



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

October 24, 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 02:25 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
Remove Item 10C from consent 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 with Item 10C removed as a consent item.
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
6. Approval of Minutes

A. **October 10th, 2023 Board of Commissioners Meeting Minutes
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
7. Public Comment
8. Administrative Affairs

A. **MSU Extension Memorandum of Understanding 2023 - 2024
ADMINISTRATIVE AFFAIRS RESOLUTION A54/10-24-2023
WHEREAS, there has been a request for the Board of Commissioners to review the annual Memorandum of Agreement between Van Buren County and Michigan State University, and;
WHEREAS, the contract between MSU and Van Buren County for MSU Extension services in Van Buren County, which was approved in the MSU Extension 2024 County

General Fund Budget, includes the following:

Base assessment - \$67,925 (#101.0-710.00-801.000) 50% additional 4-H Educator - \$35,368 (#101.0-710.00-888.007) 35% additional agronomy educator and 50% Consumer (#101.0-710.00-888.009) Horticulture/Veterans Liaison - \$97,292 (#101.0-710.00-888.003)

Total Memorandum of Agreement \$200,585, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the annual Memorandum of Agreement between Van Buren County and Michigan State University and for the Board Chair to sign on the Board's behalf.

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

B. ****Appointment to the Building Authority - Robert Linderman**

ADMINISTRATIVE AFFAIRS RESOLUTION A55/10-24-2023

WHEREAS, there has been a request for the Board of Commissioners to approve the re-appointment of Robert Linderman to the Building Authority for a three-year term beginning January 1, 2024 and will expire December 31, 2026, and;

WHEREAS, the term of Robert Linderman as a member of the Building Authority Commission will expire on December 31, 2023 and Mr. Linderman has applied for a three-year term, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the re-appointment of Robert Linderman to the Building Authority for a three- year term starting January 1, 2024, and will expire on December 31, 2026.

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

9. **Buildings and Grounds**

A. ****Historical Museum**

BUILDINGS & GROUNDS RESOLUTION B16/10-24-2023

WHEREAS, there has been a request for the Board of Commissioners to accept a donation from the Van Buren Historical Society in the amount of \$33,442 as pass through funds to complete a project at the Historical Museum, and;

WHEREAS, the Van Buren Historical Society voted to donate \$33,442.00 to Van Buren County. (Funds were donated to them after the storm.) The money will be used to repair the additional exterior soffit and fascia not covered by MML. The work will be done by VanDam and Krusinga, on-site contractors. The price is not to exceed \$33,442.00, and; WHEREAS, the funds will be receipted into the Buildings and Grounds revenue account # 101.0-265.00-001.000 to be distributed and paid out of # 101.0-265.00-930.913, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the donation from the Van Buren Historical Society in the amount of \$33,442 as pass through funds to complete a project at the Historical Museum.

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

B. ****2023 - 2024 Snow Bids**

BUILDINGS & GROUNDS RESOLUTION B17/10-24-2023

WHEREAS, the request is for approval of the snow removal bids as recommended by the Buildings & Grounds Director for the 2023 – 2024 snow season, and;

WHEREAS, the Van Buren County Board of Commissioners requested bids for the 2023 - 2024 seasonal snow removal for designated locations. Two bids were received for the 13 locations. The Buildings & Grounds Director, John Small, reviewed all the snow removal bids that were submitted, and the following is his recommendation:

Lawn Boys South Haven – Courthouse \$5,200.00

Lawn Boys Paw Paw – Human Services East, Hazen St, B&G \$6,000.00
Kusmack Lawncare Paw Paw – Courthouse / Annex \$8,000.00
Kusmack Lawncare Paw Paw – Admin Building / Niles St. Lot \$4,900.00
Kusmack Lawncare Paw Paw – Sheriff's Lot \$4,000.00
Lawn Boys Hartford – Animal Control and Gun Range \$3,700.00
Lawn Boys Museum Historical Society \$1,200.00
Lawn Boys Hartford – DHS & Health Department \$28,000.00
Kusmack Lawncare Veterans Services Sidewalks \$600.00
Kusmack Lawncare Friend of the Court Sidewalks \$600.00
Kusmack Lawncare VBC 315 Kalamazoo Street \$1,800.00
Lawn Boys Storage Building CR. 681 \$1,200.00
Total: \$65,200.00

WHEREAS, the funds will be used from GL # 101.0-265.00-801.000 (Buildings and Grounds – Contracted Services), and;
NOW, THEREFORE BE IT RESOLVED, the Van Buren County Board of Commissioners hereby approves the snow removal bids as recommended above by the Buildings & Grounds Director for the 2023–2024 season.

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

C. ****Use of County Property - Arts & Crafts Fair**

BUILDINGS & GROUNDS RESOLUTION B18/10-24-2023

WHEREAS, there has been a request for the Board of Commissioners to approve the use of the Park area, Courthouse parking lot and the grassy area between St. Joseph St. and Berrien St. during the 2024 Wine and Harvest, and;

WHEREAS, the Paw Paw Service League is a nonprofit organization committed to fund-raisers to be allocated to community needs, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the use of the park area, Courthouse parking lot, and the grassy area between St. Joseph St. and Berrien St. during the 2024 Wine and Harvest Festival.

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

10. Finance

A. ****Claims**

CLAIMS RESOLUTION C12/10-24-2023

WHEREAS, claims in the amount of \$8,077,784.95 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 \$8,077,784.95 for the month of September 2023 .

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

B. ****Operations Payment for West Michigan Regional Veterans Treatment Court**

FINANCE RESOLUTION F47/10-24-2023

WHEREAS, there has been a request for the Board of Commissioners to review and discuss a \$5,000.00 distribution to the West Michigan Regional Veterans Treatment Court, and;

WHEREAS, after a presentation from Judge Baillargeon on the West Michigan Regional Veterans Treatment Court, a request was made for \$5,000 to fill a gap in operational funds, and;

WHEREAS, the \$5,000.00 could be paid from the Specialty Court Reserve Fund. This fund

was established in 2017 with the intent of filling the gaps and assisting in obtaining grants for the Van Buren Specialty Courts. The original Fund balance was \$250,000. The remaining balance is approximately \$160,000, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves a \$5,000 distribution to the West Michigan Regional Veterans Treatment Court from the Specialty Courts Reserve Fund.

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

C. ****ARPA - Digitization Project**

This item was removed from consent agenda for discussion.

FINANCE RESOLUTION F48/10-24-2023

WHEREAS, there has been a request on behalf of the Courts and Sheriff's Department to digitize Court and Sheriff/Jail files currently housed in the MDOC-occupied portion of the courthouse basement, as well as the Sheriff's files are currently housed in the basement of the sheriff's house. The total cost for the entire project is \$491,925.62 as quoted by Applied Innovation/Graphic Sciences, and;

WHEREAS, as technology has advanced, it has become imperative for organizations to adapt to these changes and transition from traditional paper-based systems to digital platforms. This is especially true for the legal system, where the sheer volume of paper files and documents can become overwhelming, making it difficult for the community and staff to locate and access critical information when required, and;

WHEREAS, unfortunately, we are also dealing with aging buildings that experience decay, mold and burst pipes-all of which could destroy files that the county is required to keep safe, and;

WHEREAS, the digitization of court and sheriff files is imperative to the county for several reasons:

1. Efficiency: The process of researching and gathering information from paper-based legal files is often lengthy and can be time-consuming, causing significant delays. Digitizing these files will allow for easy accessibility and retrieval of information, enhancing efficiency in the system. Furthermore, digitization will help reduce the amount of physical space required to store paper files, freeing up valuable space and resources. With the dramatic rise in criminal cases, the state has authorized several new positions for MDOC; however, there is no office space left in the building.

2. Data Security: While paper court files may seem more secure as they are physical documents, they are at risk of damage or disastrous loss in case of fire or natural disasters. Digitizing legal files will enable the creation of secure backups stored in secure databases (like OnBase), ensuring quick and safe document retrieval in case of any unforeseen circumstances.

3. Cost Savings: Digitizing legal files will help the Sheriff's department and the court, as it substantially reduces operating costs associated with physical storage and maintenance of files. It will eliminate staff time and shredding service fees due to annual retention periods.

4. Fully Utilizing Resources: The court has already invested in the data management system, OnBase. This software/DMS system was purchased when Friend of the Court went digital with their files. The IT department has discovered that the county is paying for several licenses in OnBase that are underutilized, which could be used in other departments as files become digitized, and;

WHEREAS, OnBase is the preferred data management system for the state, as MiFile will also use this system as it becomes integrated into the courts. Applied Innovation/Graphic Sciences is a known provider to the court and, together, they digitize and configure files into the OnBase system. They entered the state bidding process and were awarded a state contract for this type of work; therefore, all county, court, and sheriff departments are confident that the county is receiving the most cost-efficient pricing available for the type of work that is needed, and;

WHEREAS, the financial impact on the County of digitizing both Probate/Juvenile Court files, Sheriff's and jail files is quoted as \$491,925.62 as quoted by Applied Innovation/Graphic Sciences. It is recommended that this expense be paid through ARPA and/or CIP, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the request to digitize both Probate/Juvenile court files, Sheriff's and jail files as quoted by Applied Innovation/Graphic Sciences for the sum of \$491,925.62.

Motion by Richard Godfrey, Second by Tina Leary, Carried

D. ****2023 Emergency Management Performance Grant Packet**

FINANCE RESOLUTION F49/10-24-2023

WHEREAS, there has been a request to approve the 2023 EMPG and 2021 EPMG ARPA grant from FEMA via the MI State Police in the total amount of \$25,402.00, and;

WHEREAS, the 2023 Emergency Management Performance Grant and 2021 EPMG American Rescue Plan Act allocation is 30.01247% of the Subrecipient's (Van Buren County) Emergency Program Manager's (Coordinator's) salary and fringe benefits, and; WHEREAS, the 2023 EMPG and 2021 EMPG ARPA Grant Packet was also emailed to Finance Operations Manager Rebekka Garvison on 10/3/23 for review with a clarification email from the Michigan State Police Emergency Management and Homeland Security Division, and;

WHEREAS, the 2023 Emergency Management Performance Grant and 2021 EPMG American Rescue Plan Act allocation is 30.01247% of the Subrecipient's (Van Buren County) Emergency Program Manager's (Coordinator's) salary and fringe benefits, and; NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the 2023 EMPG and 2021 EPMG ARPA grant from FEMA via the MI State Police in the total amount of \$25,402.00, and for the Board Chair to sign on the Board's behalf (as the Chief Elected Official).

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

E. ****2023 Apportionment Report**

FINANCE RESOLUTION F50/10-24-2023

WHEREAS, it is the statutory duty of the Van Buren County Board of Commissioners, under P.A. 87 of the M.C.L.A. 46.1 at its annual session in October of each year to ascertain, determine and apportion such amounts as directed by 211.37 of the General Property Tax Law, and;

WHEREAS, the Van Buren County Board of Commissioners does hereby certify that the governing body of each taxing jurisdiction has reduced their millage as required in Sec. 24 (e) and Sec. 34 (d), General Property Tax Laws, and Article 9 of the State Constitution of 1963, and;

WHEREAS, the Van Buren County Board of Commissioners authorizes and direct that all 2023 property taxes in Van Buren County be spread as one total sum for each taxing unit, and;

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners does hereby adopt the Van Buren County Tax Report of 2023 and the apportionment and millage of taxes to be spread in accordance with the statute in such case made and provided as evidence by exhibits attached hereto and made a part of, and; BE IT FURTHER RESOLVED that statement of the explanation of the Tax Rate for each separate tax in the various units is attached to the Tax receipt in accordance with Sec. 21.39 of the General Property Tax Law.

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

F. ****2023 Drain and Lake Level Assessments**

FINANCE RESOLUTION F51/10-24-2023

WHEREAS, the Drain and Lake Level Special Assessment Rolls for the year 2023 are dated, signed, and filed in the office of the County Clerk by the Van Buren County Drain Commissioner, and;

WHEREAS, the total for the Drain and Lake Level Special Assessment Rolls is \$644,145.41 representing drain and lake level projects and maintenance work performed, and;

WHEREAS, these Drains and Lake Level Special Assessment Rolls are to be spread on the various tax rolls of the appropriate townships, cities, villages in Van Buren County, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby moves to accept the 2023 Drain and Lake Level Special Assessment Rolls totaling \$644,145.41 and authorizes the spread of the project special assessments to the various municipalities involved.

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

11. Labor, Negotiations, and Contracts

A. ****Rose Street Benefit Consulting Services Agreement - Renewal**

LABOR RESOLUTION L36/10-24-2023

WHEREAS, there has been a request to renew our employee benefit consulting agreement with Rose Street Advisors for another three years, and;

WHEREAS, our current agreement with Rose Street Advisors expires on December 31, 2023. Rose Street helps with strategic planning and development of Van Buren County's health and welfare program including medical, prescription drug, dental, life, disability, vision, flexible spending accounts, and wellness components. Rose Street advises Van Buren County as to the tactical and operational components necessary to support current and future objectives relative to the program's design, implementation, administration, maintenance and management, and;

WHEREAS, Rose Street Advisors have increased their monthly fee from \$3,000 to \$3,500. This fee is incorporated in our Blue Cross Blue Shield invoices, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby approves the agreement with Rose Street Advisors for another three years to expire December 31, 2026.

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

B. **Salary Exception - Director of Finance - EXPEDITED**

LABOR RESOLUTION L37/10-24-2023

WHEREAS, there has been a request to approve an expedited salary exception for the Director of Finance in an unclassified position at the rate of \$132,000 annually, and;

WHEREAS, the Finance Director position has effectively been vacant since September 14, 2023. After posting and conducting interviews, we identified a highly qualified candidate with 17 years of experience in both private and public sectors. Specifically, for public finance experience, the candidate was the Finance Director for a local unit of government for 5 years. They have given a very positive review. The candidate is a CPA with extensive knowledge of BS&A, budget development, audit compliance, accounts payable/receivable, payroll, etc., and;

WHEREAS, we have researched alternative costs, should we want to outsource this position. It is significantly more expensive to outsource with less leadership and services provided. Having an on-site in-house Director is very important for budget development and audit compliance throughout the County, and;

WHEREAS, the position was budgeted for \$122,000. Because of the vacancy, the increased salary will be absorbed into this year's budget, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby approves an expedited salary exception for the Director of Finance in an unclassified position at the rate of \$132,000 annually.

Motion by Richard Godfrey, Second by Kurt Doroh, Carried

12. Public Transit

13. Veterans Services

14. Commissioners' Update

15. Chairman's Update

16. Board Correspondence

A. Ottawa County Resolution

B. Lenawee County Resolution

17. Closed Session

A. Attorney Client Privileged Discussion Regarding Litigation: New Covert Generating Company (NCG) v Van Buren County

Motion to enter into closed session under Section 8e of the Open Meetings Act to discuss New Covert Generating Company pending litigation.

Roll Call Vote: All Yes

Motion by Mike Chappell, Second by Kurt Doroh, Carried

Board went into closed session at 2:59 p.m.

Board returned from closed session at 4:01 p.m.

18. Public Comment

19. Adjournment

The meeting was adjourned at 04:03 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk

