



MINUTES

**Board of Commissioners Chambers
219 East Paw Paw Street**

May 14, 2024

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 04:13 PM by Randall Peat, Chairman of the Board.

2. Recital of the Pledge of Allegiance / Prayer

Invocation given by Commissioner Peat.

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, Randall Peat, Tina Leary, Paul Schincariol. Commissioner Kurt Doroh absent and excused. Commissioner Leary left the meeting at 4:23 p.m.

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 Gail Patterson-Gladney, Carried

6. Approval of Minutes

A. **April 23rd, 2024 Board of Commissioners Meeting Minutes

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

7. Public Comment

8. Administrative Affairs

A. **Community Corrections Advisory Board (CCAB) Appointment

ADMINISTRATIVE AFFAIRS RESOLUTION A24/5-14-2024

WHEREAS, there has been a request for the Board to approve the appointment of Karla Tankut and Judge Susan Metzger to the Van Buren County Community Corrections Advisory Board; and,

WHEREAS, the Van Buren County Community Corrections Advisory Board (CCAB) is required by statute to have a Probate Judge and defense attorney representative to serve

on the CCAB to be eligible for grant funding through the Michigan Department of Corrections Office of Community Corrections; and,
WHEREAS, due to the transitions of Retired Judge David DiStefano and Allegan County Public Defender Chad Catalino, we are recommending Karla Tankut and Judge Susan Metzger to fill the vacancies. Ms. Tankut is an ideal candidate due to her position with Van Buren County as Director of the Office of the Public Defender; and,
WHEREAS, Judge Susan Metzger was appointed to the bench in March 2024 and is currently serving as the Probate Judge. Judge Metzger has many years of experience working with Van Buren County as a defense attorney, serving on the Juvenile, FOC and Specialty Court roster; and,
NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approve the appointment of Karla Tankut and Judge Susan Metzger to the Van Buren County Community Corrections Advisory Board.

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

9. Buildings and Grounds

A. **Request to use County Property - Warner Vineyards

BUILDINGS AND GROUNDS RESOLUTION B5/5-14-2024

WHEREAS, there has been a request to approve the use of County Property for the Warner Vineyards Summer Concert Series overflow parking; and,
WHEREAS, Patrick Warner of Warner Vineyards, Inc. has requested use of the 3 paved, non-Sheriff, parking lots in Paw Paw for overflow parking during their summer concert series. The use would be 6 - 11pm, Friday & Saturday, May - September 2024; and,
WHEREAS, the concert series generates substantial economic benefits for the local businesses as people come to the concerts and visit stores, restaurants, etc.; and,
NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approve the request to allow Warner Vineyards to use County property as their overflow parking during their summer concert series.

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

B. **Consumers Energy Easement, 712 W. North St, Paw Paw MI

BUILDINGS AND GROUNDS RESOLUTION B6/5-14-2024

WHEREAS, there has been a request approve an easement to Consumers Power on County Property for the purposes of installing electric lines at Paw Paw Public Schools; and,
WHEREAS, in order to install electric lines for 712 W. North St., Paw Paw Michigan (Paw Paw Public Schools), Consumers Energy must secure permission to cross a portion of County property (801 Hazen St, Human Services East, Parcel ID: 80-47-581-033-55); and,
WHEREAS, they have requested use of their standard right-of-way easement form, which has been reviewed by Building & Grounds, GIS and the Register of Deeds. All have indicated their familiarity and approval of the form; and,
NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approve the request to approve an easement to Consumers Power on County Property for the purposes of installing electric lines at Paw Paw Public Schools.

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

10. Finance

A. **DCS - Comcast Subrecipient Agreement

FINANCE RESOLUTION F26/5-14-2024

WHEREAS, there has been a request approve the authorization for the Board Chair to sign the Comcast Subrecipient Agreement; and,

WHEREAS, the MEC ROBIN Grant was approved and expansion efforts have begun. Also, we have received a subrecipient agreement from Comcast to provide gap filling for unserved locations, which requires Board approval; and, WHEREAS, the cost for Comcast to provide gap filling for unserved locations is \$317,240 to come from designated ARPA funds; and,

NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approve the request to approve the authorization for the Board Chair to sign the Comcast Subrecipient Agreement.

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

B. ****Blight Elimination Round 4 Grant Agreement**

FINANCE RESOLUTION F27/5-14-2024

WHEREAS, the State Land Bank Authority opened a competitive round of blight elimination funding. The Village of Decatur submitted a \$3 million proposal for renovation of the Edgar Bergen Building located at 312 School Street for the VBLBA to review; and, WHEREAS, the Board unanimously voted to advance the project for submission and the SLBA approved the project. The grant provides an 8% administration fee reimbursement which will be used to cover the cost of the administration/project management contract with Fishbeck; and,

WHEREAS, the VBCLBA has informed the SLBA that multiple draws will be needed to fund the project. The county will not have to pay all fees associated with the project prior to reimbursement:

523.0-723.00-549.

523 523.0-723.00-965.009; and,

NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approves the authorization for the Chair of the Van Buren County Land Bank Authority to sign the grant agreement with the State Land Bank Authority.

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

C. **Parks Millage**

FINANCE RESOLUTION F28/5-14-2024

WHEREAS, act 261 of 1965 authorizes Michigan counties to create Parks and Recreation Commissions to manage recreation activities and develop park facilities. Van Buren County established its parks and recreation commission in August 2022; and,

WHEREAS, the next essential phase in developing county park and recreation amenities requires funding. Act 90 of 1913 facilitates County Commissions to fund parks and recreation through an ad valorem property tax, which must not exceed 1/4 of 1 mill unless approved by county voters; and,

WHEREAS, at the October 10, 2023, meeting of the Van Buren County Parks and Recreation Commission, a motion was unanimously passed to recommend that the Van Buren County Board of Commissioners adopt a .10 mill (1/10) tax levy, anticipated to generate approximately \$400,000 annually for parks and recreation; and,

WHEREAS, the determination of whether to apply this levy to summer or winter tax bills remains undecided, with a preference expressed for the winter billing for cost efficiency and simplicity for local units; and,

WHEREAS, millage will generate approximately \$400,000 for County Parks and Recreation; and,

NOW, THEREFORE BE IT RESOLVED, we, that the Van Buren County Board of Commissioners approves the timing to levy a County-wide Parks and Recreation millage and passes a resolution to implement the millage.

Motion by Mike Chappell, Second by Richard Godfrey, Carried

Yes: Gail Patterson-Gladney, Mike Chappell, Richard Godfrey, Randall Peat, Tina Leary

No: Paul Schincariol

11. Labor, Negotiations, and Contracts

12. Public Transit

13. Veterans Services

14. Commissioners Roundtable

- Veterans Fair
- MSU Extension programs
- Market One
- Open House

15. Chairman's Update

16. Board Correspondence

17. Closed Session

A. Attorney Client Privilege Discussion of Wayside v Van Buren County

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 Wayside Church that would have a detrimental effect if it were held in open session.

Motion by Mike Chappell, Second by Richard Godfrey, Carried

Roll Call Vote: All Yes

Board went into closed session at 4:26 p.m.

Board returned from closed session at 4:53 p.m.

Motion to sign engagement letter with Dykema Gossett for pending litigation.

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

18. Public Comment

19. Adjournment

The meeting was adjourned at 04:54 AM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk