



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

August 9, 2022

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 04:00 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, Mike Chappell, Randall Peat, Donald Hanson, Paul Schincariol.

4. Additions/Deletions to the Agenda

5. 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. Commissioner Chappell requested that item 11.B. be removed from the consent agenda.

Motion to approve the agenda with the removal of item 11.B. from the consent agenda.

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

Roll Call Vote

Yes: Gail Patterson-Gladney, Richard Godfrey, Mike Chappell, Randall Peat, Donald Hanson, Paul Schincariol

No: Kurt Doroh

6. Approval of Minutes

A. **7/26/2022 Board of Commissioners Meeting Minutes

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

7. Public Comment

8. Administrative Affairs

A. ****Children's Advocacy Center Funding Agreement**

ADMINISTRATIVE AFFAIRS RESOLUTION AA47/8-9-2022

WHEREAS, The request is to review the agreement with the Children's Advocacy Center (CAC) and to approve the Board Chair to sign on the Board's behalf, and;
WHEREAS, The funding for the Van Buren County Children's Advocacy Center was signed into resolution at the May 24, 2022 Board of Commissioners meeting. The agreement has been drawn up by attorneys and reviewed by Administration and CAC.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the agreement with the Children's Advocacy Center and for the Board Chair to sign on the Board's behalf.

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

B. ****Auto Insurance Reform Resolution**

ADMINISTRATIVE AFFAIRS RESOLUTION AA48/8-9-2022

WHEREAS, the Michigan No-Fault Auto Insurance Reform Act of 2019 introduced a fee cap, which took final effect on July 1, 2021; this cap set percentage limits on how much residential care facilities, home health care providers, and other persons can be reimbursed for providing treatment/care to auto accident victims, and;
WHEREAS, these reimbursement caps are 55% of the reimbursement rates that Home Care Providers were collecting in 2019, and;

WHEREAS, 55% of a Home Health Care provider's 2019 collections, is an unsustainable reimbursement cap to continue caring for catastrophically injured individuals following an auto accident.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby urges the Michigan legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address sustainable fee cap (i.e. Michigan's Workman's Compensation Fee Cap for Ancillary Services) for Home Health Care providers, in order to uphold these benefits that have been paid for by the survivors who are currently receiving and who will receive in-home, long-term care, when purchasing an Unlimited PIP Auto Insurance policy, paid by the Michigan Catastrophic Claims Association.

BE IT FURTHER RESOLVED, that the Van Buren County Clerk is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the State Senate Majority and Minority leaders, the State House Speaker and Minority Leader, the members of the Van Buren County delegation to the Michigan Legislature, and the other 82 counties of Michigan as Commissioner Correspondence.

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

9. **Buildings and Grounds**

A. ****Creation of a County Parks & Recreation Commission**

BUILDINGS & GROUNDS RESOLUTION B13/8-9-2022

WHEREAS, the request is to create a County Parks & Recreation Commission, and;
WHEREAS, in Michigan Legislature Compiled Laws Section 46.351, it describes the required structure of a County Parks Commission. Following these guidelines, the recommendation for the Van Buren County Parks and Recreation Commission members are:

- ☐ Mike Chappell as Interim Chair
- ☐ Richard Godfrey representing Commissioners
- ☐ A representative of the Road Commission
- ☐ Joe Parman representing the Drain Commission

- ☐ Kurt Doroh representing the Planning Commission
- ☐ John Small representing Buildings & Grounds
- ☐ Ryan Post representing Finance

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the creation of a County Parks & Recreation Commission.

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

B. Use of County Property - 2022 Vineyard Classic Bike Tour

BUILDINGS & GROUNDS RESOLUTION B14/8-9-2022

WHEREAS, Kalamazoo Experiential Learning Center is requesting the use of the parking lot of the 801 Hazen Street building for the 2022 Paw Paw Vineyard Classic Bike Tour on Sunday, 9/11/2022, from 7:00 AM to about 1:00 PM. They have event insurance, and;

WHEREAS, the Paw Paw Vineyard Classic Bike Tour has been a tradition in Paw Paw for a long time. The Paw Paw Women's Service league set the tradition and created the event. KELC Events is a nonprofit that provides collegiate internships for students in sport management, event management, marketing and public relations. They offer students the opportunity to learn how to create and implement sport and recreation events by using the Vineyard Classic as one of our traditional events.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the request for use of the parking lot at 801 Hazen Street, Paw Paw, for the 2022 Vineyard Classic Bike Tour on 9/11/2022.

Motion by Donald Hanson, Second by Paul Schincariol, Carried

10. Finance

A. **Syndicate Park Parcel 80-17-233-026-00

FINANCE RESOLUTION F26/8-9-2022

WHEREAS, the request is from Roberta and Paul Moller, the owners of Syndicate Park Parcel, 80-17-233-026-00. The Moller's are asking if the county would be interested in purchasing their parcel which sits adjacent to several other parcels already owned by the county, and;

WHEREAS, the Moller's are offering to sell the parcel at land value which is listed as \$3,600.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the purchase of Robert and Paul Moller's parcel # 80-17-233-026-00 for the amount of \$3,600 plus any fees associated with the sale and/or deed transfer.

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

B. **Elimination of Cremation Permit Fees

FINANCE RESOLUTION F27/8-9-2022

WHEREAS, the request is to eliminate the \$10 fee that the county charges for the issuance of cremation permits effective 9/1/2022, and;

WHEREAS, the elimination of Cremation Permit Fees would reduce General Fund Revenues by about \$5,000 per year, but also reduce the direct fees paid to the Operations Consultant by about \$2,400 per year, a net annual loss of about \$2,600. However, the proposal would also eliminate other staff time required for data management, billing, receipting, banking, enforcement, budgeting, and reporting that, while not reducing expeditors directly, helps ensure that additional staff need not be retained for these tasks.

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

Commissioners approves the elimination of the \$10 fee for cremation permits effective 9/1/2022.

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

C. ****Salary Exception for Interim County Administrator**

FINANCE RESOLUTION F28/8-9-2022

WHEREAS, The request was made by motion at the 7/26/2022 COW to increase the current salary of the Interim County Administrator to the starting salary listed on the County Administrator job posting of \$135,000, to be back paid from the appointment date of 5/24/2022, and;

WHEREAS, Ryan Post was appointed Interim County Administrator upon the resignation of the former County Administrator and has been fulfilling both the County Administrator and Finance Director duties. The Board Chair recommends increasing his salary to \$135,000, the amount that is on the job posting for the County Administrator position, until the position is filled, then the Finance Director position will resume the current salary.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves an increase in the current salary of the Interim County Administrator to the starting salary listed on the County Administrator job posting of \$135,000, to be back paid from the Interim County Administrator appointment date of 5/24/2022 and run until the County Administrator position has been filled.

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

D. ****Market Van Buren Agreement**

FINANCE RESOLUTION F29/8-9-2022

WHEREAS, the request is for approval of the 2022 Van Buren County and Market Van Buren Agreement, and;

WHEREAS, at the 6/14/2022 Committee of the Whole meeting, the Board voted to terminate the Kinexus Palisades Agreement, and the board requested a new agreement with Market Van Buren.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the agreement with Market Van Buren and for the Board Chair to sign on the Board's behalf.

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

E. **USDA Lease Application**

FINANCE RESOLUTION F30/8-9-2022

WHEREAS, the request is to authorize Interim County Administrator Ryan Post to negotiate and sign lease agreement documentation with the USDA for the property located at 57418 CR 681, Hartford, MI, removing Frank Hardester as the point of contact, and;

WHEREAS, in a previous resolution dated December 14, 2021, the board appointed Frank Hardester as the main point of contact for the USDA Lease, since then he has resigned as County Administrator, and;

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners authorizes Interim County Administrator Ryan Post to negotiate and sign lease agreement documentation with the USDA for the property at 57418 CR 681, Hartford, MI, and removes Frank Hardester as a point of contact with the USDA.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

11. **Labor, Negotiations, and Contracts**

A. ****Hartford School Resource Deputy Contract**

LABOR RESOLUTION L17/8-9-2022

WHEREAS, the request is for approval of the contract with Hartford Public Schools for a full time deputy, and;

WHEREAS, the Hartford Public School system is seeking a contract with the Van Buren County Sheriff's Office. This contract would be for a full-time deputy working at Hartford Schools 9 months out of the year and 3 months (summer) for the Sheriff's Office as a road patrol deputy. The 9 months would be covered by Hartford Schools and the remaining 3 would be covered by the Public Safety Millage, 207-301. This contract mirrors Paw Paw Public Schools SRO.

NOW, THEREFORE BE IT RESOLVED, approves the Sheriff's Office contract with Hartford Public Schools for a full-time deputy and for the Board Chair to sign on the Board's behalf.

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

B. ****Union Negotiation Structure**

This item was removed from the consent agenda. Discussion.

LABOR RESOLUTION L18/8-9-2022

WHEREAS, the request was made by motion at the 7/26/2022 COW by Commissioner Peat to follow best practices of our comparable counties, which is not to have County Commissioners present at the Union Negotiation meetings, and;

WHEREAS, the history of union negotiations has had the three County Commissioners assigned to the Labor, Negotiations, and Contracts Committee attend union negotiations, and;

WHEREAS, the Administration team and the Labor Attorney will attend the negotiation meetings. They will present their negotiation requests to the Board of Commissioners prior to the meetings and bring back any requested changes to the board before the agreements are executed. It is best practice to allow staff to handle these duties and keep all plans transparent to the entire board.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves removal of the Commissioners from the union negotiation meetings.

Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried
Roll Call Vote

Yes: Gail Patterson-Gladney, Kurt Doroh, Randall Peat, Paul Schincariol

No: Richard Godfrey, Mike Chappell, Donald Hanson

C. **General Maintenance Carpenter Wage Exception**

LABOR RESOLUTION L19/8-9-2022

WHEREAS, the request is for a salary exception for the General Maintenance Carpenter position, and to place the employee at the top of the Unified Pay Scale, Range 20H, at \$22.12 per hour instead of the beginning wage of \$15.86 per hour, and;

WHEREAS, the Buildings & Grounds current General Maintenance Carpenter is retiring. A qualified candidate was interviewed and offered the position with a start date of 8/8/2022, and;

WHEREAS, a salary exception is being requested due to the extensive experience the candidate offers. This candidate is currently working with Summit as technical support

to the county with more than 10 years of experience in working with fire technology science, which, in the end, will save the county money. He has more than 20 years of construction background experience, and;
WHEREAS, the retiring employee is at Range 20G, \$21.86. The increase to the budget would be minimal.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves salary exception for the General Maintenance Carpenter position, and to place the employee at the top of the Unified Pay Scale, Range 20H, at \$22.12 instead of the beginning wage of \$15.86 per hour.

Motion by Richard Godfrey, Second by Mike Chappell, Carried

12. Public Comment

- Magistrate Becker and AFSCME President Becca Bogren spoke re: union negotiations structure.

13. Board Correspondence

- A. Clinton County Resolution - Broadband Taskforce
- B. Clinton County Resolution - Re: Treasurer to Provide Data
- C. VBC Farm Bureau - 8/29/22 Dinner Invitation
- D. State of MI - Re: Public Hearing Indiana Michigan Power

14. Closed Session

15. Adjournment

The meeting was adjourned at 04:32 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk