



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

June 11, 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 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, 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.

Item 11A is removed from consent agenda.

Motion to approve the agenda as amended.
Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried
6. Approval of Minutes
 - A. May 28th, 2024 Board of Commissioners Meeting Minutes
Motion to approve the minutes of the May 28, 2024 Board of Commissioners meeting as presented.
Motion by Gail Patterson-Gladney, Second by Paul Schincariol, Carried
7. Public Comment
8. Administrative Affairs
 - A. **Out of State Travel Request - Prosecutors Office
ADMINISTRATIVE AFFAIRS RESOLUTION A29/6-11-2024
WHEREAS, there has been a request on behalf of Prosecuting Attorney Susan Zuiderveen to grant permission for herself and the assistant prosecutor, Rachel Keeley, to travel to

Texas for the Crimes Against Women and Children Conference, August 10th-16th, 2024; and,
WHEREAS, the conference will better equip us to handle child sexual assault and child abuse. Our caseload for child victims has increased significantly, and we have a daunting responsibility to be the voice of these children and give them justice; and,
WHEREAS, quality training in this area is one of Prosecutor Zuiderveen's top priorities and is crucial for the children of Van Buren County; and,
WHEREAS, the finances have already been allocated in our Employee Training budget. Therefore, it is not being asked for funds, but rather permission to travel out of the state; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the out-of-state travel request for the Prosecuting Attorney, Susan Zuiderveen, and the assistant prosecutor, Rachel Keeley to attend the Crimes Against Women and Children Conference August 10th – 16th, 2024 in Texas.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

B. ****Off Road Vehicle Ordinance**

ADMINISTRATIVE AFFAIRS RESOLUTION A30/6-11-2024

WHEREAS, there has been a request for the Board to approve the off road vehicle ordinance for municipalities throughout Van Buren County with the requested opt outs provided; and,

WHEREAS, to date we have received a couple of comments. One to remove the requirement for a 12' safety flag (Section 6-Operating Conditions, Section F). Others included clarifying modifications in the text from the Road Commission and the Parks Commission; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the off-road vehicle ordinance for municipalities throughout Van Buren County with the requested opt outs provided.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

C. ****Conservation District Resolution FY2025 Budget**

ADMINISTRATIVE AFFAIRS RESOLUTION A31/6-11-2024

WHEREAS, on February 7, 2024, Governor Whitmer released her Executive Budget Recommendation for fiscal year 2025 which included under the Michigan Department of Agriculture and Rural Development (MDARD) recommended budget a \$1,000,000.00 cut to Michigan Conservation District's operating budget; and,

WHEREAS, the fiscal year 2025 budget recommendation for MDARD also recommended the termination of local Conservation District Technicians who administer the Michigan Agriculture Environmental Assurance Program and replace them with 24 State employees; and,

WHEREAS, this recommendation undermines the local conservation delivery system led by local Conservation Districts covering all 83 Michigan counties using the voluntary, non-regulatory, educational approach used all across the country to address natural resources concerns at the local level; and,

WHEREAS, Michigan passed Public Act 297 of 1937 to establish Conservation District's as local units of State Government to work with landowners in every county to address natural resource concerns driven by a five member publicly elected Board of Directors. These Boards establish conservation priorities based on their local needs and voluntarily work with landowners to address critical natural resource concerns, the only organization that can do this on private land with the trust of the landowner; and, WHEREAS, Michigan Conservation Districts have been critically underfunded for decades. This has left many Conservation Districts without staff to implement programs or aid. Because of this, Michigan Conservation Districts experience high employee turnover which undermines the success of programs and the ability to administer assistance to the public; and,

WHEREAS, Michigan cannot effectively allocate federal funds from the Inflation Reduction Act and Title II of the Farm Bill due to the lack of funding provided by the State of Michigan. This leaves critical federal dollars on the table that is reallocated to other States that can deliver Farm Bill dollars more effectively; and,
NOW, THEREFORE BE IT RESOLVED, that the County of Van Buren requests that the FY 2025 budget maintain the operational budget for Michigan Conservation District's at \$3,000,000.00 and maintain the Michigan Agriculture Environmental Assurance Program (MAEAP) at its current capacity with local technicians employed by Conservation Districts. BE IT FURTHER RESOLVED, that the County of Van Buren implores the legislature to properly fund Michigan Conservation Districts and work with MDARD and the Michigan Association of Conservation Districts (MACD) to find or develop a restricted funding source to provide Conservation District's with a yearly allocation of \$13,000,000.00.
BE IT FURTHER RESOLVED, that copies of this resolution be provided to Governor Gretchen Whitmer, Senators Aric Nesbitt and Sean McCann, Representatives Pauline Wendzel and Joey Andrews as well as the Michigan Department of Agriculture and Rural Development Director Tim Boring and Deputy Director Kathy Angerer and the Michigan Association of Counties.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

D. ****Remonumentation Grant Administrator Appointment**

ADMINISTRATIVE AFFAIRS RESOLUTION A32/6-11-2024

WHEREAS, there has been a request for the Board to approve the appointment of Jerry Happel as the Van Buren County Remonumentation Grant Administrator; and,
WHEREAS, the Remonumentation Program, established under Act 345 of 1990, systematically monuments and remonuments original public land survey corners and key property markers. This ensures accurate documentation and maintenance, aiding in property boundary determination, infrastructure planning, and dispute resolution; and,
WHEREAS, the program creates a reliable foundation for land management and development, supporting a computerized mapping system for roads, utilities, and property lines; and,
WHEREAS, the Remonumentation Act requires the Board of Commissioners to appoint a County Grant Administrator for the implementation of the Remonumentation Plan; and,
WHEREAS, according to Michigan Compiled Laws Section 54.269a, the Grant Administrator must be appointed by the County Board of Commissioners to oversee the county's obligations and funds related to the Remonumentation Act; and,
WHEREAS, the Van Buren County Remonumentation Plan outlines that the Grant Administrator's responsibilities as: annually submitting a grant application and completion report to the State of Michigan Department of Licensing and Regulatory Affairs (LARA), selecting Monumentation Surveyors via a Qualification-Based Selection (QBS) process, submitting proposed contracts for County Board approval, and recommending payments to surveyors. This role is crucial for securing funding and ensuring efficient program execution; and,
WHEREAS, the Remonumentation Committee supports the appointment of Mr. Happel because of his experience in the same role for St. Joseph County; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the appointment of Jerry Happel as the Van Buren County Remonumentation Grant Administrator.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

9. **Buildings and Grounds**

A. ****Use of County Property - 2024 Arts & Crafts Fair**

BUILDINGS AND GROUNDS RESOLUTION B8/6-11-2024

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

WHEREAS, the Festival is an annual event that attracts over 50,00 people the weekend after Labor Day. The Arts and Crafts show is run by the Paw Paw Service League, who uses the dollars to fund their projects for the community throughout the year. The dates are September 6th - 8th, 2024; and,

WHEREAS, all funds are dispersed to various needs in the local community. Our festival has an economic impact of an estimated \$3.5 million on the community. Over 25 non-profit organizations participate each year, raising over \$50,000 for their projects; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approve the request to use County property for the Arts and Crafts Fair during the September 6th – 8th, 2024 Wine and Harvest Festival from 9:00AM – 4:00PM.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

10. Finance

A. **2024 L-4029 Tax Rate Request

FINANCE RESOLUTION F33/6-11-2024

WHEREAS, the request is to review and approve the 2024 Tax Rate Request, Michigan Department of Treasury Form L-4029 as prepared by Equalization Director, Anthony Meyaard; and,

WHEREAS, the annual tax rate request form needs to be approved, signed, and submitted to the Michigan Department of Treasury by the end of June 2023; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the 2024 Tax Rate Request Form L-4029 as presented and approves the Board Chair to sign on the Board's behalf.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

B. **Sheriff's Office - Radio Purchase

FINANCE RESOLUTION F34/6-11-2024

WHEREAS, the request is to purchase three mobile radios for patrol vehicles; and,

WHEREAS, this is a regularly scheduled purchase to replace or add radios to the existing fleet of patrol cars; and,

WHEREAS, the cost is \$21,081.06 to be paid out of line item 101.0-302.00-980.009; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the purchase of three mobile radios for patrol vehicles.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

11. Labor, Negotiations, and Contracts

A. **Appellate Attorney Position - Prosecutors Office

This item was removed from consent agenda. Discussion of this being a contracted position. Prosecutor Zuiderveen and Assistant Prosecutor Robinson present and opposed to contracted position. Discussion if this could be a hybrid position of remote and in office work and where a work space could be provided.

LABOR RESOLUTION L12/6-11-2024

WHEREAS, the request is for the Prosecutors Office to hire an appellate attorney; and,

WHEREAS, the increase in jury trials has increased our work load tremendously. A verdict

of guilt gives defendants the right to appeal to the Court of Appeals. Defense appeals are handled by SADO (State Appellate Defender's Office), not the P.D.'s office; and, WHEREAS, the Prosecutor's Office handles all appeals for the People. Trials doubled from 2022 to 2023. Currently, the Prosecutor's Office has 6 completed trials resulting in a guilty verdict in 2024 and has 54 scheduled for the remainder of the year; and, WHEREAS, this increase in workload is becoming increasingly less manageable with all the other duties required by the Prosecutor's Office. Having an experienced appellate attorney would allow our office to focus on trial preparation, specialty courts, abuse & neglect cases, juvenile delinquency cases, as well as other duties required; and, WHEREAS, an experienced attorney would be needed as appellate work requires an intricate understanding of the law and the trial process. An appellate position would be an ideal remote position; and, WHEREAS, APA Scale, Step D - F, \$72,748.27 - \$92,973.87 + benefits for a new full-time position with minimum 2 years' experience. We do not anticipate hiring before October 1st but would like to put into the FY24-25 budget and begin the process of posting and interviewing; and, NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the request of the Prosecutors Office for the creation of a full-time appellate attorney position.

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

B. ****Specialty Court, Drug Tester Position - Conversion from Part-Time to Full Time**

LABOR RESOLUTION L13/6-11-2024

WHEREAS, the request is approve the conversion of two part-time drug tester positions into full-time roles; and, WHEREAS, Specialty Courts have not been able to recruit and retain a qualified candidate for the part-time drug tester position. Currently and historically this position has experienced high turnover; and, WHEREAS, in addition, the two full-time testers will provide services on the west side of Van Buren County and drug test in Hartford, Bangor, South Haven and Covert. This will help address the transportation barrier that many of the court customers face when trying to arrange a ride to drug test in Paw Paw; and, WHEREAS, there is no financial impact on the general fund, as these positions are 100% grant funded. The program has sufficient grant funds to pay for the increase in hours and associated fringe. Positions will be funded from 211.0-299.R0; and, WHEREAS, the positions will be classified as non-union R19: \$31,922 - \$44,484; and, NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the conversion of two part-time drug tester positions into full-time roles.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

12. Public Transit

A. ****MDOT Contract 2017-0136 P15 R1 Extension**

TRANSIT RESOLUTION T12/6-11-2024

WHEREAS, the request is approve MDOT Contract 2017-0136 P15 R1 through August 17, 2025; and, WHEREAS, MDOT contract 2017-0136 P15 currently expires on August 17, 2024. This contract provides \$128,125 capital funding toward the purchase of two replacement buses. The buses were ordered in 2022; and, NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of

Commissioners approves the extension of the MDOT Contract 2017-0136 P15 R1 and authorize the Board Chairperson or Vice-Chair to digitally sign the contract on the Board's behalf.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

B. ****Bus Disposal Request**

TRANSIT RESOLUTION T13/6-11-2024

WHEREAS, there has been a request to grant Public Transit authorization to dispose of buses #25, #30, #31, #32, #35, #36, #37; and,
WHEREAS, Transit has seven buses (#25, #30, #31, #32, #35, #36, #37) that were purchased between 2013 and 2016 using Federal and State grants totaling \$617,688. These buses are beyond their useful life span with over 200,000 miles each. One of these has been removed from service as it is no longer drivable; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approve the disposal of buses #25, #30, #31, #32, #35, #36, #37.

Motion by Paul Schincariol, Second by Gail Patterson-Gladney, Carried

13. **Veterans Services**

A. **FY 2025 MVAA Grant Request -EXPEDITED**

VETERANS SERVICES RESOLUTION V2/6-11-2024

WHEREAS, there has been a request for approval of the FY2025 MVAA grant submission and for the Board Chair to sign all related documents on the Board's behalf;
and, WHEREAS, Veterans Services has the requirement to submit the FY2025 MVAA grant request for funds. This request needs to be submitted to the MVAA no later than June 18, 2024; and,

WHEREAS, Veterans Services is requesting that the Board of Commissioners allow Chairman Randy Peat to sign all required documents to support the FY24 MVAA request for funds due to the submission deadline of June 18, 2024. We are also requesting that the board pre- approve the strategy for Veteran Services' initial request for funds; and,
WHEREAS, the scope of the request is the same as FY2024 which included:

Dental Program \$50,000.00

Advertising and Promotion \$8,900.00

Emergency Relief \$19,500.00

Emotional Service Animal \$8,431.00

Total: \$86,831.00

WHEREAS, In FY2025 we have been pre-approved for \$91,093, which is an increase of approximately \$4,260. Our request is to keep with the same format to solidify the programs already in place with more funding:

Dental Program \$55,000.00

Advertising and Promotion \$12,493.00

Emergency Relief \$13,600.00

Emotional Service Animal \$10,000.00

Total: \$91,093.00

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the submission of the FY2024 MVAA Grant request and for the Board Chair to sign on the board's behalf.

Motion by Mike Chappell, Second by Paul Schincariol, Carried

14. **Commissioner's Roundtable**

- Hope Center Open House

- Market One Awards Banquet
- Paw Paw School Senior Memorial Day Speech
- County Museum Grand Re-Opening
- American Legion
- Covert High School Graduation

15. Chairman's Update

16. Closed Session

17. Board Correspondence

18. Public Comment

19. Adjournment

The meeting was adjourned at 03:26 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk