



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

March 8, 2022 4:00 PM

Commissioners

Gail Patterson-Gladney, District 1
Kurt Doroh, District 2
Richard Godfrey, District 3
Mike Chappell, District 4
Randall Peat, District 5
Donald Hanson, District 6
Paul Schincariol, District 7

Board of Commissioners Meeting

1. **Call to Order**
On the above date the regular meeting of the Board of Commissioners was called to order at 05:20 PM by Randall Peat, Chairman of the Board.
2. **Recital of the Pledge of Allegiance / Prayer**
3. **Roll Call**
The roll was called by County Clerk Suzie Roehm with the following commissioners answering to their name and district: Gail Patterson-Gladney, Kurt Doroh, Richard Godfrey, Mike Chappell, Randall Peat, Donald Hanson, Paul Schincariol
4. **Additions/Deletions to the Agenda**
Delete Items 12.B. and 12.C.
5. **Approval of Agenda / Consent Agenda**
All items on the agenda marked with '***' are part of the consent agenda.
Commissioners or the public can request that items be removed from the consent agenda.

Motion to approve the agenda as amended.
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
6. **Approval of Minutes**
 - A. **2/22/2022 Board of Commissioners Meeting Minutes**
Motion to approve the minutes of the February 22, 2022 Board of Commissioners meeting as presented.
Motion by Kurt Doroh, Second by Paul Schincariol, Carried
7. **Public Comment**
8. **Administrative Affairs Committee**
 - A. **Board Committee Meeting Structure and Bylaws**

ADMINISTRATIVE AFFAIRS RESOLUTION AA13/3-8-2022

WHEREAS, the request is to restructure the BOC Committees and scheduling, and;
WHEREAS, The BOC currently has the following sub-committees of the BOC:

- ☐ Administrative Affairs
- ☐ Buildings & Grounds
- ☐ Finance / ARPA
- ☐ Labor & Negotiations
- ☐ Public Transit
- ☐ Veterans Services, and;

WHEREAS, a few changes are recommended:

1. All BOC meetings start at 1:00 p.m.
2. Sub-committees will no longer exist and, instead, matters will be addressed in COW.
3. The board chair will designate one liaison for each subject area as noted above.
4. The liaison will select their backup if needed.
5. Liaison will receive the chair compensation.
6. All COW and BOC meetings will now pay a per diem (starting in 2023).
7. COW will be scheduled "immediately following" BOC.
8. Emergency requests that need expedited board action will go directly to BOC.
9. The COW agenda rotation will be as follows:

2nd Tuesday of each month starting immediately after the BOC meeting that begins at 1:00 p.m.:

- ☐ Admin
- ☐ Finance (eliminate ARPA committee)
- ☐ Veterans Services (discontinue alternating months)

4th Tuesday of each month starting immediately after the BOC meeting that begins at 1:00 p.m.:

- ☐ B&G
- ☐ Labor and Negotiations
- ☐ Transit (discontinue alternating months)

10. Some Board items will be approved by motion (e.g. claims).
11. Expedited board resolutions do not need to be read, but rather approved as presented, and;

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners adopts the changes as presented effective April 12, 2022.

Motion by Paul Schincariol, Second by Richard Godfrey, Carried

Yes: Gail Patterson-Gladney, Kurt Doroh, Richard Godfrey, Randall Peat,
Donald Hanson, Paul Schincariol

No: Mike Chappell

B. **Admin Corrections Sergeant

ADMINISTRATIVE AFFAIRS RESOLUTION AA14/3-8-2022

WHEREAS, the request is to change a corrections officer's position to a sergeant position, and;

WHEREAS, moving the current sergeant to an administrative sergeant's role will assist the Van Buren County Jail by decreasing liability. This will be accomplished by assisting the Jail Administrator with overseeing staff and vendors, such as medical and dietary programs within the jail. The administrative sergeant will also assist in preparing for the annual state inspection, which is a year-around process. They will also oversee transport of inmates, classification of inmates, work with all courts, probation and parole

and maintain safety and security, and;
WHEREAS, moving a sergeant to administrative sergeant, this will leave a line sergeant position open. The Sheriff's Office will promote a fifth sergeant to assume the line officer sergeant position. The duties of the line sergeant are inclusive of the daily operations within the facility. The Sheriff's Office did the same procedure for the uniform response division and have tremendous success with the position and are looking to do the same within the jail division. The administrative sergeant is a sergeant by contract and would be in POLC and listed as a sergeant. The "administration" part is simply for our office to associate tasks with a role. The 4 "line" sergeant would be working directly with the booking and inmate population and the "admin" sergeant would be working more directly with the courts and jail LT., and;
WHEREAS, there would be a budget increase of about \$14,000 to 101-351.
NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves promotion of a corrections officer position to a sergeant position.

Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried

C. **Salary Exception for the Assistant Prosecuting Attorney**
ADMINISTRATIVE AFFAIRS RESOLUTION AA15/3-8-2022

WHEREAS, the vacant position was posted on February 10, 2022. To date, the Prosecutor's Office has received only 3 applications for the position. Currently there are 17 Assistant Prosecuting Attorney positions posted on the Prosecuting Attorney's Association website. Two of the applicants are currently employed as APAs in neighboring counties. All three applicants are experienced attorneys have worked as Assistant Prosecutors.

WHEREAS, the open position is for the South Haven office. Because this office is more isolated from the Paw Paw courthouse, this position requires an attorney with experience to make difficult decisions in a high-volume court with less supervision. A new attorney would not have the knowledge and experience that would be needed. Starting either of these applicants at the 7-year level would make the salary more comparable to the applicants' current salaries and make our county a more attractive choice for these applicants. All applicants have conducted multiple trials in District and Circuit Court and have the experience that is needed to handle the upcoming caseload, and;

WHEREAS, the posted range is \$55,224.00- \$99,157.50. The request is for the new position to start at the 7-year salary level G \$89,251.50. The last attorney in the position was at 3-year salary level (level E \$75,289.50). Therefore, the financial impact will be \$13,962.00.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the salary exception for the Assistant Prosecuting Attorney position at the 7- year salary level G, \$89,251.50.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

D. **Salary Exception for the Buildings and Grounds Director Position**
ADMINISTRATIVE AFFAIRS RESOLUTION AA16/3-8-2022

WHEREAS, the request is to approve a salary exception for the new Buildings and Grounds Director candidate by placing him at R31 Step D of the AFSCME unified scale (2-year step: \$69,810), and;

WHEREAS, after interviewing a total of five candidates, we offered the B&G Director position to a candidate that has over 30 years of experience in the field. Based upon this candidate's knowledge and expertise, we are asking to place this candidate at the

R31 Step D (2- year) of the AFSCME scale at \$69,810.00, and;
WHEREAS, the former employee in this position was at a higher step on the scale.
Therefore, there is no negative impact financially.
NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the salary exception for the Buildings & Grounds Director candidate at the R31 Step D of the AFSCME unified scale (\$69,810.00).

Motion by Gail Patterson-Gladney, Second by Donald Hanson, Carried

E. Set Public Hearing for Michigan Natural Resources Trust Fund (MNRTF) Grant

ADMINISTRATIVE AFFAIRS RESOLUTION AA17/3-8-2022

WHEREAS, the request is to set a public hearing for the Michigan Natural Trust Fund (MNRTF) Grant, and;
WHEREAS, Van Buren County is working with Hartford Township and Southwest Michigan Planning Commission on a Kayak Launch Project that will be located in Hartford Township. The purpose of the hearing is to discuss and comment on the submission of a Michigan Natural Resources Trust Fund (MNRTF) grant application for the construction of a public access site on the Paw Paw River in Hartford Michigan along County Road 687. The grant request is for \$296,000 with a local match of \$104,000 for a total project of \$400,000. The local match will be divided between Van Buren County and Hartford Township, and;
WHEREAS, the grant request is for \$296,000 with a local match of \$104,000 for a total project of \$400,000. If the grant is awarded, the county's local share amount will be \$52,000, which will be paid using 101.0-965.00-999.208.;
NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves sets a public hearing for the Michigan Natural Trust Fund (MNRTF) Grant for March 22, 2022 at 2:50 p.m.

Motion by Mike Chappell, Second by Paul Schincariol, Carried

F. Foster Swift Invoice

ADMINISTRATIVE AFFAIRS RESOLUTION AA18/3-8-2022

WHEREAS, a request has been made for the authorization to pay an invoice in the amount of \$35,765.00 to Foster Swift for the services of Jack Van Coevering for the New Covert Appeal case, and;
WHEREAS, it appears the bill from the attorney is appropriate and can be paid from fund 101.0- 266.00-801.026.
NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the payment of \$35,765.00 for the New Covert Generating.

Motion by Donald Hanson, Second by Gail Patterson-Gladney, Carried

9. ARPA Committee

A. ARPA Proposal # 023 - VBC Court and Sheriff's Office File Digitization
Roll Call Vote

Motion by Donald Hanson, Second by Kurt Doroh, **Failed**

Yes: Gail Patterson-Gladney, Kurt Doroh, Donald Hanson

No: Richard Godfrey, Mike Chappell, Randall Peat, Paul Schincariol

B. ARPA Proposal # 024 - Caring Network Maternal Infant Health Program

Roll Call Vote

Motion by Gail Patterson-Gladney, Second by Donald Hanson, **Failed**

Yes: Gail Patterson-Gladney, Donald Hanson, Paul Schincariol

No: Kurt Doroh, Richard Godfrey, Mike Chappell, Randall Peat

C. ARPA Proposal # 026 - Lead Service Replacement - SHAWSA

ARPA RESOLUTION ARPA5/3-8-2022

WHEREAS, the request is for ARPA funds in the amount of \$480,468.75 to replace 153 lead services within the SHAWSA service area, and;

WHEREAS, in 2018, the Michigan Department of Environment, Great Lakes and Energy enacted the lead and copper rule as a section of the safe water drinking ACT 399. The changes to the rule included a redefined definition of a lead service, a complete system materials inventory, and instituting a Lead service replacement mandate. Beginning 1/1/2021, SHAWSA must replace all lead services on an average of 5% per year, not to exceed 20 years. SHAWSA is initially budgeting \$640,625 for our first year of lead service replacements, increasing each year by 3%, totaling \$15.9 Million over the next 20 years. SHAWSA will be using the ARPA funds to replace an estimated 153 lead services in the service area. The category of our application would fall under category 5.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the use of ARPA funds in the amount of \$480,468.75 for the replacement of 153 lead services within the SHAWSA service area. If any funding becomes available from the state or federal levels those funds will be used prior to ARPA funds.

Roll Call Vote

Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried

Yes: Gail Patterson-Gladney, Kurt Doroh, Richard Godfrey, Paul Schincariol

No: Mike Chappell, Randall Peat, Donald Hanson

10. Buildings and Grounds Committee

A. Mattawan Property Sale

BUILDINGS & GROUNDS RESOLUTION BG3/3-8-2022

WHEREAS, the request to approve the final offer and sale of the Mattawan property and to authorize the board chair to sign related documents, and;

WHEREAS, on November 23, 2021, the Board of Commissioners approved a resolution that allowed the county administrator to select an agent to assist with the marketing and sale of the property located at 23200 Red Arrow Highway, Mattawan, MI 49071. Public Health vacated the property and building at this address in the early summer of 2021. The Parcel Number is 80-02-001-015-25. The board authorized an appraisal to be done on the property suggesting a value of \$660,000.

WHEREAS, the final offer for the property is \$589,000. This includes an agreement by the purchasers that they will be paying property taxes. The purchasers also agree to a deed restriction that prohibits a transfer or lease of the property to any entity that is not eligible to pay real property taxes.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves sale of the Mattawan property for \$589,000 and to authorize the board chair to sign related documents.

Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried

B. CIP Approved Projects

BUILDINGS & GROUNDS RESOLUTION BG4/3-8-2022

WHEREAS, to approve by resolution the approved items from the CIP list and move the remaining items to the strategic planning committee, and;

WHEREAS, the following CIP items were approved by majority vote at the 2/22/2022 Special Meeting of the Committee of the Whole:

- ☐ Administration Roof Replacement
- ☐ Administration HVAC in the Lobby/Replace Atrium glass
- ☐ Administration Security Apparatus
- ☐ Paw Paw Courthouse Facade Repair and Sealing
- ☐ Family Court Hearing Room B Remodel
- ☐ Sheriff's Office Jail Recreation Room Divider Walls
- ☐ Sheriff's Office Drain Replacement
- ☐ Sheriff's Office Furniture

The total amount is: \$608,206.00.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the items identified from the CIP list for the total amount of \$608,206.00.

Roll Call Vote

Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried

Yes: Gail Patterson-Gladney, Kurt Doroh, Mike Chappell, Donald Hanson, Paul Schincariol

No: Richard Godfrey, Randall Peat

11. Finance Committee

A. Claims

CLAIMS RESOLUTION C3/3-8-2022

WHEREAS, claims in the amount of \$3,010,569.36 for February 2022 were submitted and reviewed.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves total claims in the amount of \$3,010,569.36.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

12. Labor Negotiations and Contracts Committee

A. **Position Reclassification

LABOR RESOLUTION L6/3-8-2022

WHEREAS, the request is to reclassify the Administration Services Coordinator

Position (R24) to be the Executive Assistant position (R25), and;
WHEREAS, below is a summary of increased responsibilities and technical competencies that justify the requested increase:

- ☐ Administrator of the County Website – creating web pages, user accounts, assisting users with their webpages.
- ☐ Administrator of the Agenda Management software for the Board of Commissioner meetings– creating site permissions, agenda templates, user accounts, assisting users with agenda items.
- ☐ Administrator of the Boards & Commissions software – working with web coordinators to meet county needs.
- ☐ Creating complex templates, forms, charts, vouchers, policies and procedures to maximize autonomy and accessibility.
- ☐ Provide administrative support for all executive team members.
- ☐ Increase in volume of meeting scheduling, preparation, and minutes, and;

WHEREAS, if the reclassification is approved, we are recommending the existing employee in the position be placed at the R25 E Step. Costs related to this position will be charged to 101.0-172.00-703.00

The R24 Non-Union Scale is \$39,370.50 - \$53,820.00

The R25 Non-Union Scale is \$40,950.00 - \$55,984.50.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the reclassification and step placement (R25E) effective 3/9/22.

Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried

B. **Competitive IT Wages**

This item removed from agenda.

C. **Administration Reorganization Proposal**

This item removed from agenda.

13. **Public Transit Committee**

14. **Veterans Services Committee**

A. ****Policy to Authorize the VSD or VSO to Approve Burial Relief Funds**

VETERANS RESOLUTION V2/3-8-2022

WHEREAS, the request is to approve the policy to Authorize the Veterans Services Director or Veterans Services Officer to approve burial relief funds, and;
WHEREAS, Traditionally, funds were approved for burial services only by the Soldiers and Sailors Relief Commission. However, the funds are authorized by statute and do not require further authorization from the BOC or SSRC. The policy provides that the VSD or VSO must provide burial request statistical updates to the BOC.

NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the policy authorizing the Veterans Services Director or Veterans Services Officer to approve burial relief funds.

Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried

15. **Public Comment**

16. Closed Session

- A. Closed Session to discuss Attorney Client Privileged correspondence relating to litigation involving New Covert Generating Co.

Motion to enter into Executive Session under Section 8e of the Open Meetings Act to discuss litigation involving New Covert Generating.

Roll Call Vote: All Yes

Motion by Gail Patterson-Gladney, Second by Richard Godfrey, Carried

Board went into closed session at 5:54 p.m.

Board returned from closed session at 6:12 p.m.

17. Board Correspondence

- A. County of Muskegon Resolution

18. Committee/Out-Board Assignments

19. Adjournment

The meeting was adjourned at 06:14 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk