



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

JULY 8, 2009

Meeting called to order by Chairman Adam Wright at 9:30 A.M.

Prayer by Newaygo County Clerk, Laurel J. Breuker.

Pledge of Allegiance to the Flag led by Commissioner Nieboer.

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

CORRESPONDENCE: Newaygo County Clerk, Laurel J. Breuker, read correspondence received by the Board of Commissioners from R.O.A.R.R. (Reaching Out Against Road Rage) expressing appreciation for supporting July 12 - 18, 2009 as Road Rage Awareness Week (Resolution #05-014-09).

PUBLIC COMMENT: White Cloud City Mayor, Don Barnhard, requested the Board consider including the city's infrastructure needs in the Jail Expansion Project.

09-315

MOTION BY MAIKE, SECONDED BY GENO, TO APPROVE THE AGENDA OF JULY 8, 2009, WITH THE ADDITION OF A CLOSED SESSION REGARDING TEAMSTERS LOCAL 214 ARBITRATION AND AN ATTORNEY OPINION REGARDING OVERPAYMENT OF FRINGE BENEFITS AFTER MISCELLANEOUS. AYES-ALL. MOTION CARRIED.

09-316

MOTION BY TRAPP, SECONDED BY NIEBOER, TO APPROVE THE BOARD OF COMMISSION REGULAR MEETING MINUTES OF JUNE 24, 2009. AYES-ALL. MOTION CARRIED.

COMMITTEE REPORT/PHYSICAL & ECONOMIC DEVELOPMENT/TRAPP - None.

COMMITTEE REPORT/FINANCE/GARDNER

09-269-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO SUBMIT THE PART-TIME CASA VOLUNTEER COORDINATOR POSITION, FUNDED IN CONJUNCTION WITH THE FREMONT AREA COMMUNITY FOUNDATION, TO THE MICHIGAN MUNICIPAL LEAGUE (MML) FOR SCORING. SUBMISSION TO MML WILL OCCUR UPON REVIEW AND APPROVAL FROM THE HUMAN RESOURCES MANAGER AND THE CIRCUIT COURT ADMINISTRATOR/FOC; MONEY TO COME FROM 101-131-1-955 (CIRCUIT COURT - MISCELLANEOUS). AYES-ALL. MOTION CARRIED.

09-270-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO SUBMIT THE COURT RECORDER/COLLECTIONS CLERK WITHIN THE DISTRICT COURT TO THE MICHIGAN MUNICIPAL LEAGUE FOR PAY GRADE SCORING; MONEY TO COME FROM 101-136-956 (GENERAL FUND - DISTRICT COURT - EMPLOYEE TRAINING/DEVELOPMENT).

09-270-2

MOTION BY GARDNER, SECONDED BY MAIKE, TO AMEND MOTION #09-270-1 BY AUTHORIZING THE MONEY TO COME FROM 101-136-955 (GENERAL FUND - DISTRICT COURT - MISCELLANEOUS). AYES-ALL. MOTION CARRIED.

VOTE ON MOTION #09-270-1, AS AMENDED:

TO SUBMIT THE COURT RECORDED/COLLECTIONS CLERK WITHIN THE DISTRICT COURT TO THE MICHIGAN MUNICIPAL LEAGUE FOR PAY GRADE SCORING; MONEY TO COME FROM 101-136-955 (GENERAL FUND - DISTRICT COURT - MISCELLANEOUS).

AYES-ALL. MOTION CARRIED.

09-271-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO SUBMIT THE FOLLOWING JOB DESCRIPTIONS WITHIN THE DISTRICT COURT TO THE MICHIGAN MUNICIPAL LEAGUE FOR PAY GRADE RE-SCORING; MONEY TO COME FROM 101-136-956 (GENERAL FUND - DISTRICT COURT - EMPLOYEE TRAINING/DEVELOPMENT):

- CLERK OF THE COURT/BUSINESS MANAGER/CEO
- CHIEF CRIMINAL/TRAFFIC CLERK/CEO
- CHIEF CIVIL CLERK/CEO
(EACH POSITION ABOVE HAS 1 EMPLOYEE WHOSE JOB DUTIES HAVE DRAMATICALLY CHANGED)
- DEPUTY COURT CLERK/CEO (3 POSITIONS WHOSE JOB DUTIES HAVE EVOLVED)
- PROBATION SECRETARY (1 EMPLOYEE WHOSE JOB DUTIES HAVE BEEN UPDATED).

09-271-2

MOTION BY GARDNER, SECONDED BY NIEBOER, TO AMEND MOTION #09-271-1 BY AUTHORIZING THE MONEY TO COME FROM 101-136-955 (GENERAL FUND - DISTRICT COURT - MISCELLANEOUS). AYES-ALL. MOTION CARRIED.

VOTE ON MOTION #09-271-1, AS AMENDED:

TO SUBMIT THE FOLLOWING JOB DESCRIPTIONS WITHIN THE DISTRICT COURT TO THE MICHIGAN MUNICIPAL LEAGUE FOR PAY GRADE RE-SCORING; MONEY TO COME FROM 101-136-955 (GENERAL FUND - DISTRICT COURT - MISCELLANEOUS):

- CLERK OF THE COURT/BUSINESS MANAGER/CEO
- CHIEF CRIMINAL/TRAFFIC CLERK/CEO
- CHIEF CIVIL CLERK/CEO
(EACH POSITION ABOVE HAS 1 EMPLOYEE WHOSE JOB DUTIES HAVE DRAMATICALLY CHANGED)

- DEPUTY COURT CLERK/CEO (3 POSITIONS WHOSE JOB DUTIES HAVE EVOLVED)
- PROBATION SECRETARY (1 EMPLOYEE WHOSE JOB DUTIES HAVE BEEN UPDATED).

AYES-ALL. MOTION CARRIED.

09-291-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO COMMIT \$10,000.00 FOR DOCK IMPROVEMENTS AT SANDY BEACH; MONEY TO COME FROM 695-890-955150 (RESERVE-OPERATION CONTINGENCIES, CONTINGENCIES - MISC - RESERVED CONTINGENCIES).

09-291-2

MOTION BY GENO, SECONDED BY MAIKE, TO AMEND MOTION #09-291-1 TO COMMIT \$10,000.00 TO THE PARKS DEPARTMENT FOR DOCK IMPROVEMENTS AT SANDY BEACH AS APPROVED BY THE PARKS BOARD; MONEY TO COME FROM 695-890-955150 (RESERVE-OPERATION CONTINGENCIES, CONTINGENCIES-MISC-RESERVED CONTINGENCIES). AYES-2, NAYS-SCHOLTENS, GARDNER, NIEBOER, WRIGHT, TRAPP. MOTION FAILED.

DISCLOSURE: Disclosure was made by Chairman Wright that the developer of the dock prototype discussed within this motion is the Mayor of Grant.

VOTE ON MOTION #09-291-1:

TO COMMIT \$10,000.00 FOR DOCK IMPROVEMENTS AT SANDY BEACH; MONEY TO COME FROM 695-890-955150 (RESERVE-OPERATION CONTINGENCIES, CONTINGENCIES - MISC - RESERVED CONTINGENCIES).

AYES-6, NAY-GENO. MOTION CARRIED.

09-293-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO SPEND UP TO \$600.00 TO REPLACE THE GUTTERS ON THE MSU EXTENSION OFFICE BUILDING; MONEY TO COME FROM 120-901-975 (SPECIAL PROJECTS FUND - CAPITAL OUTLAY - BLDG.). AYES-ALL. MOTION CARRIED.

09-294-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE FIFTEEN YEAR AGREEMENT FOR 140 GUARANTEED BEDS, CONTINGENT UPON THE UNITED STATES MARSHALS SERVICE EXECUTED, AUTHORIZED SIGNATURE, AND TO EXPAND AND RENOVATE THE COUNTY JAIL WITH THE INCLUSION OF THE SHERIFF'S DEPARTMENT, AUTHORIZING THE BOARD CHAIRMAN TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-295-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE AGREEMENT WITH LANDMARK DESIGN FOR COMPLETE ARCHITECTURAL/ENGINEERING SERVICES AT A COST NOT TO EXCEED \$275,000.00, MONEY TO COME FROM A YET TO BE ESTABLISHED JAIL EXPANSION CONSTRUCTION FUND, AND AUTHORIZE THE BOARD

CHAIRMAN TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL.
MOTION CARRIED.

09-296-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE PROPOSED JAIL
EXPANSION PROJECT TIMELINE. AYES-ALL. MOTION CARRIED.

09-297-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE PROPOSED BUDGET
FOR THE JAIL EXPANSION PROJECT. AYES-ALL. MOTION CARRIED.

09-298-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE APPROPRIATION OF
\$200,000.00 FROM THE BOARD OF COMMISSIONERS FOR THE SHERIFF'S OFFICE
PROJECT; MONEY TO COME FROM DELINQUENT TAX REVOLVING UNRESERVED FUND
(FUND 516). AYES-ALL. MOTION CARRIED.

09-299-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO DIRECT THE COUNTY
ADMINISTRATOR TO PURSUE HIRING A CONSTRUCTION MANAGER FOR THE JAIL
EXPANSION PROJECT AND REPORT BACK HIS FINDINGS AND RECOMMENDATIONS.
AYES-ALL. MOTION CARRIED.

09-300-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO REQUEST THE BOARD OF
COMMISSIONER CHAIRMAN, WITH THE APPROVAL OF THE BOARD OF
COMMISSIONERS, TO APPOINT A FIVE PERSON JAIL EXPANSION COMMITTEE TO
WORK WITH THE CONSTRUCTION MANAGER TO BE RESPONSIBLE FOR FINANCE,
DESIGN AND CONSTRUCTION OVERSIGHT WITHIN THE APPROVED PRELIMINARY
DESIGN. AYES-ALL. MOTION CARRIED.

09-301-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO AUTHORIZE THE COUNTY
ADMINISTRATOR TO TAKE THE NECESSARY STEPS TO EXPAND AND RENOVATE THE
COUNTY JAIL WITH THE INCLUSION OF A SHERIFF'S OFFICE. AYES-ALL.
MOTION CARRIED.

09-302-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE PRELIMINARY
DESIGN OF THE JAIL EXPANSION PROJECT, TO INCLUDE THE SHERIFF'S OFFICE,
AS PRESENTED IN THE NEWAYGO COUNTY FACILITY REPORT DATED DECEMBER 18,
2008. AYES-ALL. MOTION CARRIED.

09-306

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE SEMI-MONTHLY
DETAIL ANALYSIS DATED JULY 1, 2009, CHECK #54049 THROUGH CHECK #54220,
FOR A TOTAL AMOUNT OF \$144,846.15. AYES-ALL. MOTION CARRIED.

09-307

MOTION BY GARDNER, SECONDED BY TRAPP, TO ADOPT RESOLUTION #07-020-09 ESTABLISHING THE JAIL EXPANSION CONSTRUCTION FUND (FUND 467). AYES-ALL. MOTION CARRIED.

09-308

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO APPROVE DESIGNATING THE BUDGETED \$15,000.00 FOR THE DEPARTMENT OF HUMAN SERVICES TO THE COMMISSION ON AGING - NUTRITION PROGRAM FOR FY 2009; MONEY TO COME FROM THE RESERVE FOR OPERATIONAL CONTINGENCIES FUND - FUND 695. AYES-ALL. MOTION CARRIED.

09-309

MOTION BY GARDNER, SECONDED BY GENO, TO ACCEPT THE UNITED WAY GRANT AWARD IN THE AMOUNT OF \$10,000.00 FOR THE COMMISSION ON AGING'S HOME DELIVERED MEAL PROGRAM FOR FISCAL YEAR 2009, AND AUTHORIZE THE CHAIRMAN OF THE BOARD AND THE COA DIRECTOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-310

MOTION BY GARDNER, SECONDED BY TRAPP, TO ACCEPT THE 2009 SURVEY AND REMONUMENTATION GRANT AGREEMENT, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-311

MOTION BY GARDNER, SECONDED BY TRAPP, TO ACCEPT THE 2009 EMERGENCY MANAGEMENT PERFORMANCE GRANT AGREEMENT, AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-312

MOTION BY GARDNER, SECONDED BY MAIKE, TO ACCEPT THE 2009 COMMUNITY WILDFIRE PROTECTION PLAN GRANT AGREEMENT, AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-313

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE JOB DESCRIPTION AND RECOMMENTATION FROM MML (MICHIGAN MUNICIPAL LEAGUE) CONCERNING THE EMERGENCY SERVICES DIRECTOR'S POSITION AND AMEND THE EMERGENCY SERVICES MANNING TABLE EFFECTIVE JULY 12, 2009, AS FOLLOWS:

JOB TITLE:	EMERGENCY SERVICES DIRECTOR
POSITION NUMBER:	4260001
PAY GRADE:	€ 8
EMPLOYEE GROUP:	DEPARTMENT HEAD
FTE:	40
EMPLOYMENT STATUS:	FULL-TIME
CURRENT G/L ACCOUNT:	2053 426
EXPIRATION DATE:	N/A

AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/MAIKE - Reported on attendance at the MAC (Michigan Association of Counties) Transportation Committee last week.

MISCELLANEOUS COMMITTEE REPORT/SCHOLTENS - Reported on attendance at the Parks Commission meeting yesterday.

ADMINISTRATOR'S REPORT/LAKE - The Administrator reported the following:

- Proposed budgets have been disseminated to departments; individual department meetings are expected to be scheduled.
- A meeting occurred yesterday with the rating agency, Standard & Poor's, for the County's annual rate checkup; the County currently holds a AA rating.

MISCELLANEOUS/MAIKE - A grant obtained by the City of White Cloud from the Fremont Area Community Foundation allowed the Summerfest Celebration to provide rides, arcade and food to special needs children on Friday. West Michigan's Longest Yard Sale occurred two weekends ago. The Antique Tractor Ride was held last Saturday.

MISCELLANEOUS/WRIGHT - Invitations have been sent out for the dedication of the Welcome Center to be held on July 18th at 10:00 A.M.

09-317

MOTION BY SCHOLTENS, SECONDED BY NIEBOER, TO GO INTO CLOSED SESSION AT 10:32 A.M. REGARDING TEAMSTER LOCAL 214 ARBITRATION AND AN ATTORNEY OPINION REGARDING OVERPAYMENT OF FRINGE BENEFITS. ROLL CALL VOTE: TRAPP-AYE, GARDNER-AYE, MAIKE-AYE, SCHOLTENS-AYE, GENO-AYE, NIEBOER-AYE, WRIGHT-AYE. MOTION CARRIED.

09-318

MOTION BY GARDNER, SECONDED BY MAIKE, TO RETURN TO OPEN SESSION AT 11:18 A.M. AYES-ALL. MOTION CARRIED.

09-319

MOTION BY GARDNER, SECONDED BY MAIKE, TO ADJOURN THE MEETING AT 11:18 A.M. AYES-ALL. MOTION CARRIED.

Laurel J. Breuker
LAUREL J. BREUKER
NEWAYGO COUNTY CLERK

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