



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

June 27, 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 02:28 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, Mike Chappell, Kurt Doroh, Richard Godfrey, Randall Peat, Tina Leary, 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.

Motion to approve the agenda as presented.
Motion by Mike Chappell, Second by Kurt Doroh, Carried
6. Approval of Minutes

A. **June 11th, 2023 Board of Commissioners Minutes
Motion by Mike Chappell, Second by Kurt Doroh, Carried
7. Public Comment
8. Administrative Affairs

A. **Appointment to the Palisades Community Advisory Panel - John Lewandowski
ADMINISTRATIVE AFFAIRS RESOLUTION A32/6-27-2023
WHEREAS, there has been a request to approve the appointment of John Lewandowski to the Palisades Community Advisory Panel, and;
WHEREAS, the Board of Commissioners previously selected Peter TerLouw, the Southwest Michigan Land Conservancy's executive director, to serve as the representative of a Southwest Michigan-based conservation/environmental organization as required by

the charter of the PCAP.

WHEREAS, Peter has stepped down from the Southwest Michigan Land Conservancy, and the organization has recommended that John Lewandowski, a member of the Southwest Michigan Land Conservancy board, be appointed as his replacement, and; WHEREAS, while certain categories of PCAP members may appoint organizational designees without the approval of the Board of Commissioners, the appointment of the required member from a Southwest Michigan-based conservation/environmental organization must be approved by the Board of Commissioners, and; NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the appointment of John Lewandowski to the Palisades Community Advisory Panel.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. ****Appointment to the Parks Commission - Daywi Cook**

ADMINISTRATIVE AFFAIRS RESOLUTION A33/6-27-2023

WHEREAS, there has been a request to approve the appointment of Daywi Cook to the Parks Commission, and;

WHEREAS, Ms. Daywi Cook is seeking appointment to the Parks Commission for a three-year term set to expire on December, 31st 2026.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the appointment of Daywi Cook to the Parks Commission for a three-year term set to expire on December 31, 2026.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

C. **VBEMS Contract Amendment**

ADMINISTRATIVE AFFAIRS RESOLUTION A34/6-27-2023

WHEREAS, there has been a request to amend the VBEMS Ambulance Services contract to expand the geographical service effective June 16, 2023 and include all of Arlington Township, Bangor City, Bangor Township, Hartford City and Hartford Township and to terminate the Pride Care Ambulance Services effective June 15, 2023, and; WHEREAS, the local units of government (Arlington Township [partial], Bangor City, Bangor Township, Hartford City, Hartford Township) have requested VBEMS to assume ambulance services paid through the Ambulance millage effective June 16, 2023. VBEMS will replace Pride Care whose service agreement expires June 15, 2023. There will be no gap in ambulance service coverage, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the amending of the VBEMS Ambulance Services contract to expand the geographical service effective June 16, 2023 and include all of Arlington Township, Bangor City, Bangor Township, Hartford City, and Hartford Township and to terminate the Pride Care Ambulance Services effective June 15, 2023.

Motion by Kurt Doroh, Second by Mike Chappell, Carried

9. **Buildings and Grounds**

A. ****Use of County Property - Paw Paw Days 2023**

BUILDINGS & GROUNDS RESOLUTION B11/6-27-2023

WHEREAS, there has been a request from the Paw Paw Area Chamber of Commerce to use County property from July 21st – July 22nd for the 2023 Paw Paw Days event. The event will begin at 12:00p.m. and end at 6:00p.m. It is being requested to use the VBC park on Friday and Saturday, and is requesting the parking lot of the County Administration Building on Saturday only, and;

WHEREAS, activities will be set up in downtown Paw Paw for the weekend of July 21st

and 22nd. At this time, it is being organized to host a classic car show, arts and crafts fair, and kid's play area for that Saturday, and;

WHEREAS, the Chamber of Commerce is requesting the use of the County Park, its electric and water services from 12:00p.m. Friday, July 21st until 6:00p.m. Saturday, July 22nd. It is being requested to also utilize the County Administration parking lot from 5:30 a.m. to 6:00 p.m. on Saturday July 22nd, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the request to use County property for the 2023 Paw Paw Days event.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. HSW-USDA Lease - EXPEDITED

BUILDINGS & GROUNDS RESOLUTION B12/6-27-2023

WHEREAS, the request is to authorize John Faul, County Administrator, to act on behalf of the County for the submission of USDA Request for Lease Proposals No. 57-26159-20-FA Paw Paw, MI, and;

WHEREAS, the USDA is slightly reducing the area necessary to lease at the Human Services West Building, which requires us to submit Amendment #6. This Amendment includes updated drawings and cost estimates. To submit the requested Amendment, they are also asking for proof of authority to show that the Administrator is authorized to act on behalf of the County for the purposes of this proposal. This authorization will apply to the submission of the lease proposal only. If it is accepted, the actual lease will be brought to the Board for formal approval, and;

WHEREAS, the ten year lease will require building improvements, which will be reimbursed over the first 5 years of the lease. This reimbursement will be in addition to the rent. For the first five years, we will receive approximately, \$270,000. For the remaining five years we will receive approximately \$170,000, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the authorization of John Faul, County Administrator, to act on behalf of the County for the submission of USDA Request for Lease Proposals No. 57-26159-20-FA Paw Paw, MI.

Motion by Tina Leary, Second by Gail Patterson-Gladney, Carried

10. Finance

A. **Claims

CLAIMS RESOLUTION C8/6-27-2023

WHEREAS, claims in the amount of \$2,134,334.30 for May 2023 were submitted and reviewed, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the total claims in the amount of \$2,134,334.30 for the month of May 2023.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

11. Labor, Negotiations, and Contracts

A. **Circuit Court - Position Elimination (Law Clerk) Position Creation (Staff Attorney)

LABOR RESOLUTION L30/6-27-2023

WHEREAS, there has been a request from the Court to eliminate the Law Clerk position and instead, create a staff attorney position, and;

WHEREAS, the Law Clerk position has been open and advertised for a period of 1 year. The court has received an unusually low number of qualified candidates. As a result, the listing was extended to the bar association, SCAO, and LinkedIn. Judge DiStefano, Joe Gallmeyer, and Natalie Dean also attended the MSU Job Fair in early 2023 to meet with eligible law school candidates and, as a result, ended up with one candidate who declined the court's offer for a more lucrative, permanent position with a private law firm, and;

WHEREAS, upon exploring how other counties are filling this position, it was relayed by other court administrators that the temporary nature of this position, combined with the low salary, was most likely the culprit for the lack of applicants. More and more courts are moving away from law clerk positions by replacing them with other full-time, permanent attorney positions due to the fact that it has fallen out of vogue for newly graduating law students to enter into a clerkship prior to settling into a career, and;

WHEREAS, as a result of these factors, and the extreme rise in felony cases and trials, the court is asking to remove the 1–2 year Law Clerk position and replace it with a full-time staff attorney position. The staff attorney would have the responsibility of preparing legal memoranda and drafts with proposed opinions and orders for judges, as well as performing real-time legal research during trials as needed, and;

WHEREAS, this position will be placed in the R29 pay range (\$58,172.01-\$79,689.09), as reviewed by Human Resources and researched comparisons with other courts who have like positions as shown below:

Isabella Law Clerk (permanent) \$58,517.35-\$72,323.63
Cass Staff Attorney \$68,142.12-
Travers City Staff Attorney \$49,344.00-\$71,322.00
Allegan Staff Attorney \$61,609.60-\$83,054.40
Shiawass Staff Attorney \$61,780.99-\$75,571.39

WHEREAS, there will be an overall increase to the budget of \$15,500 per year, with fringes, to instate this new position. This fiscal year, the cost will be easily absorbed through the current budget since a Law Clerk was not hired, and that money was not spent. Next year, the SCAO grant the courts received for the felony load will absorb this cost as well. In following years, the added cost will be absorbed by the budget unless future grants are offered. There will be no financial impact on the general fund for year 1 (Law Clerk budgeted but not hired). The impact in year 2 should be absorbed through the SCAO grant given to the Courts. Year 3 will impact the budget by \$15,500, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the elimination of the Law Clerk position and creation of the Staff Attorney position on the R29 Court Association scale.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. Specialty Courts Administrator Salary Exception EXPEDITED

LABOR RESOLUTION L31/6-27-2023

WHEREAS, there has been a request approve an expedited salary exception for the candidate chosen to be the Specialty Court Administrator, at the R34D step of \$88,618.14 annually, and;

WHEREAS, the Specialty Courts Administration position has effectively been vacant since March 30, 2023. After posting and conducting interviews, we identified a highly qualified candidate with over a decade of supervisory experience. This candidate also has extensive experience in substance use and mental health disorder and is a licensed Master Social Worker. Rachel Lindley, the former Specialty Court Administrator, knows the caliber of his work and he comes highly recommended, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the salary exception for the candidate chosen to take the Specialty Courts Administrator position, at the R34D step of \$88, 618.14 annually.

Motion by Richard Godfrey, Second by Kurt Doroh, Carried

12. Public Transit

A. **MDOT Contract 2017-0136/P8

TRANSIT RESOLUTION T4/6-27-2023

WHEREAS, there has been a request to approve a one-year contract renewal for bus replacements. Contract 2017-0136/P8 is set to expire on July 6, 2023, and;
WHEREAS, the MDOT contract 2017-0136/P8 is for funding for replacement buses. The buses were ordered in 2021, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the MDOT Contract renewal.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

B. **MDOT Contract 2017-0136/P9

TRANSIT RESOLUTION T5/6-27-2023

WHEREAS, there has been a request to approve a one-year contract renewal for bus replacements. Contract 2017-0136/P8 is set to expire on August 30, 2023, and;
WHEREAS, the MDOT contract 2017-0136/P9 is for funding for replacement buses. The buses were ordered in 2021, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the MDOT Contract renewal.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

13. Veterans Services

14. Public Comment

15. Chairman's Update

A. **County Administrator Contract - Approval

The Board Chair had three updates:

- Broadband update and future contracts
- Village of Paw Paw ARPA request for Briggs Dam. Administrator Faul directed to give update on existing ARPA requests at next meeting
- Administrator Faul contract

LABOR RESOLUTION L32/6-27-2023

WHEREAS, the request is to approve the County Administrator contract with John Faul, and;
WHEREAS, at the June 5, 2023, Special Meeting of the Board of Commissioners, it was voted upon by the Board to select John Faul for the County Administrator position, and the Board Chair was authorized to negotiate a contract on the Boards behalf and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the contract with John Faul to serve as the Van Buren County Administrator and for the Board Chair to sign on the Board's behalf.

Motion by Mike Chappell, Second by Kurt Doroh, Carried

16. Board Correspondence

- A. Mackinac County Resolution
- B. Delta County Resolution
- C. St. Joseph County Resolution

17. Closed Session

- A. Attorney Client Privileged Discussion Regarding Litigation: Wayside Church v Van Buren County

Motion to enter into closed session under Section 8e of the Open Meetings Act to discuss Wayside Church pending class action litigation.

Roll Call Vote: All Yes

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

Board went into closed session at 2:50 p.m.

Board returned from closed session at 3:16 p.m.

18. Adjournment

The meeting was adjourned at 03:18 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk