



MINUTES
County Board of Commissioners
Van Buren County

March 23, 2021

4:00 PM

Board of Commissioners Chambers - 219 East Paw Paw Street

1. CALL TO ORDER

1.

On the above date the regular meeting of the Board of Commissioners was called to order at 4:00 p.m. by Richard Godfrey, Chairman of the Board.

The roll was called by County Clerk Suzie Roehm with the following commissioners answering to their name and district: Gail Patterson-Gladney, District 1 (remotely from City of South Haven, Van Buren County, MI); Kurt Doroh, District 2; Richard Godfrey, District 3; Mike Chappell, District 4; Randy Peat, District 5; Donald Hanson, District 6; and Paul Schincariol, District 7.

2. ADDITIONS/DELETIONS TO THE AGENDA

Delete: Items 10B & 10C

3. APPROVAL OF 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.

Roll Call Vote: All Yes

Motion by Mike Chappell, Second by Kurt Doroh, Carried

4. APPROVAL OF MINUTES

A. ** Minutes - March 09, 2021

Motion by Mike Chappell, Second by Kurt Doroh, Carried

5. PUBLIC COMMENT

6. PRESENTATION

7. ADMINISTRATIVE AFFAIRS COMMITTEE

A. **South Haven Area Recreation Authority - Grant Application Support Resolution

ADMINISTRATIVE AFFAIRS RESOLUTION AA10/3-23-2021

WHEREAS, The City of South Haven, Van Buren County, Michigan was designated a Pure Michigan Trail Town by the State of Michigan Department of Natural Resources in 2019, and

WHEREAS, South Haven and Van Buren County, Michigan offers a large variety of land and water based recreational opportunities and trails; and

WHEREAS, the City of South Haven, Van Buren and Allegan Counties, the Department of Natural Resources, along with many other public and private trail organizations and nonprofits, have invested extensively in the development, maintenance, and promotion

of these recreational trails, and
WHEREAS, the City of South Haven, with the cooperation of both public agencies and private, has established a number of easily accessible access points to the existing trail systems with parking, bathrooms and other supporting infrastructure improvements, and
WHEREAS, the proposed Phoenix Street Black River Kayak launch site will be an important recreational asset and water trail access point for the County, and
WHEREAS, the proposed Phoenix Street Black River Kayak launch project was identified as a County recreational priority in the adopted 2021 – 2026 Van Buren County Recreation Plan;
THEREFORE, BE IT RESOLVED, the County of Van Buren does hereby support the South Haven Area Recreation Authority application to the Michigan Department of Natural Resources Trust Fund Grant for the development of the Phoenix Street Black River Kayak launch site.
BE IT FURTHER RESOLVED, that this resolution shall take effect upon passage by the Van Buren County Board of Commissioners.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. **Planning Commission Reappointments

ADMINISTRATIVE AFFAIRS RESOLUTION AA11/3-23-2021

WHEREAS, the Van Buren County Board of Commissioners is responsible for making appointments to the Planning Commission, and;
WHEREAS, the request is to reappoint Ms. Pam Stermer and Mr. Tony Hemenway for another three-year term to expire April 01, 2024, and;
WHEREAS, Ms. Stermer and Mr. Hemenway both currently serve on the Planning Commission and wish to continue.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the reappointments of Ms. Pam Stermer and Mr. Tony Hemenway to the Planning Commission for another three-years for a term to expire April 01, 2024.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

C. **Mental Health Authority Reappointments

ADMINISTRATIVE AFFAIRS RESOLUTION AA12/3-23-2021

WHEREAS, the Van Buren County Board of Commissioners is responsible for making appointments to the Mental Health Authority, and;
WHEREAS, the request is to reappoint Ms. Molly Petersen, Ms. Catherine Bolton, Mr. Mike Mosley, Ms. Angela Dickerson and Ms. Susan Barnes for another three-year term to expire March 31, 2024, and;
WHEREAS, Ms. Susan Barnes has served on the VBCMHA Board since 2008 and currently serves as the Chairperson of the Board as well as the Board's representative to the regional entity, Southwest Michigan Behavioral Health (SWMBH) Board, and;
WHEREAS, Ms. Catherine Bolton served on the VBCMHA Board from 2005-2017. Term limits caused her to be off the Board for a year. She was then appointed in 2018, and;
WHEREAS, Ms. Angela Dickerson has served on the VBCMHA Board since 2013 and currently serves as the Vice-Chairperson of the Board as well as the Board's alternate representative to the SWMBH Board, and;
WHEREAS, Mr. Michael Mosley has served on the VBCMHA Board since 2007, and;
WHEREAS, Ms. Molly Petersen has served on the VBCMHA Board since 2018
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the reappointments of Ms. Molly Petersen, Ms. Catherine Bolton, Mr. Mike Mosley, Ms. Angela Dickerson and Ms. Susan Barnes for another three-year term to expire March 31, 2024.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

D. **Mental Health Authority Appointment

ADMINISTRATIVE AFFAIRS RESOLUTION AA13/3-23-2021

WHEREAS, the Van Buren County Board of Commissioners is responsible for making appointments to the Mental Health Authority, and;
WHEREAS, the request is to appoint Mr. Thomas Palenick to fill the current vacancy on the Van Buren County Mental Health Authority to expire in 2022.
WHEREAS, Michigan law requires Community Mental Health Boards to govern actions of the CMH Authority. Michigan law also has several requirements for those appointed including a minimum number of Board members are recipients of mental health services and family members of recipients of mental health services.
WHEREAS, Federal rules require that Board members overseeing the expenditure of Medicaid funds must not be on an exclusion list. CMH Board members are appointed by the County Board of Commissioners whose action formed the CMH Authority, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the appointment of Mr. Thomas Palenick to the Van Buren County Mental Health Authority for a term to expire March 31, 2022.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

8. BUILDINGS AND GROUNDS COMMITTEE

9. FINANCE/AUDITING COMMITTEE

A. **Delinquent Tax Bonds

FINANCE RESOLUTION F14/3-23-2021

WHEREAS, the County Treasurer has requested approval for the borrowing up to seven (7) million dollars for the 2020 Delinquent Tax Revolving Fund, and;
WHEREAS, this would preserve the County's cash flow and allow the County to borrow at a low rate of interest while maintaining our investments that are paying at a higher rate.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the County Treasurer's request to borrow up to seven (7) million dollars for the 2020 Delinquent Tax Revolving Fund and that the attached 2020 borrowing resolution for 2020 delinquent taxes also be executed and attached to said resolution.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. **911 Dispatch - Annual Renewal of 911 Local Surcharge Collection

FINANCE RESOLUTION F15/3-23-2021

WHEREAS, pursuant to the Emergency 9-1-1 Service Enabling Act ("Enabling Act"), Public Act 32 of 1986, as amended, Van Buren County is authorized to impose a county surcharge upon telephonic service users within the county that can access 9-1-1;
WHEREAS, the Michigan Public Service Commission ("MPSC"), in Case No. U-15489, established a default county surcharge rate for Van Buren County of \$1.17 per user;
WHEREAS, Section 401b of the Enabling Act states that in the event. Van Buren County proposes an increase to the amount approved by the MPSC in Case No. U-15489, it must do so with the following limitations: (a) up to \$0.42 per month by resolution; (b) up to \$3.00 per month with the approval of the voters in the county; and, (c) any combination of (a) and (b) with a maximum county 9-1-1 charge of \$3.00 per month;
WHEREAS, upon the expiration of the surcharge rate on June 30, 2021, the county surcharge would revert to the \$1.17 default rate set by the MPSC in Case No. U-1.15489, absent resolution by the Board of Commissioners, resulting in significant reduction in revenue to operate and maintain the county's 9-1-1 system;
WHEREAS, at the August 2020 Primary Election, the voters of Van Buren County approved a 9-1-1 Surcharge Proposal authorizing Van Buren County to assess a county 9-1-1 emergency services charge on monthly billings to each service device located within Van Buren County that can access 9-1-1 at a rate not to exceed \$1.83 each month in addition to the \$1.17 surcharge established by the Michigan Public Service Commission in Case No. U-15489,

subject to annual approval by the Van Buren County Board of Commissioners, for the period of July 1, 2021 through June 30, 2025, to be used exclusively for the funding of 9-1-1 emergency telephone call answering and dispatch services within Van Buren County, including facilities, equipment and operations; and,

WHEREAS, after due consideration of the reasonable expense necessary to operate and maintain the county's 9-1-1 system, the Board of Commissioners has concluded that any reduction in the current surcharge would prove detrimental to the operation of the 9-1-1 system designed to assist with the protection and safety of Van Buren County residents, businesses and visitors;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners concludes that the default county surcharge rate of \$1.17 per device established by the MPSC in Case No. U-15489 must be increased in order for the county to meet its obligations associated with the reasonable and necessary expenses of operate and maintain its 9-1-1 system;

The Board of Commissioners hereby increases the default county surcharge rate established by the MPSC in Case No. U-15489 by \$1.83 per device located within Van Buren County that can access 9-1-1 for the period of July 1, 2021 through June 30, 2022, as approved by the voters of Van Buren County at the August 2020 Primary Election.

With this increase, the county surcharge imposed by Van Buren County upon each service device located within Van Buren County that can access 9-1-1 shall be \$3.00 for the period of July 1, 2021 through June 30, 2022, as approved by the voters in the August 2020 Primary Election. The Board of Commissioners hereby authorizes the County Administrator, in conjunction with the County Sheriff and County 9-1-1 Director, to make all necessary filings with the State of Michigan to ensure that the correct surcharge rate of \$3.00 is imposed.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

C. **Federal Marshals - Van Buren County Intergovernmental Agreement

FINANCE RESOLUTION F16/3-23-2021

WHEREAS, the request is to renew an agreement with the U.S. Marshalls to house Federal Prisoners, and;

WHEREAS, the current agreement (IGANo. 40-00-0126) was approved with an effective date of March 1st, 2002. This agreement had a fixed Per Diem Rate of \$36.17 and housing a maximum of 10 Federal Prisoners. The agreement remained in effect for 10 years after our construction project was complete and thereafter until terminated or suspended in writing by either party, and;

WHEREAS, the new proposed agreement (Number: 40-00-0126) will go into effect once approved and signed. With the rise in medical costs, inmate meals, indigent supplies, bedding, and other items used for inmates, a renegotiation of the agreement was due. The original agreement began in 2002, and;

WHEREAS, Changes would be the following:

Per Diem Rate from \$36.17 to \$48.00

From 10 male prisoners to 10 male prisoners and 5 female prisoners

Transport to hospitals when necessary

Transport to Federal Court if we have the manpower- Charge: \$25.00 hourly for officer fees

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the renewal of the agreement with the U.S. Marshalls to house Federal Prisoners and authorizes the Board Chair to sign appropriate documents on its behalf.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

10. LABOR NEGOTIATIONS AND CONTRACTS

A. Office of the Prosecuting Attorney - Intern

LABOR NEGOTIATIONS AND CONTRACTS L47/3-23-2021

WHEREAS, the request is to approve the hiring of a recent law school graduate for a 4-month internship (April, May, June, July, 2021) for 20 hours a week at \$20/hour, and;

WHEREAS, The Prosecuting Attorney's Office has an opportunity to hire a recent law school graduate as an intern to help process and prepare the backlog of cases for trial, and;
WHEREAS, As of March 9, 2021, the Court has started doing jury trials. There are currently over 30 cases waiting to go to trial. Therefore, the Prosecutor's Office is preparing for several continuous weeks of trials. The intern position would be able to assist the Assistant Prosecutors with motions, pre-trials and trial preparation, and;

WHEREAS, Board approval is needed before a formal offer is extended due to the hiring freeze and the need for a budget amendment. The candidate, Ms. Sydney Jordan, J.D., obtained her Juris Doctorate in December, 2019, from the Indiana University Robert H. McKinney School of Law. She recently took the bar exam and is awaiting the results, and;

WHEREAS, The Prosecutor's Office has worked with the Finance Department to examine different scenarios. If an intern is hired for four months and worked for \$20/hour for 20 hours per week, the total cost would be \$6,400. Currently, the cost would be able to be absorbed in the operating budget with no additional funds needed.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approve the request from the Prosecuting Attorney to hire a law school intern for 4 months for 20 hours per week at \$20 an hour.

Roll Call Vote: All Yes

Motion by Don Hanson, Second by Kurt Doroh, Carried

B. Palisades Recovery Plan - Employment Agreement - Faul

Item removed from agenda.

C. Palisades Recovery Plan - VBC/Kinexus Services Agreement

Item removed from agenda.

11. TRANSIT COMMITTEE

12. VETERAN'S SERVICES COMMITTEE

13. PUBLIC COMMENT

14. CLOSED SESSION

15. BOARD CORRESPONDENCE

A. Tuscola County

16. COMMITTEE/OUT-BOARD ASSIGNMENTS

- Municipalities
- Palisades
- Area Agency on Aging
- SW Michigan Action Agency
- Administrative Affairs
- Health & Human Services
- MAC
- Road Commission
- Labor & Negotiations
- LEPC
- Emergency Operations
- Wellness Committee
- Land Bank
- Health Department
- Kinexus
- Building & Grounds
- AFSME

- SW Michigan Behavioral Health
- Veterans Court
- Hayden Creek

Administrator Faul:

- MAC Spring Conference Registration

17. ORGANIZATIONAL MEETING

18. ADJOURNMENT

The meeting was adjourned at 4:25 p.m.

Richard Godfrey, Chairman

Suzie Roehm, County Clerk