

Board of Commissioners Minutes
Board Conference Room
November 24, 2009

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Van Sickle in the Board Conference Room on Tuesday, November 24, 2009 at 2:00 p.m.

Roll was called by the Clerk. Present: Mr. Malburg, Ms. Kolbe, Mr. Brown, Mr. Powers, Mr. Byl, Mr. Simon, and Mr. Van Sickle. Absent: None.

Moved by Mr. Byl and seconded by Mr. Powers to approve the minutes of the November 12, 2009 meeting as presented.

Voice vote. Motion carried.

Ms. Rhonda Cavanaugh-Jibson, Otto Township resident, was present to express her concerns regarding allegations against Ms. Terri Troupe, Oceana County Animal Control Officer, that were addressed in a closed session of the Law and Safety Committee held on Thursday, October 22, 2009. She stated that she appreciated Ms. Sue Johnson, Oceana County Administrator/Fiscal Officer, taking the time to investigate the allegations; however, she was not satisfied with some of the findings and recommendations.

Ms. Cavanaugh-Jibson also felt that the proposed kennel policy needs some modifications as it is not conducive to kennel owners. (Ms. Cavanaugh-Jibson provided a three page document which lists her concerns. The document is on file in the County Clerk's Office).

Ms. Marsha Richardson, Golden Township resident, and breeder of AKC Registered Yorkshire Terriers, voiced her concerns with the proposed kennel policy and Ms. Troupe. She experienced an incident last year whereby she was served a notice by Ms. Troupe that her house was uninhabitable and that her dogs were unlicensed. Upon calling Ms. Troupe about the situation, she commented that she was treated very rudely, and that Ms. Troupe was heartless and cruel.

Ms. Richardson asked Ms. Troupe about obtaining a kennel license for her dogs. Ms. Troupe explained the requirements for a kennel license. Ms. Richardson explained that her dogs must have socialization and cannot be kept in a separate building. She added that the proposed kennel policy being

presented today (November 24, 2009) would not allow for a safe and secure home for her pets. The proposed kennel policy is not acceptable. She urged the County Board to thoroughly review the policy and make the necessary changes to accommodate all licensed kennel owners in the County.

Mr. Tad Brake, Newfield Township resident, owner of several sled dogs, stated that he had experienced problems with Ms. Brower, the former Animal Control Officer. In the year 2000, he was informed by Ms. Brower that his kennel met all requirements and was clean, but his dogs were too skinny; thus, a kennel license was not issued. He contacted a veterinary in Newaygo County who inspected his dogs and said they looked fine. The veterinary wrote a letter to Ms. Brower and ultimately a kennel license was issued. Ms. Brower did not know or understand his breed of dogs.

Mr. Brake's point of the story is that dog owners know their dogs better than anyone else. If someone is really violating the law, then action needs to be taken. But, in recent years, it has gotten out of hand. He commented that he has not had a problem with Ms. Troupe; however, he called the Animal Control Department on May 15, 2009 for a kennel inspection. The inspection was not done until September 10, 2009 (which was a surprise visit). He received his kennel license on November 5, 2009. It should not have taken that long for Ms. Troupe to respond to his inspection request. It seems as though Ms. Troupe already has enough to do and does not need to be drafting new kennel policies to enforce.

Ms. Alice Szuhai, Otto Township resident, strongly encouraged the County Board to reconsider the adoption of the proposed kennel policy. The proposed policy is outrageous and not fair to kennel owners. Ms. Troupe uses selective enforcement when it comes to the current kennel policy. Ms. Troupe is going to destroy the livelihood of many kennel owners in the County. Ms. Szuhai went on to explain a few examples of the conduct of Ms. Troupe.

Mr. Van Sickle stated that the proposed kennel policy will be referred to the Law and Safety Committee for further review. He is hopeful that the revised policy can be shared with all individuals who have a vested concern before the committee meeting on December 17, 2009. He thanked the public for their input and added that the County Board is trying to react to all the concerns expressed. Everyone has to be patient and work together to resolve the issues at hand.

A letter was received from Mr. Benton C. Gabbard, District Court Magistrate/Administrator, regarding District Court's 2010 budget review. After the review, it was determined that sufficient funds were not available to make up the overall reduction of ten percent in the Court's budget to cover the fourteen percent reduction in salaries for the Court employees which puts the Court in the unenviable position to reduce the clerks' hours of work.

District Court is unwilling to terminate the jobs or medical benefits, by lay off, of any of its employees, so accepts the Board's directive of reducing hours to thirty-five hours per week.

Effective January 1, 2010, District Court's entire staff shall work thirty-five hours per week. Mr. Gabbard thanked the board for allowing the Court the opportunity to review its budget. The letter is on file in the County Clerk's office.

Chairperson Van Sickle presented Ms. Kay Aebig, retiring EMT Specialist, Oceana County EMS, with an Exemplary EMS Service award. He thanked Ms. Aebig for all her years of service to the County.

RESOLUTION NO. 1 – TRANSFER OF FUNDS

Moved by Mr. Simon and seconded by Mr. Malburg to transfer \$4,000 from the Law Library Appropriations to the Law Library Fund.

Roll call vote: Mr. Simon-yes; Mr. Malburg-yes; Mr. Byl-yes; Mr. Powers-yes; Ms. Kolbe-yes; Mr. Brown-yes; and Mr. Van Sickle-yes. Absent: None.

Motion carried.

RESOLUTION NO. 2 – CHANGES MADE TO THE BOARD OF COMMISSIONERS MEETING DATES IN DECEMBER 2009

Moved by Mr. Simon and seconded by Mr. Powers to change the Board of Commissioners December meeting dates as follows:

- Change from Thursday, December 10, 2009 to Thursday, December 17, 2009
- Change from Tuesday, December 22, 2009 to Tuesday, December 29, 2009

Voice vote. Motion carried.

RESOLUTION NO. 3 – PURCHASE OF MATERIAL FOR PRIVACY FENCING AND INTRADEPARTMENTAL TRANSFER TO PAY THE SAME

Moved by Mr. Simon and seconded by Mr. Malburg to authorize the Oceana County Animal Control Officer to purchase privacy fencing and related materials not to exceed \$1,300. Said costs will be covered in the 2009 Animal Control Budget with the transfer of \$1,300 from 747 – Fuel to 931 – Equipment Repairs/Maintenance.

Roll call vote: Mr. Simon-yes; Mr. Malburg-yes; Mr. Brown-yes; Ms. Kolbe-yes; Mr. Powers-yes; Mr. Byl-yes; and Mr. Van Sickle-yes. Absent: None.

Motion carried.

RESOLUTION NO. 4 – REAPPOINTMENTS TO OCEANA COUNTY BOARD OF PUBLIC WORKS

Moved by Mr. Byl and seconded by Mr. Brown to reappoint Mr. Jesse Beckman, 4174 W. Orchard Drive, Hart, Michigan 49420 and Ms. Sue Ann Johnson, 5476 W. Ritter Avenue, Pentwater, Michigan 49449 to the Oceana County Board of Public Works for three-year terms effective January 1, 2010

Voice vote. Motion carried.

RESOLUTION NO. 5 – REAPPOINTMENT TO NORTHERN MICHIGAN SUBSTANCE ABUSE SERVICES, INC.

Moved by Mr. Byl and seconded by Mr. Malburg to reappoint Ms. Evelyn Kolbe, 9472 E. Woodrow Road, Hesperia, Michigan 49421 to the Northern Michigan Substance Abuse Services, Inc. Board of Directors for a three-year term effective January 1, 2010.

Voice vote. Motion carried.

RESOLUTION NO. 6 - REAPPOINTMENTS TO WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION (WMSRDC) BOARD OF DIRECTORS

Moved by Mr. Byl and seconded by Mr. Simon to reappoint Mr. James Brown, 2954 S. 64th Avenue, Shelby, Michigan 49455 and Ms. Evelyn Kolbe, 9472 E. Woodrow Road, Hesperia, Michigan 49421 to the West Michigan Shoreline Regional Development Commission (WMSRDC) Board of Directors for one year effective January 1, 2010.

Voice vote. Motion carried.

RESOLUTION NO. 7 – APPOINTMENT TO SENIOR RESOURCES BOARD OF DIRECTORS

Moved by Mr. Byl and seconded by Ms. Kolbe to appoint Ms. Anne Soles, 217 Old State Road, Pentwater, Michigan 49449 to the Senior Resources Board of Directors for a three-year term effective January 1, 2010 as the County Commission's designated representative from Oceana County.

Voice vote. Motion carried.

RESOLUTION NO. 8 - PAYMENT OF CLAIMS

Moved by Mr. Simon and seconded by Ms. Kolbe to approve the payment of claims in the tentative amounts as follows:

AMBULANCE FUND	\$ 84,023.93
FRIEND OF THE COURT	-0-
PUBLIC IMPROVEMENT FUND	621.00
BUILDING DEPARTMENT FUND	8,011.17
CAPITOL PROJECTS – DC	-0-
CAPITOL PROJECTS – SHERIFF	-0-
TOTAL FORECLOSURE FUND	3,581.53
AUTOMATION FUND R.O.D.	215.30

LOCAL CORR. OFFICERS TRAINING FUND	339.58
DRUG LAW ENFORCEMENT	-0-
GENERAL FUND	<u>316,791.61</u>
TOTAL	\$ <u>413,584.12</u>


and to authorize the County Clerk to draw warrants and the County Treasurer to pay the same.

Roll call: Mr. Simon-yes; Ms. Kolbe-yes; Mr. Byl-yes; Mr. Brown-yes; Mr. Malburg-yes; Mr. Powers-yes; and Mr. Van Sickle-yes. Absent: None.

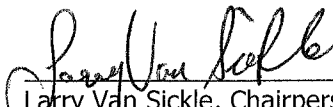
Motion carried.

Chairperson Van Sickle asked if there was any further business to come before the Board. There

being none, the meeting was adjourned at 3:50 p.m.


Rebecca J. Griffin
Oceana County Clerk

12-17-09
Date


Larry Van Sickle, Chairperson