

Board of Commissioners Minutes
 Board Conference Room
 April 8, 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, April 8, 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 Mr. Simon and seconded by Mr. Brown to approve the minutes of the March 25, 2010 meeting as presented. Voice vote. Motion carried.

RESOLUTION NO. 1 - RECOGNITION OF APPRECIATION FOR ALLAN SEYFRED

Moved by Mr. Powers and seconded by All to adopt the following *Resolution of Appreciation for ALLAN SEYFRED*:

WHEREAS, *ALLAN SEYFRED* has served the people of Oceana County, Michigan in several capacities for nearly 24 years; and

WHEREAS, *ALLAN SEYFRED* served on the Tax Allocation Board in 1986; the Oceana County Planning Commission from September 14, 1989 until December 31, 2009; and, the Oceana County Jury Board from May 1, 1993 through March 25, 2010; and

WHEREAS, *ALLAN SEYFRED* has contributed significantly to the establishment of policies and the implementation of procedures that directly impacted Oceana County and its residents with a genuine regard for their needs; and

WHEREAS, *ALLAN SEYFRED* has provided a strengthened oversight responsibility for Oceana County's planning needs with a sense of innovation, productivity and cost effectiveness within the financial constraints of Oceana County; and

WHEREAS, *ALLAN SEYFRED* has gained the respect and gratitude of the Oceana County Board of Commissioners, the Oceana County Planning Commissioners and his peers for his cooperation, integrity and abiding commitment to the County of Oceana.

NOW, THEREFORE, BE IT RESOLVED: That the Oceana County Board of Commissioners expresses its deep appreciation and gratitude to *ALLAN SEYFRED* for his years of dedicated service to the County of Oceana and wishes him well.

Voice vote. Motion carried.

Correspondence was received from Honorable H. Kevin Drake, 78th District Court Judge, thanking Chairperson Van Sickle and the Board of Commissioners, regarding the re-classification of the Attorney-Magistrate/Administrator position. Judge Drake stated that this will be a great asset to the Court in its continuing effort to better serve the public. The letter is on file in the County Clerk's office.

Mr. Larry Boitnott, Director, Oceana County Department of Human Services (DHS) provided a review of the Oceana County Department of Human Services 2009 Annual Report. He reported on the demographics of Oceana County based on calculations from the U.S. Census Bureau as follows:

Population for 2008 = 27,598	Persons under the age of 18 – 25%
Hispanic or Latino Origin – 14.5%	Persons 65 years old and over – 15%
Hispanic or Latino Origin – Michigan as a whole – 4.1%	

In the Food Assistance Program, there were approximately 2,288 monthly household's served; monthly cost was \$619,772.25; and the average number of people receiving benefits monthly was 5,613. Total cost for FY 2009 was \$7,437,267. There was an average of 265 households serviced in 2009 under the Family Independence program with a total issuance of \$1,423,744.00. There was an average of 13 individuals that received State Disability Assistance each month in FY 2009 for a total cost of \$45,078. Under the Adult Home Help Services, an average of 143 individuals received Adult Home help totaling \$531,825.15. An average of 7,241 individuals received Medicaid for FY 2009.

Mr. Boitnott stated that areas of focus for the future will target: 1) poverty on local communities; 2) teenage pregnancy; 3) child trauma assessment centers; and better customer service.

Chairperson Van Sickle thanked Mr. Boitnott for his presentation.

RESOLUTION NO. 2 – HOMELAND SECURITY GRANT PROGRAM INTERGOVERNMENTAL AGREEMENT BETWEEN WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION AND OCEANA COUNTY

Moved by Ms. Kolbe and seconded by Mr. Malburg to enter into the Homeland Security Grant Program Intergovernmental Agreement ("the Agreement") between the West Michigan Shoreline Regional Development Commission (WMSRDC) and the County of Oceana for the purpose of delineating the relationship and responsibilities between WMSRDC and the County of Oceana and the Region 6 Homeland Security Governing Board with regard to the 2008 Homeland Security Grant Program and use of Grant Program funds, including but not limited to, the purchase, use and tracking of equipment purchased with Grant Program funds, purchase or reimbursement of services with Grant Program funds and/or reimbursement for certain salaries and/or overtime costs with Grant Program funds.

WMSRDC was designated Fiduciary for the 2008 Homeland Security Grant Program by the Region 6 Homeland Security Governing Board and accepted the position of Fiduciary and, as a result, entered into the 2008 Homeland Security Grant Program Agreement with the State of Michigan and became the Subgrantee for the Grant Program. This Agreement is a prerequisite to any FY2008 Homeland Security Grant Program funds being awarded to the County of Oceana.

The Oceana County Board of Commissioners hereby designates the Oceana County Emergency Management Coordinator as the authorized official of the County of Oceana to execute the Agreement on behalf of the County of Oceana and hereby accepts and binds the County of Oceana to the terms and conditions of the Agreement.

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

Motion carried.

**RESOLUTION NO. 3 – SUPPORT FOR THE CITY OF HART MICHIGAN MAIN STREET PROGRAM
“SELECTED LEVEL” APPLICATION**

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

WHEREAS, the City of Hart on behalf of the City, TIFA and Hart City businesses is applying to the Michigan State Housing Development Authority for their Michigan Main Street Program “Selected Level”, and ;

WHEREAS, the City of Hart has completed the “Associate Level” requirements, and;

WHEREAS, the City of Hart has filed a “letter of interest” to apply for the “Selected Level” of the Michigan Main Street Program, and;

WHEREAS, this “Selected Level” of the Michigan Main Street Program requires a five year commitment by the City of Hart, and;

WHEREAS, the City of Hart has committed to the four point approach to economic development improvements that include; design, economic restructuring, promotion and organization, and;

WHEREAS, local businesses and persons have pledged monetary, in-kind and volunteer assistance with this program for five years, and;

WHEREAS, the Oceana County Board of Commissioners feels that this program is a very worthwhile for the City of Hart to rejuvenate the downtown area; support existing businesses; and, attract new businesses to the city, and;

NOW, THEREFORE, BE IT RESOLVED that the Oceana County Board of Commissioners supports the City of Hart in its efforts to become a “Selected Level” city in the Michigan State Housing Development Authority’s Michigan Main Street Program.

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

Motion carried.

RESOLUTION NO. 4 – TRANSFER OF FUNDS

Moved by Mr. Simon and seconded by Mr. Powers to transfer \$10,000 from the Parks and Recreation Commission Appropriations to the Parks and Recreation Commission Fund.

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

Motion carried.

RESOLUTION NO. 5 – TRANSFER OF FUNDS

Moved by Mr. Simon and seconded by Mr. Malburg to transfer \$20,000 from the Child Care Appropriations to the Child Care Fund.

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

Motion carried.

RESOLUTION NO. 6 – GENERAL FUND BUDGET AMENDMENT

Moved by Mr. Simon and seconded by Ms. Kolbe to amend the **Oceana County General Fund Budget from \$9,414,377 to \$9,443,377 as follows:**

INCREASE GENERAL FUND REVENUES AS FOLLOWS:

Increase 253- Treasurer from \$8,351,540 to \$8,380,540 as follows:

Decrease 253-401.000 – Year End Balance from \$104,976 to \$33,976

Increase 253-699.999 – Transfers In – Revenue Sharing Reserve Fund from \$400,000 to \$500,000

INCREASE GENERAL FUND EXPENDITURES AS FOLLOWS:

Increase 202 – County Auditing from \$36,300 to \$45,300

Increase 899 – Tax Tribunal Refunds Ordered from \$5,000 to \$25,000

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

Motion carried.

RESOLUTION NO. 7 – APPOINTMENT TO THE OCEANA COUNTY ANIMAL CONTROL ADVISORY BOARD

Moved by Mr. Simon and seconded by Ms. Kolbe to appoint Lt. Craig Mast, Oceana County Sheriff's Department, as the law enforcement representative to the Oceana County Animal Control Advisory Board per the resignation of Mr. Dan Leimback, Hart City Police Chief.

Voice vote. Motion carried.

RESOLUTION NO. 8 – APPROVAL OF EXPENSES FOR ATTENDANCE AT NACo CONFERENCE

Moved by Mr. Simon and seconded by Mr. Byl to authorize the Oceana County Clerk to pay the following costs on behalf of Commissioner Kolbe for attendance at the National Association of Counties (NACo) Annual Conference in Washoe County/Reno, Nevada from July 15 - 20, 2010:

- | | |
|--|------------------|
| • Per Diem for Six Days of Meetings | \$180.00 |
| • Airline Ticket | \$420.45 |
| • Conference Registration | \$490.00 |
| • Hotel (\$168.00/night for 5 nights) | \$840.00 |
| • Mileage, Meals and Ground Transportation | To be determined |

In addition to the above costs, applicable taxes and fees may be assessed.

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

Motion carried.

RESOLUTION NO. 9 – PURCHASE OF VEHICLE FOR OCEANA COUNTY ANIMAL CONTROL

Moved by Mr. Simon and seconded by Ms. Kolbe to authorize the Oceana County Animal Control Officer to accept the proposal from Signature Auto Group, 3942 W. Lansing, Road, Perry, MI 48872 for the purchase of one 2010 Ford F-150 at the cost of \$19,671 and to authorize the payment of the same upon delivery of the vehicle and the submission of a valid invoice with said payment to be made on a Tuesday or Friday in order to comply with the County Clerk's policy regarding twice-weekly payment of claims.

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

Motion carried.

RESOLUTION NO. 10 – APPROVAL OF INSTALLMENT PURCHASE AGREEMENT WITH SHELBY STATE BANK FOR THE PURCHASE OF A NEW AMBULANCE

Moved by Mr. Simon and seconded by Mr. Malburg to accept the proposal for financing of the Type III Ambulance with 2010 G 4500 Chevrolet Chassis from Shelby State Bank

WHEREAS, Oceana County (the "County"), desires to purchase a new Type III Ambulance with 2010 G 4500 Chevrolet Chassis (the "Property"); and

WHEREAS, Act 156, Public Acts of Michigan, 1851, as amended ("Act 156"), provides a means by which the County may enter into agreements for the purchase of real or personal property for public purposes, to be paid for in installments; and

WHEREAS, the County plans to enter into a contract with Emergency Vehidles Plus of Milan, Michigan (the "Vendor"), for the purchase of the Property (the "Purchase Contract"); and

WHEREAS, the County has received a proposal for financing the acquisition of the Property from Shelby State Bank (the "Bank"), and the Bank has agreed to purchase the interest of the Vendor in the Purchase Contract and accept assignment thereof, and to finance the purchase of the Property by entering into an Installment Purchase Agreement pursuant to which the County will make payments of principal and interest to the Bank; and

WHEREAS, this County's outstanding balance of all installment purchases, exclusive of interest, not including (i) contracts entered into under Act No. 31, Public Acts of 1948, First Extra Session, as amended, or (ii) contracts or leases between public corporations or municipalities, but including the principal amount of the Installment Purchase Agreement authorized by this resolution, shall not exceed one half of one percent (0.50%) of the state equalized value of the real and personal property in the County.

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. 11 – SETTLEMENT AGREEMENT AND GENERAL RELEASE OF CLAIMS

Moved by Ms. Kolbe and seconded by Mr. Byl to accept the recommendation of legal counsel to approve settlement of a legal action and authorize the Chairperson of the Oceana County Board of Commissioners to sign the Settlement Agreement and General Release of Claims, after the expiration of the revocation period, with respect to Maryanne Gutierrez’s civil action in the U.S. District Court for the Western District of Michigan naming the 78th District Court and Oceana County as defendants – Case Number 1:07-cv-1268.

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

Motion carried.

RESOLUTION NO. 11– PAYMENT OF CLAIMS

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

AMBULANCE FUND	\$ 76,870.62
FRIEND OF THE COURT	-0-
PUBLIC IMPROVEMENT FUND	-0-
BUILDING DEPARTMENT FUND	8,741.70
CAPITOL PROJECTS – DC	-0-
CAPITOL PROJECTS – SHERIFF	-0-
TOTAL FORECLOSURE FUND	14.00
AUTOMATION FUND R.O.D.	-0-
LOCAL CORR. OFFICERS TRAINING FUND	2,428.58
DRUG LAW ENFORCEMENT	-0-
GENERAL FUND	<u>262,734.09</u>
TOTAL	\$ 350,788.99

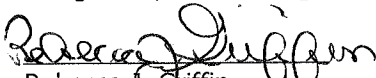
and to authorize the County Clerk to draw warrants and the County Treasurer to pay the same.

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

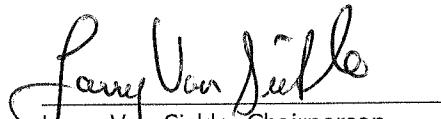
Motion carried.

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

being none, the meeting was adjourned at 2:40 p.m.


Rebecca L. Griffin
Oceana County Clerk

4-22-10
Date


Larry Van Sickle, Chairperson