

IONIA COUNTY BOARD OF COMMISSIONERS
Regular Meeting
March 22, 2011
7:00 p.m.

Chair Shattuck called the meeting to order and led with the Pledge of Allegiance.

Members present: Lower, Banks, Mason, Tiejema and Shattuck

Members absent: Calley and Vroman

Others present: Don Jandernoa, Jack Elliott, Joel Palmer, Sr., Jason Eppler, Craig Wheeler, Lisa McCafferty, Nancy Hickey, Bernie Russell, Dwain Dennis, Sug Pinnow, Rick Norman, Stephanie Hurlbut, Jim Valentine, Deb Steele, Mark Howe and Tonda Rich

Approval of Agenda

A. Consideration of additional items

County Administrator, Mark Howe, stated that item Q under New Business and item A under Executive Session should be removed from the agenda and add another item A under the Executive Session. Moved by Banks, supported by Lower, to approve the amended agenda. Motion carried by voice vote.

Public Comment

Jack Elliott addressed the Board concerning property/taxes.

Consent Calendar

- A. Approve minutes of the previous meeting(s)
- B. Approve per diem and mileage
- C. Approve payment of General Fund payroll and accounts payable for the month of February 2011 - \$1,083,175.59
- D. Approve payment of Health Fund bills - \$94,670.10

Absent any objections, the Chair declared the Consent Calendar approved.

Unfinished Business

- A. Appointments
 - 1. Airport Zoning Board
 - 2. Community Mental Health Services Board

The Chair tabled this discussion to later in the meeting.

New Business

- A. Moved by Tiejema, supported by Mason, to open up the public hearing at 7:07 p.m. for public comment on the Water and Sewer Improvement Bonds for the City of Ionia. Motion carried by voice vote.

Jason Eppler, Ionia City Manager, requested the Board to authorize the amendment to the Resolution and contract that was approved on March 25, 2008 to permit the City to borrow an additional \$6,000,000. Eppler described the projects being done throughout the City and answered questions from the Board. Jack Elliot questioned Eppler concerning the rust in the water.

Moved by Lower, supported by Tiejema, to close the public hearing at 7:17 p.m. Motion carried by voice vote.

- B. Moved by Tiejema, supported by Banks, to adopt the Amendment to Resolution Authorizing Water & Sewer Improvement Bonds for City of Ionia. The Resolution was adopted by the following roll call vote: yes – all. The resolution is as follows:

**AMENDMENT TO RESOLUTION AUTHORIZING
WATER AND SEWER IMPROVEMENT BONDS (CITY OF IONIA)
(LIMITED TAX GENERAL OBLIGATION)**

2011-1

A RESOLUTION TO PROVIDE FOR:

- Amendment of Resolution and Contract approved March 25, 2008 to permit an additional \$6,000,000 of County Bonds in two or more series payable from contract payments to be paid by the City of Ionia.

WHEREAS, the County of Ionia (the “County”), acting by and through its Board of Public Works (the “Board of Public Works”) and the City of Ionia (the “City”) have previously entered into a Contract dated March 25, 2008 pursuant to which the County agreed to issue its bonds in the maximum amount of \$6,000,000 to pay the costs of water supply and sewer system improvements within the City (the “Project”); and

WHEREAS, on March 25, 2008 the County approved its Resolution (the “Bond Resolution”) authorizing issuance the County’s Bonds to finance costs of the Project, and the County subsequently delivered its (1) Series 2008 Bonds in the principal amount of \$1,500,000, (2) Series 2009 Bonds in the principal amount of \$2,250,000, and (3) Series 2010 Bonds in the principal amount of \$2,250,000, as authorized under the Contract; and

WHEREAS, the County, the Board of Public Works and the City wish to amend the Contract and the bond resolution to expand the scope of the Project and to increase the maximum amount of the Bonds to be issued from \$6,000,000 to \$12,000,000 in order to permit two or more additional series of Bonds; and

WHEREAS, the City has been fulfilling its obligations under the Contract, including timely payment of amounts owed by the City under the Contract; and

WHEREAS, the proposed First Amendment to Contract (the “Contract Amendment”) attached to and made a part of this resolution has been duly approved by resolutions of the Board of Public Works and the City Council; and

WHEREAS, the Board of Public Works has approved this resolution and recommended its adoption by this Board of Commissioners.

THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE COUNTY, AS FOLLOWS:

1. The terms used in this Resolution shall have the same meaning given thereto in the Bond Resolution except as otherwise provided in this Resolution.
2. It is hereby determined to be advisable and necessary for the public health of the County to acquire, construct and complete the additions to the Project to be part of the System as described in the Contract Amendment. The Contract Amendment is hereby ratified, confirmed and approved. The Chairman and Secretary of the Board of Public Works are authorized and directed to execute the Contract Amendment for and on behalf of the County with such changes and insertions as may be necessary or desirable, in consultation with bond counsel, to effectuate the sale and delivery by the County of the Bonds, or to conform the Contract with final Project costs and specifications, if such changes or insertions are permitted by law and are not materially adverse to the County.
3. The total estimated cost of acquiring and constructing the additions to the Project, including the costs of issuance of the Bonds, is hereby approved and confirmed to be not-to-exceed \$6,000,000, and the total estimated cost of the Project, including the additions, is hereby approved and confirmed to be not-to-exceed \$12,000,000. Any costs of the Project in excess of costs paid from proceeds of the Bonds shall be paid by the City as provided in the Contract.
4. The Bond Resolution is hereby amended to provide that all references in the Bond Resolution to the Contract shall be construed to refer to the Contract as amended by the Contract Amendment.
5. Section 8 of the Bond Resolution is hereby amended to provide that there shall be borrowed the sum of not to exceed Twelve Million Dollars (\$12,000,000), including the Series 2008 Bonds, Series 2009 Bonds and Series 2010 Bonds which have already been issued, and the term “Bonds” as used in the Bond Resolution shall refer to all series of Bonds up to the aggregate principal amount of \$12,000,000 issued under the Contract.
6. Section 9 and Section 21 of the Bond Resolution are hereby amended to provide that each series of the Bonds shall bear interest at a rate or rates determined on sale thereof, not exceeding nine percent (9%) per annum.
7. The County designates each series of Bonds issued as tax exempt bonds as “qualified tax-exempt obligations” for purposes of deduction of interest expense by financial institutions, if the County Administrator or County Treasurer determines that the County does not intend to issue, or to authorize to be issued on its behalf, tax-exempt obligations within the calendar year in which that series of the Bonds is issued in excess

of the amount permitted for the County to designate such series of Bonds as “qualified tax-exempt obligations.” Any such designation shall be evidenced by execution of the Non-Arbitrage and Tax Compliance Certificate or other certificate to be delivered by the County with respect to each such series of the Bonds.

8. The Board of Public Works is authorized to determine, in consultation with the City, if it is advantageous or necessary to issue any series of the Bonds with taxable interest. Section 18c of the Bond Resolution is hereby amended to provide that the covenant of the County to take actions necessary to maintain the exclusion of the interest on the Bonds from adjusted gross income for general federal income tax purposes under the Internal Revenue Code shall not apply for any series of Bonds issued as taxable bonds.

9. The Board of Public Works and the officers, administrators, agents and attorneys of the County are authorized and directed to take all other actions necessary and to facilitate issuance and sale of the Bonds, and to execute and deliver all other agreements, documents and certificates and to take all other actions necessary or convenient to complete the issuance and delivery of the Bonds in accordance with this Resolution.

10. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution are hereby repealed.

11. This resolution shall become effective immediately upon its passage.

Unfinished Business

A. Appointments

1. Airport Zoning Board– Moved by Lower, supported by Mason, to appoint Raymond Meyer to the Airport Zoning Board. Motion carried by voice vote.
2. Community Mental Health Services Board – Moved by Tiejema, supported by Banks, to appoint Clinton Galloway, Michael Gallagher, Carla Jackson, Nancy Patera and Julie Calley to the Community Mental Health Services Board. Motion carried by voice vote.

New Business (continued)

- C. County Treasurer, Nancy Hickey, stated that the County has never received any fees for the processing of the water and sewer bonds and requested that a fee be implemented for the time and responsibility that the County has in overseeing the bonds. Hickey stated that she has discussed this matter with the City of Ionia and they are in agreement to implementing a fee for the County’s time/responsibility for these bonds. Moved by Tiejema, supported by Banks, to approve the City of Ionia Water and Sewer Project Fees in the amount of a one-time payment of \$25,000 per bond issue.

Commissioner Lower moved to amend the motion that this will be the policy for all future bond issues if the money is borrowed through the Board of Public Works. Motion failed for lack of support.

The Chair called for a vote on the original motion. Motion carried by voice vote.

- D. Moved by Banks, supported by Lower, to open up the public hearing at 7:31 p.m. for public comment on the grant application for the Ionia to Saranac Trail Development. Motion carried by voice vote.

Jason Eppler and Anna Marie Bower, representative from the DNR, discussed submitting a grant for the trail development from Ionia to Saranac. A map was shown to the Board where the rail trail would be. It was noted that Ionia County would be the applicant, that the County would not be paying any matches and that the DNR owned the corridor. Moved by Banks, supported by Mason, to close public comment at 7:49 p.m. Motion carried by voice vote.

- E. Moved by Mason, supported by Tiejema, to adopt the Resolution Authorizing Grant Application for Ionia to Saranac Trail Development. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

**RESOLUTION TO SUBMIT A RECREATION GRANT APPLICATION
GRAND RIVER VALLEY TRAIL
2011-2**

WHEREAS, the County of Ionia has prepared a recreation plan intended to guide future recreational projects and financing; and

WHEREAS, the recreation plan has identified the need for development of trails; and

WHEREAS, the Ionia County Board of Commissioners has determined it to be in the best interest of the County to apply for state and/or federal monies to assist in the financing of said improvements; and,

WHEREAS, the County of Ionia has participated in the creation of the Mid West Michigan Trail Authority and has generally been supportive of rail to trail acquisition and development.

NOW, THEREFORE, BE IT RESOLVED THAT the County of Ionia does hereby authorize the County Administrator to submit an application to the DNR for a grant to develop the trail from Ionia to Saranac, known as the Fred Meijer Grand River Valley Trail, and further the County acknowledges the required local match for the grant program.

- F. Moved by Mason, supported by Banks, to open up the public hearing at 7:50 p.m. for public comment on the grant application for the Green View Point Park. Motion carried by voice vote.

Don Jandernoa discussed the maintenance expenses for the park, in addition to future projects for the park. Part of the discussion was a request, as part of the grant application, for installing playground equipment at the park. Howe voiced his concern with the additional maintenance/responsibility of county staff if an underground sprinkler system was installed, as well as, the liability the county would have if the playground equipment were installed. Moved by Banks, supported by Mason, to close the public hearing at 8:19 p.m. Motion carried by voice vote.

- G. Discussions continued regarding submitting the Green View Point Park grant application with and without the playground equipment. Jandernoa requested that the grant application be approved as written, which includes the playground equipment. Moved by Mason, supported by Tiejema, to approve the grant application for Green View Point Park, minus the playground equipment, spring toys and the fiber wood surface and to adopt the Resolution. Mason stated that she is not opposed to the playground equipment, but the County does not have the staff to maintain the equipment. The Chair called for a vote on the adoption of the Resolution to Submit a Recreation Grant Application for Green View Point Park. The Resolution was adopted by the following roll call vote: yes –all. The Resolution is as follows:

**RESOLUTION TO SUBMIT A RECREATION GRANT APPLICATION
GREEN VIEW POINT PARK
2011-3**

WHEREAS, the County of Ionia has prepared a recreation plan intended to guide future recreational projects and financing; and

WHEREAS, the County of Ionia has previously undertaken construction of improvements that have had a positive impact on Green View Point Park, and

WHEREAS, the recreation plan has identified the need for additional improvements to Green View Point Park, and

WHEREAS, the Ionia County Board of Commissioners has determined it to be in the best interest of the County to apply for state and/or federal monies to assist in the financing of said improvements;

NOW, THEREFORE, BE IT RESOLVED THAT the County of Ionia does hereby authorize the County Administrator to submit an application to the DNR for a grant for recreation improvements at Green View Point Park and further, the County acknowledges the required local match for the grant program.

- H. Moved by Banks, supported by Mason, to approve the Professional Services Agreement with Fleis and VandenBrink Engineering, Inc. for Planning Consultant

Services for the Ionia County courthouse evacuation drill, and authorize appropriate signatures. Motion carried by voice vote.

- I. Moved by Tiejema, supported by Mason, to approve the AAAWM – MIPPA Beneficiary Outreach and Assistance Services agreement. Motion carried by voice vote.
- J. Moved by Banks, supported by Tiejema, to approve a three-year agreement with Boston Township for deputy services. Motion carried by voice vote.
- K. Moved by Tiejema, supported by Banks, to approve a three-year agreement with Easton and Orleans Townships for deputy services. Motion carried by voice vote.
- L. Moved by Mason, supported by Banks, to approve the contract with Flex Administrators, Inc. from January 1, 2011 through December 31, 2011 and authorize the Chair's signature. Motion carried by voice vote.
- M. Moved by Mason, supported by Lower, to approve the Letter of Support for the grant application for the Ionia County ACCESS Initiative. Motion carried by voice vote.
- N. Moved by Banks, supported by Mason, to approve additional paid hours to the Health Department hourly staff so they may participate in a Mass Vaccination/Dispensing exercise, not to exceed \$3500. Motion carried by voice vote.
- O. Moved by Tiejema, supported by Mason, to approve the Health Department Business Management Services Agreement between the County of Ionia and Bonnita Detweiler effective February 1, 2011 through January 31, 2013, and authorize appropriate signatures. Motion carried by voice vote.
- P. Moved by Mason, supported by Banks, to approve the Mid-South Substance Abuse Commission and the County of Ionia on behalf of the Ionia County Health Department, and authorize appropriate signatures. Motion carried by voice vote.
- Q. Moved by Banks, supported by Lower, to approve the tentative agreement with 64A District Court/County of Ionia and SEIU Local 517M. Motion carried by voice vote.
- R. Moved by Mason, supported by Tiejema, to approve the replacement of five heating/cooling units for the District Court building, based upon the bid results and authorize appropriate signatures. Motion carried by voice vote.

The Chair opened up the second Public Comment period. No one addressed the Board.

The Chair called for a brief recess at 9:02 p.m. and reconvened at 9:08 p.m.

Moved by Mason, supported by Lower, to enter into Closed Session at 9:08 p.m. to discuss an attorney-client letter. Motion carried by the following roll call vote: yes – all.

Moved by Lower, supported by Tiejema, to adjourn Closed Session and return to regular session at 9:29 p.m. Motion carried by voice vote.

Moved by Tiejema, supported by Banks, to authorize the Chair to sign the addendum to the contract with Dan Vos Construction as outlined by the county attorney. Motion carried by voice vote.

Moved by Lower, supported by Tiejema, to adjourn the meeting at 9:30 p.m. Motion carried by voice vote.

Jack Shattuck, Chair

Tonda Rich, Clerk

Minutes approved on:
