

Board Conference Room  
April 14, 2016  
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Powers in the Board Conference Room on Thursday, April 14, 2016 at 2:00 p.m.

Roll was called by the Clerk. Present: Mr. Brown, Mr. Gustafson, Mr. Byl, Mr. Walker, Mr. Sebolt, and Mr. Powers. Absent: Ms. Kolbe.

**RESOLUTION NO. 1 – APPOINTMENT OF THE OCEANA COUNTY EMERGENCY MANAGEMENT COORDINATOR**

Moved by Mr. Sebolt and seconded by Mr. Walker to affirm the appointment made by the Oceana County Administrator/Fiscal Officer of Mr. James C. Duram, 2010 West Lake Road, Twin Lake, Michigan 49457 as the Oceana County Emergency Management Coordinator:

- Effective Date of Hire: 05/02/2016
- Wage: \$41,000 annual or \$22.527 per hour
  - Upon successful completion of six (6) month probationary period, the annual wage will increase to \$42,000 or \$23.077 per hour
- Benefits: MERS Defined Contribution Pension Plan; health, dental, life and vision insurance; sick leave; and, vacation and personal days
- Other: During the first year of employment, employee will be allowed to take up to 10 days off without pay with no more than 5 days taken consecutively.

This is a fulltime position based on 1,820 hours per year with the same fringe benefit package as offered to other fulltime County employees.

Roll call vote: Mr. Sebolt-yes; Mr. Walker-yes; Mr. Gustafson-yes; Mr. Brown-yes; Mr. Byl-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 2 – REQUEST TO HIRE FOR FULLTIME EMS POSITION**

Moved by Mr. Walker and seconded by Mr. Byl to authorize the Oceana County EMS Director to fill one fulltime EMS position which recently became vacant.

Roll call vote: Mr. Walker-yes; Mr. Byl-yes; Mr. Brown-yes; Mr. Sebolt-yes; Mr. Gustafson-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 3 – REQUEST TO HIRE TWO PART-TIME MARINE LAW OFFICERS AND ONE FULLTIME ORV OFFICER**

Moved by Mr. Brown and seconded by Mr. Sebolt to authorize the Oceana County Sheriff to fill the summer ORV position and two (2) part-time summer Marine Law positions. All positions have been provided for in the 2016 budget.

Roll call vote: Mr. Brown-yes; Mr. Sebolt-yes; Mr. Gustafson-yes; Mr. Byl-yes; Mr. Walker-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 4 – AUTHORIZATION TO PREPARE SPECIFICATIONS AND OBTAIN BIDS FOR THE CONSTRUCTION OF AN EMS BUILDING IN SHELBY**

Moved by Mr. Brown and seconded by Mr. Byl to authorize Mr. Jeremy Horton, Harbor Design and Construction, 215 S. Hancock Street, Pentwater, Michigan 49449 to prepare bid specifications and obtain bids for the construction of an EMS building at 562 S. State Street, Shelby, Michigan. The timeframe for the bid process will be such as to have all necessary documents for the Board of Commissioners review no later than June 3, 2016.

Change orders relative to the bid specifications may be made by Mr. Horton upon consultation with the EMS Director. Further, sealed bids are to be returned directly to Mr. Horton.

Roll call vote: Mr. Brown-yes; Mr. Byl-yes; Mr. Sebolt-yes; Mr. Gustafson-yes; Mr. Walker-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 5 – RENEWAL OF WEIGH MASTER AGREEMENT**

Moved by Mr. Walker and seconded by Mr. Brown to approve the cooperative Agreement for Weigh Master Services between the Oceana County Sheriff's Department and the Oceana County Road Commission effective March 1, 2016 – December 31, 2016 with the Oceana County Road Commission paying the County an annual fee of \$16,667.

Starting in 2017 and all subsequent years after, the contract will be based on a calendar year of January 1 through December 31 at a cost of \$20,000.

Roll call vote: Mr. Walker-yes; Mr. Brown-yes; Mr. Gustafson-yes; Mr. Sebolt-yes; Mr. Byl-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 6 – AMENDMENT TO THE MARCH 24, 2016 RESOLUTION TO ALLOW THE ANIMAL CONTROL OFFICER TO CARRY OVER 60 HOURS OF VACATION**

Moved by Mr. Gustafson and seconded by Mr. Sebolt to amend the motion of March 24, 2016 allowing the Animal Control Officer to carry over 40 hours vacation for one (1) year beyond his anniversary date of April 24, 2016. Said amendment is to allow the Animal Control Officer to carry over a total of 60 hours vacation for one year beyond his anniversary date as the Deputy Animal Control Officer is on FMLA leave.

Roll call vote: Mr. Gustafson-yes; Mr. Sebolt-yes; Mr. Walker-yes; Mr. Byl-yes; Mr. Brown-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 7 – APPROVAL OF BOARD OF COMMISSIONERS COMPENSATION PACKET**

Moved by Mr. Gustafson and seconded by Mr. Byl to establish a Compensation and Fringe Benefit Policy for the Oceana County Board of Commissioners effective January 1, 2017 as follows:

- Board Chair Annual Salary - \$14,000
- Board Member Annual Salary - \$12,000
- Eligible for County-paid Vision, Dental and Life Insurance.
- Per Diem of \$30 per eligible meeting up to a maximum of 10 per diems per month.
- The current policy regarding MAC and NACo Conferences is in addition to the above 10 per diems per month cap
- Mileage will continue to be reimbursed at IRS rates

County Commissioners will no longer be eligible for the County's health insurance coverage nor for the payment-in-lieu of health insurance effective midnight on December 31, 2016.

The intent of this Policy is to establish parity in compensation between members as well as save money for the County of Oceana.

Roll call vote: Mr. Gustafson-yes; Mr. Byl-yes; Mr. Sebolt-yes; Mr. Brown-yes; Mr. Walker-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 8 – MEMORANDUM OF UNDERSTANDING WITH THE STATE OF MICHIGAN FOR SHARING OF FIBER**

Moved by Mr. Sebolt and seconded by Mr. Gustafson to authorize the Oceana County Administrator/Fiscal Officer to enter into a Memorandum of Understanding with State of Michigan, Department of Technology and Budget to provide 1 fiber pair between 100 S. State Street and 314 S. State Street, Hart to consolidate the Department of Corrections (DOC) and Child Support Enforcement Services (CSES). The new 10Mbit circuit will be shared with CSES and DOC.

The State of Michigan will, upon invoicing from the County Administrator/Fiscal Officer, pay a non-recurring cost of \$1,776 to provide the fiber to the State of Michigan DTMB and an annual reoccurring cost of \$853 for maintenance and documentation of the shared fiber.

Roll call vote: Mr. Sebolt-yes; Mr. Gustafson-yes; Mr. Walker-yes; Mr. Brown-yes; Mr. Byl-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 9 – AMENDMENT TO THE MARCH 24, 2016 RESOLUTION REGARDING THE PURCHASE OF TABLETS FOR THE BOARD OF COMMISSIONERS, ADMINISTRATOR AND COUNTY CLERK**

Moved by Mr. Byl and seconded by Mr. Walker to amend the motion of March 24, 2016 for the purchase of tablets, accessories and keyboards. Said amendment would be to allow for the purchase of 7 tablets, **2 laptops with Microsoft Office**, accessories and keyboards in an amount not to exceed **\$4,300**.

Roll call vote: Mr. Byl-yes; Mr. Walker-yes; Mr. Gustafson-yes; Mr. Brown-yes; Mr. Sebolt-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 10 – REQUEST TO PLACE SEPARATE TAX LIMITATION MILLAGE ON BALLOT FOR THE AUGUST 2, 2016 PRIMARY ELECTION**

WHEREAS, separate tax limitations for the County and the townships and intermediate school district within the County approved by the electors of the County at an election held August 8, 2006, will expire after the 2016 tax levies; and

WHEREAS, pursuant to Act No. 62, Public Acts of Michigan, 1933, as amended (the "Act"), the Oceana County Tax Allocation Board adopted a resolution on March 31, 2016 to request the Board of Commissioners of the County to submit a ballot proposition establishing separate tax limitations for the County and the townships and intermediate school district within the County to the electors of the County at the State of Michigan (the "State") primary election on August 2, 2016.

NOW, THEREFORE, BE IT RESOLVED,

1. Pursuant to Section 5g of the Act, the following proposition shall be submitted to the electors of the County at the State Primary Election to be held in the County on August 2, 2016.

**PROPOSITION FOR SEPARATE TAX LIMITATIONS**

Shall separate tax limitations be established for a period of ten (10) years, 2017 through 2026, inclusive, or until altered by the voters of the County of Oceana, for the County of Oceana and the townships and intermediate school district within the County of Oceana, the aggregate of which shall not exceed 7.30 mills as follows:

	<u>Mills</u>
County of Oceana	5.75
Townships	1.25
Intermediate School District	0.30

2. The County Clerk is hereby directed to do all things necessary to provide for the submission of the aforesaid proposition to the electors of the County at the State Primary Election on August 2, 2016, including submitting a copy of this resolution to each of the local units within the County as required by the Act.
3. All resolutions and parts of resolutions, insofar as the same may be in conflict herewith, are hereby rescinded.

Roll call vote: Mr. Sebolt-yes; Mr. Byl-yes; Mr. Walker-yes; Mr. Gustafson-yes; Mr. Brown-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

**RESOLUTION NO. 11 – AMENDMENT TO THE 2016 AMBULANCE BUDGET**

Moved by Mr. Byl and seconded by Mr. Walker to amend the 2016 Ambulance Fund Budget from \$2,253,008 to \$2,293,008 as follows:

**REVENUES:**

Increase 253-608.000 Ambulance Receipts from \$890,000 to \$930,000

**EXPENDITURES:**

Increase 000-970.000 Capital Outlay from \$50,000 to \$90,000

Roll call vote: Mr. Byl-yes; Mr. Walker-yes; Mr. Brown-yes; Mr. Gustafson-yes; Mr. Sebolt-yes; and Mr. Powers-yes. Absent: Ms. Kolbe.

Motion carried.

Ms. Kolbe entered the meeting at 2:17 p.m.

**RESOLUTION NO. 12 – PAYMENT OF CLAIMS**

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

<b>AMBULANCE FUND</b>	<b>183,557.83</b>
<b>GIS</b>	<b>-0-</b>
<b>PUBLIC IMPROVEMENT FUND</b>	<b>2,220.20</b>
<b>BUILDING DEPARTMENT FUND</b>	<b>34,054.17</b>
<b>CRIMINAL JUSTICE TRAINING FUND</b>	<b>-0-</b>
<b>CAPITOL PROJECTS – EQUIP. REPLACEMENT</b>	<b>-0-</b>
<b>CAPITOL PROJECTS – SHERIFF</b>	<b>-0-</b>
<b>TOTAL FORECLOSURE FUND</b>	<b>9,720.36</b>
<b>VETERAN AFFAIRS</b>	<b>5,466.96</b>
<b>AUTOMATION FUND R.O.D.</b>	<b>173.04</b>
<b>LOCAL CORR. OFFICERS TRAINING FUND</b>	<b>-0-</b>
<b>GENERAL FUND</b>	<b><u>542,772.81</u></b>
<b>TOTAL</b>	<b><u>\$777,965.37</u></b>

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

Roll call vote: Mr. Byl-yes; Mr. Sebolt-yes; Ms. Kolbe-yes; Mr. Walker-yes; Mr. Brown-yes; Mr. Gustafson-yes; and Mr. Powers-yes. Absent: None.

Motion carried.


Ms. Johnson provided information relating to the Court case between Dakroub vs. Oceana County. This case involved an incident from the summer of 2015 between the Oceana County Sheriff's Department and Fatme Dakroub of Dearborn. She stated that she received an e-mail from the attorney assigned in the case which noted that "he was pleased to resolve the case without the payment of any damages, or attorney fees to the opposition. He believed from the beginning that Sheriff Farber's deputies did the right thing, and

*took all reasonable efforts to respect Ms. Dakroub and her religious practices, under difficult circumstances that had not previously been experienced at the Oceana County Jail. The policy agreed to is reasonable, and is the sort of action that he would have recommended as a solution, even if the lawsuit had not been filed".*

Ms. Johnson extended compliments to the Sheriff and his employees for the way the incident was handled.

Mr. Kerry Krentz, Rothbury Village resident, briefly touched on the proposed County's Master Plan, with respect to the focus and goals. He touched on fossil fuels and expressed concerns about power outages in the future.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 2:33 p.m.

  
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Amy L. Anderson, Chief Deputy Clerk

4/14/16  
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Date

  
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Mr. Powers, Chairperson