

**Ionia County Board of Commissioners  
Board of Commissioners Room, 3<sup>rd</sup> Floor  
Ionia County Administrative Building  
101 West Main Street, Ionia, MI 48846**

**January 21, 2020, 3:00 p.m.**

**Minutes**

- Members Present:** Commissioner Georgia Sharp, Commissioner Jack Shattuck, Commissioner Scott Wirtz, Commissioner Chris Bredice, Chairman, Commissioner David Hodges, Commissioner Larry Tiejema
- Members Absent:** No members absent
- Other Present:** Scott Parmalee, Ross Parmalee, David Main Jr., Lynn Mason, Damon Wentworth, Rick Olson, Dan Lipston, Debbie Thailson, John Piercefield, Jim Valentine, Sheriff Charlie Noll, Prosecutor Kyle Butler, Al Almy, Randy Schmid, Fred Schmid, Paul Sptizley, Karen Banks, Deb Smith, Melissa Eldridge, Ken Olson, Janet Olson, Nick Bowerman, Kyle Bowerman, Jaakko Kasko, Dar Leaf, Administrator Stephanie Fox, Clerk Greg Geiger
- Media Present:** Elisabeth Waldon, Evan Sasiela

**I. Call to Order**

Chairman Hodges called the meeting to order.

**II. Pledge of Allegiance**

Chairman Hodges led the pledge of allegiance.

**III. Invocation**

Commissioner Sharp led the invocation.

**IV. Approval of Agenda**

Board discussed the agenda. No additions, corrections or deletions.

*Motion to approve agenda*

*Moved by Commissioner Shattuck*

*Supported by Commissioner Tiejema*

*Motion carried by voice vote*

**V. Public Comment**

Comments by Jack Elliot regarding the Second Amendment Resolution and the appointment of new County Commissioner.

Comments by Lynn Mason regarding the Second Amendment Resolution.

Comments by Deb Smith regarding the Second Amendment Resolution.

Comments by Scott Parmalee regarding the Second Amendment Resolution and the group of supports present at meeting.

**VI. Action on Consent Calendar**

Board discussed the items on the consent calendar. Discussed the Addition of per diem for Commissioners not present in the board packet.

*Motion to item to consent calendar*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Wirtz*  
*Motion carried by voice vote*

Board discussed approval of the consent calendar.  
*Motion to approve consent calendar*  
*Motion carried by unanimous consent*

## **VII. Unfinished Business**

Board discussed the Road Advisory Board with a consensus to have to the Road Advisory Board to meet as needed, or on the request of one of the Road Advisory Board Subcommittees, or the Board of Commissioners.

*Motion to amend Road Advisory Board Bylaws*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Wirtz*  
*Motion carried by voice vote*

Board discussed appointment of Commissioner Sharp to the Board of Public Works.  
*Motion to appoint Commissioner Sharp to the Board of Public Works.*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Bredice*  
*Motion carried by voice vote*

Board discussed appointments to the Park Advisory Board.  
*Motion to appoint Bill Patton, David Hodges, Bernard Russell to the Park Advisory Board*  
*Moved by Commissioner Shattuck*  
*Supported by Commissioner Wirtz*  
*Motion carried by voice vote*

Board discussed appointments to the AAAWM.  
*Motion to appoint Dennis Sitzer to the AAAWM*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Bredice*  
*Motion carried by voice vote*

Board discussed appointment to the 911 Board.  
*Motion to appoint Jani Millard to the 911 Board as Citizen Representative.*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Shattuck*  
*Motion carried by voice vote*

## **VIII. New Business**

Board discussed and conducted interviews for the position of County Commissioner for District 3. Three eligible candidates submitted applications, Judith Transue, Karen Banks and Clyde Olson. Judith Transue was represented by Lynn Mason. Board posed interview questions to all three candidates

*Motion to appoint Karen Banks for the position of County Commissioner for District 3*  
*Moved by Commissioner Tiejema*  
*Supported by Commissioner Bredice*  
*Motion carried by roll call vote 6 – 0*

County Clerk administered the Oath of Office to Karen Banks. Commissioner Banks assumed seat on Board of Commissioners.

Resolution for former Commissioner James Banks. Board read the resolution collectively and commented on the role James Banks has had on Ionia County.

*Motion to approve Resolution for former Commissioner James Banks.  
Moved by Commissioner Wirtz  
Supported by Commissioner Tiejema  
Resolution approved by roll call vote 7 – 0 (See Attachment A)*

Resolution for the Second Amendment. Board discussed the merits of the resolution. Comments by the Ionia County Prosecutor and Ionia County Sheriff. Board agrees to table the resolution for further discussion and consideration.

Board received update report on County Pension from Jaako Kasko.

Board received update by Melissa Eldridge of the Ionia County Conservation District. Board reviewed request to approve Hazardous Waste Vendor Contract.

*Motion to approve Hazardous Waste Vendor Contract.  
Moved by Commissioner Shattuck  
Supported by Commissioner Wirtz  
Motion carried by voice vote*

Board reviewed Road Department requests and issues.

*Motion to approve bid extension with Asphalt Restoration  
Moved by Commissioner Sharp  
Supported by Commissioner Banks  
Motion carried by voice vote*

*Motion to approve bid extension with Carrick Trucking and Gravel  
Moved by Commissioner Tiejema  
Supported by Commissioner Bredice  
Motion carried by voice vote*

*Motion to approve MDOT Performance Resolution  
Moved by Commissioner Shattuck  
Supported by Commissioner Wirtz  
Resolution approved by roll call vote 7 – 0 (See Attachment B)*

*Motion to approve 2020 Dust control contract extension  
Moved by Commissioner Tiejema  
Supported by Commissioner Banks  
Motion carried by voice vote*

*Motion to approve 2020 Gravel resurfacing contract extension  
Moved by Commissioner Bredice  
Supported by Commissioner Shattuck  
Motion carried by voice vote*

*Motion to approve MDOT Signature Resolution for Borden Road  
Moved by Commissioner Tiejema  
Supported by Commissioner Sharp  
Resolution approved by roll call vote 7 – 0 (See Attachment C)*

*Motion to approve salary recommendations for Managing Director  
Moved by Commissioner Bredice  
Supported by Commissioner Tiejema  
Motion carried by voice vote*

## **IX. Department Reports**

Update by 911 Director Jim Valentine regarding CAD System and 800 System.

Update by Building Inspector Jim Seibel

**X. Public Comment**

Comments by Jack Elliot regarding the appointment of a new the County Commissioner.

Comments by Scott Parmalee regarding the Second Amendment Resolution.

**XI. Reports of Officers, Board and Standing Committees**

Report by the Personnel Committee.

**XII. Reports of Special or Ad Hoc Committees**

**XIII. Closed Session**

Board prepared for closed session regarding Deputy Union Negotiations.

*Motion to enter Closed Session*

*Moved by Commissioner Wirtz*

*Supported by Commissioner Bredice*

*Motion carried by roll call vote 7 – 0*

*Motion to exit Closed Session*

*Moved by Commissioner Wirtz*

*Supported by Commissioner Banks*

*Motion carried voice vote*

**XIV. Adjournment**

*Motion to Adjourn*

*Moved by Commissioner Shattuck*

*Supported by Commissioner Tiejema*

*Motion carried voice vote*



\_\_\_\_\_  
Ionia County Board of Commissioner Chairman  
David Hodges



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Ionia County Clerk  
Greg Geiger

February 11, 2020

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Minutes Approved On

**ATTACHMENT A**

*Resolution for former Commissioner James Banks*

**RESOLUTION OF  
THE IONIA COUNTY BOARD OF COMMISSIONERS**

*At a meeting of the Board held on January 21, 2020, at the Ionia County Administrative Building, Ionia, Michigan, we gather to pay tribute to James L. Banks who retired from his position as Commissioner for the County of Ionia on January 7, 2020.*

*WHEREAS, James L. Banks began his many years of service with the County of Ionia when he was appointed Prosecuting Attorney on November 21, 1973; and*

*WHEREAS, James L. Banks was elected to a regular term as Prosecuting Attorney in November 1974 and served with distinction as the county's chief law enforcement officer until his appointment by Governor William Milliken as Probate Judge on July 1, 1975; and*

*WHEREAS, James L. Banks was elected to a regular term as Probate Judge in November 1976 and served through 1978; and*

*WHEREAS, during his time as Probate Judge, he innovatively established a prevention and diversion program that still exists today, the Youth Service Bureau, designed to assist children and families in Ionia County in identifying and addressing difficulties within their lives without the stigma of formal court involvement; and*

*WHEREAS, James L. Banks was elected Circuit Judge of the 8th Judicial Circuit in November 1978 and served through 1990; and*

*WHEREAS, James L. Banks while serving as Probate and Circuit Judge exhibited sound legal judgment, wisdom, and compassion for the attorneys and litigants that appeared before him; and*

*WHEREAS James L. Banks was elected as an Ionia County Commissioner in 2002 and served from 2003 until January 7, 2020, during which time he was held in such high regard by his fellow commissioners that he was elected by them as their chairman and vice-chairman; and*

*WHEREAS, James L. Banks has always served the citizens of the County of Ionia with honor and distinction since 1973; and*

*WHEREAS, in recognition of this outstanding service, it is fitting and proper that James L. Banks be commended;*

*NOW, THEREFORE, BE IT RESOLVED that the Ionia County Board of Commissioners, by way of this Resolution, expresses its deep appreciation to James L. Banks for his faithful and dedicated service as Prosecutor, Judge, and Commissioner for the County of Ionia, and wishes him well in all of his future endeavors. This Resolution shall be entered into the records of the Ionia County Board of Commissioners and a copy presented to James L. Banks.*

*Signed and Sealed by Order of the Ionia County Board of Commissioners.*

**ATTACHMENT B**  
*MDOT Performance Resolution*

## PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES

*This Performance Resolution is required by the Michigan Department of Transportation for purposes of issuing to a municipal utility an "Individual Permit for Use of State Highway Right of Way", or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".*

RESOLVED WHEREAS, the County of Ionia  
(City, village, township, etc.)

hereinafter referred to as the "GOVERNMENTAL AGENCY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the GOVERNMENTAL AGENCY agrees that:

1. Each party to this Agreement shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this Agreement, as provided by law. This Agreement is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the GOVERNMENTAL AGENCY is performed by a contractor, the GOVERNMENTAL AGENCY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the GOVERNMENTAL AGENCY. Failure of the GOVERNMENTAL AGENCY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the GOVERNMENTAL AGENCY by a contractor or subcontractor will be solely as a contractor for the GOVERNMENTAL AGENCY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the GOVERNMENTAL AGENCY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the GOVERNMENTAL AGENCY.
4. The GOVERNMENTAL AGENCY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.



5. The GOVERNMENTAL AGENCY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the GOVERNMENTAL AGENCY'S facilities according to a PERMIT issued by the DEPARTMENT.
6. With respect to any activities authorized by a PERMIT, when the GOVERNMENTAL AGENCY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the DEPARTMENT of this resolution as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
8. This resolution shall continue in force from this date until cancelled by the GOVERNMENTAL AGENCY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the GOVERNMENTAL AGENCY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED, that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the GOVERNMENTAL AGENCY.

**ATTACHMENT C**

*MDOT Signature Resolution for Borden Road*

**BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF IONIA**

**COUNTY OF IONIA**

**STATE OF MICHIGAN**

**RESOLUTION TO AUTHORIZE SIGNING CONTRACT**

Commissioner moved the adoption of the following resolution:

WHEREAS, the Michigan Department of Transportation wishes to enter into a contract agreement with Ionia County to accomplish the following project:

Contract Number 19-5604  
Hot mix asphalt cold milling and resurfacing work along Borden Road from Stag Road easterly to the west village limits of Hubbardston; including shoulder, approach, and traffic control work; and all together with necessary related work.

NOW, THEREFORE, BE IT RESOLVED, that David Hodges, Chairperson and Paul Spitzley, County Highway Engineer shall be authorized to sign the agreement for Ionia County.

BE IT FURTHER RESOLVED, that true copies of this resolution will be sent to the Michigan Department of Transportation.


The motion was supported by Commissioner Tiejema and carried on a voice vote. RESOLUTION DECLARED ADOPTED.

**CERTIFICATION**

I, Greg Geiger, Clerk of the Board of Ionia County Commissioners, do hereby certify that the above and foregoing is a true and correct copy of an excerpt from the minutes of a meeting of said Board held on January 21<sup>st</sup>, A.D., 2020, as appears of record in the office of said Board; that I have compared the same with the original and it is a true transcript therefrom.

IN WITNESS WHEREOF, I have hereunto set my hand at Ionia, Michigan, this 21<sup>st</sup> day of January A.D., 2020.

Clerk of the Board

  
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