



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

November 14, 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 02:31 PM by Paul Schincariol, Vice-Chairman of the Board.
2. Recital of the Pledge of Allegiance / Prayer
Invocation given by Commissioner Patterson-Gladney.
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, Richard Godfrey, Tina Leary, and Paul Schincariol. Randall Peat and Kurt Doroh absent and excused.
4. Additions/Deletions to the Agenda
Add Item 6A to 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 as amended.
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
6. Approval of Minutes

A. October 24th, 2023 Board of Commissioners Meeting Minutes
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
7. Public Comment
8. Administrative Affairs

A. **Kal-Haven Trail - Nichol's Covered Bridge Resolution
ADMINISTRATIVE AFFAIRS RESOLUTION A56/11-14-2023
WHEREAS, the Kal-Haven Trail State Park (KHT), dedicated in 1989, is a 33.5-mile-long trail connecting Kalamazoo with South Haven in the State of Michigan, and;
WHEREAS, over 30 years ago, the Kal-Haven Trail bridge across the Black River became a covered bridge in 1990 through the generosity of the Nichols Family, where that covered bridge is internationally known as the Nichols Covered Bridge, and;
WHEREAS, in 2019, the Kal-Haven Trail became the site of Michigan's first Trail Heritage

project for which 31 interpretive signs were installed along the Kal-Haven Trail for users to learn about the area's natural and cultural history and resulting in the Kal-Haven Trail winning national and regional awards, and;

WHEREAS, in May of 2019, South Haven was one of the first four communities to be awarded the designation as a Pure Michigan Trail Town because of trails like the Kal-Haven Trail, and;

WHEREAS, in February 2020, the Kal-Haven Trail was awarded the designation of Pure Michigan Trail, and;

WHEREAS, in the Fall of 2022, the iconic Nichols Covered Bridge of the Kal-Haven Trail was the cover photograph for Pure Michigan, and;

WHEREAS, the portion of the Kal-Haven Trail from the Nichols Covered Bridge to the City of South Haven receives, on average, 15,000 users per year, and;

WHEREAS, the South Haven Van Buren County Convention And Visitors Bureau hosts an annual trail education day with South Haven Public School elementary students, and;

WHEREAS, the Nichols Cover Bridge of the Kal-Haven Trail is in tens of thousands of personal and professional photographs, websites and tourist guides because its charm that draws visitors and residents alike to the iconic bridge year round, and;

WHEREAS, the Nichols Cover Bridge of the Kal-Haven Trail is one of only 12 covered bridges in the State of Michigan according to Pure Michigan, and; WHEREAS, the City of South Haven has committed by adopting the 2023-2027 Parks & Recreation Master Plan to continue to grow these trail assets, and to develop a cohesive marketing strategy to promote their trails that includes the Kal-Haven Trail, and;

WHEREAS, in October 2022, it was learned that the Kal-Haven Trail would have trail resurfacing from the west end in South Haven to Bloomindale, including the removal of the Nichols Covered Bridge and replacement of it with another bridge that was not covered, and; WHEREAS, in March 2023, the Michigan Department of Natural Resources (MDNR) issued a bid for the Kal-Haven Trail work that included resurfacing and bridge removal and replacement, and;

WHEREAS, in the MDNR's July 13, 2023, Press Release, the MDNR stated that the Nichols Covered Bridge would be replaced with an uncovered bridge, but "committed to working together in the future on a cover for the bridge", and;

WHEREAS, on September 6, 2023, as part of the permitting process for bridge work for the Kal-Haven Trail over the Black River, the Department of Environment, Great Lakes, and Energy issued a public notice that closes September 26, 2023, and; WHEREAS, the County of Van Buren recognizes that a covered bridge similar in nature and character to the Nichols Bridge adds enrichment to the experience of anyone using the Kal-Haven Trail and such an experience draws residents and visitors to the County of Van Buren that is very near the west trailhead of the Kal-Haven Trail and through which users of the Kal-Haven Trail must go in order to access the Van Buren Trail State Park, and;

NOW, THEREFORE BE IT RESOLVED, that the County of Van Buren supports the construction of a covered bridge for the section of the Kal-Haven Trail that spans the Black River to provide users an experience similar to what they were experiencing since the construction of the Nichols Covered Bridge.

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

B. Family Court Awareness Month 2023

ADMINISTRATIVE AFFAIRS RESOLUTION A57/11-14-2023

WHEREAS, the purpose of Family Court Awareness Month is to increase awareness of the importance of a family court that prioritizes child safety, recognizes the unique circumstances and needs of each child and family, and makes decisions based on the best interests of each child; and;

WHEREAS, the family court handles more than 50% of all circuit court cases filed in Michigan. The 36th Circuit Court is a court that values justice, integrity, and innovative thought to provide permanency and stability for each child. We recognize the need for a dedicated family court judge, referees, and court professionals who empathize with the

needs of the families and children of Van Buren County; and,
WHEREAS, the Van Buren County Family Court recognizes that families have complex situations and multiple cases. Our structure ensures that each family has one judge who provides consistency and understands the family's dynamics assigned to all cases involving the family; and,
WHEREAS, we recognize the impacts of domestic abuse and how it presents within the family court; and,
WHEREAS, we recognize the importance of specialized education for judges, referees, and court professionals in the areas of domestic abuse, childhood trauma, substance abuse, mental health, and service availability; and,
WHEREAS, we value education on the proper application of evidence-based, peer-reviewed research, and application of existing laws regarding families and children to ensure that the children's best interests are considered in every decision made by a family court; and,
WHEREAS, the Family Court strives to serve as a resource to the citizens of Van Buren County through our specialty court Family Reunification Court, and through active participation in the Child and Parent Legal Representation and Quality Legal Representation grants which facilitate additional training for family court attorneys and provide services to children and families even before a case is received by the court; and,
WHEREAS, during Family Court Awareness Month, the 36th Circuit Court – Family Division seeks to continue to improve the family court system through continuing education; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, do hereby proclaim November 2023 as Family Court Awareness Month in Van Buren County.

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

9. Buildings and Grounds

10. Finance

A. **Juvenile Court FY 24 Child Care Fund

FINANCE RESOLUTION F52/11-14-2023

WHEREAS, there has been a request to have the Board Chairperson sign the DHS-2091, and;

WHEREAS, the FY24 child care fund annual plan and budget has been approved by the Child Care Fund Monitoring Unit. The DHS-2091 form summarizes the childcare fund budget and has been signed by the Family Division Presiding Judge and the Van Buren County DHHS Director, and;

WHEREAS, the Chairperson of the Board is also asked to sign the form. This allows the county to receive reimbursement for childcare fund eligible expenses, and;

WHEREAS, this year the state's reimbursement has increased from 50% to 75% for the purpose of accommodating changes related to Juvenile Justice Reform which will be implemented in FY25, and;

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby approves of the Board Chairperson to sign the DHS-2091.

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

B. **Fiscal Year 2023/2024 - Grant Award Acceptance

FINANCE RESOLUTION F53/11-14-2023

WHEREAS, there has been a request from Circuit Court to seek Board approval and

signature for the FY23-24 grant contracts awarded to service the Specialty Court programs, and;
WHEREAS, Circuit Court respectfully requests a signature of approval from the Board to accept all grant awards. Signed copies of each grant contract are needed no later than November 17th, 2023. SCAO is requesting that all grants be signed electronically through Docusign. OJP is requesting that the grant be signed and accepted through their JustGrants system. MDOC requests signatures on paper contracts which will be submitted directly to the BOC, and;
WHEREAS, this year the State Court Administrative Office (SCAO) awarded Van Buren County a total of \$699,380 for the Drug Treatment Court, Family Treatment Court, Swift and Sure Sanctions Probation Program, Adult Recovery Courts and Sobriety Court. The acceptance of these awards will allow these programs to continue in 2023-2024, and;
WHEREAS, this year the Office of Justice Programs (OJP) has approved the application and awarded Van Buren County \$549,998 to enhance the Adult Recovery Court (Mental Health Court). The award project period is from 10/1/23 to 9/30/26 and funding will be used to offer treatment, peer support, housing assistance, and training for mental health court team members, and;
WHEREAS, this year, the Michigan Department of Corrections (MDOC) awarded Van Buren County a total of \$142,825 for the Office of Community Corrections. Michigan Department of Corrections funding will be utilized for pretrial supervision services, drug testing, Moral Reconation Therapy, and electronic monitoring, and;
WHEREAS, this year Southwest Michigan Behavioral Health has awarded Van Buren County a total of \$64,765 for substance use disorder services, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby approves the FY23-24 grant contracts awarded to the Specialty Court programs.

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

11. Labor, Negotiations, and Contracts

A. **Creation of Lead Clerk Position-District Court

LABOR RESOLUTION L38/11-14-2023

WHEREAS, there has been a request from District Court is requesting that a "Lead Clerk" position be created for each location-Paw Paw and South Haven. The position is to be bid among current District Court employees only; no new employees will be added, and;
WHEREAS, as the commission is aware, District Court, in both locations, have newer staff. We would like to create a "Lead Clerk" position in both locations whose primary responsibilities would be to train new clerks and ensure accuracy of district court files as they move through the system, and;
WHEREAS, the position would be posted only to district court staff and requires at least 3 years of experience in this court. The pay range would be R23 essentially giving a 1 or 2 pay grade raise (depending on current job title) to an employee who takes on added responsibility, and;
WHEREAS, the Trial Court Administrator, District Court Administrator, HR Director and the AFSCME union met, and the union approved the creation of this position. The District Court Judges and Chief Judge were also consulted and approved this plan. We feel this is a long-term and fiscally responsible solution to training in this fast-paced environment, and;
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners hereby approves the creation of the position of "Lead Clerk" in both the Paw Paw and South Haven District Court locations.

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

12. Public Transit

13. Veterans Services

14. Commissioners' Update

- Van Buren County Mental Health Authority
- Stay Well Program
- Jail Body Scanner
- Trees for Troops November 27th at 10 am
- Veterans Program December 21st at 3 pm
- Berrien County Parks millage

15. Chairman's Update

16. Board Correspondence

- A. Eaton County Resolution
- B. Livingston County Resolution
- C. Montcalm County Resolution
- D. Wexford County Resolution
- E. Wexford County Resolution

17. Closed Session

Motion to enter into closed session under MCL 15.268E to consult with attorney regarding trial or settlement strategy in connection with pending litigation with New Covert Generating that would have a detrimental effect if it were held in open session.

Motion by Tina Leary, Second by Mike Chappell, Carried

Roll Call Vote: All Yes

Board went into closed session at 2:44 p.m.

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

Motion to enter into engagement agreements with appraisers and engineers as proposed and recommended by legal counsel.

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

18. Public Comment

19. Adjournment

The meeting was adjourned at 03:21 PM.

Paul Schincariol, Vice-Chairperson

Suzie Roehm, County Clerk