPONSOR SUPPORT OF TIMBERLAND R.C. & D. AREA COUNCIL, INC. IN THE AMOUNT OF \$250.00. AYES-ALL. MOTION CARRIED.

03-019

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO APPROVE THE UPGRADE TO INTUITY AUDIX RELEASE 5.1 SOFTWARE FOR THE VOICE MAIL SYSTEM AND MULTI-MEDIA MESSAGING IN THE AMOUNT OF \$13,820.00. AYES-ALL. MOTION CARRIED.

Barbara Geno, Circuit Court Director/FOC, appeared to request approval to participate in the planning and potential grant application process for the Federal Juvenile Justice and Delinquency Prevention Act Title V Juvenile Delinquency Prevention Initiative. Chris Tiernan, Deputy Director, was also present.

03-035

MOTION BY DERKS, SECONDED BY MAIKE, TO APPROVE PARTICIPATION IN THE PLANNING AND POTENTIAL GRANT APPLICATION PROCESS FOR THE FEDERAL JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT TITLE V JUVENILE DELINQUENCY PREVENTION INITIATIVE AND TO AUTHORIZE THE SUBMISSION OF THE LETTER OF INTENT TO BE SIGNED BY THE CHAIRMAN OF THE BOARD. AYES-ALL. MOTION CARRIED.

COMMITTEE REPORT/BUILDING & PROPERTY/MAIKE: Pete LeFavour and Rick Bacheller gave reports at the meeting on January 9, 2003. Discussions were held regarding Probate Courtroom Jury Box modifications and County Office Building north door accessibility.

COMMITTEE REPORT/PUBLIC SAFETY/JUDICIAL/DERKS: At the last meeting, Pro Med Ambulance Service reported on the service during the last quarter. Max Evens, representing Ensley Township, discussed the County Junk Ordinance.

03-029

MOTION BY PUBLIC SAFETY/JUDICIAL COMMITTEE, SECONDED BY FULTON, TO SEND CORRESPONDENCE TO THE TOWNSHIP SUPERVISORS' ASSOCIATION REGARDING CONCERNS RAISED RELATING TO THE NEWAYGO COUNTY JUNK ORDINANCE AND REQUESTING THEIR INPUT. AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/WILLETT: Attended Leading Change: The Implications of the 2000 Census for Newaygo County - The Next Steps Workshop held at Newaygo County ISD with Commissioners Balberde, DeKuiper, Maike, and Fulton.

MISCELLANEOUS COMMITTEE REPORT/MAIKE: Attended Ad Hoc Committee meetings and the Computer Advisory Committee meeting.

MISCELLANEOUS COMMITTEE REPORT/BALBERDE: Attended the MAC Michigan Association for Local Public Health (MALPH) meeting in Lansing, reporting that a new director was appointed. Also attended the Parks Organization meeting. Two new members will be taken on a tour of the parks. An organizational meeting was held for the Ad Hoc Computer Advisory Committee. The dedication of the Nick Filonow Learning Center was held at Mental Health. The County Commissioners were thanked for working with them on the remodel that made the Learning Center possible. The Central Dispatch meeting for February has been moved to March 5, 2003.

MISCELLANEOUS COMMITTEE REPORT/DERKS: Attended the West Michigan Shoreline Regional Development Commission Organizational meeting in Muskegon. Dale Black also attended. Ray Rathbun was appointed Chairman.

MISCELLANEOUS COMMITTEE REPORT/FULTON: Attended Fire Chiefs' Association Organization Meeting. All Officers were changed. Also attended the Road Commission Organizational meeting with Commissioner Maike. A lawsuit against Ensley Sand and Gravel was discussed for mining sand and gravel out of the road right-of-way. An election of officers was held and Louis Meeuwenberg was appointed Chair.

ADMINISTRATOR'S REPORT/HUMPHREY: Discussed issues presented by the Prosecutor's Office relating to the construction project and problems with odors, etc., in their office. Maintenance Supervisor Rick Bacheller and the contractor investigated the allegations. The Prosecutor's Office also communicated with MIOSHA regarding the problems. Correspondence regarding a violation of health standards was received to which Administrator Humphrey will respond.

A letter was received from Y. C. Wesley regarding a mobile home being removed from his property by the Sheriff's Department. Administrator Humphrey will investigate the claim and advise further.

Received the bid forms for 9-1-1. The bids will be brought before the 911 Board. The bid for the construction cost is in the area of \$99,000.00.

Cynthia Sullivan, Drain Commissioner, appeared with Robert Bendzinski to discuss the Bond Sale on the Chain of Lakes Sewer Project. The Bond Sale was held January 13, 2003. Mr. Bendzinski reported that an A- rating was obtained from Standard & Poor's Corporation. AA- rating was received from Fitch's IBCA, Inc. He congratulated the Commissioners on the management practices and policies that are maintained. Ten bids were received on the Chain of Lakes project. The winning bid was submitted by Sun Trust Capital Markets, Inc. The interest rate averaged out to an outstanding 4.037%. This results in significant savings to the taxpayers. The term of the loan is 20 years.

PUBLIC COMMENT: Dale Black, Brooks Township Supervisor, spoke regarding the Chain of Lakes sewer project, complimenting Newaygo County, its Administrator, and the Drain Commissioner.

Kim David, Teamsters Union Steward, indicated the response was received from the Fact Finder.

MISCELLANEOUS/DeKUIPER: Upon request of Commissioners Fulton and Maike, Commissioner Fulton is appointed to Animal Control and Commissioner Maike is appointed to MDOT.

Commissioner Maike is appointed, to serve with Commissioners DeKuiper and Derks and Administrator Humphrey, on the Ad Hoc Committee relating to the Life Ambulance Contract, which is up in February.

MISCELLANEOUS/MAIKE: Discussion was held regarding appointments to Gerber Hospital Customer Orientation Task Force & Improvement Council and the Foster Grandparents Board. No appointments made.

03-036

MOTION BY MAIKE, SECONDED BY PURCELL, TO RATIFY THE APPOINTMENTS OF COMMISSIONER FULTON TO ANIMAL CONTROL AND COMMISSIONER MAIKE TO MDOT. AYES-ALL. MOTION CARRIED.

MISCELLANEOUS/DeKUIPER: Discussion was held on the request of the Newaygo County Department of Building Safety & Permits for appointments for the Construction Board of Appeals.

03-037

MOTION BY WILLETT, SECONDED BY FULTON, TO APPROVE THE CHAIRMAN'S APPOINTMENTS TO THE CONSTRUCTION BOARD OF APPEALS. ROLL CALL VOTE: BALBERDE-AYE, DERKS-AYE, MAIKE-AYE, WILLETT-NAY, FULTON-NAY, PURCELL-AYE, DeKUIPER-AYE. MOTION CARRIED.

Jon Bumstead and Robin Dawe were duly appointed as Members and Russ Wert and Robert Scholtens appointed as Alternates to the Construction Board of Appeals for terms expiring December 31, 2004.

Commissioner DeKuiper indicated receipt of a confidential, attorney/client privilege letter relative to the question of the Soldiers and Sailors Relief Fund millage.

MISCELLANEOUS/WILLETT:

03-038

MOTION BY WILLETT, SECONDED BY FULTON, THAT MOTIONS NOT SECONDED SHOULD BE PRINTED IN THE MINUTES TO REFLECT THE DISCUSSION HELD. AYES-WILLETT, NAYS-6. MOTION FAILED.

Reviewed items from the meeting with employees. The Administrator and other Commissioners answered questions relating to the items.

Commissioner Balberde excused at 10:52 A.M.

03-039

MOTION BY WILLETT, SECONDED BY FULTON, TO ESTABLISH A PERSONNEL COMMITTEE WITH THREE MEMBERS OF THE BOARD. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

During discussion it was determined that Commissioners Derks, DeKuiper and Maike would serve on this Committee.

03-040

MOTION BY DERKS, SECONDED BY MAIKE, TO RATIFY THE APPOINTMENT OF COMMISSIONERS DERKS, DeKUIPER AND MAIKE TO THE PERSONNEL COMMITTEE. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

03-041

MOTION BY WILLETT, SECONDED BY MAIKE, TO APPOINT MIKE FUHER AND DAVE STOUT TO THE PLANNING/ZONING COMMISSION FOR THE TERMS EXPIRING DECEMBER 31, 2005. ROLL CALL VOTE: WILLETT-AYE, DERKS-AYE, FULTON-AYE, BALBERDE-ABSENT, MAIKE-AYE, PURCELL-NAY, DeKUIPER-NAY. MOTION CARRIED.

Mike Fuher and Dave Stout were duly appointed to the Planning/Zoning Commission for the terms expiring Defendant 31, 2005.

03-042

MOTION BY PURCELL, SECONDED BY DERKS, TO ADJOURN THE MEETING AT 11:35 A.M. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

LAUREL J. BREUKER
NEWAYGO COUNTY CLERK

STANLEY DeKUIPER, CHAIRMAN
NEWAYGO COUNTY BOARD OF COMMISSIONERS

PAMELA A. ROLFE
CHIEF DEPUTY CLERK