

Board of Commissioners Minutes  
Board Conference Room  
March 11, 2010

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Van Sickle in the Board Conference Room on Thursday, March 11, 2010 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 Ms. Kolbe and seconded by Mr. Byl to approve the minutes of the February 25, 2010 meeting as presented.

Chairperson Van Sickle invited public comment on the proposed memorandum from Scandia Wind Offshore, LLC. Approximately 40 individuals (most opposed) were present for the public comment. Mr. Dan Filius, Pentwater resident, stated that Pentwater's economy has already been affected by the proposed development of offshore wind energy in Lake Michigan. He related that some home sales have been canceled because of the possibility of offshore wind. He encouraged the County Board to not support the project. Mr. Ed Clifford, Mears resident, stated that Scandia wants to take the lake, spoil the views, and ruin tourism. Mr. Tom Thompson, resident of Fruitland Township, Muskegon County, commented that the offshore wind project might be another attack on the Great Lakes, comparing it to water bottlers and invasive species. Wind Energy has its place, but you have to be careful with it.

Ms. Sharon Hedinger, Mears resident, commented that her husband and her built their home on Lake Michigan for the view and would be very disappointed to have the wind towers in Lake Michigan. Ms. Colleen Plummer, Pentwater Village business owner, stated that Pentwater is known for tourism. Tourism is what supports the Village and constructing wind towers offshore of Pentwater will destroy the small town and businesses. Ms. Camille Stonex, Pentwater resident, asked the County to vote with their heart, not their wallet. Ms. Sue Squire, Pentwater resident; Mr. Bill Maxwell, Pentwater resident; Mr. Tom Zyniewicz, Grand Rapids resident; and Ms. Ann Sayles, Hart resident, expressed their concerns and

stressed the importance of protecting the Great Lakes as well as the beautiful West Michigan coastline area.

Ms. Debbie Chase, Walkerville resident; and Ms. Keely Lent, Shelby resident, have formed a group in support of investigating offshore wind in the area and exploring the issue further. Wind energy is coming and people need to be open minded about new innovations in Michigan.

Commissioner Malburg suggested that all concerns regarding the offshore wind project be directed to Lansing. Legislation concerning state regulations on offshore wind is expected to be debated soon. He related that the Oceana County Board is not taking this project lightly and are trying to gather all facts before making a stand.

Chairperson Van Sickle thanked all those present for their concerns and for the large amounts of correspondence received. He stated that he is not confident that any decision the County Board makes is going to carry much weight. He also encouraged those present to send their concerns to Lansing. (He referenced the Michigan Great Lakes Wind Council recommendations that would put the final decision in the state's hands).

It was the consensus of the County Board to refer the offshore Scandia Wind Project to the Oceana County Planning Commission for its input.

There being no further public comments, Chairperson Van Sickle declared the Public Hearing on Scandia Wind Offshore, LLC closed at 2:35 p.m.

Commissioner Brown left the meeting at this time.

Correspondence was received from Gerald Van Woerkom, State Senator, 34<sup>th</sup> District, thanking the Oceana Board of Commissioners for their resolution urging Senator Van Woerkom to support funding for the County Jail Reimbursement Program (CJRP).

Senator Van Woerkom has identified CJRP as one of his priorities. He does not serve on the Appropriation Committee and is only able to advocate priorities and support an end-product budget that best balances the needs of the state with revenues available. He is hopeful that a more fully funded CJRP is part of the product. The letter is on file in the County Clerk's office

Mr. Steve Warner, CEO, Scandia Wind Offshore, LLC submitted a memorandum to the Board of Commissioner's requesting a formal response by September 1, 2010 regarding the Impact Studies for the Aegir Project Wind Farm. The memorandum is on file in the County Clerk's office.

### **RESOLUTION 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. Van Sickle-yes. Absent: Mr. Brown

Motion carried.

### **RESOLUTION NO. 2 – TRANSFER OF FUNDS**

Moved by Mr. Simon and seconded by Mr. Byl to transfer \$4,000 from the Soldiers and Sailors Relief Commission Appropriations to the Soldiers and Sailors Relief Commission Fund.

Roll call vote: Mr. Simon-yes; Mr. Byl-yes; Ms. Kolbe-yes; Mr. Powers-yes; Mr. Malburg-yes; Mr. Van Sickle-yes. Absent: Mr. Brown.

Motion carried.

### **RESOLUTION NO. 3 – 2010 BUDGET AMENDMENT**

Moved by Mr. Simon and seconded by Mr. Malburg to **amend the 2010 Oceana County General Fund Budget from \$9,357,128 to \$9,365,164 as follows:**

#### **INCREASE GENERAL FUND REVENUES AS FOLLOWS:**

Increase 253- Treasurer from \$8,297,691 to \$8,305,727 as follows:

Increase 253-665.025 – Insurance Payment from -0- to \$7,036

Increase 253-677.000 – Reimbursements – General from \$70,000 to \$71,000

#### **INCREASE GENERAL FUND EXPENDITURES AS FOLLOWS:**

Increase 332 - Snowmobile expenditures from \$25,504 to \$33,540 as follows:  
Increase 332-977.000 – Machinery and Equipment from \$500 to \$8,536

Increase 215 – County Clerk expenditures from \$317,067 to \$317,909 as follows:  
Increase 215-705.000 – Wages – Employees Permanent from \$161,015 to \$161,718  
Increase 215-715.000 – FICA from \$16,258 to \$16,312  
Increase 215-721.000 – Retirement from \$25,127 to \$25,212

Increase 253 – County Treasurer expenditures from \$210,219 to \$211,416 as follows:  
Increase 253-705.000 – Wages – Employees Permanent from \$86,718 to \$87,718  
Increase 253-715.000 – FICA From \$10,560 to \$10,636

Increase 253-721.000 – Retirement from \$16,151 to \$16,272

Increase 267 – Prosecuting Attorney expenditures from \$380,841 to \$381,993 as follows:  
 Increase 267-705.000 – Wages – Employees Permanent from \$154,106 to \$155,068  
 Increase 267-715.000 – FICA from \$19,300 to \$19,374  
 Increase 267-721.000 – Retirement from \$29,858 to \$29,974

Increase 301 – Sheriff expenditures from \$1,924,521 to \$1,934,404 as follows:  
 Increase 301-705.000 – Wages – Employees Permanent from \$791,181 to \$799,337  
 Increase 301-715.000 – FICA from \$82,561 to \$83,185  
 Increase 301-721.000 – Retirement from \$144,147 to \$145,250

Decrease 970-965.000 Contingency Fund from \$70,000 to \$56,926

Roll call vote: Mr. Simon-yes; Mr. Malburg-yes; Mr. Byl-no; Mr. Powers-yes; Ms. Kolbe-yes; Mr. Van Sickle-yes. Absent: Mr. Brown.

Motion carried.

Commissioner Byl commented that he would have preferred those employees with excessive amounts of compensatory time been directed to use the time rather than be paid for it. Compensatory time should be used as soon as possible and not accumulated to such a large degree. Ms. Johnson explained that the compensatory time accumulated by those employees was accrued several years ago and over a period of time. She related that this situation will not happen again as all department heads have been advised of the personnel policy which does not allow the accrual of more than one week of compensatory time.

**RESOLUTION NO. 4 – USE OF OCEANA COUNTY AIRPORT PROPERTY BY MEMBERS OF THE AMERICAN MODELING ASSOCIATION’S AEROKATS RADIO CONTROL FLYING CLUB**

Moved by Mr. Powers and seconded by Mr. Simon to authorize the Aerokats Radio Control Flying Club, chartered members of the American Modeling Association (A.M.A.), to use the Oceana County Airport grass strip runway property as described for radio control flying activities until December 31, 2010 under the following conditions:

1. The Aerokats Flying Club must abide by all rules governing safety and frequency control of their model aircraft as set forth in the membership regulations.
2. The American Modeling Association provides liability insurance for its members and the County of Oceana for up to \$1,500,000 per occurrence and \$4,000,000 per aggregate.
3. Only A.M.A. members are permitted to fly at the site. A spotter must be in place before flying would be allowed by any individual in order to avoid interference with full size aircraft.
4. The Aerokats Flying Club must report to the Oceana County Airport Manager if anyone other than members of the A.M.A. is using the Oceana County Airport property.
5. The Aerokats Flying Club must maintain their section of the airport property (approximately 300' x 300') in a close cropped condition.

6. The Oceana County Airport Manager will have the final discretion as to whether rules for using the airport property have been violated.

Use of the Oceana County Airport for radio control flying activities shall be subject to annual review prior to its authorization.

Roll call vote: Mr. Powers-yes; Mr. Simon-yes; Ms. Kolbe-yes; Mr. Byl-yes; Mr. Malburg-yes; Mr. Van Sickle-yes. Absent: Mr. Brown.

Motion carried.

**RESOLUTION NO. 5 – RECOGNITION OF "MARCH AS DEVELOPMENTAL DISABILITIES AWARENESS MONTH"**

Moved by Ms. Kolbe and seconded by Mr. Byl to adopt the following Resolution:

WHEREAS, March is Developmental Disabilities Awareness Month; and

WHEREAS, mental retardation and related developmental disabilities affect more than 7 million Americans and their families; and

WHEREAS, this national observance offers a chance to learn more about the vital contributions that people with mental retardation and related developmental disabilities are making in our community; and

WHEREAS, the Oceana County Board of Commissioners recognizes that public awareness and education enhance a community's understanding of the issues affecting people with a developmental disability and in recognizing their vital contributions.

THEREFORE, BE IT RESOLVED: That the Oceana County Board of Commissioners recognizes March as Developmental Disabilities Awareness Month and supports the efforts of the citizens of Oceana County in promoting an understanding of the issues affecting people with a developmental disability and in recognizing the vital contributions these citizens are making in our community.

Roll call vote: Ms. Kolbe-yes; Mr. Byl-yes; Mr. Powers-yes; Mr. Simon-yes; Mr. Malburg-yes; Mr. Van Sickle-yes. Absent: Mr. Brown.

Motion carried.

**RESOLUTION NO. 6 – LEASE AGREEMENT BY AND BETWEEN THE COUNTY OF OCEANA AND WEST MICHIGAN COMMUNITY MENTAL HEALTH SYSTEM**

Moved by Mr. Byl and seconded by Mr. Powers to approve the attached Lease Agreement By and Between the County of Oceana and West Michigan Community Mental Health System for the period October 1, 2009 through September 30, 2010 with the option to renew for one additional year (October 1, 2010 through September 30, 2011) or until 60 days after the Appeal filed by State of Michigan with respect to the CMH lease issue has been settled, whichever is earlier.

The monthly lease rate for the period October 1, 2009 through September 30, 2010 shall be Five Hundred Eighteen Dollars and Three Cents (\$518.03) based on annual costs of Six Thousand Two Hundred Sixteen Dollars and Forty Cents (\$6,216.40) per "Appendix A" of the Lease Agreement. The lease amount for an additional one year renewal period will be recalculated and based on actual costs

incurred by the County of Oceana.

Roll call vote: Mr. Byl-yes; Mr. Powers-yes; Ms. Kolbe-yes; Mr. Malburg-yes; Mr. Simon-yes; and Mr. Van Sickle-yes. Absent: Mr. Brown.

Motion carried.

**RESOLUTION NO. 7 – SCANDIA WIND OFFSHORE, LLC MEMORANDUM**

Moved by Ms. Kolbe and seconded by Mr. Byl to refer the Memorandum from Scandia Wind Offshore to the Oceana County Planning Commission for review, study, and recommendation.

Voice vote. Motion carried.

**RESOLUTION NO. 8 – CHAIR APPOINTMENTS TO WEST MICHIGAN COMMUNITY MENTAL HEALTH SYSTEM (WCMHS) BOARD OF DIRECTORS**

Chairperson Van Sickle reappointed Ms. Jane Hedberg, 7844 66<sup>th</sup> Avenue, Pentwater, Michigan 49449 and himself to the West Michigan Community Mental Health System Board of Directors for three-year terms effective April 1, 2010.

**RESOLUTION NO. 9 – PAYMENT OF CLAIMS**

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

<b>AMBULANCE FUND</b>	<b>\$ 82,871.47</b>
<b>FRIEND OF THE COURT</b>	<b>-0-</b>
<b>PUBLIC IMPROVEMENT FUND</b>	<b>278.24</b>
<b>BUILDING DEPARTMENT FUND</b>	<b>12,215.10</b>
<b>CAPITOL PROJECTS – DC</b>	<b>-0-</b>
<b>CAPITOL PROJECTS – SHERIFF</b>	<b>-0-</b>
<b>TOTAL FORECLOSURE FUND</b>	<b>4,908.53</b>
<b>AUTOMATION FUND R.O.D.</b>	<b>87.88</b>
<b>LOCAL CORR. OFFICERS TRAINING FUND</b>	<b>1,452.61</b>
<b>DRUG LAW ENFORCEMENT</b>	<b>-0-</b>
<b>GENERAL FUND</b>	<b><u>426,744.44</u></b>
<b>TOTAL</b>	<b>\$ 528,558.27</b>

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. Powers-yes; Mr. Byl-yes; Mr. Malburg-yes; and Mr. Van Sickle-yes. Absent: Mr. Brown.

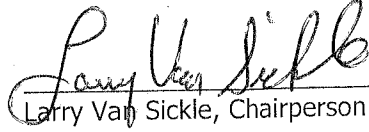
Motion carried.

Commissioner Kolbe informed the Board that MOCAP has received approximately \$6,000,000 in funds to help qualified residents in Muskegon and Oceana Counties with home weatherization projects. She is going to send notification to all the Township Supervisors to pass along to their residents who may be interested. MOCAP also has a home repair program for qualified and interested individuals.

Chairperson Van Sickle asked if there was any further business to come before the Board. There being none, the meeting was adjourned at 2:56 p.m.

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Rebecca J. Griffin  
Oceana County Clerk

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Date

  
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Larry Van Sickle, Chairperson