

**APPROVED
PROCEEDINGS OF THE OTTAWA COUNTY
BOARD OF COMMISSIONERS
NOVEMBER SESSION – SECOND DAY**

The Ottawa County Board of Commissioners met on Tuesday, November 25, 2008, at 1:30 p.m. and was called to order by the Chair.

Mr. Holtvluwer pronounced the invocation.

The Deputy Clerk led in the Pledge of Allegiance to the Flag.

Present at roll call: Mrs. Kortman, Messrs. Kuyers, Swartout, Mrs. Ruiter, Messrs. Hehl, Rycenga, Schrotenboer, Disselkoen, Berghorst, Holtrop, Holtvluwer. (11)

Presentation of Petitions and Communications

The Deputy Clerk read a thank you note for the flower arrangement sent to the family of Bob Hood. The Chair so noted and accepted.

Public Comments and Communications from County Staff

Brett VanderKamp, Say Yes to Sunday Committee, addressed the Board in favor of the passage of the Sunday “Package Sales” Resolution.

B/C 08-288 Mr. Berghorst moved to approve the Agenda of today as presented. The motion passed.

B/C 08-289 Mr. Kuyers moved to approve the following Consent Resolutions:

1. To approve the Minutes of the November 11, 2008, Board of Commissioners’ Meeting and Board of Commissioners’ Work Session Meeting.
2. To authorize the payroll of November 25, 2008, in the amount of \$582.91.
3. To approve the general claims in the amount of \$5,028,127.70 as presented by the summary report for November 1, 2008, through November 14, 2008.
4. To approve the appropriation changes greater than \$50,000 and those approved by the Administrator and Fiscal Services Director for \$50,000 or less which changed the total appropriation from the amended budget for the month of October 2008.

The motion passed as shown by the following votes: Yeas: Mr. Schrotenboer, Mrs. Kortman, Messrs. Swartout, Holtvluwer, Mrs. Ruiter, Messrs. Kuyers, Hehl, Holtrop, Berghorst, Rycenga, Disselkoen. (11)

B/C 08-290 Mr. Swartout moved to approve construction of a new 190 foot communications tower for an estimated cost of \$200,000 to be located in the Northwest corner of the Fillmore Street property, provided as follows:

- a. The project budget shall not exceed \$200,000.
- b. Design and construction management services shall be provided by Tele-rad, Inc., for a fee of 7% of actual construction cost. Tele-rad will solicit bids for all construction related work.
- c. The Board Chairperson and Clerk are authorized to sign a "Marketing and Management agreement between Tele-rad, Inc., and the County of Ottawa". The management fee shall be 10% of the co-location revenue limited to the initial five year term of the lease, except IPCS which will be 50% of the normal management fee.
- d. Funding to come from the Public Improvement Fund.

The motion passed as shown by the following votes: Yeas: Mrs. Kortman, Messrs. Holtvluwer, Kuyers, Holtrop, Mrs. Ruiter, Messrs. Berghorst, Hehl, Rycenga, Swartout, Schrotenboer, Disselkoen. (11)

B/C 08-291 Mr. Swartout moved to approve construction of a new 100 x 120 storage building for an estimated cost of \$400,000 at the Fillmore Street Campus pending availability of funds unspent from the Grand Haven Courthouse and Fillmore Street addition projects. The motion passed as shown by the following votes: Yeas: Mrs. Ruiter, Mrs. Kortman, Messrs. Hehl, Berghorst, Swartout, Holtvluwer, Rycenga, Holtrop, Kuyers, Schrotenboer, Disselkoen. (11)

B/C 08-292 Mr. Swartout moved to exempt Hemlock Crossing and Pigeon Creek from the Pine Plantation Timber Management Revenue Policy, to comply with grant agreements which require 100% of property revenues be used to benefit the park system. The motion passed as shown by the following votes: Yeas: Messrs. Hehl, Rycenga, Schrotenboer, Kuyers, Holtvluwer, Mrs. Kortman, Messrs. Holtrop, Swartout, Berghorst, Mrs. Ruiter, Mr. Disselkoen. (11)

B/C 08-293 Mr. Swartout moved to approve the recommendation to restore \$29,000 of funding in the 2009 Budget for Senior Resources, Evergreen Commons, North Ottawa Council on Aging and Georgetown Seniors. Funding to come from the 2009 Budget line approved for two (2) new District Court personnel positions. The motion passed as shown by the following votes: Yeas: Messrs. Swartout, Holtvluwer, Mrs. Kortman, Messrs. Holtrop,

Berghorst, Kuyers, Schrotenboer, Rycenga, Hehl, Mrs. Ruiter, Mr. Disselkoen. (11)

- B/C 08-294 Mr. Swartout moved to approve the recommendations to restore funding in the 2009 Budget for the SWAP program. Funding to come from the 2009 Budget line approved for two (2) new District Court positions. The motion passed as shown by the following votes: Yeas: Mr. Holtvluwer, Mrs. Ruiter, Messrs. Holtrop, Rycenga, Kuyers, Schrotenboer, Mrs. Kortman, Messrs. Berghorst, Hehl, Swartout, Disselkoen. (11)
- B/C 08-295 Mr. Swartout moved to approve the Revised 2008 Apportionment Report. The motion passed as shown by the following votes: Yeas: Messrs. Rycenga, Hehl, Berghorst, Mrs. Ruiter, Mr. Schrotenboer, Mrs. Kortman, Messrs. Swartout, Holtvluwer, Kuyers, Holtrop, Disselkoen. (11)
- B/C 08-296 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the Resolution accepting terms of the grant agreement with the Great Lakes Fishery Trust for the Holland Harbor Fishing Access Project at Park 12. The motion passed as shown by the following votes: Yeas: Messrs. Holtrop, Holtvluwer, Swartout, Schrotenboer, Mrs. Kortman, Messrs. Kuyers, Berghorst, Mrs. Ruiter, Messrs. Rycenga, Hehl, Disselkoen. (11)
- B/C 08-297 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the Resolution accepting terms of the grant agreement with Michigan Department of Natural Resources for the Olive Shores Acquisition Project. The motion passed as shown by the following votes: Yeas: Messrs. Berghorst, Kuyers, Holtrop, Mrs. Kortman, Messrs. Holtvluwer, Schrotenboer, Mrs. Ruiter, Messrs. Swartout, Rycenga, Hehl, Disselkoen. (11)
- B/C 08-298 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the Resolution for the Annual Adoption Day Celebration on November 25, 2008. The motion passed as shown by the following votes; Yeas: Messrs. Kuyers, Berghorst, Hehl, Holtrop, Mrs. Kortman, Mr. Swartout, Mrs. Ruiter, Messrs. Rycenga, Holtvluwer, Schrotenboer, Disselkoen. (11)
- B/C 08-299 Mr. Rycenga moved to receive the proposed Contaminated Groundwater Use Ordinance and to set a public hearing on the proposed ordinance on Tuesday, January 13, 2009, at 1:30 p.m. The motion passed as shown by the following votes: Yeas: Mr. Schrotenboer, Mrs. Kortman, Messrs. Swartout, Holtvluwer, Mrs. Ruiter, Messrs. Kuyers, Hehl, Holtrop, Berghorst, Rycenga, Disselkoen. (11)

B/C 08-300 Mr. Rycenga moved to receive the proposed Contaminated Ground Use Ordinance and to set a public hearing on the proposed ordinance on Tuesday, January 13, 2009, at 1:30 p.m. The motion passed as shown by the following votes: Yeas: Mrs. Kortman, Messrs. Holtvluwer, Kuyers, Holtrop, Mrs. Ruiter, Messrs. Berghorst, Hehl, Rycenga, Swartout, Schrotenboer, Disselkoen. (11)

B/C 08-301 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the Resolution to waive the statutory requirement that township zoning amendments and other similar changes (except for rezonings within 500 feet of a local unit boundary) be submitted to the Ottawa County Planning Commission for review prior to taking effect. The motion passed as shown by the following votes: Yeas: Mrs. Ruiter, Mrs. Kortman, Messrs. Hehl, Berghorst, Swartout, Holtvluwer, Rycenga, Holtrop, Kuyers, Schrotenboer Disselkoen. (11)

B/C 08-302 Mr. Rycenga moved to approve and authorize the Board Chairperson and Clerk to sign the Resolution to lift the ban on Sunday "Package Sale" of alcoholic spirits and mixed spirit drink within Ottawa County, as authorized by MCL 436.2113(3), with an effective date of December 7, 2008. The motion passed as shown by the following votes: Yeas: Messrs. Hehl, Schrotenboer, Kuyers, Holtvluwer, Mrs. Kortman, Messrs. Holtrop, Swartout, Mrs. Ruiter, Mr. Disselkoen. (9)

Nays: Messrs. Rycenga, Berghorst. (2)

The Administrator's report was presented.

B/C 08-303 Mr. Hehl moved to adjourn at 2:05 p.m. subject to the call of the Chair. The motion passed.

DANIEL C. KRUEGER, Clerk DONALD DISSELKOEN, Chairman
Of the Board of Commissioners Of the Board of Commissioners