



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

July 12, 2022 1:00 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 01:00 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, Randall Peat, Donald Hanson, Paul Schincariol. Commissioner Mike Chappell absent and excused.
4. **Approval of 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.

Commissioner Doroh requested that Item 4.D. Wellness Program Guide be removed from the consent agenda.

Motion to approve the agenda as amended.

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

- A. ****6/28/2022 Board of Commissioners Meeting Minutes**
Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried
- B. **Buildings & Grounds**

****Use of County Property - Grape Lake 5K Race**

BUILDING & GROUNDS RESOLUTION BG9/7-12-2022

WHEREAS, the request is for the use of the Human Services East parking lot located at 801 Hazen Street, Paw Paw, during the Wine & Harvest Festival for the annual Grape Lake 5K Run/Walk on 9/10/2022 from approximately 7:00 AM to 2:00 PM, and; WHEREAS, this annual event is sponsored by Freshwater Church. They will hold the registration for the event in the parking lot of the 801 Hazen Street parking lot. They have event insurance coverage.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the use of County property at 801 Hazen Street on 9/10/2022 for the Grape Lake 5K Run / Walk from approximately 7:00 AM to 2:00 PM.

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

****Demo of 309 S. Kalamazoo Street**

BUILDING & GROUNDS RESOLUTION BG10/7-10-2022

WHEREAS, the request is to approve the demolition of 309 Kalamazoo Street for a total project cost of \$36,680.00, and;

WHEREAS, three bids were received for the demolition of the building at 309 South Kalamazoo Street, Paw Paw. The recommendation is to award the project to Terry Excavating at the quoted price of \$23,500.00 with the asbestos remediation to be provided by Martin and Associates at a cost of \$13,180.00. Making the total project cost \$36,680.00. The demo will start in September 2022.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the demolition of 309 S. Kalamazoo Street, Paw Paw for a cost of \$36,680.00.

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

****County Vehicle Policy**

BUILDING & GROUNDS RESOLUTION BG11/7-12-2022

WHEREAS, the request is to approve the County Vehicle Policy Number C01.0001. This new vehicle policy supersedes any existing county-wide vehicle policy, and;

WHEREAS, this vehicle policy was created to allow staff to take a county vehicle home when working On-Call, such as Buildings and Grounds staff, to be able to have the equipment needed on hand when an emergency arises, and;

WHEREAS, all other factors when using a County Vehicle are also addressed in the policy. The policy has been reviewed and revised by the County's attorney firm, Miller Johnson.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the County Vehicle Policy Number C01.0001.

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

C. Finance

****Dog Attack on Livestock**

FINANCE RESOLUTION F23/7-12-2022

WHEREAS, the request is from a Van Buren County resident seeking compensation for the loss of livestock due to a dog attack, and;

WHEREAS, Mr. Paris' email reads: I am writing to seek compensation pursuant to section 287.283 of the Michigan Dog Law. On 23 March 2022, as documented in Incident Number 1543-22 with the Van Buren County Sheriff's Office, my farm suffered a significant dog attack. Total loss of livestock resulting from this attack has been: 1 heavily pregnant purebred Boer doe, 2 heavily pregnant Boer cross does, and 2 Boer cross market wethers. I will appreciate your work in helping me to seek redress in this matter. I have spoken with my township supervisor, James Lisowski, regarding this matter and have provided him with a printed copy of the relevant law. He believes that this is strictly a civil matter that I can only pursue once the owner(s) of the dog is found. The referenced statute, however, is very clear that the county is expected to compensate me as they search for the dog in question. I feel that the referenced law is very clear in this matter and would appreciate a response and clarification.

The goat values were received through Bloomingdale Township from Doug Brooks, Facility Manager at United Producers Inc. The total value is \$1,250.00.

The related statutes:

MCL 287.280

MCL 287.281

MCL 287.282

MCL 287.283

MCL 287.284

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the compensation to Van Buren County resident, Mark Paris, for the lost livestock due to a dog attack in the amount of \$1,250.00.

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

****Strategic Plan - ARPA Proposals**

FINANCE RESOLUTION F24/7-12-2022

WHEREAS, the request is to table all current ARPA funding requests, to be reviewed again before the end of the 2022 calendar year, and;

WHEREAS, Van Buren County has received funding through ARPA grants. Although some of the funds have been allocated, the Board of Commissioners see the need to thoroughly review the present and future needs of the County before moving forward with any further funding allocations, and;

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners tables all current ARPA funding requests, to be reviewed again before the end of the 2022 calendar year.

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

D. Labor, Negotiations, and Contracts

****Reorganization of the Office of Domestic Preparedness**

LABOR RESOLUTION L12/7-12-2022

WHEREAS, the request is to approve the reorganization of the Office of Domestic Preparedness to include one Emergency Management Coordinator (MCOLES or Non-MCOLES Certified) to be paid at the Sergeant level in the Command POLC contract and one Emergency Management Planner to be paid at the Deputies wage and MCOLES certified within the Deputies Union POAM, and;

WHEREAS, with the loss of the Entergy Stipend and the need for additional road patrol deputies, there is a need to restructure the Emergency Management Division for the future. The public safety fund which was used to supplement a second position with Emergency Management is needed to fund road patrol deputies, and;

WHEREAS, the County is required to have an Emergency Management Division and, in an effort to continue to move the Emergency Management Division forward, we are asking that both positions are maintained and funded out of the General Fund Emergency Management (101-426).

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the reorganization of the Office of Domestic Preparedness to include one Emergency Management Coordinator (MCOLES or Non-MCOLES Certified) to be paid at the Sergeant level in the Command POLC contract and one Emergency Management Planner to be paid at the Deputies wage and MCOLES certified within the Deputies Union POAM.

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

****Creation of an Additional Deputy Position**

LABOR RESOLUTION L13/7-12-2022

WHEREAS, the request is to approve the addition of a full-time deputy to be budgeted out of the public safety budget 207-301, and;

WHEREAS, the Sheriff's Office has acquired several township contracts that now

require the addition of a full-time deputy. We are currently covering 15 hours a week in contract with general patrol deputies. We have been approached by some townships wanting to increase patrol hours within already contracted townships. The addition of this position will allow us to cover those contracts without sacrificing general patrol hours, and;

WHEREAS, the financial impact is \$104,022.25 to the public safety fund.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the addition of one full-time deputy position to be budgeted out of the public safety budget.

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

****Creation of an Additional Assistant Prosecuting Attorney Position**

LABOR RESOLUTION L14/7-12-2022

WHEREAS, the request is to approve the addition of a new Assistant Prosecuting Attorney position and a salary exception for the newly created position at the 5-year salary level (level F - \$85,156.50) of the 2022 Assistant Prosecuting Attorney Scale, and;

WHEREAS, the Prosecutor's Office currently has space to add one additional attorney in the South Haven office. This addition would allow the office to adequately address the increasing demands and increasing caseload. The South Haven office requires an attorney with experience to work in the satellite office as it is more isolated from the Paw Paw courthouse, and;

WHEREAS, starting the applicant at the 5-year level would make the salary more comparable to the applicant's current salary. If this position needs to be posted, the higher salary will be more competitive and make our county a more attractive choice for qualified applicants, and;

WHEREAS, the range for this position is \$55,224.00- \$99,157.50, the request is for the new position to start at the 5-year salary level F- \$85,156.50. Therefore, the financial impact will be \$85,156.50 plus \$38,000 to include the cost of benefits.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the addition of the Assistant Prosecuting Attorney position at the 5-year salary level (level F - \$85,156.50) of the 2022 Assistant Prosecuting Attorney Scale.

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

****Elimination and Creation of Buildings & Grounds Positions**

LABOR RESOLUTION L15/7-12-2022

WHEREAS, the request is to eliminate 2 part-time janitorial positions and create 3 full-time positions for cleaning and general duties on the AFSCME scale at the R20 level, to perform both janitorial services and general maintenance, and;

WHEREAS, the County currently has 2 part-time janitorial positions, on the AFSCME scale at the R16 level. These 2 part-time staff are not able to keep up with all the janitorial services, and;

WHEREAS, bids were received for contracted janitorial services for the courthouse and annex in Paw Paw and the DHHS building in Hartford; the South Haven courthouse was not included. The Board approved the contract, but it was never executed. The price was not to exceed \$15,400 per month or \$184,800 per year. Between the elimination of the part-time positions and the cost of the outside janitorial services, there will not be a financial impact on the county, and;

WHEREAS, this elimination / creation would not only eliminate the need for outside janitorial service but would also allow skill-trained employees to be timelier and more efficient in their duties by removing the janitorial and general maintenance they have been covering.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of

Commissioners approves the elimination of the 2 part-time positions and creation of 3 full-time positions, on the AFSCME R20 scale.

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

****Van Buren County Wellness Program Guide**

This item was removed from the consent agenda. Upon discussion, the Board directs the Administration Office to contact peer counties to obtain guidelines they use. This item will be returned to the board for further review.

****Remote Work Policy and Agreement**

FINANCE RESOLUTION F16/7-12-2022

WHEREAS, the request is for approval of the Van Buren County Remote Work Policy and Agreement, and;

WHEREAS, when we were mandated to lockdown at the start of the pandemic, the county scrambled to find ways to work remotely. Many county departments found that there are positions where working remotely is not only feasible, but also just as efficient as if they were in the office. Van Buren County has not yet implemented a remote work policy to be utilized countywide, where applicable, and;

WHEREAS, we are also facing an issue of inflation in the United States, which is causing the cost of gas and other basic needs for our employees to increase. With remote work becoming more common across the US, we could see a higher turnover rate due to not offering the competitive benefit at Van Buren County for eligible positions, and;

WHEREAS, this Remote Work Policy and Agreement has been reviewed and approved by Van Buren County's labor attorney. The policy and agreement provides guidelines and provisions for working from home and a confirmation of receipt page for each eligible employee to sign.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the Remote Work Policy and Agreement.

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

E. Public Transit

****ADA Complaint and Reasonable Modification Policy**

TRANSIT RESOLUTION T7/7-12-2022

WHEREAS, the request is for approval of the American Disability Act (ADA) Complaint and Reasonable Modification Policy, and;

WHEREAS, the Michigan Department of Transportation (MDOT) requires that Public Transportation submit a board approved ADA Complaint and Reasonable Modification Policy as required by Title II and II of the American Disability Act of 1990, which provides that no entity shall discriminate against an individual with a disability in the provision of transportation services. MDOT has approved the draft, but requires a resolution from the board that it has been approved, and;

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the American Disability Act (ADA) Complaint and Reasonable Modification Policy.

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

5. Additions/Deletions to the Agenda

6. Approval of Agenda

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

7. Public Comment

Jan Petersen, Hamilton Township, spoke in favor of the Solid Waste/Recycling Program.

8. Administrative Affairs

A. Region IV Area Agency on Aging Plan

Theresa Uhrich presented information on the 2023 Annual Implementation Plan.

ADMINISTRATIVE AFFAIRS RESOLUTION AA44/7-12-2022

WHEREAS, the request is from the Area Agency on Aging for resolution of approval of the 2023-2025 Multi Year Plan and the FY 2023 Annual Implementation Plan, and;
WHEREAS, the plan for aging services funded by the federal Older Americans Act and state Older Michiganians Act for residents of Berrien, Cass and Van Buren Counties for the fiscal years, and;

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the 2023-2025 Multi Year Plan and the FY 2023 Annual Implementation Plan.

Motion by Donald Hanson, Second by Randall Peat, Carried

B. Village of Lawrence to Annex Certain Territory

ADMINISTRATIVE AFFAIRS RESOLUTION AA45/7-12-2022

WHEREAS, it is to the mutual advantage and benefit of the people in the Village of Lawrence to promote business and industrial development and to attract business and industry to create payrolls and improve the general economic condition of the Village of Lawrence, and;

WHEREAS, the Township of Lawrence, is the owner of land hereinafter described, which is to be promoted for business and industrial development, and;

WHEREAS, it is of great importance for any such business or industrial development to have water lines, sewer lines, police protection, storm sewers and roads extended to the site, and;

WHEREAS, the Village Council of Lawrence, Van Buren County, Michigan, petitions the Board of Commissioners of the County of Van Buren to annex to the Village of Lawrence the following described land:

Part of the East half of Section 16 and part of the Northeast quarter of Section 21, T3S, R16W, Lawrence. Township, Van Buren County, Michigan described as:

Commencing at the East quarter post of Section 16, thence Southerly along the East line of Section 16, 304.0 feet; thence Westerly S89°56'50" W, 497.83 feet; thence S00°03'10" E, 525.00 feet; thence N 89°56'56" E, 497.83 feet; thence Southerly along the East line of Section 16 to the Southeast corner of Section 16; thence continuing Southerly along the East line of Section 21 to a point 625.17 feet South of the Northeast corner of Section 21; thence N88°34'28" W, 326.83 feet; thence S54°08'27" W, 932.01 feet; thence N88° 34'25"W, 1591.30 feet; thence Northerly along the North and South quarter (1/4) line of Section 21 to the North quarter post of Section 21; thence continuing Northerly along the North and South quarter (1/4) line of Section 16 to the center of Section 16; thence S89°41'00" E, 720.60 feet; thence N00°26'53"W, 643.82 feet; thence along a line N 49°05'23" E to where said line intersects the Southern Boundary of the Village of Lawrence, Michigan; thence Easterly along the Southern Boundary of said Village to the East line of Section 16; thence Southerly along the East line of Section 16 to the East quarter post of Section 16.

ALSO Including the entire right-of-way of County Road 365 from the Southern Corporate limits of the Village of Lawrence South to the I-94 Interchange 625.17 feet

South of the Northeast corner of Section 21, T3S, R16W.
NOW, THEREFORE, BE IT RESOLVED, the Van Buren County Board of Commissioners annex to the Village of Lawrence the above described land.

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

9. Buildings and Grounds

A. Use of County Property - Paw Paw Days

BUILDING & GROUNDS RESOLUTION BG12/7-12-2022

WHEREAS, the request is to use the County Park and the County Administration building parking lot for the Paw Paw Days Classic Car & Truck Show and Village of Paw Paw Streetscape Dedication, and;

WHEREAS, this annual event will be held on July 22nd and 23rd. The Paw Paw Area Chamber of Commerce are requesting the use of the County park and its electric and water services from 12:00 PM Friday, July 22, 2022 through 11:00 PM Saturday, July 23, 2022. They are also requesting the use of the Administration building parking lot from 5:30 AM to 11:00 PM, Saturday, July 23, 2022. They have secured event insurance.

NOW, THEREFORE, BE IT RESOLVED, the Van Buren County Board of Commissioners approves the use of county property as described from 12:00 PM Friday, July 22nd through 11:00 PM Saturday, July 23rd, 2022.

Motion by Richard Godfrey, Second by Kurt Doroh, Carried

10. Finance

A. Increase in Solid Waste & Recycling Program Funding

Chairman Peat directs the Administration Office to obtain information on how these programs are funded in peer counties.

FINANCE RESOLUTION F25/7-12-2022

WHEREAS, the Van Buren Conservation District (VBCD) is requesting the County increase their funding of the program administered by VBCD to \$100,000.00 and to formalize the agreement with a contract, and;

WHEREAS, the VBCD has served as the County's Designated Planning Agency (DPA) to implement the Part 115 County Solid Waste Management Plan since 2012. The VBCD currently receives \$17,800.00 from the County annually to fund solid waste & recycling efforts, and;

WHEREAS, the increase in funding would further assist in meeting the growing needs of the residents and landowners of Van Buren County in regard to solid waste, recycling, and materials management, including household hazardous waste and recycling collection opportunities, and;

WHEREAS, the financial impact would be an increase of funding by \$82,200.00.

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves the increase of the County's funding of the solid waste and recycling program administered by the VBCD from \$17,800.00 to \$100,000.00 and for the Board Chair to sign any related contracts / agreements on the Board's behalf.

Motion by Gail Patterson-Gladney, Second by Richard Godfrey, Carried
Roll Call Vote: All Yes

11. Public Comment

12. Board Correspondence

- A. Berrien County Resolution - Re: Honoring Nick Jewell
- B. Branch County Resolution - Re: Zillow
- C. Calhoun County Resolution - Re: Zillow
- D. Eaton County Resolution - Re: Zillow
- E. Gogebic County Resolution - Re: Zillow
- F. Gogebic County Resolution - Re: Michigan Works
- G. Jackson County Resolution - Re: Zillow
- H. Kalkaska County - Re: Zillow
- I. Lake County Resolution - Re: Zillow
- J. Leelanau County Resolution - Re: Zillow

13. Committee/Out-Board Assignments

14. Closed Session

15. Adjournment

The meeting was adjourned at 02:10 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk

