

Board of Commissioners Minutes  
Board Conference Room  
December 22, 2011

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, December 22, 2011 at 2:00 p.m.

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

Moved by Mr. Brown and seconded by Mr. Malburg to approve the minutes of the December 8, 2011 meeting as presented.

Voice vote. Motion carried.

Correspondence was received from Ms. Brandie Jacobs Stefanski, Senior Environmental Quality Analyst, regarding the Department of Environmental Quality (DEQ) approval of Oceana County Drain Commission's Soil Erosion and Sedimentation Control Program, Authorized Public Agency (APA) Program, and Designated Name: Oceana CDC-APA. The Water Resources Division completed its review on December 12, 2011. The Oceana CDC's SESC Program now meets the requirements under Part 91 and was granted "approved" status. The letter is on file in the County Clerk's office.

Mr. Olson, MGT of America, Inc., provided a presentation of Oceana County's Cost Allocation Plan. MGT provides Oceana County with costing services; Title IV-D claiming for Prosecutor and Friend of the Court; and, Title IV-D automating time accounting. The Cost Allocation Plan has been in place for several years now and is used by the County to claim "indirect" costs of operating the various departments within the County. These are costs that are not included in their individual department budgets. The Plan is then submitted for use by the Michigan Department of Human Services and other State and Federal grantors.

Mr. Olson explained that MGT works with the County, through the Friend of the Court office and the Prosecuting Attorney's office, to capture all allowable "indirect" costs reimbursable under the law. Some of the "indirect" costs include: 1) depreciation on the building; 2) insurance; 3) data processing; 4) administration; 5) payroll; 6) building maintenance; and, 7) security. Oceana County is allowed up to

66% of the reimbursable costs. He stated that they use the audited financial statements to gather the information. There is a two-year lag in reimbursement costs. For example, reimbursement from the 2010 audit will be granted in 2012.

Mr. Murphy, Friend of the Court, stated that the Cost Allocation Program has been a real asset for the County. MGT does a great job in maximizing all allowable costs. He related that the services and monetary return they provide for the County are definitely beneficial.

Chairperson Van Sickle thanked Mr. Olson for his presentation.

**RESOLUTION NO. 1 – AMENDMENT TO OCEANA COUNTY’S 457 DEFERRED COMPENSATION PLAN**

Moved by Mr. Malburg and seconded by Ms. Kolbe to approve the following Resolution to amend Oceana County’s 457 Deferred Compensation Plan as follows:

WHEREAS, the County of Oceana established the Oceana County 457 Deferred Compensation Plan effective July 5, 2005 for the benefit of certain employees of the County; and

WHEREAS, pursuant to the terms of the Plan, the Employer has the right to amend the Plan; and

WHEREAS, the Oceana County Board of Commissioners (Employer) deems it necessary to amend the Plan to comply with the Pension Protection Act of 2006 (PPA); Heroes Earnings Assistance and Relief Tax Act of 2008 (HEART Act); Worker, Retiree and Employer Recovery Act of 2008 (WRERA): and the Final 415 Regulations..

NOW, THEREFORE, BE IT RESOLVED: The Oceana County Board of Commissioners hereby adopts the attached “Amendment for Pension Protection Act (PPA), Heroes Earnings Assistance and Relief Tax (HEART) Act of 2008 and Worker, Retiree and Employer Recovery Act (WRERA) of 2008.

BE IT FURTHER RESOLVED: That the Oceana County Administrator/Fiscal Officer and Oceana County Clerk are the authorized officials of the County of Oceana to act for and on the behalf of the County and they are hereby authorized and directed to take such actions as may be deemed necessary or advisable to carry out the intent and purpose of this resolution, including, without limitation, the preparation and execution of all necessary documents to amend the Plan and to deliver to the Trustee of the Plan one or more counterparts of the amendment.

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

Motion carried.

**RESOLUTION NO. 2 – ACCEPTANCE OF PROPOSAL FOR 2003 AMBULANCE REMOUNT**

Moved by Ms. Kolbe and seconded by Mr. Powers to accept the proposal from Michigan First Response, 1135 S. Bracy Avenue, Greenville, Michigan 48838 for the removal and remounting of the existing Ambulance Box from the 2003 Ford chassis to a 2012 Chevy G4500 Ambulance Prep Diesel cutaway in the amount of \$97,861.00.

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

Motion carried.

**RESOLUTION NO. 3 – APPROVAL FOR PURCHASE OF COPY MACHINE FOR EMS**

Moved by Ms. Kolbe and seconded by Mr. Malburg to authorize the Oceana County EMS Director to accept the proposal from Preferred Office Machines, 215 N. Michigan Avenue, Big Rapids, Michigan 49307 for the purchase of a Xerox WC35550X (Work Centre 3550) as follows:

Purchase Price - \$1,578.00  
Set-up Fee - \$300.00 - \$400.00  
Service/Maintenance Contract - \$4.00/month plus \$0.0124 per copy - \$60.05/month.

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

Motion carried.

**RESOLUTION NO. 4 – APPROVAL FOR ADDITIONAL FUNDING FOR THE OCEANA COUNTY ECONOMIC DEVELOPMENT CORPORATION (EDC)**

Moved by Mr. Powers and seconded by Mr. Malburg to provide additional funding to the Oceana County EDC in the amount of \$750.00 for 2011 in order to avoid a deficit EDC Fund balance.

The Oceana County Board of Commissioners also concurs with the Oceana County Clerk, EDC Executive Director and EDC Board of Directors that the EDC should maintain its own accounts payable, accounts receivable and payroll functions as the EDC has its own EIN number.

Further, the Oceana County Treasurer and Oceana County Clerk will take whatever steps necessary to smoothly transition the return of the accounting procedures to the EDC.

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

Motion carried.

**RESOLUTION NO. 5 – TRANSFER OF FUNDS**

Moved by Mr. Powers and seconded by Mr. Brown to transfer \$550 from the Contingency Fund to the Circuit Court Budget – 821.000 Other Contractual Services to cover forensic pathologist fees incurred in the case of the People vs. Mark Coulier.

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

Motion carried.

**RESOLUTION NO. 6 – TRANSFER OF FUNDS**

Moved by Mr. Powers and seconded by Mr. Brown to transfer \$25,000 from the Child Care Appropriations to the Child Care Fund.

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

Motion carried.

**RESOLUTION NO. 7 – 2011 YEAR-END BUDGET AMENDMENTS**

Moved by Mr. Powers and seconded by Mr. Malburg to authorize the Oceana County Administrator/Fiscal Officer to review and make the necessary budget amendments and/or budget transfers in the Oceana County 2011 General Fund and Special Revenue Funds as of December 31, 2011 prior to the end of the year and to submit the same to the Oceana County Board of Commissioners for approval at its January 12, 2012 Regular Meeting.

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

Motion carried.

**RESOLUTION NO. 8 – ADOPTION OF 2012 BOARD OF COMMISSIONERS MEETING SCHEDULE**

Moved by Mr. Powers and seconded by Mr. Malburg to adopt the following 2012 Meeting Schedule for the Oceana County Board of Commissioners:

All **Regular Meetings** of the Oceana County Board of Commissioners for 2012 will be held in Hart, Michigan at 2:00 P.M. on the **second and fourth Thursdays** of each month with the **following exceptions: no meeting on the second Thursday of November** due to the Thanksgiving Holiday.

The Board of Commissioners shall meet in a **Service Meeting (if necessary)** to discuss items on the agenda at **11:30 A.M. prior to each Regular Meeting.**

The **Health and Human Services and Parks and Recreation Committee** shall meet at **9:00 A.M.** on the **first** Regular Board Meeting of each month.

The **Buildings, Grounds and Insurance Committee** shall meet at **9:30 A.M.** on the **first** Regular Board Meeting of each month.

The **Law and Safety Committee** shall meet at **10:00 A.M.** on the **first** Regular Board Meeting of each month.

The **Planning and Environmental Services Committee** shall meet at **9:30 A.M.** on the **second** Regular Board Meeting of each month.

The **Personnel and Licensing and Inspection Services Committee** shall meet at **10:00 A.M.** on the **second** Regular Board Meeting of each month.

The **Finance and Equalization Committee** shall meet at **10:30 A.M.** on the **first and second** Regular Board Meetings of each month.

Voice vote. Motion carried.

**RESOLUTION NO. 9 – APPROVAL FOR PURCHASE OF TACTICAL BODY ARMOR**

Moved by Ms. Kolbe and seconded by Mr. Malburg to accept the proposal from C.M.P. Distributors, Inc. 6539 Westland Way, Suite 21 & 22, Lansing, MI 48917 for the purchase of three (3) Armor Express Wolverine D.M., Quantum Level IIIA, NIJ 06 Certified tactical body armor in the amount of \$5,050.50 for the Oceana County Sheriff's Department and to authorize the Oceana County Clerk to make payment upon delivery of the equipment and the submission of a valid invoice for the same.

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

Motion carried.

**RESOLUTION NO. 10 – AMENDMENT TO 2011 GENERAL FUND BUDGET**

Moved by Ms. Kolbe and seconded by Mr. Brown to amend the **Oceana County General Fund Budget from \$9,408,532 to \$9,410,311 as follows:**

INCREASE GENERAL FUND REVENUES AS FOLLOWS:

Increase Sheriff's Department Revenue from \$100,900 to \$102,679 as follows:

Increase 301-677.000 – General Reimbursement from -0- to \$1,779

INCREASE GENERAL FUND EXPENDITURES AS FOLLOWS:

Increase Sheriff's Department Expenditures from \$1,957,411 to \$1,959,190 as follows

Increase 301-977.000 – Machinery and Equipment from \$28,100 to \$29,879

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

Motion carried.

**RESOLUTION NO. 11 – COMPUTATION OF HARD CAP FOR HEALTH CARE COSTS**

Moved by Mr. Brown and seconded by Ms. Kolbe to compute the P.A. 152 "hard" cap for health care costs aggregately rather than individually for the 2012 calendar year. Subsequent years' cap will be computed individually unless changed by a vote of the Board of Commissioners.

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

Motion carried.

**RESOLUTION NO. 12 – AMBULANCE RATE CHANGES TO OCEANA COUNTY JAIL INMATES**

Moved by Ms. Kolbe and seconded by Mr. Malburg to charge the Oceana County Sheriff's Department the base rate fee and per loaded mile fee established at the Medicare level for ambulance

services rendered to Oceana County Jail inmates if said inmates' insurance does not cover ambulance service or if they do not have insurance. Further, the Oceana County EMS Director is authorized to enter into an agreement with the Oceana County Sheriff's Department for the same effective immediately.

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

Motion carried.

**RESOLUTION NO. 13 – AMENDMENT TO SECTION 125 PLAN**

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

WHEREAS, it is in the best interest of the Oceana County Board of Commissioners (the "Employer") to provide its employees with certain tax-free benefits through the use of a Section 125 plan; and

WHEREAS, the Oceana County Plan ("the Plan") shall be adopted as of January 1, 2012; and

WHEREAS, the plan year for the Plan shall be the 12-month period ending on December 31.

THEREFORE, BE IT RESOLVED: That the Oceana County Administrator/Fiscal Officer is authorized and directed to execute the Plan on behalf of the Employer, execute any amendments that may be necessary to maintain the status of the Plan as a qualified Plan under the Internal Revenue Code, to execute any additional amendments to the Plan that do not materially increase the cost to the Employer of maintaining the Plan and to take such further steps and to perform such additional acts as may be necessary and proper to effectuate the Plan.

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

Motion carried.

**RESOLUTION NO. 14 – APPOINTMENT TO MUSKEGON/OCEANA WORKFORCE DEVELOPMENT BOARD (WDB)**

Moved by Mr. Powers and seconded by Mr. Walker to recommend the nomination of Mr. Larry Byl, Shelby, Michigan for appointment to the Muskegon/Oceana Workforce Development Board (WDB) of the Muskegon/Oceana Consortium Board effective January 1, 2012 for the three-year term ending December 31, 2014 pursuant to the requirements of the Workforce Investment Act (WIA). As a member of the Muskegon/Oceana WDB, Mr. Byl represents Oceana County's Private Sector (Small Business and Economic Development).

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

Motion carried.

Commissioner Kolbe left the meeting at 3:45 p.m.

**RESOLUTION NO. 15 – APPOINTMENT TO OCEANA COUNTY ECONOMIC DEVELOPMENT CORPORATION (EDC) BOARD OF DIRECTORS**

Moved by Mr. Powers and seconded by Mr. Malburg to appoint Mr. Dean Gustafson, 410, Chester Street, Pentwater, Michigan 49449 to the Oceana County Economic Development Corporation (EDC) Board of Directors effective immediately for the six year term ending December 31, 2013 which has become vacant with the resignation of Mr. Alan Ringquist.

Voice vote. Motion carried.

**RESOLUTION NO. 16 – ADOPTION OF OCEANA COUNTY GIFT POLICY**

Moved by Mr. Powers and seconded by Mr. Malburg to adopt the "County of Oceana Policy on Gifts" as prepared by the Oceana County Administrator/Fiscal Officer and reviewed by the Oceana County Prosecuting Attorney to provide a method for the County of Oceana to receive gifts of property, cash or equivalent from various sources and to insure that donated gifts of property, cash or equivalent are properly recorded and accounted.

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

Motion carried.

Ms. Johnson reviewed the following claims for payment:

<u>FUND #</u>	<u>Dept #</u>	<u>Dept Name</u>	<u>Amount</u>	<u>Explanation</u>
210 - Ambulance Fund			\$ 1,938.57	to Dave's Party Store for vehicle fuel for the last half of November 2011
			\$ 1,782.00	to MHR Billing for 99 billings at \$18.00/each
211 - GIS Fund			\$ 11,572.50	to Infogeographics for parcel upgrades for Golden Twp (70% complete), and Shelby Twp, Grant Twp, Otto Twp, Village of New Era, Village of Rothbury, Village of Shelby (90% complete). After this bill is paid, \$3,635.77 will remain in the Fund.
245 - Public Improvement Fund			\$ 1,729.49	to Kendall Electric, Inc. for Phase II of 2-Lamp to 4-Lamp Conversion
249 - Building Department			\$ 1,006.70	to Jerry McIntyre for the period 11/26 - 12/9/11 for 2 pre-October 1, 2010 permits (\$80.00) of which both were finalized; 6 permits at 55% (\$749.65); 4 Residential Plan Reviews at 55% (\$176.55)
			\$ 1,186.35	to Randy Neuman for the period 11/26 - 12/9/11 for 16 permits at 55%
			\$ 1,996.60	to Tom Story for the period 11/26 - 12/09/11 for 25 permits at 55%
254 - Foreclosure Fund			\$ 3,570.28	to Title Check for Title Search Fees
101 - General Fund	101	Board of Commissioners	\$ 3,852.25	to H Security & Investigations for security services for the month of December (\$3,718.00) and November overtime (\$137.25)
	131	Circuit Court	\$ 1,000.00	to Springstead Law Offices for Annual Guardian Ad Litem Fee for 2011
			\$ 1,000.00	to Hayes Law Offices for Annual Guardian Ad Litem Fee for 2011

	202	County Auditing	\$ 8,500.00	to Abraham and Gaffney for preliminary plan and onsite preliminary field work for 2011 audit of which MCF share is \$1,500
	228	Data Processing	\$ 6,418.00	to Centron Data Services for winter tax bills and tax rolls (\$5,975.21) and assessment work rolls (\$442.79)
	261	Cooperative Extension Service	\$ 1,128.69	to Michigan State University for estimated payroll/fringe benefits for the period 12/18 - 12/31/11 for Kathy Walicki
	262	Elections	\$ 3,735.00	to Election Source for Optech Insight Premium Service from 9/1/11 - 8/31/12 (\$235) and Flat Annual Support Services for the period 9/1/11 - 8/31/12
	265	Courthouse and Grounds	\$ 2,115.25	to the City of Hart for utilities during the period 10/6/11 - 11/7/11 for the County Building (\$1,580.45) and County Annex (\$534.80)
	301	Sheriff	\$ 3,316.82	to Dave's Party Store for vehicle fuel for the last half of November 2011
			\$ 1,086.25	to PCC Tech for computer services in November (19.75 hours @ \$55/hr)
			\$ 1,578.26	to Cops Plus for latent fingerprint lifts, cold weather rain gear, jackets, pants and holsters
	351	Jail	\$ 3,020.64	to the City of Hart for utilities during the period 10/6/11 - 11/7/11 for the County Building (\$1,580.45) and County Annex (\$534.80)
	528	Transfer Station	\$ 10,584.56	to Allied Waste Services for 27 40-yard containers @ \$350.00/ea. (\$9,450.00); 1 42-yard compaction container @ \$375.00; 2 40- yard recycle roll off containers @ \$189.89/ea. (\$379.78); 2 40 yard cardboard containers @ \$189.89/ea (\$379.78) for the month of November 2011
	605	Contagious Diseases	\$ 1,012.34	to DHD #10 for Communicable Diseases for the 3rd and 4th quarter
	648	Medical Examiner	\$ 2,626.50	to Michigan Pathology for 2 autopsies
	899	Tax Tribunal Refunds Ordered	\$ 6,591.83	to Grant Township Treasurer for Michigan Tax Tribunal Judgments
	971	Community Mental Health	\$ 10,833.37	to West Michigan Community Mental Health for local match for the month of December

#### RESOLUTION NO. 17 – PAYMENT OF CLAIMS

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

<b>AMBULANCE FUND</b>	<b>\$ 43,433.01</b>
<b>FRIEND OF THE COURT</b>	<b>-0-</b>
<b>PUBLIC IMPROVEMENT FUND</b>	<b>2,557.49</b>
<b>BUILDING DEPARTMENT FUND</b>	<b>5,582.40</b>
<b>CAPITOL PROJECTS – EQUIP REPLACEMENT</b>	<b>-0-</b>
<b>CAPITOL PROJECTS – SHERIFF</b>	<b>-0-</b>
<b>TOTAL FORECLOSURE FUND</b>	<b>4,270.28</b>
<b>AUTOMATION FUND R.O.D.</b>	<b>480.00</b>
<b>MEDICAL RESERVE CORP</b>	<b>-0-</b>
<b>LOCAL CORR. OFFICERS TRAINING FUND</b>	<b>71.76</b>
<b>GENERAL FUND</b>	<b><u>252,437.12</u></b>
<b>TOTAL</b>	<b>\$308,832.06</b>

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

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

Motion carried.

Commissioner Walker thanked his fellow County Commissioners and the staff of the Administrator's office, County Clerk's Office, and County Treasurer's office for all their help this past year.

Ms. Johnson informed the Commissioners that in regard to discussion held earlier in the morning at the Finance and Equalization Committee Meeting about cash donations at the County Fair for the County Animal Shelter, she spoke with Ms. Troupe, Animal Control Officer, and Ms. Troupe stated that she does *not* ask for donations at the County Fair. However, it is very possible that the Oceana County Animal Friends do put a container out for cash donations.

Chairperson Van Sickle asked if there was any further business to come before the Board. There being none, the meeting was adjourned at 2:50 p.m.

---

Rebecca J. Griffin, County Clerk

---

Date

---

Larry Van Sickle, Chairperson