

IONIA COUNTY BOARD OF COMMISSIONERS  
Regular Meeting  
**October 9, 2012**  
4:00 p.m.

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

Members present: Vroman, Tiejema, Banks, Mason, Lower and Shattuck  
Members absent: Calley

Others present: Jen Wangler, Curt Read, Doug DeVries, Karen Bota, Tom Thelen, Suana McDaniels, Deb Thailson, Georgia Sharp, Miranda Sharp, Terry Frewen, Cliff Lazarus, Ken Bowen, Mark Novak, Lynette Seiler, Mary Ellen Snyder, Chris Thelen, Jim Valentine, Diane Adams, Ron Schafer, Ken and Darlene Thompson, Stephanie Hurlbut and Tonda Rich

**Approval of Agenda**

A. Consideration of additional items

The Chair added Closed Session minutes (3 sets) from September 25, 2012 for approval under the Consent Calendar. Moved by Lower, supported by Tiejema, that the Ionia County Board of Commissioners approve the amended agenda. Motion carried by voice vote.

**Public Comment**

Chris Thelen with Consumers Energy addressed the Board regarding the 2013 budget allocation from Ionia County to ICEA (Ionia County Economic Alliance) and encouraged the Board to reconsider their allocation.

**Consent Calendar**

- A. Approve minutes of the previous meeting(s)
- B. Approve Closed Session minutes (3 sets) from September 25, 2012

The Closed Session minutes were presented and reviewed by the Board. Hearing no objections, the Chair declared the Consent Calendar approved.

**New Business**

- A. Moved by Tiejema, supported by Lower, that the Ionia County Board of Commissioners open up the public hearing on the 2013 Ionia County Budget. Motion carried by voice vote.

County Administrator, Stephanie Hurlbut, summarized the proposed budget stating that the Child Care Fund is substantially lower for 2013; health insurance has increased 8%; the Department of Human Services allocation was increased to \$7,500 and the ICEA

allocation was reduced to zero per the consensus of the Board at the September 25, 2012 until the full Board was present to discuss the allocation.

Chair Shattuck opened up discussions on the budget.

Terry Frewen, a business owner in Portland and the Chairperson for ICEA gave a brief history of ICEA and asked the Board to reconsider their allocation for the 2013 budget. Frewen further submitted a letter from Bob Kjolhede, ISD Superintendent, setting forth the accomplishments that ICEA has been able to do with these allocated funds and asked the Board to also reconsider their allocation to ICEA in the 2013 budget.

Each Commissioner was given an opportunity to voice their opinion and comment on the ICEA allocation:

- Commissioner Mason stated she was in favor of collaboration and allocating funds to ICEA.
- Commissioner Tiejema voiced his concern stating that ICEA needs to focus on the local community and would like to see some changes done.
- Commissioner Lower stated the Board does support job growth and economic development, but has concerns as well. Lower requested to allocate \$100 to the line item until the full Board was present to vote on the allocation.
- Commissioner Vroman recommended that a list of deliverables be drafted since the County is a funding unit of ICEA.
- Commissioner Banks recommended that the ICEA should file a quarterly report.
- Chair Shattuck stated that the funding for ICEA has been decreasing for some time and ICEA has been aware that they needed to explore other options as well.

In other topics concerning the budget, Commissioner Mason thanked the County Administrator for the work done on the budget and the bonuses that will be given. Commissioner Mason questioned the status on the four departments (Clerk, Park, Animal Care and Control and the Health Department) that came before the Board requesting either additional help and/or personnel allocations. Hurlbut stated that the State Court Administrative Office will be doing a Management Analysis in the Clerk's Office and discussions concerning the staffing needs at the Park and Animal Care and Control will continue. Commissioner Mason stated that the budget reflects that the Sanitarian positions at the Health Department are still at a Level I and would also like to revisit this issue as well.

Hurlbut stated that the allocation to ICEA will come from Contingency, which will leave approximately \$756,000 in Fund Balance.

Moved by Banks, supported by Lower, that the Ionia County Board of Commissioners close the public hearing on the 2013 budget at 4:42 p.m. Motion carried by voice vote.

- B. Moved by Lower, supported by Vroman, that the Ionia County Board of Commissioners approve the 2013 Budget as presented and to adopt the Resolution to Adopt the 2013 Ionia County General Appropriations Act. Commissioner Tiejema requested that the Board, in the future, consider restoring certain allocations that were taken out of the budget for 2013.

Moved by Banks, supported by Mason, that the Ionia County Board of Commissioners amend Commissioner Lower's motion to approve the 2013 Budget with the allocation of \$17,100 to ICEA. Commissioner Lower stated he believed it would be wise to put \$100 in that line item to keep it open and to continue this discussion when the full board was present. The Chair called for the vote on the amended motion. The motion carried by voice vote, with Commissioner Lower voting no.

The Chair called for a roll call vote on the first motion to adopt the 2013 Budget Ionia County General Appropriations Act, which includes the allocation to ICEA. The Resolution was adopted by the following roll call vote: yes – all. The Resolution is as follows:

RESOLUTION TO ADOPT THE  
2013 IONIA COUNTY GENERAL APPROPRIATIONS ACT  
2012-14

WHEREAS, the Uniform Budgeting and Accounting Act ("UBAA"), Public Act 621 of 1978, as amended, requires that each local unit of government adopt a balanced budget for all required funds; and,

WHEREAS, The County Administrator has received input from officials responsible for providing mandated services to determine serviceable levels and the funds to sustain such levels, and has reported these requests to the Board of Commissioners acting as Committee-of-the-Whole along with recommended funding levels; and,

WHEREAS, The Ionia County Board of Commissioners ("Board") has examined the requests and recommendations and has taken into consideration the fact that there are certain required functions of county government or operations that must be budgeted at a serviceable level in order to provide statutory and constitutionally required services and programs.

NOW, THEREFORE, BE IT RESOLVED, that the County Treasurer is hereby directed to collect 4.6434 mills for the County's general operations, which may be subject to future amendment based on changes in the Headlee Millage Reduction Fraction and finalized Taxable Values.

BE IT FURTHER RESOLVED, that this budget reflects a reasonable allocation of available resources to the various County departments, boards, and agencies, and allows for all mandated services, programs, and activities, including the courts and the constitutional and statutory offices, to be performed at and above reasonable, necessary, and serviceable levels.

BE IT FURTHER RESOLVED, that the appropriations for the General Fund and Special Revenue Funds are adopted at the Fund level, and that the amounts indicated in the accompanying detail are hereby appropriated from the appropriate funds of the County of Ionia according to the activities and accounts contained in that detail, incorporated herein by reference, and that such appropriations shall be restricted in accordance with board policies to the purpose described in the title of the accounts specified in the detail and by the provisions of this Act (program summaries are provided for information only).

BE IT FURTHER RESOLVED, that the following restrictions and obligations shall apply to these appropriations and anyone who accepts funds pursuant to this Act or otherwise incurs expenditures in expectation of County funding shall be deemed to have agreed to these restrictions and obligations:

1. All terms in this Act shall have the meaning assigned to them by the Uniform Budgeting and Accounting Act. The term "budgetary center" includes all courts and offices of the courts receiving funds through this General Appropriations Act.
2. The County Administrator shall serve as the Chief Administrative Officer and the Fiscal Officer, as defined in the UBAA.
3. All budgetary centers receiving funds herein shall abide by the UBAA and the Uniform Chart of Accounts referenced therein. Each administrative officer in charge of a budgetary center shall promptly provide the Fiscal Officer with all information that the Fiscal Officer considers necessary and essential to the preparation of a County budget for the ensuing fiscal period.
4. The amounts appropriated herein shall be paid from the County Treasury at the time and in the manner provided by law, in this Act, and other applicable policies or resolutions of the Board, whether enacted to date or subsequently adopted.
5. Expenditures and revenues shall be recorded and reported in the manner provided by law. Fees and other money received by budgetary centers shall be forwarded promptly to the County Treasurer and credited to the appropriate County Fund, except as otherwise provided by this Act or by any other resolution or policy of the Board.
6. Each budgetary center shall limit expenditures within the appropriations authorized herein and shall not attempt to expend funds at a rate which will eventually result in a deficit in any account without prior approval of the Board, except as otherwise

provided by law. All expenditures of county funds and other funds under the control of any budgetary center shall be expended only for the purposes attached to the accounts and within the various policies of the Board, including any applicable collective bargaining agreements, and personnel policies that are approved by the Board of Commissioners. The County of Ionia shall only be responsible for the payment of purchases made in accordance with the provisions of MCLA 46.13b, Act 58 of 1909, the UBAA, and any policies or resolutions of the Board, whether enacted to date or subsequently adopted.

7. No overtime shall be paid without advance approval of the Board. Where a budgetary center has been given an overtime line item, the administrator for that budgetary center shall have the authority to approve overtime within the budgetary limits set by the Board within this Act, or subsequent amendments to this Act. If the total amount of overtime in any given month exceeds 1/12<sup>th</sup> of the amount allocated, the administrator for that budgetary center shall submit to the Board of Commissioners in writing a detailed report outlining why overtime for that month exceeded 1/12<sup>th</sup> of the allocation.

8. Only essential travel will be permitted as stated in the County Personnel Policy and the County Travel Policy. Conferences must be in the best interest of the County. The County will not reimburse employees for the expenses incurred by the employee's spouse or family members attending a conference.

9. All memberships and dues shall be paid out of the appropriate budgetary center.

10. Court-related consultants (expert witnesses), jurors, witnesses, and attorney fees, have been placed in established budgetary centers. Approval of all expenditures related to these accounts shall remain with the appropriate court in accordance with the limits set for appropriations as authorized in this Act and any subsequent amendment to this Act.

11. The County Administrator shall be authorized to transfer appropriations between line items within an activity upon request of an activity administrator under the following limitations:

- A. Funds may not be transferred from supplies and services to wages and benefits for the purpose of creating permanent positions.
- B. Such transfers shall be reported in writing to the Board of Commissioners.

12. The County Administrator shall be authorized to transfer appropriations among activities within a fund upon the request and/or with the written consent of the activity administrators allocating and receiving the funds, according to the following limitations:

- A. Funds may not be transferred from supplies and services to wages and benefits for the purpose of creating permanent positions.
- B. No activity shall allocate or receive more than \$10,000 in any transfer.

C. Such transfers shall be reported in writing to the Board of Commissioners.

13. The County Administrator shall be authorized to make year-end transfers among activities or funds or with such amounts that may be available in the Contingency of the General Fund, as may be necessary to insure that activities or funds do not end the fiscal year in a deficit condition. All such transfers shall be recorded in the official financial records of the County through the normal accounting process. The County Administrator shall consult with and receive written approval from the Chairman and the Vice-Chairman of the Board of Commissioners before authorizing year-end transfers, and shall submit in writing a record of the transfers to the Board of Commissioners.

14. The Personnel Allocations contained in this budget shall limit the number of permanent full time equated (FTE) employees who can be employed, and no funds are appropriated for any position not listed in the Personnel Allocations. In addition, the job position titles, pay classifications, and full time equated designations for each position are deemed to be the correct classifications and are hereby incorporated into the Personnel Allocations, and any modification of employment classifications may be done only through authorization by the Board of Commissioners.

15. The Board of Commissioners reserves the right to change the Personnel Allocations and the County Elected Officials and County Department Heads shall abide by whatever changes are made by the Board of Commissioners, if any, relative to the approved positions and the number of employees stated in the Personnel Allocations. When a position becomes vacant, it shall not be filled without the express authorization of the Board of Commissioners.

16. Positions that are listed under Personnel Allocations that are supported by grant, cost sharing, reimbursement, or some other source of outside funding are only approved contingent upon the County receiving the budgeted revenues. Upon notification that budgeted funding of a position shall not be received, the elected official or department head shall immediately notify the County Administrator, who shall notify the Board of Commissioners, and that position shall be immediately removed from the Personnel Allocations once the outside funding has been exhausted.

17. Line item appropriations that represent the estimated costs of operating the Ionia County trial courts are contingent upon reimbursements to Ionia County by the State of Michigan in accordance with MCLA 600.151(b).

18. If a budgetary center employs at any time fewer employees than the maximum specified for the appropriate account in this Act, unexpended appropriations in an amount identified with the unfilled position(s) by payroll records shall immediately and automatically revert to General Fund Contingency, unless otherwise authorized by the Board without limitation, or by the County Administrator under the following limitations:

A. Temporary full-time or part-time positions or overtime may be allocated by the County Administrator at the request of a department head as long as the funds are available within a department's wage line item. Any such positions shall be considered employees as determined by IRS regulations and, as such, shall be paid by the County through the normal payroll process.

19. Contracts for goods or services must be authorized for signature by the Board of Commissioners in accordance with Board Policy. All such contract negotiations shall be coordinated with the County Administrator. No expenditure of funds for such contracts shall take place until the Board of Commissioners has authorized contract signatures.

20. Salaries established for the following elected county officials are deemed to be the total salary for each official and inclusive of any statutory fees, per diems, or other payments.

Prosecuting Attorney	\$ 84,893
Sheriff	\$ 75,991
Clerk	\$ 52,219
Treasurer	\$ 52,219
Drain Commissioner	\$ 52,219
Register of Deeds	\$ 52,219

21. The County Administrator is hereby authorized to execute transfers from one fund to another that are specifically allocated in this General Appropriations Act or any amendments thereof that are adopted by the Board of Commissioners.

BE IT FURTHER RESOLVED, that funds earmarked within the General Fund Designated Fund (102) shall not be expended without specific authorization from the Board of Commissioners and approval for the release of those funds by the County Administrator, with the following exception: the County Administrator is authorized to expend up to \$10,000 from any item in which funds were earmarked by the Board of Commissioners as long as the expenditure is consistent with the intent for which the funds were earmarked. Such authorization shall be reported to the Board of Commissioners, and must be made in accordance with relevant policies adopted by the Board of Commissioners, including but not limited to the County Purchasing Policy.

BE IT FURTHER RESOLVED, that revenue received by the County under Public Acts 106 and 107, 1985, (Convention Facility Tax revenue) shall not be used to reduce the County's operating millage as defined by P.A. 2, 1986. In accordance with P.A. 2 of 1986, 50 percent of the actual Convention Facility Tax revenue not used to reduce the County's operating tax rate shall be appropriated to substance abuse agencies as recommended by the appropriate Substance Abuse Advisory Council appointed by the Board of Commissioners, with the remaining revenues to be deposited into the County's General Fund.

BE IT FURTHER RESOLVED, that revenue received from the County under Public Act 264 of 1987, (Health and Safety Fund Act) shall not be used to reduce the County's operating millage, and that 12/17<sup>th</sup> of the actual Health and Safety Fund Act revenue not used to reduce the County's operating tax rate shall be appropriated to the Ionia County Health Department, with the remaining revenues to be deposited into the County's General Fund.

BE IT FURTHER RESOLVED, that the Board of Commissioners authorizes the following individuals or appointed boards to incur obligations and expend funds from the so mentioned Special Revenue Funds:

Park Advisory Board for the Parks & Recreation Fund  
Commission on Aging Board for the Commission on Aging Fund  
Soldiers and Sailors Relief Board for the Soldiers and Sailors Relief Fund  
Veterans Trust Fund Board for the Veterans Trust Fund  
Central Dispatch Advisory Board for the Central Dispatch Fund  
Chief Circuit Court Judge and Friend of the Court for the Friend of the Court Fund  
Board of Commissioners for all other Special Revenue Funds

except that in recognition of the fact that the Ionia County General Fund is ultimately responsible for balancing all deficit funds, expenditures from the aforementioned funds shall occur with the following limitations:

1. In the event that it becomes apparent that the actual and probable revenues from all sources expected by a Fund are less than the estimated revenues, including applicable surplus, upon which expenditures are based, the managing board or individuals responsible for the Fund shall be required to cause the total expenditures to not exceed the total of revised estimated revenues. Any such anticipated reduction in revenue shall be reported to the Board of Commissioners in writing as soon as it becomes apparent that such a reduction will occur.
2. Managing boards or individuals shall not increase expenditures beyond those appropriated without prior approval of the Board of Commissioners, even if it becomes evident that revenues, plus available surplus, are exceeding estimated amounts and such additional expenditures could feasibly be made.
3. Employment contracts shall not become effective until first reviewed and approved by the Board of Commissioners. All employment contract negotiations shall be coordinated with the County Administrator, who shall serve as the lead negotiator for all contract negotiating teams.

BE IT FURTHER RESOLVED that this Act shall become effective January 1, 2013. The Board may amend this Act at any time and any appropriation made hereunder may be increased or decreased at the Board's discretion.

- C. The County Administrator stated that a request under the Freedom of Information Act was received by Curt Read, wherein Mr. Read requested copies of videos in and around the main courthouse from July 1, 2012 to August 24, 2012. Hurlbut denied Read's FOIA request for reasons such as disclosing law enforcement investigative techniques or procedures; disclosing security measures, show arrival/departure times of elected officials, law enforcement and staff. Hurlbut stated that Read has filed an appeal, which is the matter before the Board today and requested the Board to uphold the denial of the FOIA request.

Curt Read addressed the Board stating that FOIA's are for the public to see the inter-workings of the government and further stated that throughout this process the attitude of the county staff has been degrading and extremely rude. Read requested that the video tapes in question not be destroyed in case a possible lawsuit is filed.

Moved by Banks, supported by Tiejema, that the Ionia County Board of Commissioners uphold the denial of the request made by Curt Read under the Freedom of Information Act for reasons stated in the letter dated September 19, 2012, addressed to Curt Read from Stephanie Hurlbut, County Administrator. Chair Shattuck stated that the denial is being upheld due to security reasons as stated in the County's letter to Read. Commissioner Lower requested that the County Administrator's letter to Curt Read dated September 19, 2012 denying his request is made a part of today's board minutes (letter attached). Motion carried by voice vote.

- D. Chair Shattuck acknowledged the PA 116 Farmland and Open Space Preservation Agreements filed by Linda G. Wolverton-Altana Trust for properties located in Odessa and Sebewa Townships.
- E. Moved by Tiejema, supported by Mason, that the Ionia County Board of Commissioners approve the AAAWM (Area Agency of Aging of Western Michigan) Contract Amendment 51.54-6 and authorize appropriate signatures. Motion carried by voice vote.
- F. Moved by Mason, supported by Banks, that the Ionia County Board of Commissioners approve the fiscal year 2013 AAAWM Contract Amendment 51.54-FY13.1 and authorize appropriate signatures. Motion carried by voice vote.
- G. Moved by Banks, supported by Tiejema, that the Ionia County Board of Commissioners approve the fiscal year 2013 Nutrition Contract Amendment 61.54-FY13.1 and authorize appropriate signatures. Motion carried by voice vote.
- H. Moved by Tiejema, supported by Vroman, that the Ionia County Board of Commissioners approve the grant agreement between the Michigan Department of Transportation and the Ionia County Board of Commissioners to expand the Ionia County Airport Terminal and update the Airport Layout Plan – Contract No. 2012-0750, Federal

Project No. F- 26-0048-2511, and to authorize the signature of Chairman Jack Shattuck. Motion carried by voice vote.

- I. Moved by Banks, supported by Mason, that the Ionia County Board of Commissioners approve an agreement with Sobie Company Inc., for the removal and installation of new carpet and wall base in the District Court building, not to exceed \$44,915 to be paid from the General Fund Designated Fund, and to authorize appropriate signatures. Motion carried by voice vote.
- J. Moved by Vroman, supported by Mason, that the Ionia County Board of Commissioners approve an agreement with Sobie Company, Inc., for the removal and installation of new carpet in the Circuit Court Administration Office, not to exceed \$4,599 to be paid from the General Fund Designated Fund, and to authorize appropriate signatures. Motion carried by voice vote.
- K. Deb Thailson with the Health Department discussed the Health Department Budget Amendment and answered questions from the Board. Moved by Tiejema, supported by Lower, that the Ionia County Board of Commissioners approve the Health Department budget amendment as presented. Motion carried by voice vote.

### **Chairperson's Report**

- 1. Was contacted by Doug Hyland, Muir Village President, concerning the County's allocation to the bridge repair in the Village and stated that the Board will need to discuss this.

### **County Administrator's Report**

- 1) The Dashboard is on the County's website
- 2) The single entrance to the main courthouse went into effect on October 1<sup>st</sup>
- 3) Briefly discussed the transition at Animal Care and Control

For the upcoming Road Commission Board appointments, it was the consensus of the Board to schedule interviews at the October 23, 2012 board meeting. This appointment will expire December 2012.

### **Other Reports**

Commissioner Mason updated the Board on the status of Mid-South and the Trail Authority.

Commissioner Tiejema commented on the single entrance into the courthouse.

Commissioner Lower commented on the Jackson Street tennis courts project.

**Public Comment**

Curt Read addressed the Board on the courthouse security. Terry Ferwen thanked the Board for the ICEA allocation.

Moved by Lower, supported by Vroman, to adjourn the meeting at 5:39 p.m. Motion carried by voice vote.

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Jack Shattuck, Chair

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Tonda Rich, Clerk

Minutes approved on:  
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