

Board of Commissioners Minutes
 Board Conference Room
 April 22, 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 22, 2010 at 2:00 p.m.

Roll was called by the Clerk. Present: Mr. Malburg, Mr. Brown, Mr. Powers, Mr. Byl, Mr. Simon, and Mr. Van Sickle. Absent: Ms. Kolbe.

Moved by Mr. Simon and seconded by Mr. Malburg to approve the minutes of the April 8, 2010 meeting as presented. Voice vote. Motion carried.

RESOLUTION NO. 1 - RECOGNITION OF APPRECIATION FOR BENTON C. GABBARD

Moved by Mr. Brown and seconded by All to adopt the following *Resolution of Appreciation for BENTON C. GABBARD*:

WHEREAS, **BENTON C. GABBARD** has served the people of Oceana County, Michigan for over 35 years; and

WHEREAS, **BENTON C. GABBARD** was hired on February 12, 1975 under the CETA Title II Program as a Deputy Sheriff and was promoted to Detective in the Oceana County Sheriff's Department effective January 1, 1982 by then Sheriff John Simmons; and

WHEREAS, **BENTON C. GABBARD** resigned his position in the Oceana County Sheriff's Department on May 23, 1987 in order to serve as the 78th District Court Magistrate in Oceana County where he further served the people of Oceana County with dignity and integrity until April 30, 2010; and

WHEREAS, **BENTON C. GABBARD** has gained the respect and gratitude of the Oceana County Board of Commissioners, the legal community and law enforcement community for his integrity and abiding commitment to the County of Oceana for more than 35 years.

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

Correspondence was received from Ms. Janice Wilford, Program Manager, Michigan Agriculture Environmental Assurance Program (MAEAP), Michigan Department of Agriculture (MDA), regarding MAEAP Farmstead System verification notification to Mr. Mike VanAgtsmael, VanAgtsmael and Sons Inc., Hart; Mr. Robert VanDerZanden, VanDerZanden Farms, Pentwater; and Mr. Ryan Walsworth, Golden Stock Farm LLC, Mears.

After reviewing each Farmstead Improvement Action Plan and each Cropping System

Improvement Action Plan and the required components of the Farm A* Syst and Crop*A*Syst, MDA staff verified that VanAgtmael and Sons, Inc., VanDerZanden Farms, and Golden Stock Farm LLC have met the requirements set forth by the MAEAP Farmstead System. The letters are on file in the County Clerk's office.

Ms. Linda VanGills, Health Officer, District Health Department #10, provided a review of the 2009 Annual Report for District Health Department (DHD) #10. She related that the demand for public health services increased over the year due to the decline in economic conditions faced by residents. The department continues to be challenged by unfunded mandates from the State for core public health services. It was an especially busy year as public health preparedness was tested in the spring and fall as local health departments were the epicenter for the H1N1 response. DHD #10 administered approximately 2,774 H1N1 vaccinations to first responders, school children and local community members in Oceana County. Approximately 24,743 H1N1 vaccinations were administered in the ten county area.

Ms. VanGills stated that teen pregnancy continues to be a major area of concern in Oceana County. Emphasis will be placed on continuing education in that area.

Ms. VanGills thanked the County Board for their support.

Dr. Tom Veryser, Dental Director, Michigan Community Dental Clinics (MCDC), provided a Public Health Dental update. He stated that there are a total of 17 clinics operated by the MCDC. The Oceana County Clinic has been in operation for 18 months now with 2009 being the first full year of operation. Thus far the clinic in Oceana County has been very successful with having served approximately 3,500 patients, of which 33% range from age 5 to 14; and, 33% that range from age 21 to 60.

The clinic is open five days a week and is staffed with three dentists, one which is a pediatric dental specialist; five dental assistants; a dental intern from the University of Michigan School of Dentistry; one registered dental hygienist; and, a receptionist. The clinic provides services such as oral surgery, preventive care, restorative and removable work, as well as diagnostic services. He related that there was a real need for the clinic in Oceana County and he is very pleased with the success thus far.

Dr. Veryser thanked the Oceana County Board for their support of the dental clinic.

Chairperson Van Sickle thanked Ms. VanGills and Dr. Veryser for their presentations.

RESOLUTION NO. 2 – AFFIRMATION OF APPOINTMENT OF DISTRICT COURT ATTORNEY-MAGISTRATE

Moved by Mr. Malburg and seconded by Mr. Simon to affirm the appointment made by 78th District Court Judge Kevin Drake of Brian James Monton, 7179 N. Crescent Drive, Pentwater, Michigan 49449 as 78th District Court Attorney-Magistrate/Administrator for the County of Oceana effective May 1, 2010 at the annual salary of \$56,500.

This is a fulltime salaried position with the same fringe benefit package as offered to other fulltime County employees. As a salaried employee, there is no entitlement to compensatory time or overtime. However, one will receive on-call pay for weekends and holidays as is the current practice.

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

Motion carried.

RESOLUTION NO. 3 – AUTHORIZATION OF CONTRACTS FOR THE PERFORMANCE OF THE 2010 EQUALIZATION STUDIES

Moved by Mr. Byl and seconded by Mr. Malburg to authorize the Oceana County Equalization Director to enter into contracts with qualified, certified and experienced appraisers for the performance of the 2010 equalization studies for the Agricultural, Commercial and Industrial classes of properties in Oceana County in an amount not to exceed \$20,000.

It is estimated that properties to be studied will include 200 +/- improved Agricultural and Residential parcels; 80 +/- improved Commercial parcels; and, 35 +/- improved Industrial parcels. The scope of the project is as follows:

- field verification of measurements;
- improvement classification and use;
- an estimate of effective age or level of physical depreciation;
- sketch of improvements;
- estimate of functional and/or economic obsolescence; and
- any additional pertinent observations.

There will be no extension of values for these parcels.

All contracts by and between the County of Oceana and the Contractors shall commence upon signing by the respective parties and will expire January 31, 2011.

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

Motion carried.

RESOLUTION NO. 4 – 2010 EQUALIZATION REPORT

Moved by Mr. Simon and seconded by Mr. Byl to approve the 2010 Oceana County Equalized Valuation of \$1,721,131,012 with an equalized value of real property of \$1,648,531,422 and equalized value of personal property of \$72,599,590 as shown by the 2010 Analysis for Equalization in compliance with Section 211.34 M.C.L. 1948, as amended, and to authorize the Oceana County Clerk and Chairman of the Board to execute the L-4024 Assessed and Equalized Valuations Report for the political subdivisions of the County and for the State Tax Commission. The 2010 County Equalized Valuation reflects a 5.2% decrease in total real property and a 2.4% increase in total personal property with an overall decrease of 4.9% from the total 2009 State Equalized Valuation of \$1,809,773,604.

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

Motion carried.

RESOLUTION NO. 5 – GIS SOFTWARE HOSTING SERVICES AGREEMENT

Moved by Mr. Byl and seconded by Mr. Powers to enter into a Software Hosting Services Agreement by and between the County of Oceana and InSequence, Inc. and its subsidiary company Maps InDeed, a Virginia corporation with offices at 13454 Sunrise Drive, Suite 210, Herndon, VA 20171 as recommended by the Oceana County Planning Commission.

In exchange for hosting Oceana County's GIS information at no cost to the County of Oceana, InSequence, Inc. will be allowed to charge fees or subscriptions for data.

The initial term of the Agreement shall commence on the effective date of April 22, 2010 and shall continue for the period of thirty-six (36) months with automatic renewal on the anniversary date for an additional 12 months unless the County submits a letter of termination to InSequence Inc.

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

Motion carried.

RESOLUTION NO. 6 – SPECIALIZED SERVICES OPERATING ASSISTANCE PROGRAM THIRD-PARTY CONTRACT

Moved by Mr. Powers and seconded by Mr. Malburg to renew the third-party contract by and between the County of Oceana and the Oceana County Council on Aging for the provision of transit services to Oceana County's elderly and handicapped residents by the Council on Aging during the period October 1, 2009 - September 30, 2010 with the \$27,828 specialized services operating assistance grant received by the County of Oceana from the Michigan Department of Transportation per Agreement No. 2007-0271 and Authorization No. Z3 and to authorize the Chairman of the Board and Director of the County Council on Aging to sign the same.

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

Motion carried.

RESOLUTION NO. 7 – APPROVAL OF BYRNE JUSTICE ASSISTANCE GRANT PROGRAM SUBCONTRACT

Moved by Mr. Simon and seconded by Mr. Brown to approve the Byrne Justice Assistance Grant Program Subcontract for the period October 1, 2009 through September 30, 2010 in the amount of \$45,146 of which 50% is federal monies and 50% is local match. Further, the Chairperson of the Board, Oceana County Sheriff and Oceana County Administrator/Fiscal Officer are authorized to sign the same.

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

Motion carried.

RESOLUTION NO. 8 – RECOGNITION OF MAY AS MENTAL HEALTH MONTH AND SUPPORT OF "WALK A MILE IN MY SHOES" EVENT

Moved by Mr. Simon and seconded by Mr. Brown to adopt the following Resolution:

WHEREAS, May is Mental Health Month; and

WHEREAS, the stigma associated with mental illness creates one of the primary barriers to individuals seeking needed services; and

WHEREAS, the Oceana County Board of Commissioners recognizes that, throughout the community, there is a stigma associated with mental illness which creates significant barriers to those in need of services; and

WHEREAS, the citizens of Lake, Mason and Oceana Counties, in coordination with the West Michigan Community Mental Health System (WMCMHS) and the Michigan Association of Community Mental Health Boards (MACMHB), will be representing their respective counties in an event called "Walk a Mile in My Shoes" sponsored by MACMHB at the State Capitol on May 11, 2010 in order to promote the awareness of and reduce the stigma associated with mental illness and disability.

NOW, THEREFORE, BE IT RESOLVED: That the Oceana County Board of Commissioners hereby recognizes May as Mental Health Month and fully supports the efforts of the citizens of Oceana County that will be participating in the "Walk a Mile in My Shoes" event on May 11, 2010 to promote the awareness of and to reduce the stigma associated with mental illness in Oceana County.

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

Motion carried.

RESOLUTION NO. 9 – SUPPORT OF EFFORTS TO STOP THE MIGRATION OF ASIAN CARP INTO THE GREAT LAKES

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

WHEREAS, the Great Lakes is the largest freshwater system in the world; and

WHEREAS, the states and Canadian provinces bordering the Great Lakes and everyone that uses the

Great Lakes for sport fishing, boating, and recreation face a dire threat by the Asian carp that are literally at the threshold of Lake Michigan; and

WHEREAS, these silver and big head carp (both species of Asian carp) presented themselves in the 1990s in fish farms on the Mississippi River and reproduce quickly, eat vast amounts of organisms at the base of the food chain and have driven out native fish populations; and

WHEREAS, the carp have moved quickly up the Mississippi River, into the Illinois River, into the Des Plaines River and now likely into the Chicago Sanitary and Ship Canal and the Calumet-Sag Channel; and

WHEREAS, efforts to stop migration of these fish to Lake Michigan resulted in an electric barrier that was fully operational in 2009 although it now appears as though carp may be past the barrier and as close as seven miles to Lake Michigan; and

WHEREAS, Asian Carp are a hyper-aggressive exotic species that threaten to ruin the ecology and economy of the Great Lakes.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports all efforts at the state and federal levels to stop the migration of the Asian carp into the Great Lakes by whatever means necessary and appropriate.

BE IT FURTHER RESOLVED that this Resolution be forwarded to Governor Jennifer M. Granholm, Representative Goeff Hansen, Senator Gerald Van Woerkom, the Michigan Association of Counties and the other 82 Michigan counties.

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

Motion carried.

RESOLUTION NO. 10 – REPLACEMENT OF AIR CONDITIONER IN COMPUTER/COPY CENTER

Moved by Mr. Simon and seconded by Mr. Brown to waive the County's Bid Policy and to accept the proposal from Tanner Plumbing and Heating, 900 S. State Street, Hart, Michigan 49420 for the purchase of one Fujitsu #24RLXQ Mini-Split Air Conditioner with wiring, condensate drain connection and all other materials, labor and permit for complete installation, and removal of the existing system in the copier/computer room of the Oceana County Building in the amount of \$3,319.00 less a credit of \$200.00 for the old unit for a net amount of \$3,119.00.

Said unit has a six (6) year warranty on the compressor and two (2) year warranty on parts.

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

Motion carried.

RESOLUTION NO. 11 – APPOINTMENT TO OCEANA COUNTY ANIMAL CONTROL ADVISORY BOARD

Moved by Mr. Simon and seconded by Mr. Byl to appoint Dr. AnnaLisa Horton, 5778 S. Oceana Drive, New Era, MI 49446 to the Oceana County Animal Control Advisory Board as the representative of the veterinarian community to replace Dr. Amy Hayes-Kidder.

Voice vote. Motion carried.

RESOLUTION NO. 12- 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	\$ 159,530.94
FRIEND OF THE COURT	-0-
PUBLIC IMPROVEMENT FUND	511.96
BUILDING DEPARTMENT FUND	8,414.61
CAPITOL PROJECTS – DC	-0-
CAPITOL PROJECTS – SHERIFF	-0-
TOTAL FORECLOSURE FUND	8,600.00
AUTOMATION FUND R.O.D.	51.15
LOCAL CORR. OFFICERS TRAINING FUND	803.26
DRUG LAW ENFORCEMENT	-0-
GENERAL FUND	<u>326,025.41</u>
TOTAL	\$ 503,937.33


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

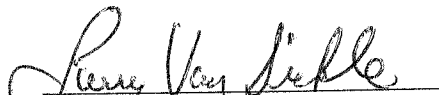
Motion carried.

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

being none, the meeting was adjourned at 3:02 p.m.


Rebecca J. Griffin
Oceana County Clerk

5-13-10
Date


Larry Van Sickle, Chairperson