



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

MARCH 25, 2009

Meeting called to order by Chairman Adam Wright at 9:33 A.M.

Prayer by Newaygo County Clerk, Laurel J. Breuker.

Pledge of Allegiance to the Flag led by Commissioner Geno.

PRESENT: Barbara Geno; Patrick Gardner; James Maike, Jr.; Stanley Nieboer; Simon Scholtens; Charles Trapp; Adam Wright

CORRESPONDENCE: Newaygo County Clerk, Laurel J. Breuker, read a letter submitted via email by Chris A. Yonker addressed to the Chairman of the Board of Commissioners setting forth his resignation from the County's Brownfield Redevelopment Authority Board.

09-132

MOTION BY NIEBOER, SECONDED BY SCHOLTENS, TO APPROVE THE AGENDA OF MARCH 25, 2009, WITH THE ADDITION OF A MOTION FOR TAX ALLOCATION BOARD APPOINTMENT UNDER MISCELLANEOUS. AYES-ALL. MOTION CARRIED.

09-133

MOTION BY TRAPP, SECONDED BY SCHOLTENS, TO APPROVE THE BOARD OF COMMISSION REGULAR MEETING MINUTES OF MARCH 11, 2009, CORRECTING "BRIDGETON" TO "GARFIELD" UNDER MISCELLANEOUS COMMITTEE REPORT/GARDNER. AYES-ALL. MOTION CARRIED.

APPOINTMENT/MENTAL HEALTH BOARD

09-134

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAMES OF ANN BREWSTER, ALBERT STEIL, HELEN TAUBE, AND JOSEPHINE TOLIVER IN NOMINATION FOR THE MENTAL HEALTH BOARD; FOUR (4) THREE-YEAR TERMS EXPIRING APRIL 1, 2012. AYES-ALL. MOTION CARRIED.

09-135

MOTION BY SCHOLTENS, SECONDED BY NIEBOER, TO CAST A UNANIMOUS BALLOT APPOINTING ANN BREWSTER, ALBERT STEIL, HELEN TAUBE, AND JOSEPHINE TOLIVER TO THE MENTAL HEALTH BOARD FOR FOUR (4) THREE-YEAR TERMS EXPIRING APRIL 1, 2012. AYES-ALL. MOTION CARRIED.

Ann Brewster, Albert Steil, Helen Taube, and Josephine Toliver are duly appointed to the Mental Health Board for four (4) three-year terms expiring April 1, 2012.

APPOINTMENT/PLANNING & ZONING COMMISSION

09-136

MOTION BY NIEBOER, SECONDED BY MAIKE, TO PLACE THE NAMES OF EDWARD HAYNOR AND GARY WIGENT IN NOMINATION FOR THE PLANNING & ZONING COMMISSION; ONE (1) VACANCY EXPIRING DECEMBER 31, 2011. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

GARDNER	EDWARD HAYNOR	
SCHOLTENS	EDWARD HAYNOR	
MAIKE		GARY WIGENT
TRAPP		GARY WIGENT
GENO	EDWARD HAYNOR	
NIEBOER	EDWARD HAYNOR	
WRIGHT	EDWARD HAYNOR	

Edward Haynor is duly appointed to the Planning & Zoning Commission filling the vacancy for the term expiring December 31, 2011.

PRESENTATION/RETIREE HEALTH FUNDING VEHICLE - MERS Benefit Plan Advisor, Mike Overley, appeared before the Board with a presentation on the Retiree Health Funding Vehicle. MERS Regional Manager, Erin Boertman, was also present and introduced by Mr. Overley. MERS began this program in 2004 as a result of the Governmental Accounting Standards Board (GASB) requirement; that all nationwide public employers must recognize retiree health care as a liability on financial statements. A private letter ruling from the IRS indicates MERS Retiree Health Funding Vehicle is in compliance with the Internal Revenue Code under Section 115 as an IRS approved government medical trust. By having the MERS Retiree Health Funding Vehicle in place, the actuaries may be able to make as much as an 8% rate of return; without the trust the rate of return could be as little as 3%. The funds are invested the same as retirement/pension funds in the Total Market Fund. The Total Market Fund is a long term market fund that is very well diversified, which expects an 8% annual rate of return, or 3.5% above the rate of inflation, in a normal market situation. MERS is the administrator; the County controls the account. The County fee for administration will be 45 basis points.

COMMITTEE REPORT/PUBLIC SAFETY/JUDICIAL/NIEBOER - Communications are ongoing between Life EMS and the Ambulance Committee.

COMMITTEE REPORT/HEALTH EDUCATION & HUMAN SERVICES/SCHOLTENS - The committee continues to work on a proposed phosphorus ordinance and specifically enforcement. Applications are being sought for the Medical Examiner position. The minimization of future OPEB obligations is also being addressed.

COMMITTEE REPORT/FINANCE/GARDNER

09-113-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO ADOPT THE MUSKEGON RIVER DAM EVACUATION PLAN AND AUTHORIZE THE NEWAYGO COUNTY BOARD OF COMMISSIONERS' CHIEF ELECTED OFFICIAL TO SIGN ANY AND ALL NECESSARY DOCUMENTS TO MAKE THE MUSKEGON RIVER DAM EVACUATION PLAN EFFECTIVE IMMEDIATELY. THIS PLAN WILL BE ACTIVATED UPON THE DIRECTION OF THE HEADS OF LOCAL GOVERNMENT THROUGH THE EMERGENCY OPERATIONS CENTER. AYES-ALL. MOTION CARRIED.

09-114-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE NEWAYGO COUNTY EMERGENCY SERVICES APPLICATION FOR THE 2009 COMMUNITY WILDFIRE PROTECTION PLAN GRANT. AYES-ALL. MOTION CARRIED.

09-115-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE NEWAYGO COUNTY'S SUBMITTAL OF THE NEWAYGO COUNTY FIREFIGHTERS TRAINING COMMITTEE GRANT APPLICATION TO THE FREMONT AREA COMMUNITY FOUNDATION, AND AUTHORIZE THE BOARD CHAIR AND THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-116-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO SUBMIT THE EMERGENCY SERVICES DIRECTOR JOB DESCRIPTION TO MML (MICHIGAN MUNICIPAL LEAGUE) FOR RE-SCORING; MONEY TO COME FROM FUND 2053 (EMERGENCY SERVICES FUND). AYES-ALL. MOTION CARRIED.

09-124

MOTION BY GARDNER, SECONDED BY GENO, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED MARCH 18, 2009, CHECK #51576 THROUGH CHECK #51751, FOR A TOTAL AMOUNT OF \$328,737.67. AYES-ALL. MOTION CARRIED.

09-125

MOTION BY GARDNER, SECONDED BY GENO, TO RATIFY THE FEBRUARY 2009 MONTHLY CHECK REGISTER IN THE AMOUNT OF \$2,257,496.05. AYES-ALL. MOTION CARRIED.

09-126

MOTION BY GARDNER, SECONDED BY GENO, TO APPROVE THE NEWAYGO COUNTY BUDGET REPORT FOR THE MONTH OF FEBRUARY 2009, WITH BUDGET AMENDMENTS AND TRANSFERS AS PRESENTED. AYES-ALL. MOTION CARRIED.

09-127

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE RESOLUTION #03-009-09 ESTABLISHING A RETIREE HEALTH FUNDING VEHICLE THROUGH MERS OF MICHIGAN. AYES-ALL. MOTION CARRIED.

09-128

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE RESOLUTION #03-007-09 TO ELECT TO AUDIT "HOMEOWNER'S PRINCIPAL RESIDENCE EXEMPTIONS." AYES-ALL. MOTION CARRIED.

09-129

MOTION BY GARDNER, SECONDED BY TRAPP, TO TRANSFER \$1,461.76 FROM COMMUNITY DEVELOPMENT FUND 2441-691-955 TO THE COUNTY TREASURER FOR PAYMENT OF THE DELINQUENT 2006 PROPERTY TAXES FOR PARCEL #21-02-300-012 IN ORDER TO PROTECT THE COUNTY'S INTEREST FROM THE PROPERTY BEING FORECLOSED UPON, AND REFER THE ISSUE TO THE PHYSICAL & ECONOMIC DEVELOPMENT COMMITTEE TO DEVELOP AND RECOMMEND A PROCEDURE FOR ADDRESSING THIS ISSUE IN THE FUTURE.

09-129-1

MOTION BY GENO, SECONDED BY MAIKE, TO AMEND MOTION #09-129, BY STRIKING "TO TRANSFER" AND ADDING "TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TRANSFER AS NEEDED". AYES-ALL.

VOTE ON MOTION #09-129, AS AMENDED:

TO AUTHORIZE THE COUNTY ADMINISTRATOR TO TRANSFER AS NEEDED, \$1,461.76 FROM COMMUNITY DEVELOPMENT FUND 2441-691-955 TO THE COUNTY TREASURER FOR PAYMENT OF THE DELINQUENT 2006 PROPERTY TAXES FOR PARCEL #21-02-300-012 IN ORDER TO PROTECT THE COUNTY'S INTEREST FROM THE PROPERTY BEING FORECLOSED UPON, AND REFER THE ISSUE TO THE PHYSICAL & ECONOMIC DEVELOPMENT COMMITTEE TO DEVELOP AND RECOMMEND A PROCEDURE FOR ADDRESSING THIS ISSUE IN THE FUTURE.

AYES-ALL. MOTION CARRIED.

09-130

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE RESOLUTION #03-008-09 OPPOSING REDUCTION OF STATE FUNDING FOR MSU EXTENSION PROGRAMMING. AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/GENO - Attended the West Michigan Shoreline Regional Development Commission (WMSRDC) meeting on Monday; also attended the MAC (Michigan Association of Counties) Economic Development Committee meeting on Friday.

MISCELLANEOUS COMMITTEE REPORT/NIEBOER - Reported on attendance at the Mid-South Substance Abuse Commission in Lansing.

MISCELLANEOUS COMMITTEE REPORT/MAIKE - Attended the Michigan Northern Counties Association meeting, the RC&D meeting, a Wind Energy Seminar, and the WMSRDC Commission meeting with Commissioner Geno.

ADMINISTRATOR'S REPORT/LAKE - The Administrator provided the following informational items: 1) Informative meetings are scheduled to occur April 1st, April 13th, and April 16th on anticipated OPEB (Other Post

Employment Benefits) changes affecting Elected Officials, Department Heads, and Unclassified employees; 2) A meeting is anticipated to occur with the Health Department regarding the proposed annual increase for next year; and 3) Updated the Board members on the request of the Veterans' Affairs Committee for an increase in per diem, which failed at Finance Committee.

PUBLIC COMMENT: Gary Wigent expressed his appreciation for the Board's consideration on his application for appointment to the Newaygo County Planning/Zoning Commission.

MISCELLANEOUS/TAX ALLOCATION BOARD APPOINTMENT

09-137

MOTION BY NIEBOER, SECONDED BY GENO, TO APPOINT STANLEY DeKUIPER TO THE 2009 TAX ALLOCATION BOARD REPRESENTING THE PUBLIC. AYES-ALL. MOTION CARRIED.

MISCELLANEOUS/SCHOLTENS - Reported on his attendance at the NACo (National Association of Counties) Conference with Commissioner Geno.

MISCELLANEOUS/TRAPP - Commented on the importance of receiving feedback from the community and applicants on committee appointments.

MISCELLANEOUS/GENO - Expressed comments regarding committee appointments. Also reported on attendance at the NACo Conference with Commissioner Scholtens.

09-138

MOTION BY NIEBOER, SECONDED BY TRAPP, TO GO INTO CLOSED SESSION AT 10:45 A.M. AT THE REQUEST OF THE COUNTY ADMINISTRATOR TO CONSIDER HIS PERFORMANCE EVALUATION. ROLL CALL VOTE: TRAPP-AYE, NIEBOER-AYE, GENO-AYE, MAIKE-AYE, SCHOLTENS-AYE, GARDNER-AYE, WRIGHT-AYE. MOTION CARRIED.

09-139

MOTION BY MAIKE, SECONDED BY GARDNER, TO RETURN TO OPEN SESSION AT 12:22 P.M. AYES-ALL. MOTION CARRIED.

09-140

MOTION BY SCHOLTENS, SECONDED BY TRAPP, TO ADJOURN THE MEETING AT 12:22 P.M. AYES-ALL. MOTION CARRIED.

 /s/
LAUREL J. BREUKER
NEWAYGO COUNTY CLERK

 /s/
ADAM WRIGHT, CHAIRMAN
NEWAYGO COUNTY BOARD OF COMMISSIONERS