

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

The Ottawa County Board of Commissioners met on Tuesday, January 13, 2009, at 1:30 p.m. and was called to order by the Chair.

Mr. Rycenga pronounced the invocation.

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

Present at roll call: Mrs. Kortman, Messrs. Kuyers, Swartout, Hehl, Rycenga, Schrotenboer, Disselkoen, Karsten, Holtrop. (9)

Absent: Mrs. Ruiter, Mr. Holtvluwer. (2)

B/C 09-015 Mr. Holtrop moved to approve the agenda of today as presented and amended adding Action Item E – Resolution to Extend the Declaration of a “Local State of Emergency” within Ottawa County. The motion passed.

B/C 09-016 Mr. Kuyers moved to approve the following Consent Resolutions:

1. To approve the Minutes of the January 2, 2009, Board of Commissioners Meeting and the Minutes of the January 5, 2009, Board of Commissioners Work Session.
2. To authorize the payroll of January 2, January 5, and January 13, 2009, in the amount of \$2,046.34.
3. To approve the general claims in the amount of \$3,056,291.45 as presented by the summary report for December 15, 2008, through December 31, 2008.

The motion passed as shown by the following votes: Yeas: Mrs. Kortman, Messrs. Hehl, Karsten, Swartout, Rycenga, Holtrop, Kuyers, Schrotenboer, Disselkoen. (9)

B/C 09-017 Mr. Karsten moved to open the Public Hearing at 1:35 p.m. on the proposed Groundwater Use Ordinance. The motion passed.

Jerry Lovell, 2729 Lakeshore Dr., addressed the Board over concerns with the Contaminated Groundwater Use Ordinance he received. He stated descriptions in the document were incorrect and no maps were included. Exhibit B was missing. He believes the program is beneficial. Some of the property owners would like to see the waterline extended.

Doug VanEssen, Legal Counsel, gave a brief background and the content of what the County is doing with the ordinance. The DEQ is requiring the County to put institutional controls in place.

Mr. Holtvluwer arrived at 1:49 p.m.

Park Township has been asked to update the township's master plan. The County did request Park Township to put in place this ordinance but they refused so the County stepped in. The ordinance will come back before the full Board in two weeks for adoption.

- B/C 09-018 Mr. Holtrop moved to close the Public Hearing at 2:14 p.m. on the proposed Groundwater Use Ordinance. The motion passed.
- B/C 09-019 Mr. Swartout moved to open the Public Hearing at 2:14 p.m. on the proposed Contaminated Ground Use Ordinance. The motion passed.
- B/C 09-020 Mr. Schrottenboer moved to close the Public Hearing at 2:14 p.m. on the proposed Contaminated Ground Use Ordinance. The motion passed.
- B/C 09-021 Mr. Swartout moved to re-adopt the Rules of the Ottawa County Board of Commissioners, as amended, to provide for continuity in Committee schedules through January of each year, and other changes. The motion passed.
- B/C 09-022 Mr. Rycenga moved to receive bids and approve award of contract to the high bidder, Biewer Sawmill, Inc. at \$46.00 per cord for red timber sales at Robinson Forest, Hiawatha Forest, Van Buren Dunes and Hemlock Crossing. The motion passed as shown by the following votes: Yeas: Messrs. Hehl, Rycenga, Schrottenboer, Kuyers, Holtvluwer, Mrs. Kortman, Messrs. Holtrop, Swartout, Karsten, Disselkoen. (10)

Update on Declaration of Local State of Emergency within Ottawa County - Bill Smith, Emergency Services Management Director, reported ice is going to continue to build with the cold weather. There was \$2.9 million in private damage, \$265,000 in public damage and the economic impact was \$1.8 million.

- B/C 09-023 Mr. Swartout moved to ratify and extend the Declaration of a "Local State of Emergency" within Ottawa County, due to flooding and adverse weather conditions, through Tuesday, January 27, 2009, at 1:30 p.m. The motion passed as shown by the following votes: Yeas: Messrs. Rycenga, Hehl, Karsten, Schrottenboer, Mrs. Kortman, Messrs. Swartout, Holtvluwer, Kuyers, Holtrop, Disselkoen. (10)

Discussion Items:

1. Closed Session to discuss Labor Negotiations (2/3 roll call vote required).

B/C 09-024 Mr. Kuyers moved to go into a Closed Session at 2:36 p.m. to discuss Labor Negotiations. The motion passed as shown by the following votes: Yeas: Messrs. Holtvluwer, Holtrop, Rycenga, Kuyers, Schrottenboer, Mrs. Kortman, Messrs. Karsten, Hehl, Swartout, Disselkoen. (10)

B/C 09-025 Mr. Kuyers moved to rise from Closed Session at 3:09 p.m. The motion passed.

B/C 09-026 Mr. Swartout moved to adopt the agreement between the POAM 312 and Non 312 Employee Unions and the County of Ottawa. The motion passed as shown by the following votes: Yeas: Messrs. Holtrop, Holtvluwer, Swartout, Schrottenboer, Mrs. Kortman, Messrs. Kuyers, Karsten, Rycenga, Hehl, Disselkoen. (10)

2. Duration of Board of Commissioners Membership on CMH Board of Directors – Mr. Kuyers requested Corporation Counsel to add to the Board Rules Section 3.5 – Appointments *b. The appointment of a member of the Board of Commissioners to any board of directors, committee, or other public body shall automatically terminate when the appointee is no longer a member of the Board of Commissioners.* Mr. Swartout requested that the rules should prohibit commissioners serving on an outside board serve as a chairperson.

B/C 09-027 Mr. Schrottenboer moved to forward the two issues stated above to the Planning and Policy Committee for a recommendation. The motion passed.

The Administrator's report was presented. The February 10th Board of Commissioners Meeting will be rescheduled to February 12th at 1:30 p.m.

Several Commissioners commented on meetings attended and future meeting to be held.

B/C 09-028 Mr. Hehl moved to adjourn at 3:27 p.m. subject to the call of the Chair. The motion passed.

DANIEL C. KRUEGER, Clerk
Of the Board of Commissioners

DONALD DISSELKOEN, Chairman
Of the Board of Commissioners