



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

NOVEMBER 25, 2009

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

Prayer by Newaygo County Chief Deputy Clerk, Pamela A. Rolfe.

Pledge of Allegiance to the Flag led by Commissioner Stanley Nieboer.

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

CORRESPONDENCE: Chief Deputy Clerk, Pamela A. Rolfe, read a thank you card received from Constance Dukes and addressed to the Board of Commissioners expressing appreciation for her appointment to the Canvass Board.

PUBLIC COMMENT: Newaygo County resident and representative of West Michigan Construction Alliance, Ed Haynor, addressed the Board on the Jail Expansion Project and specifically the use of local contractors, the issue of subcontractors, and the use of a wage standard on that project.

09-550

MOTION BY MAIKE, SECONDED BY GENO, TO APPROVE THE AGENDA OF NOVEMBER 25, 2009, WITH THE ADDITION OF A MOTION FOR RESOLUTION #11-034-09 TO REPLACE THE CURRENT RESOLUTIONS ON THE BOND RESOLUTIONS FOR THE JAIL EXPANSION PROJECT. AYES-ALL. MOTION CARRIED.

09-551

MOTION BY TRAPP, SECONDED BY NIEBOER, TO APPROVE THE BOARD OF COMMISSION REGULAR MEETING MINUTES OF NOVEMBER 10, 2009. AYES-ALL. MOTION CARRIED.

PUBLIC HEARING/ISSUANCE OF LIMITED TAX GENERAL OBLIGATION BONDS/JAIL EXPANSION PROJECT - Chairman Wright declared the Public Hearing on the Issuance of Limited Tax General Obligation Bonds on the Jail Expansion Project open at 9:37 A.M. The Administrator provided comments and background information on the project. The overall cost of the project is \$6.5 Million, including monies that will be borrowed to help establish a cash flow fund, which will be paid back with the per diem paid for inmates housed by the United States Marshals. No public comment was received. Chairman Wright declared the Public Hearing closed at 9:40 A.M.

PRESENTATION/WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION - A brief report on some of the activities, programs and services of West Michigan Shoreline Regional Development Commission (WMSRDC) was offered to the Board by Executive Director, Sandeep Dey. Mr. Dey recognized the Regional Commission Chairperson, Mayor Rynberg, as well as Commissioners Geno and Maike, who serve as Newaygo County representatives on the WMSRDC Board of Directors. It is anticipated a more in-depth presentation of some of the programs, activities and services of the Commission will be made to a larger audience of township supervisors, elected officials, city officials and county commissioners at a later date. Some of the activities, programs, and services that the Commission has been engaged in the past year include:

- Development of the Comprehensive Economic Development Strategy.
- Mr. Dey was appointed by the Newaygo County Economic Development Office as an ex officio member to the Board of Directors.
- In February 2009, a workshop was held to coordinate project requests under the federal stimulus program. Requests amounting to approximately \$600 million were made within the several counties associated with WMSRDC.
- Development of the Regional and Economic Demographic Projections involving Newaygo County.
- WMSRDC works in coordination with the Michigan Department of Transportation, the Newaygo County Road Commission, as well as the road commissions of the other member counties on the Federal Aid PASER Road Study. The PASER rating is a visual rating assessment system that rates the road surface condition for a given segment, which ultimately assists in the allocation of state dollars based upon the condition of the roads.
- WMSRDC manages and administers the Michigan Homeland Security Grant, not only for Newaygo County, but for the five other member counties and eight other counties in West Michigan. This grant funds many county programs, exercises, and training for Homeland Security.
- A contract has recently been signed with Bridgeton Township to update their Master Plan. WMSRDC also prepared Bridgeton Township's Flood Management Plan a couple years ago.
- WMSRDC serves as the Census designated liaison between the regional Census Bureau and the State Data Center.
- In an effort to keep governmental units updated, a newsletter is sent out on a regular basis. Information is also posted on the WMSRDC website.

West Michigan Shoreline Regional Development Commission, under federal and state enabling legislation, has no authority to undertake projects. The Commission's role is to inform and advise of available programs and attain collaboration among entities.

UPDATE/TRILLIUM SPRINGS - Newaygo Medical Care Facility Administrator, Donna Jacobs, introduced the Board of Commissioners to Linda Lawther, who is the President of the Michigan Center for Assisted Living, which is a division of the Health Care Association of Michigan. Ms. Lawther provided background information regarding the evolution of long term care in America. Assisted living is understood to be part of a spectrum of long term care services which may provide a combination housing, health care, and personal care services. The State of Michigan, however, has no legal definition for the term "assisted living"; it is simply a marketing term and is used in many different environments. Assisted living in Michigan can be applied in the home, in an independent living or housing with services establishment (HSE), in a licensed home for the aged (HFA), or in a licensed adult foster care facility (AFC). An HSE (Housing with Services Establishment) is designed to provide a pleasant, supportive environment which enables each individual tenant to maintain his or her optimum level of independence. The HSE offers its services suitable for persons who are independent, requiring minimal assistance, with daily activities, but desire the amenities and services of living in an HSE. Generally, health services or assistance services that are provided in this type of location other than meals or housekeeping or transportation are generally contracted for independently by the resident or tenant of that community. According to Ms. Lawther, Trillium Springs would fall within the definition of a Housing Services Establishment. Ms. Jacobs reported that in November 2004, voters were presented with a bonding proposition to build and furnish an assisted living facility on the campus of the Newaygo Medical Care Facility. All publications referred to Trillium Springs as "Independent Senior Living". The facility opened in March of 2006 and is currently occupied with 16 tenants in 13 apartments. Since opening, Trillium Springs has been fully self-funded. No taxpayer dollars are used for operation. It is anticipated the 2<sup>nd</sup> phase will consist of a higher level of assisted living on the campus of the Newaygo Medical Care Facility. The staff and the Department of Human Services Board members are always available to address questions.

COMMITTEE REPORT/PUBLIC SAFETY/JUDICIAL/NIEBOER - None.

COMMITTEE REPORT/HEALTH EDUCATION & HUMAN SERVICES/SCHOLTENS - Commissioner Scholtens reported an upcoming educational meeting at the MSU Extension Office on the use of phosphorus, particularly as it relates to lawn fertilizers, is scheduled to occur at the Fremont District Library on November 30<sup>th</sup>.

COMMITTEE REPORT/FINANCE/GARDNER

09-489-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO ADOPT RESOLUTION #10-028-09 IN SUPPORT OF HOUSE BILL 5368 REGARDING THE USE OF PHOSPHORUS LAWN FERTILIZERS. AYES-ALL. MOTION CARRIED.

09-497

MOTION BY GARDNER, SECONDED BY TRAPP, TO RENEW NEWAYGO COUNTY'S ANNUAL MEMBERSHIP DUES TO WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION (WMSRDC) IN THE AMOUNT OF \$12,925.98; MONEY TO COME FROM ACCOUNT NUMBER 101-7211-883 (GENERAL FUND - WEST MICHIGAN SHORELINE REGIONAL - APPROPRIATIONS OTHER AGENCIES WMSRDC). AYES-ALL. MOTION CARRIED.

09-531-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE NARROWBAND TASKFORCE RECOMMENDATIONS AS OUTLINED IN THE NEWAYGO COUNTY NARROWBAND PLAN LETTER DATED SEPTEMBER 15, 2009, AND AUTHORIZE THE BOARD CHAIR TO SIGN THE LETTER. AYES-ALL. MOTION CARRIED.

09-532-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE SOLE SOURCE JUSTIFICATION FOR THE FY 2007 HOMELAND SECURITY GRANT NARROWBAND PROJECT, AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-533-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE 2010 FISCAL YEAR EMERGENCY MANAGEMENT PERFORMANCE GRANT APPLICATION, AND AUTHORIZE THE BOARD CHAIR AND THE EMERGENCY SERVICES DIRECTOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-534-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE 2010 FISCAL YEAR HAZARDOUS MATERIALS EMERGENCY PREPAREDNESS GRANT APPLICATION, AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-535-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE 2010 MARINE SAFETY PROGRAM GRANT APPLICATION, AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-536-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE RESOLUTION #11-030-09 ESTABLISHING THE LAW ENFORCEMENT TECHNICAL FUND. AYES-ALL. MOTION CARRIED.

09-543

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED NOVEMBER 18, 2009, CHECK #57697 THROUGH CHECK #57915, FOR A TOTAL AMOUNT OF \$203,318.33. AYES-ALL. MOTION CARRIED.

09-544

MOTION BY GARDNER, SECONDED BY TRAPP, TO RATIFY THE OCTOBER 2009 MONTHLY CHECK REGISTER IN THE AMOUNT OF \$7,118,894.85. AYES-ALL. MOTION CARRIED.

09-545

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

09-546

MOTION BY GARDNER, SECONDED BY GENO, TO ADOPT RESOLUTION #11-031-09 TO BOND FOR RECOVERY ZONE FACILITY BONDS AND TO ADOPT RESOLUTION #11-033-09 AUTHORIZING USE OF COUNTY FUNDS FOR JAIL EXPANSION PROJECT. NAYS-ALL. MOTION FAILED.

09-552

MOTION BY GARDNER, SECONDED BY TRAPP, TO ADOPT RESOLUTION #11-034-09 BOND RESOLUTION FOR THE JAIL EXPANSION CONSTRUCTION PROJECT. AYES-ALL. MOTION CARRIED.

09-547

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE RESOLUTION #11-032-09 AUTHORIZING A 1% WAGE INCREASE EFFECTIVE THE FIRST FULL PAY IN JANUARY 2010 AND AN ADDITIONAL 1% WAGE INCREASE EFFECTIVE JULY 16, 2010 PAY DATE FOR THE APPOINTED DEPARTMENT HEADS, UNCLASSIFIED, AND PART-TIME EMPLOYEES. AYES-ALL. MOTION CARRIED.

09-548

MOTION BY GARDNER, SECONDED BY MAIKE, TO HAVE A PROFESSIONAL DEVELOPMENT GATHERING FOR EMPLOYEES AT THE COMMISSION ON AGING AND AUTHORIZE THE ADMINISTRATOR TO CLOSE ALL NON-ESSENTIAL COUNTY DEPARTMENTS ON WEDNESDAY, DECEMBER 23, 2009, AT 2:00 P.M. THE COST FOR THE PROFESSIONAL DEVELOPMENT IS NOT TO EXCEED \$2,500.00 PAID FROM 101-890-955 (GENERAL FUND - CONTINGENCIES - MISCELLANEOUS). OTHER EXPENSES SHALL BE PAID FOR BY THE COUNTY EMPLOYEES (PROCEEDS FROM THE VENDING MACHINES). AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/JAIL EXPANSION CONSTRUCTION COMMITTEE

09-553

MOTION BY GARDNER, SECONDED BY TRAPP, TO ACCEPT THE RECOMMENDATIONS FROM GRANGER CONSTRUCTION FOR THE PROJECT BID PACKAGE 1 SUBCONTRACTOR AWARDS, AND AUTHORIZE GRANGER CONSTRUCTION COMPANY TO ISSUE LETTERS OF INTENT/NOTICES TO PROCEED TO EACH CONTRACTOR AUTHORIZING THEM TO PROCEED UNDER THE TERMS AND CONDITIONS OF THE SUBCONTRACT AGREEMENT. AYES-ALL. MOTION CARRIED.

09-554

MOTION BY GARDNER, SECONDED BY TRAPP, TO AUTHORIZE GRANGER CONSTRUCTION COMPANY TO CONTRACT FOR SERVICES WITH JONS TO GO,

A-WASTE, CEDAR SPRINGS FENCE, LLC, AND SOILS & STRUCTURES INC. FOR GENERAL CONDITIONS SERVICES ON THE JAIL EXPANSION PROJECT. AYES-ALL. MOTION CARRIED.

ADMINISTRATOR'S REPORT/LAKE - The Administrator reported the final numbers for the last fiscal year appear to be in the black and at the close of books will be adding to the General Fund fund balance.

PUBLIC COMMENT: Newaygo County resident, Patricia DeKuiper, expressed her appreciation for the Trillium Springs update. Linda Lawther, President of the Michigan Center for Assisted Living, provided additional information on the term "assisted living", and attempted to address the specific concerns relating to 24-hour nursing and the monthly rental fee.

MISCELLANEOUS/MAIKE - Reported on attendance at the Timberland RC&D Board of Directors meeting, the West Michigan Shoreline Regional Development Commission meeting in Fremont, and the Newaygo County Planning/Zoning Commission meeting.

MISCELLANEOUS/GARDNER - Shared additional information regarding bid packages on the Jail Expansion Construction Project and the possibility of unforeseen expenses.

MISCELLANEOUS/SCHOLTENS - Reported on attendance at the District Health Department #10 meeting.

MISCELLANEOUS/NIEBOER - Reported on attendance at the District Health Department #10 meeting, the MAC (Michigan Association of Counties) Judicial meeting, and the Mid-South Substance Abuse Commission meeting.

MISCELLANEOUS/TRAPP - Commented on the Jail Expansion Construction Project and the utilization of local contractors.

MISCELLANEOUS/GENO - Reported on attendance at the Commission on Aging Board meeting.

09-555

MOTION BY SCHOLTENS, SECONDED BY NIEBOER, TO ADJOURN THE MEETING AT 11:35 A.M. AYES-ALL. MOTION CARRIED.

*Laurel J. Breuker*

LAUREL J. BREUKER  
NEWAYGO COUNTY CLERK

ADAM WRIGHT, CHAIRMAN  
NEWAYGO COUNTY BOARD OF COMMISSIONERS