



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

December 13, 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 04:11 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. **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.
5. **Additions/Deletions to the Agenda**
Add Item 9C
6. **Approval of Agenda**
Motion to approve the agenda as amended.
Motion by Mike Chappell, Second by Donald Hanson, Carried
7. **Approval of Minutes**
 - A. **** November 22, 2022 Board of Commissioner Minutes**
Motion by Mike Chappell, Second by Donald Hanson, Carried
8. **Public Comment**
9. **Administrative Affairs**
 - A. **** Remonumentation Committee Appointment - Kate Hosier**
ADMINISTRATIVE AFFAIRS RESOLUTION AA65/12-13-2022
WHEREAS, the request is to appoint Kate Hosier to the Remonumentation Committee

to fill a vacancy for the representative of Villages and Cities, and;
WHEREAS, Kate Hosier, City Manager of South Haven is also a part of the Brownfield Redevelopment Authority.
NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners hereby appoints Kate Hosier to the Remonumentation Committee to fill the vacancy for the representative for Villages and Cities.

Motion by Mike Chappell, Second by Donald Hanson, Carried

B. ** Road Commission Re-Appointment - Douglas Burleson

ADMINISTRATIVE AFFAIRS RESOLUTION AA66/12-13-2022

WHEREAS, the request is to appoint Douglas Burleson to the Van Buren County Road Commission for a six-year term to expire December 31, 2028, and;
WHEREAS, Douglas Burleson's term on the Van Buren County Road Commission is expiring December 31, 2022 and he is seeking re-appointment.
NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners hereby appoints Douglas Burleson to the Van Buren County Road Commission for a six-year term to expire December 31, 2028.

Motion by Mike Chappell, Second by Donald Hanson, Carried

C. Parks Commission Appointment - Paul Garrod

ADMINISTRATIVE AFFAIRS RESOLUTION AA67/12-13-2022

WHEREAS, the request is to appoint Paul Garrod to the Parks Commission to fill a vacancy, and;
WHEREAS, Paul Garrod has been a part of other local Boards, United Christian Services, Former chairperson for the Lawrence Ox Roast and Homecoming Committee for 33 years, and Van Buren Youth Fair Board member for 22 years;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby appoints Paul Garrod to the Parks Commission to fill the vacancy.

Motion by Kurt Doroh, Second by Mike Chappell, Carried

10. Buildings and Grounds

A. Use of County Property - Battle Creek VA

Memorandum of Understanding between U.S. Department of Veterans Affairs Employee and Van Buren County to allow parking of Government owned vehicle on County Property.

Motion by Richard Godfrey, Second by Kurt Doroh, Carried

11. Finance

A. ** Replacement Phone Handset Purchase Request

FINANCE RESOLUTION F62/12-13-2022

WHEREAS, the request is to purchase of replacement phone handsets, and;
WHEREAS, The desk phone handsets used across the County are in need of replacement. They are models that came out 10 years ago and are no longer supported by our phone system vendor, and;
WHEREAS, total costs for the replacements are \$20,307.88. This is a planned, budgeted expense to be taken from the Technology Improvement Fund.
NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of

Commissioners hereby approve the purchase of the replacement phone handsets.

Motion by Mike Chappell, Second by Donald Hanson, Carried

12. Labor, Negotiations, and Contracts

13. Public Transit

14. Veterans Services

15. Public Comment

16. Board Correspondence

A. Eaton County Board of Commissioners Certified Resolution

17. Closed Session

Motion to enter into Closed Session under Sections 8c and 8e of the Open Meetings Act to discuss labor negotiations and settlement strategy.

Roll Call Vote: All Yes

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

Board went into closed session at 4:17 p.m.

Board returned from closed session at 5:25 p.m.

Motion to approve the settlement agreement in the Wayside Church, et al vs. Van Buren County action as recommended by legal counsel.

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

FINANCE RESOLUTION F63/12-13-2022

WHEREAS, Wayside Church, et al, filed a class action complaint against a number of counties in the United States District Court for the Western District of Michigan in Civil Action No. 1:14-cv-01274 ("Complaint"); and

WHEREAS, Parties have been exploring and preparing defenses and participating in settlement negotiations under the oversight of the 6th Circuit Court of Appeals Mediation process; and,

WHEREAS, the parties are desirous of avoiding future litigation and controversy and after extensive negotiations, have agreed to certain terms and conditions set forth in the Settlement and Release Agreement, subject to approval by the Court, and as outlined by counsel; and WHEREAS, the County understands that the Settlement and Release Agreement is a compromise of a disputed claim and that payment(s) made and conditions state therein are not to be construed as an admission of liability on the part of the parties being released by who all liability is expressly denied; and,

WHEREAS, after consultation with legal counsel, and the County Treasurer and upon the recommendation and endorsement of the Settlement by each, the County believes it is in the best interests of the citizens of Van Buren County to resolve the litigation in accordance with the Settlement and Release Agreement, subject to approval by the Court.

THEREFORE, BE IT RESOLVED, that the VAN BUREN County Board of Commissioners approves entering into the Settlement and Release Agreement in connection with Civil Action

No. 1:14-cv-01274, subject to approval by the Court.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners and County Clerk are hereby authorized to sign the Settlement and Release Agreement on behalf of VAN BUREN County, and the County Treasurer is encouraged to execute the Settlement and Release, subject to approval by the Court, after approval as to form by the County Attorney.

A. Negotiation Strategy

B. Settlement Discussion

18. Adjournment

The meeting was adjourned at 05:28 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk