



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

March 28, 2023

Commissioners

Gail Patterson-Gladney, District 1
Mike Chappell, District 2
Kurt Doroh, District 3
Richard Godfrey, District 4
Randall Peat, District 5
Tina Leary, 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 02:37 PM by Randall Peat, Chairman of the Board.
2. Recital of the Pledge of Allegiance / Prayer
Invocation given by Commissioner Doroh.
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, Tina Leary, Paul Schincariol. Mike Chapped absent and excused.
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.

Motion to approve the agenda as presented.
Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried
6. Approval of Minutes

A. **March 14th, 2023 Board of Commissioners Minutes
Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried
7. Public Comment
8. Administrative Affairs

A. **Van Buren/Cass District Health Department by-laws approval
ADMINISTRATIVE AFFAIRS RESOLUTION A18/3-28-2023
WHEREAS, there was a request to review and approve the proposed changes to the Van Buren/Cass District Health Department by-laws, and;
WHEREAS, periodically the VBCHD must review and update it's by-laws. These by-laws must be approved by the Board of Commissioners in both Cass County and Van Buren County, and;
NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners

approves the proposed changes to the Van Buren/Cass District Health Department by-laws.

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

B. ****Opioid Settlement Fund Steering Committee**

ADMINISTRATIVE AFFAIRS RESOLUTION A19/3-28-2023

WHEREAS, there was a request to discuss and approve the creation of a steering committee for the allocation of funds from the Nationwide Opioid Settlement, and;
WHEREAS, Van Buren County recently received a check for \$197,347.90 as part of the nationwide opioid settlement against several pharmaceutical companies. As of July 2022, Van Buren County is expected to receive an estimated total of \$1,362,485 over the next 18 years, and;

WHEREAS, discussions with stakeholders in the County and local community agencies determined that the most viable way to allocate these funds is to create a focused steering committee. The intent of this committee would be to vet projects that could then be brought to the Board of Commissioners for funding approval. Given the relatively narrow scope of allowable expenditures, that approach seemed more appropriate than the broader-reaching application process for ARPA funds, and;

WHEREAS, the following stakeholders were identified as potential members for the steering committee, and;

- Richard Godfrey (Prevention Task Force)
- Mike Chappell (Prevention Task Force)
- Dan Abbott (VBC Sheriff)
- Jewell Daily (Recovery Zone)
- Becky Fatzinger (CMH Suicide Prevention Task Force)
- Danielle Persky (VBCDHD)
- Nikki Van Sandt (CMH SUD Treatment), and;

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves the creation of a steering committee for the allocation of funds from the Nationwide Opioid Settlement.

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

C. **Paw Paw River Water Trail Access Development**

ADMINISTRATIVE AFFAIRS RESOLUTION A20/3-28-2023

WHEREAS, Van Buren County Board of Commissioners supports the submission of an application titled, "Paw Paw River Water Trail Public Access Development" to the Michigan Natural Resources Trust Fund for the development of a parking area and an ADA pathway to an ADA kayak/canoe launch in Hartford Township along County Road 687; and,
WHEREAS, the proposed application is supported by the County's 5-Year Approved Parks and Recreation Plan; and,

WHEREAS, Van Buren County has made a financial commitment to the project in the amount of \$58,310 matching funds, in cash and/or force account; and,

WHEREAS, if the grant is awarded, the applicant commits its above local match and pledged amounts from the following identified sources:

Hartford Township \$ 58,310

Van Buren Conservation District \$5,000

NOW THEREFORE, BE IT RESOLVED that Van Buren County Commissioners hereby authorize the submission of a Michigan Natural Resources Trust Fund Application for \$283,780, and further resolves to make available a local match through its financial commitment and the Hartford Township and Van Buren Conservation District commitment totaling \$121,620 (30%) of a total \$405,400 project cost, during the 2024-2025 fiscal years.

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

9. Finance

A. **Claims

CLAIMS RESOLUTION C5/3-28-2023

WHEREAS, claims in the amount of \$2,310,061.73 for February 2023 were submitted and reviewed, and;

NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners approves total claims in the amount of \$2,310,061.73 for the month of February 2023.

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

B. **Fiscal Year 2023 – Adult Recovery Court Contract

FINANCE RESOLUTION F12/3-28-2023

WHEREAS, there has been a request from the Circuit Court to seek Board approval and a signature for the FY23 Adult Recovery Court Contract with Van Buren Community Mental Health, and;

WHEREAS, the Van Buren County Adult Recovery Court and Van Buren Community Mental Health will continue their long-standing relationship. The Van Buren County Adult Recovery Court will reimburse Van Buren Community Mental Health up to \$55,000 for the Subrecipient's expenses under this contract, and;

NOW THEREFORE, BE IT RESOLVED that Van Buren County Commissioners approve by resolution the Adult Recovery Court Contract.

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

C. Annual Resolution for Continuation of the Collection of 911 Local Surcharge - Revised - EXPEDITED

Motion to rescind Resolution F9/3-14-2023 and approve corrected resolution.

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

FINANCE RESOLUTION F13/3-28-2023

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:

1. 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;
2. 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, 2023, through June 30, 2024, as approved by the voters of Van Buren County at the August 2020 Primary Election.
3. 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, 2023, through June 30, 2024, as approved by the voters in the August 2020 Primary Election.
4. 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 Gail Patterson-Gladney, Second by Richard Godfrey, Carried

10. Labor, Negotiations, and Contracts

A. **Cost Allocation Plan Service Agreement with Maximus

LABOR RESOLUTION L16/3-28-2023

WHEREAS, there has been a request to approve the renewal of the Cost Allocation Plan Service Agreement with Maximus, and;

WHEREAS, Maximus has historically provided the County with services to develop the cost allocation plan. This plan identifies various costs incurred by the County to support and administer Federal and State programs. This is a renewal of the existing agreement language. The term is for three years with annual billing, as has been done historically. The cost has not increased and is \$9,000/yr for a term total of \$27,000, and; NOW, THEREFORE BE IT RESOLVED THAT the Van Buren County Board of Commissioners approve the Cost Allocation Plan service agreement with Maximus.

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

B. **Wage Scale Placement - Chief Deputies

LABOR RESOLUTION L17/3-28-2023

WHEREAS, there has been a request to place the Chief Deputies on the Non-Union scale as they were removed from collective bargaining units beginning in 2023, and;

WHEREAS, during negotiations, the Elected Officials had a request to remove their Chief Deputies from AFCSME and this request was agreed upon by the union. Since they were previously placed on the AFSCME scale, there is a need for replacement to the Non-Union scale. We have gathered as much data from comparable counties as available to place these positions on appropriate ranges on the scale, and;

WHEREAS, the following recommendations based on the data are intended to be competitive with the comparable county's averages and provide no decrease in current wage for each of these employees:

- Chief Deputy Clerk: placed on the Non Union, R26F at \$31.91 hourly/\$62,229.96 annually.
- Chief Deputy Drain Commissioner: currently vacant; to be placed on the Non Union R26

range \ \$46,962.05 - \$63,984.96.

- Chief Deputy Register of Deeds: placed on the Non Union R25F at \$29.57 hourly/\$57,666.18 annually.

- Chief Deputy Treasurer: placed on the Non Union R26G at \$32.63 hourly/\$63,635.13 annually.

NOW, THEREFORE BE IT RESOLVED THAT the Van Buren County Board of Commissioners approve the wage scale placement for the Chief Deputies.

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

C. **MERS Resolution Establishing Authorized Signatories - EXPEDITED**

LABOR RESOLUTION L18/3-28-2023

WHEREAS, the request is to authorize the positions of County Administrator, Finance Director or Board Chairman to be an authorized signatories for MERS Contracts and Service Credit Purchase Approvals, and;

WHEREAS, previously, the Board approved the position of County Administrator to sign contracts and Service Credit Purchase Approvals on Van Buren County's behalf.

Considering the vacant County Administrator position, we currently do not have any positions within the County authorized to sign MERS documents on the County's behalf, and;

NOW, THEREFORE BE IT RESOLVED THAT the Van Buren County Board of Commissioners approve the request to authorize the positions of County Administrator, Finance Director or Board Chairman to be an authorized signatories for MERS Contracts and Service Credit Purchase.

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

11. Public Comment

12. Treasurer's Monthly Report

A. Treasurer's Monthly Report

Treasurer Trisha Nesbitt and Steve Kirinovic from Maner-Costerisan presented the Treasurer's update. The request for an audit extension has been prepared and will be sent upon signature. The Board will continue to receive an update at each meeting.

13. Chairman's Update

Discussion to fill the permanent IT Director position. The County Administrator fills that position, therefore it is necessary to amend the contract with John Faul to be an Interim County Administrator instead of a Consultant. The current Interim IT Director, CJ Johnson, is being recommended for the permanent position.

Motion to amend the contract with John Faul to change the position from Consultant to Interim County Administrator to allow him to fill the IT Director position at an appropriate wage classification.

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

The County has contracted with Walsh Municipal Services for a County Administrator Search and a wage recommendation is required. A comparable wage study was done and the average is \$141,989.76.

Motion to set the County Administrator's wage recommendation at \$142,000.00 annually.
Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

14. Board Correspondence

A. Tuscola County Resolution

15. Closed Session

16. Adjournment

The meeting was adjourned at 03:27 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk