

Board of Commissioners Minutes
 Board Conference Room
 May 13, 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, May 13, 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 April 22, 2010 meeting as presented. Voice vote. Motion carried.

Mr. Jon Bumstead, Candidate for 100th District State Representative, introduced himself and explained his reasons and qualifications for entering the race for 100th District State Representative. Mr. Bumstead is a resident of Newaygo County, Michigan and has been very active in his community, as well as many governmental organizations in Michigan. He has much educational, as well as political background and feels as though he could help bring change to Michigan's government.

Chairperson Van Sickle thanked Mr. Bumstead for his presentation.

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. Andrew Leroy Glover, Stony Acres Farm, New Era.

After reviewing the Farmstead Improvement Action Plan and the Cropping System Improvement Action Plan and the required components of the Farm A* Syst and Crop*A*Syst, MDA staff verified that Stony Acres Farm has met the requirements set forth by the MAEAP Farmstead System. The letter is on file in the County Clerk's office.

RESOLUTION NO. 1 – PROCLAMATION OF MAY 16 – 22, 2010 AS EMERGENCY MEDICAL SERVICES WEEK

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

WHEREAS, the provision of emergency medical services is an essential public service to the citizens of Oceana County; and

WHEREAS, members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours per day, seven days per week, 365 days per year; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services system consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, rescue workers, educators, administrators and others to include qualified volunteers; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers.

THEREFORE, BE IT RESOLVED: That the Oceana County Board of Commissioners hereby proclaims **May 16 – 22, 2010 as Emergency Medical Services Week.**

BE IT FURTHER RESOLVED: That the Oceana County Board of Commissioners urges all Oceana County citizens to join together in recognition of its emergency medical services teams.

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

Motion carried.

RESOLUTION NO. 2 – AUTHORIZATION FOR PURCHASE OF PROPERTY

Moved by Mr. Simon and seconded by Mr. Brown to authorize the purchase of property from Russell E. Johnson and Sharon R. Johnson located in the City of Hart and described as Gurney Addition, Lots 1-2 and 3, Block 170, Property Number 64-020-150-001-00 in the amount of \$99,348.68 as follows:

Contract Sales Price	\$100,000.00
Less Prorated Credit for 2010 Summer Taxes	(374.32)
Less Prorated Credit for 2010 Winter Taxes	(405.00)
Plus Settlement Closing Fee for Oceana Land Title Agency, Inc.	110.00
Plus Recording Fees to Oceana County Register of Deeds	18.00
	\$ 99,348.68

In addition, the following conditions must be met:

1. Seller pays all current property taxes owed on the above described property
2. Seller obtains deed from Richard I. and Janice R. VandenHeuvel, husband and wife, in fulfillment of the Land Contract dated 09/29/1999 filed 10/19/1999 in Instrument 9920564, Oceana County Records
3. Seller, at his/her expense, removes/demolishes all structures and removes debris from the property. In addition, seller is to fill (using clean fill sand) any holes left after demolition and grade the property after structure removal has been completed.
4. Seller, at his/her expense, will assure that all utility (water, sewer, gas, telecommunication) lines have been properly disconnected and capped or removed from premises.
5. Work described in Items 3 and 4 above is to be completed prior to 12/31/2010 and 10% of the purchase price will be held in escrow until said work is completed.

Said property will be utilized by the Oceana County Medical Care Facility to meet future operating and/or or expansion needs.

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

Motion carried.

RESOLUTION NO. 3 – APPROVAL OF LANGUAGE FOR OPERATING MILLAGE FOR OCEANA COUNTY COUNCIL ON AGING

Moved by Mr. Simon and seconded by Mr. Malburg to approve the language of the following Ballot Proposition for the provision of operating millage for the Oceana Council on Aging pending review of the language and order of the same by legal counsel:

"Shall the limitation on the amount of taxes which may be assessed against all property in Oceana County, Michigan be established at a rate of up to .75 mills (seventy five cents (\$0.75) per each \$1,000.00 of Taxable Value) for a period of seven (7) years (2011 – 2017) for the purpose of providing millage to the Oceana County Council on Aging for operating expenses?"

It is estimated that this millage will generate \$814,403 in its first year. The proposed millage represents no increase from the present authorized levy of .75 mills for the Oceana County Council on Aging operating purposes previously approved by the electors of Oceana County at the Primary Election of August 4, 2004 which will expire with the December 1, 2010 levy."

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

Motion carried.

RESOLUTION NO. 4 – BID PROPOSALS FOR REROOFING OCEANA COUNTY TRANSFER/RECYCLING CENTER BUILDING

Moved by Mr. Brown and seconded by Ms. Kolbe that, after reviewing the following proposals for reroofing the Oceana County Transfer Station/Recycling Center Building,

<u>Vendor Name</u>	<u>Amount</u>	<u>Description of Project</u>
Wolverine Roofing 7918 Roosevelt Road Holton, MI	\$1,850.00 <i>Due at completion</i>	Tear off shingles on office building Install new drip edge Install 15# felt underlayment Install Ice and Water Shield on bottom 3 feet Install 30 year GAF Timberline Architectural Style Shingles
Smith Brothers Roofing, Inc. 5398 S. 120 th Avenue Rothbury, MI	\$2,150.00 <i>50% down and 50% due at completion</i>	Tear off roof down to boards Install new Ice and Water Guard Install new drip edge Install 15# felt Install 30 year Laminated Shingles and new ventaridge
D & D Roofing 10507 Maple Island Road	\$2,495 <i>50% of \$1,200</i>	Tear off and Haul away existing roof down to deck Any bad or rotten boards to be replaced on a time and

Fremont, MI 49412	<i>due upon signing & 50% at completion And \$1,295 on Dumpster Trade</i>	materials basis Install Ice and Water Shield 36" wide at eaves edge and all valleys Install New 15# felt underlayment Install new metal drip edge Install new 30 year Architectural Shingles (fasteners nails only) Install a Continuous Ridge Vent with all required connectors and caps All flashing to be sealed with flashing cement and granules for a clean finish
-------------------	---	--

the low bid from Smith Brothers, Inc. is accepted in the amount of \$2,150 plus an additional amount of up to \$100 in order to upgrade from 15# felt to 30# felt.

Mr. Cavanagh, correspondent, Oceana's Herald-Journal, asked why the bid was not given to Wolverine Roofing, Holton, as the business is in Oceana County. Ms. Johnson and Chairperson Van Sickle stated that they did not realize Wolverine Roofing was in the county and apologized for the oversight.

Moved by Mr. Brown and seconded by Ms. Kolbe to amend the resolution to accept the low bid from Wolverine Roofing, Holton (instead of Smith Brothers Roofing, Rothbury) in the amount of \$1,850 plus an additional amount of up to \$100 in order to upgrade from 15# to 30#.

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

Motion carried.

Roll call vote on Resolution #4 as amended: Mr. Brown-yes; Ms. Kolbe-yes; Mr. Powers-yes; Mr. Simon-yes; Mr. Malburg-yes; Mr. Byl-yes; and Mr. Van Sickle-yes. Absent: None.

Motion carried.

RESOLUTION 5 - AGREEMENT BY AND BETWEEN THE OCEANA COUNTY SHERIFF'S DEPARTMENT AND THE "WE WANT THE MUSIC COMPANY" RE MICHIGAN WOMYN'S MUSIC FESTIVAL

Moved by Ms. Kolbe and seconded by Mr. Byl to authorize the Oceana County Sheriff to enter into an Agreement by and between the Oceana County Sheriff's Department and the We Want the Music Company, a Michigan Corporation, for the provision of road patrol services in the area of the "Michigan Womyn's Music Festival" during the hours of 9:00 P.M. - 3:00 A.M. on July 30, - August 8, 2010 at the rate of \$45.00 per hour for each hour a deputy sheriff is assigned to duty in the area of the Festival not to exceed six (6) hours per night or 60 hours total or \$2,700.00.

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

Motion carried.

RESOLUTION NO. 6 – TRANSFER OF FUNDS

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

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

Motion carried.

RESOLUTION NO. 7 - ROAD RAGE AWARENESS WEEK

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

WHEREAS, Reaching Out Against Road Rage, Inc. (R.O.A.R.R.), a non-profit, 501c(3) tax-exempt organization located in Muskegon County has a mission which consists of the three P's: **prevention** of Road Rage; **protection** and support of victims against Road Rage; and, the **promotion** of life by saving lives; and,

WHEREAS, to achieve this mission, R.O.A.R.R., Inc. is promoting awareness and education on the prevention of Road Rage; working in an effort to reduce the number of incidents; and, advocate support and assistance to victims and their families in their recovery process; and,

WHEREAS, the National Highway Traffic and Safety Administration (NHTSA) defines Road Rage as "an assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of another motor vehicle or an assault precipitated by an incident that occurred on a roadway"; and

WHEREAS, a study completed by the AAA Foundation indicates that an average of at least 1,500 men, women and children are injured or killed each year in the United States as a result of violent acts of Road Rage; and

WHEREAS, R.O.A.R.R. understands that to solve a problem, we must first be aware of the problem. Road Rage is a growing problem in Michigan as well as in our country; and,

WHEREAS, R.O.A.R.R. recognizes that drivers face roads wrought with death due in part to the rage in other drivers and themselves; and

WHEREAS, we must stop the killing, injuries and mental anguish and work together as a community to reprogram the destructive attitudes and behaviors that lead to Road Rage; and

THEREFORE, BE IT RESOLVED: That the organization R.O.A.R.R., Inc. Board of Directors, President and other individuals and organizations are partnered in a "Road Rage Awareness Campaign" to bring closure to the escalating Road Rage problem.

BE IT FURTHER RESOLVED: That the Oceana County Board of Commissioners proclaims July 11-17, 2010 as "Road Rage Awareness Week", thus promoting prevention of a dysfunctional act to improve traffic safety.

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

Motion carried.

RESOLUTION NO. 8 – HOMELAND SECURITY GRANT PROGRAM INTERGOVERNMENTAL AGREEMENT BETWEEN WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION AND COUNTY OF OCEANA

Moved by Ms. Kolbe and seconded by Mr. Byl rescind the "Resolution Re Homeland Security Grant Program Intergovernmental Agreement Between West Michigan Shoreline Regional Development Commission and Oceana County" that was adopted on April 8, 2010 and 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 Administrator/Fiscal Officer as the authorized official of the County of Oceana to execute the Intergovernmental Agreement on behalf of the County of Oceana; designates the Oceana County Emergency Management Coordinator to execute the Transfers of Ownership; and, accepts and binds the County of Oceana to the terms and conditions of the Agreement.

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. 9 – APPOINTMENT TO OCEANA COUNTY PARKS AND RECREATION COMMISSION

Moved by Mr. Powers and seconded by Ms. Kolbe to appoint Mr. Richard Cornwell to the Oceana County Parks and Recreation Commission for the term ending December 31, 2010 due to a vacancy created by the resignation of Gerald L. Malburg.

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

Motion carried.

RESOLUTION NO. 10 – APPOINTMENT TO OCEANA COUNTY HOUSING COMMISSION

Chairperson Van Sickle reappointed Mr. Kenneth Fisher, 595 E. Buchanan Road, Shelby, MI 49455 to the Oceana County Housing Commission effective June 1, 2010 for the term ending May 31, 2015.

RESOLUTION NO. 11 – ROSETTA STONE FOREIGN LANGUAGE COURSE

Moved by Mr. Simon and seconded by Mr. Malburg to authorize the Oceana County EMS Director to purchase six (6) licenses at a cost of \$3,444 from Barnes and Nobles for the Rosetta Stone Foreign Language Course (Spanish). It is anticipated that Region 6 Homeland Security Governing Board will reimburse Oceana County EMS at least \$1,104.23.

Further, because the software programs will be installed on personal computers owned by EMS employees, they will be required to reimburse the County for the cost of the software if they do not successfully complete the program within three (3) years or if their employment with the Oceana County EMS is severed within three (3) years.

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. 12– PAYMENT OF CLAIMS

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

AMBULANCE FUND	\$ 89,304.15
FRIEND OF THE COURT	-0-
PUBLIC IMPROVEMENT FUND	3,499.00
BUILDING DEPARTMENT FUND	14,259.47
CAPITOL PROJECTS – DC	-0-
CAPITOL PROJECTS – SHERIFF	1,616.00
TOTAL FORECLOSURE FUND	3,131.53
AUTOMATION FUND R.O.D.	60.69
LOCAL CORR. OFFICERS TRAINING FUND	1,970.97
DRUG LAW ENFORCEMENT	-0-
GENERAL FUND	<u>462,089.66</u>
TOTAL	<u>\$575,931.47</u>

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

Roll call: 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.

Chairperson Van Sickle asked if there was any further business to come before the Board. There being none, the meeting was adjourned at 2:45 p.m.

Rebecca J. Griffin
Oceana County Clerk

Date

Larry Van Sickle, Chairperson