



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

DECEMBER 23, 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 Barbara Geno.

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

CORRESPONDENCE: Newaygo County Chief Deputy Clerk, Pamela A. Rolfe, reported receipt of correspondence addressed to Chairperson Wright from the Michigan Association of Counties expressing appreciation in receiving a copy of Resolution #10-028-09 supporting House Bill 5368 relating to the use of phosphorus.

09-595

MOTION BY SCHOLTENS, SECONDED BY NIEBOER, TO APPROVE THE AGENDA OF DECEMBER 23, 2009. AYES-ALL. MOTION CARRIED.

09-596

MOTION BY MAIKE, SECONDED BY NIEBOER, TO APPROVE THE BOARD OF COMMISSION REGULAR MEETING MINUTES OF DECEMBER 9, 2009. AYES-ALL. MOTION CARRIED.

PRESENTATION/RETIREMENT RESOLUTION/DIANA BOLTZ

09-597

MOTION BY GENO, SECONDED BY TRAPP, TO APPROVE RESOLUTION #12-035-09 RECOGNIZING DIANA BOLTZ'S RETIREMENT. AYES-ALL. MOTION CARRIED.

Retirement Resolution #12-035-09 was presented by Chairman Wright to Diana Boltz recognizing her years of service to the County of Newaygo.

PRESENTATION/RETIREMENT RESOLUTION/RUTH SCHOTANUS

09-598

MOTION BY MAIKE, SECONDED BY NIEBOER, TO APPROVE RESOLUTION #12-036-09 RECOGNIZING PAULETTA RUTH SCHOTANUS'S RETIREMENT. AYES-ALL. MOTION CARRIED.

Retirement Resolution #12-036-09 was presented by Chairman Wright to Ruth Schotanus recognizing her years of service to the County of Newaygo.

APPOINTMENT/AREA AGENCY ON AGING OF WESTERN MICHIGAN

09-599

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAME OF MARILYN J. SNELL IN NOMINATION AND CAST A UNANIMOUS BALLOT FOR APPOINTMENT TO THE AREA AGENCY ON AGING FOR ONE (1) ONE-YEAR TERM EXPIRING JANUARY 1, 2011. AYES-ALL. MOTION CARRIED.

Marilyn J. Snell is duly appointed to the Area Agency on Aging for a one (1) year term expiring January 1, 2011.

APPOINTMENTS/BOARD OF PUBLIC WORKS

09-600

MOTION BY SCHOLTENS, SECONDED BY TRAPP, TO PLACE THE NAMES OF RICHARD KOOISTRA AND STANLEY L. STROVEN IN NOMINATION AND CAST A UNANIMOUS BALLOT FOR APPOINTMENT TO THE BOARD OF PUBLIC WORKS FOR TWO (2) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2012. AYES-ALL. MOTION CARRIED.

Richard Kooistra and Stanley L. Stroven are duly appointed to the Board of Public works for three-year terms expiring December 31, 2012.

APPOINTMENTS/BROWNFIELD AUTHORITY BOARD

09-601

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAMES OF BRYAN GRUESBECK, ANDREW LOFGREN, JUDY MAIKE, AND JON SCHNEIDER IN NOMINATION FOR APPOINTMENT TO THE BROWNFIELD AUTHORITY BOARD FOR THREE (3) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2012. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

GARDNER		LOFGREN	MAIKE	SCHNEIDER
NIEBOER		LOFGREN	MAIKE	SCHNEIDER
GENO	GRUESBECK	LOFGREN	MAIKE	
MAIKE		LOFGREN	MAIKE	SCHNEIDER
SCHOLTENS		LOFGREN	MAIKE	SCHNEIDER
TRAPP		LOFGREN	MAIKE	SCHNEIDER
WRIGHT		LOFGREN	MAIKE	SCHNEIDER

Andrew Lofgren, Judy Maike, and Jon Schneider are duly appointed to the Brownfield Authority Board for three-year terms expiring December 31, 2012.

09-602

MOTION BY GENO, SECONDED BY NIEBOER, TO APPOINT BRYAN GRUESBECK TO FILL THE VACANCY ON THE BROWNFIELD AUTHORITY BOARD FOR THE PARTIAL TERM EXPIRING DECEMBER 31, 2010. AYES-ALL. MOTION CARRIED.

Bryan Gruesbeck is duly appointed to the Brownfield Authority Board for the partial term expiring December 31, 2010.

APPOINTMENT/COMMISSION ON AGING BOARD

09-603

MOTION BY GENO, SECONDED BY TRAPP, TO PLACE THE NAMES OF JOSEPHINE TOLIVER AND HELEN TAUBE IN NOMINATION FOR APPOINTMENT TO THE COMMISSION ON AGING BOARD FOR ONE (1) PARTIAL TERM EXPIRING SEPTEMBER 30, 2010. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

GENO	TOLIVER	
NIEBOER		TAUBE
MAIKE		TAUBE
TRAPP	TOLIVER	
SCHOLTENS	TOLIVER	
GARDNER	TOLIVER	
WRIGHT	TOLIVER	

Josephine Toliver is duly appointed to the Commission on Aging Board for the partial term expiring September 30, 2010.

APPOINTMENTS/PARKS COMMISSION

09-604

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO PLACE THE NAMES OF BRYAN GRUESBECK, RICHARD KOOISTRA, DARRYL V. RETTIG, KARL THEODORE STRESSMAN, KENNETH R. TICE, AND JANET R. WESTFIELD IN NOMINATION FOR APPOINTMENT TO THE PARKS COMMISSION FOR TWO (2) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2012. AYES-ALL. MOTION CARRIED.

ROLL CALL VOTE:

NIEBOER	GRUESBECK	KOOISTRA	
SCHOLTENS		KOOISTRA	RETTIG
TRAPP		KOOISTRA	RETTIG
GENO		KOOISTRA	RETTIG
MAIKE		KOOISTRA	RETTIG
GARDNER		KOOISTRA	RETTIG
WRIGHT		KOOISTRA	RETTIG

Richard Kooistra and Darryl V. Rettig are duly appointed to the Parks Commission for three-year terms expiring December 31, 2012.

APPOINTMENTS/PLANNING/ZONING COMMISSION

09-605

MOTION BY MAIKE, SECONDED BY SCHOLTENS, TO PLACE THE NAMES OF HARRY ROBINSON AND GARY N. WIGENT IN NOMINATION AND CAST A UNANIMOUS BALLOT FOR APPOINTMENT TO THE PLANNING/ZONING COMMISSION FOR TWO (2) THREE-YEAR TERMS EXPIRING DECEMBER 31, 2012. AYES-ALL. MOTION CARRIED.

Harry Robinson and Gary N. Wigent are duly appointed to the Planning/Zoning Commission for three-year terms expiring December 31, 2012.

PRESENTATION/MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY - Robert Hauch, Regional Risk Manager, provided an update to the Board on the County's property and casualty insurance through MMRMA. MMRMA is the largest public entity pool in the State of Michigan with nearly \$300 million in assets. A renewal summary of coverage for the County was reviewed. The total cost of the coverage for the period of October 1, 2009 through September 30, 2010 is \$324,118.00, which includes \$55,000.00 toward the Loss Fund Deposit. MMRMA Programs through which the County has received funds include the Net Asset Distribution Program at \$187,575.00 as well as the RAP (Risk Avoidance Program) Grants totaling \$72,715.00. The County currently has \$245,000.00 on account in the Loss Fund to pay claims.

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

COMMITTEE REPORT/FINANCE/GARDNER

09-568

MOTION BY GARDNER, SECONDED BY GENO, TO APPROVE THE PAYMENT OF \$324,118.00 TO MMRMA (MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY FOR LIABILITY INSURANCE FOR THE PERIOD OF OCTOBER 1, 2009 THROUGH SEPTEMBER 30, 2010, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE APPROPRIATE DOCUMENTS. PAYMENT IS TO BE PAID IN THREE (3) INSTALLMENT PAYMENTS AND IS TO BE PAID FROM ACCOUNT NUMBER 678-851-9652 (LIABILITY INSURANCE, INSURANCE AND BONDS - INSURANCE & BONDS - MMRMA). AYES-ALL. MOTION CARRIED.

09-577-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE AGREEMENT WITH RUN NETWORK TV, LLC, AND THE NEWAYGO COUNTY SHERIFF'S DEPARTMENT, AND AUTHORIZE THE NEWAYGO COUNTY SHERIFF TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. ANY REVENUES GENERATED IN FY 2010 SHALL BE APPLIED TO THE SILENT OBSERVER PROGRAM. AYES-ALL. MOTION CARRIED.

09-578-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE AMENDMENT TO THE INMATE HEALTH CARE SERVICES AGREEMENT WITH HEALTH PROFESSIONALS, LTD., AND AUTHORIZE THE BOARD CHAIR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-579-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE 2009-2010 REGION 6 ASPER (ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE) HOSPITAL PREPAREDNESS PROGRAM MEDICAL RESERVE CORPS FUNDING APPLICATION, AUTHORIZE THE NEWAYGO COUNTY ADMINISTRATOR TO SIGN THE LETTER OF SUPPORT, AND AUTHORIZE THE EMERGENCY SERVICES DIRECTOR TO ELECTRONICALLY SUBMIT THE APPLICATION. AYES-ALL. MOTION CARRIED.

09-580-1

MOTION BY GARDNER, SECONDED BY MAIKE, TO APPROVE THE 2010 PUBLIC DEFENDER AGREEMENT FOR THE 27<sup>TH</sup> JUDICIAL CIRCUIT COURT, CIRCUIT COURT

DIVISION, WITH ATTORNEYS JOHN M. GREER, DAVID C. JAUNESE, AND MARK R. SCHROPP, AND ALLOW JUDGE MONTON AND THE AFOREMENTIONED CONTRACTORS TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-581-1

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE THE 2010 PUBLIC DEFENDER AGREEMENT FOR THE 27<sup>TH</sup> JUDICIAL CIRCUIT COURT, FAMILY/JUVENILE DIVISION, WITH ATTORNEYS DAVID C. JAUNESE, MARK R. SCHROPP, ALAN S. RAPAPORT, AND CHRISTINE CLANCY-FRISBIE, AND ALLOW JUDGE MONTON AND THE AFOREMENTIONED CONTRACTORS TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-582-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE JUVENILE DIVERSION PROGRAM MEMORANDUM OF UNDERSTANDING BETWEEN THE NEWAYGO COUNTY CIRCUIT COURT AND CYNTHIA BULK, AND ALLOW JUDGE MONTON AND THE AFOREMENTIONED CONTRACTOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-583-1

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO APPROVE THE 2010 CIRCUIT COURT REPORTER INDEPENDENT CONTRACTOR AGREEMENT BETWEEN THE NEWAYGO COUNTY CIRCUIT COURT AND BARBARA LYNN WILES, AND ALLOW JUDGE MONTON AND THE AFOREMENTIONED CONTRACTOR TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-584-1

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE 2010-2012 REGIONAL DETENTION SUPPORT SERVICES (RDSS) CONTRACT AND ALLOW JUDGE MONTON, CHIEF CIRCUIT COURT JUDGE, AND JIM MCCORMICK, THE DIRECTOR OF NEWAYGO COUNTY DEPARTMENT OF HUMAN SERVICES, TO SIGN ANY AND ALL NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-588

MOTION BY GARDNER, SECONDED BY TRAPP, TO APPROVE THE SEMI-MONTHLY DETAIL ANALYSIS DATED DECEMBER 16, 2009, CHECK #58370 THROUGH CHECK #58567, FOR A TOTAL AMOUNT OF \$305,494.38. AYES-ALL. MOTION CARRIED.

09-589

MOTION BY GARDNER, SECONDED BY MAIKE, TO RATIFY THE NOVEMBER 2009 MONTHLY CHECK REGISTER IN THE AMOUNT OF \$2,924,325.54. AYES-ALL. MOTION CARRIED.

09-590

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

09-591

MOTION BY GARDNER, SECONDED BY NIEBOER, TO APPROVE PAYMENT TO MID SOUTH SUBSTANCE ABUSE COMMISSION OF THE P.A. 2 OF 1986 "LIQUOR TAX" FUNDS IN THE AMOUNT OF \$20,801.50 FROM 101-631-8359 (GENERAL FUND - SUBSTANCE ABUSE INTERNATIONAL - APPROPRIATION TO OTHER AGENCIES). AYES-ALL. MOTION CARRIED.

09-592

MOTION BY GARDNER, SECONDED BY MAIKE, TO SUBMIT THE APPLICATION FOR A SURVEY AND REMONUMENTATION GRANT FOR GRANT YEAR 2010, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN ANY AND ALL OF THE NECESSARY DOCUMENTS. AYES-ALL. MOTION CARRIED.

09-593

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO RENEW NEWAYGO COUNTY'S ANNUAL MEMBERSHIP WITH WEST MICHIGAN STRATEGIC ALLIANCE (WMSA) IN THE AMOUNT OF \$250.00; MONEY TO COME FROM 101-101-957 (GENERAL FUND, BOARD OF COMMISSIONERS - SUBSCRIPTIONS & DUES). AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/JAIL EXPANSION CONSTRUCTION COMMITTEE

09-606

MOTION BY GARDNER, SECONDED BY TRAPP, TO ACCEPT THE RECOMMENDATIONS FROM GRANGER CONSTRUCTION FOR THE PROJECT BID PACKAGE 2 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.

09-607

MOTION BY GARDNER, SECONDED BY MAIKE, TO AUTHORIZE GRANGER CONSTRUCTION TO ISSUE CHANGE ORDERS TO PROJECT BID PACKAGE 1 CONTRACTORS TO INCLUDE THE PROJECT SCOPE COMPLETELY INCLUDING ALL ALTERNATES. AYES-ALL. MOTION CARRIED.

MISCELLANEOUS COMMITTEE REPORT/TRAPP - Attended a meeting with NCRESA (Newaygo County Regional Educational Service Agency) regarding the opportunity to partnership on the Animal Shelter expansion project. More information will be brought to the Physical & Economic Development Committee. Also attended a meeting with Veterans' Affairs Committee members and service officer regarding the proposed expansion and future needs of that office.

MISCELLANEOUS COMMITTEE REPORT/NIEBOER/SCHOLTENS - Attended the District Health Department #10 meeting. Budgetary items and the H1N1 vaccine recall issue were topics of discussion.

MISCELLANEOUS COMMITTEE REPORT/MAIKE - Attended a meeting with NCATS (Newaygo County Advanced Technology Services) to review information ascertained at the Broadband Internet Meeting held in the Board of Commissioners' Meeting Room.

MISCELLANEOUS COMMITTEE REPORT/WRIGHT - Reported receipt of a dividend check in the amount of \$59,529.00 from the MAC (Michigan Association of Counties) Workers' Compensation Fund; the County Medical Care Facility received approximately \$78,000.00. Also reported that Administration Staff has been requested to contact Citizens Management regarding possible upgrades to the Wellness Program. Staff has also been requested to research the County's volunteers "fit for service" status.

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

- As a result of information ascertained through the bid process on the Jail Expansion Construction Project, proposed amendments and recommended changes are expected to be brought forward to the Physical & Economic Development Committee.
- Anticipates receipt of the wire for cash on the bonds for the Jail Expansion Construction Project today.
- The State of Michigan is contracting with the State of Pennsylvania to house medium security inmates at the Muskegon Correctional Facility, which will stop the anticipated layoffs at that facility. As a side note, the per diem for housing those inmates will be \$62.00; the United States Marshals will pay \$63.37 per diem for housing inmates in the new Newaygo County Jail facility.
- Through the West Michigan Strategic Alliance, Administrators of the eight counties have been discussing collaboration of such topics as transportation, animal control, legal services, and reverse auction items.

PUBLIC COMMENT: Newaygo County Treasurer, Holly Moon, reported that as of this morning the bond proceeds have, in fact, been received for the Construction Fund only; not the principal and interest.

MISCELLANEOUS/MAIKE/GARDNER/SCHOLTENS/NIEBOER/TRAPP/WRIGHT - All expressed holiday sentiments and year-end comments.

MISCELLANEOUS/WRIGHT - The retirement parties for Ruth Schotanus and Diana Boltz will be held December 29<sup>th</sup> and December 30<sup>th</sup>, respectively. Reported the County Offices will close at 2:00 P.M. for the employee Holiday Gathering.

09-608

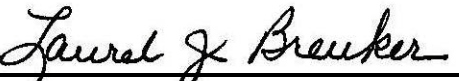
MOTION BY SCHOLTENS, SECONDED BY TRAPP, TO GO INTO CLOSED SESSION AT 11:05 A.M. TO DISCUSS BARGAINING UNIT NEGOTIATIONS AND ARBITRATION.  
ROLL CALL VOTE: GENO-AYE, MAIKE-AYE, TRAPP-AYE, GARDNER-AYE, NIEBOER-AYE, SCHOLTENS-AYE, WRIGHT-AYE. MOTION CARRIED.

09-609

MOTION BY GARDNER, SECONDED BY SCHOLTENS, TO RETURN TO OPEN SESSION AT 11:49 A.M. AYES-ALL. MOTION CARRIED.

09-610

MOTION BY GARDNER, SECONDED BY NIEBOER, TO ADJOURN THE MEETING AT 11:49 A.M. AYES-ALL. MOTION CARRIED.

  
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LAUREL J. BREUKER  
NEWAYGO COUNTY CLERK

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ADAM WRIGHT, CHAIRMAN  
NEWAYGO COUNTY BOARD OF COMMISSIONERS

JANUARY 6, 2010