



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

APRIL 23, 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 Purcell.

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

PUBLIC COMMENT: Kathy Snow spoke regarding the community based
military families' support group. She requested consideration of a
quilt to be hung in the entryway of the county building honoring
service members. She also requested the Commissioners consider a
resolution commending Roger and Marian Webster.

03-195

MOTION BY DERKS, SECONDED BY MAIKE, TO APPROVE THE AGENDA OF APRIL 23,
2003. AYES-ALL. MOTION CARRIED.

03-196

MOTION BY FULTON, SECONDED BY PURCELL, TO APPROVE THE MINUTES OF APRIL
9, 2003. AYES-ALL. MOTION CARRIED.

03-193

MOTION BY DERKS, SECONDED BY MAIKE, TO RE-APPOINT MS. BECKY LLEWELLYN
TO SERVE ON THE NEWAYGO COUNTY JURY BOARD FOR A STANDARD SIX-YEAR TERM
OF OFFICE COMMENCING ON MAY 1, 2003 AND EXPIRING ON APRIL 30, 2009.
AYES-ALL. MOTION CARRIED.

Cynthia Sullivan, Drain Commissioner, and James Smalligan, Vice
President at the engineering firm of Fishbeck, Thompson, Carr & Huber,
Inc., appeared to discuss the Subdivision Control Procedure. A draft
of the Newaygo County Drain Commissioner Subdivision Drainage Rules
and Storm Water Design Criteria was presented for approval by the
Board.

03-197

MOTION BY MAIKE, SECONDED BY WILLETT, TO APPROVE THE DRAFT COPY OF REVISED RULES PREPARED BY THE ENGINEERING FIRM OF FISHBECK, THOMPSON, CARR & HUBER REGARDING THE NEWAYGO COUNTY DRAIN COMMISSION (NDC) SUBDIVISION DRAINAGE RULES AND STORM WATER DESIGN CRITERIA. AYES-ALL. MOTION CARRIED.

COMMITTEE REPORT/PUBLIC SAFETY AND JUDICIAL/GERALD DERKS, JR. - The two proposals are in regarding the ambulance service contract. An Adhoc Committee Meeting is scheduled for April 30, 2003, at 1:30 P.M., at which time a recommendation for the Board will be prepared.

COMMITTEE REPORT/FINANCE WAYS AND MEANS/PURCELL

03-178

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO DIRECT THE ADMINISTRATOR TO INSTALL HAND TOWELS IN THE NEW RESTROOMS. AYES-ALL. MOTION CARRIED.

03-179

MOTION BY FINANCE COMMITTEE, SECONDED BY BALBERDE, TO APPROVE BULLETIN NO. 7 TO REVISE EXISTING THREE OFFICES INTO TWO AT THE CIRCUIT COURT ADMINISTRATION PER PLANS AND SPECIFICATIONS AS ISSUED BY GSG ARCHITECTS, INC. IN THE AMOUNT OF \$9,336.00. AYES-4, NAYS-WILLETT, DERKS AND FULTON. MOTION CARRIED.

03-180-4

MOTION BY FINANCE COMMITTEE, SECONDED BY BALBERDE, TO APPROVE BULLETIN NO. 6 IN THE AMOUNT OF \$1,402.00 FOR THE COURTHOUSE FROM VANDONKELAAR CONSTRUCTION, INC. AYES-6, NAY-WILLETT. MOTION CARRIED.

03-181

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO FORM A TEMPORARY COMMITTEE CONSISTING OF COMMISSIONERS MAIKE AND BALBERDE AND ADMINISTRATOR HUMPHREY TO MEET WITH THE CITY OF WHITE CLOUD AND TO WORK OUT A RECOMMENDATION FOR PRESENTMENT TO THE BOARD REGARDING THE NEWELL STREET ISSUE. AYES-ALL. MOTION CARRIED.

03-184

MOTION BY FINANCE COMMITTEE, SECONDED BY MAIKE, TO AUTHORIZE THE COUNTY ADMINISTRATOR/CONTROLLER TO NEGOTIATE SETTLEMENT OF THE JAN PARRISH GRIEVANCE AND AUTHORIZE THE CHAIR OF THE BOARD TO SIGN A LETTER OF UNDERSTANDING, CONTINGENT UPON LEGAL COUNSEL'S APPROVAL. AYES-ALL. MOTION CARRIED.

03-191

MOTION BY FINANCE COMMITTEE, SECONDED BY DERKS, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED APRIL 16, 2003, CHECK #241816 THROUGH CHECK #242041 FOR A TOTAL AMOUNT OF \$254,102.95. AYES-ALL. MOTION CARRIED.

03-192

MOTION BY FINANCE COMMITTEE, SECONDED BY WILLETT, TO RATIFY THE MARCH 2003 MONTHLY CHECK REGISTER IN THE AMOUNT OF \$2,782,377.09. AYES-ALL. MOTION CARRIED.

Commissioner Purcell reported that the Tax Allocation Board held their Organizational Meeting on April 21, 2003 at 1:00 P.M. E. J. Jones was elected Chairman. The next meeting will go over township budgets.

MISCELLANEOUS COMMITTEE REPORT/MAIKE - The Personnel Committee met on April 8th and 16th. The next meeting is scheduled for April 30th. Attended the P.R.I.D.E. Conference in Pittsburgh. The Newell Street Committee met on April 16th and April 23rd. Attended the MAC Meeting in Grayling with Commissioner Balberde on April 21st. The final walk through of 9-1-1 occurred April 22nd. Expressed concerns regarding the sprinklers over the electronic consoles. Suggested capping the six sprinkler heads and installing fire extinguishers. This issue will be brought before the next Building and Property Committee Meeting.

MISCELLANEOUS COMMITTEE REPORT/BALBERDE - The District #10 Health Board Legislative Committee met with surrounding counties to lobby together. The discussion at the MAC Human Service Meeting was on jail diversion.

MISCELLANEOUS COMMITTEE REPORT/DERKS - Attended MAC Committee Meetings in Lansing on April 18th. The main discussion at the Judicial and Public Safety meeting was concerns in the budget cuts and reimbursement to counties for prison bound inmates.

MISCELLANEOUS COMMITTEE REPORT/FULTON - Attended the Pere Marquette River Zoning Meeting on April 22nd. Three variances were granted. A record 42 variance requests were granted in 2002. So far there have been 17 applications in 2003. Also attended the Road Commission meeting this morning, the Soldiers and Sailors Adhoc Committee meeting last week, and the MAC Environment Meeting in Lansing.

MISCELLANEOUS COMMITTEE REPORT/DeKUIPER - Attended the New World Software demonstration. Questions were presented and answers received from team leaders.

Janice Eaton, Newaygo County Equalization Director, appeared for the Statutory Equalization Session and presented the 2003 Equalization Report for approval and adoption. The recommended total County Equalized Value for 2003 is a combination of real and personal property.

03-198

MOTION BY PURCELL, SECONDED BY MAIKE, TO ADOPT THE 2003 NEWAYGO COUNTY EQUALIZATION REPORT AS SUBMITTED BY THE NEWAYGO COUNTY EQUALIZATION DEPARTMENT:

REAL PROPERTY	\$1,427,666,369
PERSONAL PROPERTY	<u>76,458,770</u>
EQUALIZED VALUE:	\$1,504,125,139

AYES-ALL. MOTION CARRIED.

ADMINISTRATOR'S REPORT/HUMPHREY

03-199

MOTION BY PURCELL, SECONDED BY MAIKE, TO APPROVE TO FINANCE THE SANDY BEACH BATHHOUSE WITH COUNTY CONTINGENCY MONIES AND REPAYMENT TO BE MADE FROM THE PARKS TO THE CONTINGENCY FUND ON AN ANNUAL BASIS. MINIMUM PAYMENT TO BE \$28,000 PER YEAR. TOTAL AMOUNT FINANCED \$286,390.00. AYES-ALL. MOTION CARRIED.

The Administrator is directed to include a provision for interest in the agreement between Newaygo County and the Parks Department.

03-200

MOTION BY BALBERDE, SECONDED BY DERKS, TO APPROVE RESOLUTION #04-014-03 HONORING THE RETIREMENT OF JOSEPH CATALANO. AYES-ALL. MOTION CARRIED.

Administrator Humphrey attended the demonstration at New World and reports he is in the negotiating phase regarding the software. Will continue to negotiate.

MISCELLANEOUS/FULTON

03-201

MOTION BY FULTON, SECONDED BY DERKS, TO APPROVE THE PLACEMENT OF A QUILT OF ALL THE ACTIVE MILITARY PERSONNEL AND COMMEND THE NEWAYGO COUNTY VETERANS ARMED FORCES (CORRECTION: 5-14-03) FAMILY SUPPORT GROUP FOR THEIR WORK. AYES-ALL. MOTION CARRIED.

Meeting recessed by Chairman DeKuiper at 10:30 A.M. Meeting reconvened at 10:42 A.M.

Attorney Peter Cohl provided a handout and was present to discuss various issues. He explained the role and relationship between the County Board of Commissioners and the Elected Officials, which is defined by the constitution and state statute. Mr. Cohl suggested the Commissioners always use their County Administrator to gather facts and information. He also discussed the Open Meeting's Act and the criteria for a closed session.

03-202

MOTION BY MAIKE, SECONDED BY BALBERDE, TO GO INTO CLOSED SESSION AT 11:02 A.M. TO 1) DISCUSS THE WRITTEN OPINION REGARDING THE FAIR LABOR STANDARDS ACT; 2) FOR AN UPDATE ON THE STATUS OF THE CONTRACT NEGOTIATIONS INCLUDING THE CORRECTIONS OFFICERS AND THE DISPATCHERS; AND 3) FOR AN UPDATE ON THE TEAMSTER'S PROPOSAL REGARDING VARIOUS NEGOTIATIONS FOR LETTERS OF UNDERSTANDING AND GRIEVANCES. ROLL CALL VOTE: FULTON-AYE, PURCELL-AYE, MAIKE-AYE, DERKS-AYE, BALBERDE-AYE, WILLETT-AYE, DeKUIPER-AYE. MOTION CARRIED.

Commissioner Balberde was excused at 11:30 A.M. (during closed session).

03-203

MOTION BY MAIKE, SECONDED BY PURCELL, TO RETURN TO OPEN SESSION AT 12:17 P.M. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

03-204

MOTION BY MAIKE, SECONDED BY PURCELL, TO AUTHORIZE A LETTER OF UNDERSTANDING WITH THE TEAMSTER'S UNION TO MODIFY THE COLLECTIVE BARGAINING AGREEMENT, ARTICLE 17 - RETIREE HEALTH INSURANCE; TO AUTHORIZE A RELEASE AND WAIVER OF CLAIMS AGREEMENT WITH FORMER EMPLOYEE, JAN PARRISH, PERTAINING TO RETIREE HEALTH INSURANCE; TO AUTHORIZE A RELEASE AND WAIVER OF CLAIMS AGREEMENT WITH FORMER EMPLOYEE, KAREN O'NEAL, REGARDING A RETRO PAY FOR RETIREE HEALTH INSURANCE SUBJECT TO REVIEW BY LABOR COUNSEL; AND TO AUTHORIZE THE CHAIRMAN TO SIGN SUCH DOCUMENTS. ALL PROVISIONS OF THIS MOTION ARE CONTINGENT UPON ONE ANOTHER. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

MISCELLANEOUS/DERKS - There is a Land Use Meeting in Grand Rapids on April 28, 2003, relating to concerns from townships on the planning, zoning and land use issues.

MISCELLANEOUS/MAIKE - Geographical Information Service (GIS) meetings for the townships will be held in the Board of Commissioners' Meeting Room from 7:00 P.M. to 9:00 P.M. on April 29th, April 30th, and May 1st. Would like to see the County develop a county/friendship pin and will obtain three bids.

MISCELLANEOUS/DeKUIPER - Questioned the status of the proposed resolution regarding protection of revenue sharing from Administrator Humphrey.

03-205

MOTION BY WILLETT, SECONDED BY MAIKE, TO MAKE THE ATTORNEY'S OPINION ON THE FAIR LABOR STANDARDS ACT AVAILABLE TO THE DEPARTMENT HEADS AND THE PUBLIC. AYES-6, ABSENT-BALBERDE. MOTION CARRIED.

03-206

MOTION BY MAIKE, SECONDED BY PURCELL, TO ADJOURN THE MEETING AT
12:25 P.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
APRIL 28, 2003