



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

November 26, 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 02:05 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, Richard Godfrey, Randall Peat, Tina Leary. Commissioners Chappell, Doroh and Schincariol absent and excused.
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 Gail Patterson-Gladney, Second by Tina Leary, Carried
6. Approval of Minutes

A. **November 12th, 2024 Board of Commissioners Meeting Minutes
Motion by Gail Patterson-Gladney, Second by Tina Leary, Carried
7. Public Comment
8. Administrative Affairs

A. Recovery Zone Services Agreement Renewal FY 2024 - 2025: Contract Correction
ADMINISTRATIVE AFFAIRS RESOLUTION A70/11-26-2024
WHEREAS, the Board was presented and approved The Recovery Zone Services Agreement renewal for FY 2024-2025, mistakenly showed the cost being \$25,160.00. The intent was to have the amount be \$20,160.00, which is the original budget amount; and, NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the corrected Recovery Zone Services Agreement cost for the

FY 24-25 in the amount of \$20,160.00 from \$25,160.00.

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

B. ****Saddle Lake Level Control - Court Proceedings**

ADMINISTRATIVE AFFAIRS RESOLUTION A71/11-26-2024

WHEREAS, Saddle Lake, located in Columbia Township, Van Buren County, Michigan has established normal lake levels by the Van Buren County Circuit Court under Part 307 of the Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended ("Part 307"); and,

WHEREAS, the Van Buren County Board of Commissioners and its delegated authority, the Van Buren County Drain Commissioner, have jurisdiction for the operation and maintenance of the normal levels of Saddle Lake. MCL 324.30702; and,

WHEREAS, Part 307's primary mechanism to fund infrastructure and activities to maintain Saddle Lake's normal levels is by special assessments using a lake level special assessment district established by the Van Buren County Circuit Court. See e.g., MCL 324.30711; and,

WHEREAS, a review of the historical court orders relating to Saddle Lake's normal levels found that updates are necessary to allow Van Buren County to maintain and operate the normal levels of Saddle Lake; and,

WHEREAS, for the reasons stated herein, the Van Buren County Board of Commissioners finds it necessary to:

(1) approve hiring legal counsel and engineers to assist with the Part 307 lake level process, including filing a petition in the Van Buren County Circuit Court; and
(2) amend the lake level order for Saddle Lake as necessary

to allow Van Buren County to maintain and operate the normal lake levels; and,

NOW, THEREFORE, BE IT RESOLVED:

1. Legal Counsel: Van Buren County may retain the legal counsel of Fahey Schultz Burzych Rhodes PLC to assist with legal matters related to the Part 307 lake level process. Legal counsel is explicitly authorized to file a petition in the Van Buren County Circuit Court on behalf of Van Buren County to amend the lake level order for Saddle Lake as necessary to allow Van Buren County to maintain and operate the normal lake levels. Pursuant to MCL 324.30707(5), the Circuit Court has continuing jurisdiction over such matters.

2. Engineers: Van Buren County may retain the engineering firm Land and Resource Engineering to assist with activities related to the maintenance and operation of the normal levels of Saddle Lake. Such assistance shall include, but not be limited to, preparation of studies and recommendations related to the lake level order, providing expert testimony, and aiding in the compilation and approval of a special assessment roll.

3. Costs of Activities: All costs associated with the expenditures authorized in this resolution, including the retention of legal counsel, engineers, and other necessary consultants, shall be reimbursed through a lake level special assessment district as permitted by Part 307.

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

C. ****Tyler Technologies Software Agreement**

ADMINISTRATIVE AFFAIRS RESOLUTION A72/11-26-2024

WHEREAS, Tyler Technologies' Jury Management System is critical for issuing jury summons, determining eligibility, creating jury panels, paying jurors, and communicating trial schedules; and,

WHEREAS, Berrien County, which currently hosts this system for Van Buren County, will cease hosting services as of January 1, 2026; and,

WHEREAS, to ensure uninterrupted service, Van Buren County IT and Circuit Court engaged Tyler Technologies to transition the County to an independently hosted system; and,

WHEREAS, the system's costs will be graduated over five years as follows:

- Year 1: \$53,580.00 (equal to current costs),
- Year 2: \$28,696.00
- Year 3: \$33,620.00
- Year 4: \$38,480.00
- Year 5: \$43,259.00; and,

WHEREAS, these costs have been budgeted starting this fiscal year, and early implementation is essential to ensure a seamless transition; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the software service agreement with Tyler Technologies and authorizes the Board Chair to sign the contract on behalf of the Board.

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

D. ****Office of Public Defender Michigan Indigent Defense Commission (MIDC)
FY 24 - 25 Contract**

ADMINISTRATIVE AFFAIRS RESOLUTION A73/11-26-2024

WHEREAS, the Michigan Indigent Defense Commission (MIDC) FY 2024-2025 grant application was approved by the Board on April 9, 2024, and the grant was awarded on October 22, 2024; and,

WHEREAS, this is the first year of the MIDC contract, with a grant award of \$3,647,960.12 and a required County maintenance of effort of \$309,097.85, which has been budgeted; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, accepts the MIDC FY 2024-2025 contract and authorizes the Board Chair to sign the contract on the Board behalf.

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

E. ****Office of the Public Defender Roster Attorney Contract**

ADMINISTRATIVE AFFAIRS RESOLUTION A74/11-26-2024

WHEREAS, the Office of the Public Defender primarily assigns cases to staff attorneys but utilizes roster attorneys for conflict cases and other specific needs; and,

WHEREAS, the proposed master contract allows the Board Chair to sign on behalf of the County for each Roster attorney as needed, streamlining the process; and,

WHEREAS, the Roster attorneys' contract is a budgeted expense of \$793,922 for the current fiscal year; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the Office of the Public Defender's master contract with the Roster attorneys, authorizes the Board Chair to sign on behalf of the County for individual contracts.

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

F. ****MNRTF Grant Agreement for Development of Paw Paw River Water Trail
Access**

ADMINISTRATIVE AFFAIRS RESOLUTION A75/11-26-2024

WHEREAS, Van Buren County has been awarded a Michigan Natural Resources Trust Fund (MNRTF) grant to develop a public outdoor recreation facility along the Paw Paw River, featuring a kayak launch, ADA-compliant access pathways, parking, an entrance drive, and landscaping; and,

WHEREAS, the total project cost is \$405,300, with the MNRTF grant providing \$283,700 (70%) and the County contributing a local match of \$121,600 (30%), funded through a \$5,000 donation from the Van Buren County Conservation District, \$58,300 from Hartford Township, and \$63,300 from County funds; and,

WHEREAS, the project aims to reduce erosion, improve parking, and enhance amenities

for water trail users and anglers, with the requirement that all work be completed by October 31, 2026, per the grant terms; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, the Michigan Natural Resources Trust Fund (MNRTF) Development Project Agreement, enabling the County to accept the grant for the development of the kayak launch and related amenities on the Paw Paw River.

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

G. ****Contract with Abonmarche for Engineering and Construction Administration Services for Hartford Kayak Launch**

ADMINISTRATIVE AFFAIRS RESOLUTION A76/11-26-2024

WHEREAS, the Hartford Kayak Launch Project, outlined in Van Buren County's 2021-2026 Community Park, Recreation, Open Space, and Greenway Plan, aims to improve public access and recreation opportunities along the Paw Paw River Water Trail, featuring ADA-compliant parking, pathways, a decked pier, and a kayak launch; and,
WHEREAS, Abonmarche Consultants, having contributed to the project's conceptual design, will provide engineering, permitting, and construction administration services under a \$61,900 contract, funded by the MNRTF grant and County match; and,
WHEREAS, the total project cost of \$405,300 is covered by \$283,700 from the MNRTF and \$121,600 from County match contributions, including local donations; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the \$61,900.00 contract with Abonmarche Consultants for the Hartford Kayak Launch Project and authorizes the Board Chair to sign on behalf of the County.

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

H. ****Kinexus Workforce Development Reappointment - Barbarini, T.**

ADMINISTRATIVE AFFAIRS RESOLUTION A77/11-26-2024

WHEREAS, Mr. Tom Barbarini has submitted his application for re-appointment to the Kinexus Workforce Development Board, with his current term having expired on July 31, 2024; and,
WHEREAS, the Board seeks to align his term with other members, setting the new term expiration as June 30, 2027, for consistency; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the re-appointment of Mr. Tom Barbarini to the Kinexus Workforce Development Board with a term expiration of June 30, 2027.

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

I. ****Kinexus Workforce Development Reappointment - Randall, C.**

ADMINISTRATIVE AFFAIRS RESOLUTION A78/11-26-2024

WHEREAS, Mr. Chris Randall has submitted his application for re-appointment to the Kinexus Workforce Development Board, with his current term having expired on June 30, 2024; and,
WHEREAS, the Board seeks to align his term with other members, setting the new term expiration as June 30, 2027, for consistency; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the re-appointment of Mr. Chris Randall to the Kinexus Workforce Development Board with a term expiration of June 30, 2027.

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

J. ****Kinexus Workforce Development Reappointment - Barber, L.**

ADMINISTRATIVE AFFAIRS RESOLUTION A79/11-26-2024

WHEREAS, Mr. Luke Barber has submitted his application for re-appointment to the Kinexus Workforce Development Board, with his current term having expired on June 30, 2024; and,

WHEREAS, the Board seeks to align his term with other members, setting the new term expiration as June 30, 2027, for consistency; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the re-appointment of Mr. Luke Barber to the Kinexus Workforce Development Board with a term expiration of June 30, 2027.

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

9. Buildings and Grounds

A. **Courthouse Rotundra Painting CIP Project Update

BUILDINGS AND GROUNDS RESOLUTION B20/11-26-2024

WHEREAS, the painting of the Rotunda at the Paw Paw Courthouse was approved under the Capital Improvement Program (CIP) with an allocation of \$40,000.00; and,

WHEREAS, Building Restoration, Inc., of Kalamazoo, Michigan, has submitted a proposal totaling \$39,577.00, which falls within the approved CIP budget and will be charged to CIP account #444028600975025; and,

WHEREAS, this project requires specialized safety and preparation measures to meet OSHA standards, and Building Restoration, Inc.'s proposal satisfies these requirements; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves proceeding with the \$39,577.00 contract with Building Restoration, Inc. for the painting of the Rotunda in the Paw Paw Courthouse, as it meets the project's needs and adheres to the CIP budget.

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

10. Finance

A. VBCMh Parent Navigator Contract FY25 - Rescind and Replace

FINANCE RESOLUTION F69/11-26-2024

WHEREAS, it was identified that there was a typographical error in Finance Resolution F66/11-12-2024, and will need to be rescinded, with a corrected resolution to be approved and signed; and,

WHEREAS, Van Buren County Mental Health (VBCMh) employs a parent navigator, Ms. Hodder, who has extensive knowledge of the child protective system and community resources, serving as a crucial bridge for clients and supporting families in need; and,

WHEREAS, the parent navigator provides innovative support that often allows children to remain in their homes before cases proceed to court and has been instrumental in resolving long-standing, complex cases where parents have lost trust in the system; and,

WHEREAS, the contract for parent navigator services is in the amount of \$97,000.00, reflecting the invaluable support provided to families in Van Buren County; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners rescinds Finance Resolution F66/11-12-2024 and approves the corrected resolution for the continued partnership with VBCMh for the New Outlook wraparound program.

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

B. Equalization - 2024 Apportionment Report - Amendment EXPEDITED

FINANCE RESOLUTION F70/11-26-2024

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 authorize and direct that all 2024 property taxes in Van Buren County be spread as revised due to ballot changes on the November 5, 2024 election 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 2024 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.

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 Richard Godfrey, Second by Gail Patterson-Gladney, Carried

C. ****Claims**

CLAIMS RESOLUTION C11/11-26-2024

WHEREAS, claims in the amount of \$14,393,254.03 were submitted and reviewed, and;

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approve of the total claims in the amount of \$14,393,254.03 for the month of October 2024.

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

D. ****Employee Reimbursement Policy**

FINANCE RESOLUTION F71/11-26-2024

WHEREAS, Van Buren County currently lacks a formal policy for reimbursing employees for eligible business expenses not related to travel; and,

WHEREAS, the proposed Employee Reimbursement Policy establishes clear guidelines for timely reporting, eligible expenses, required documentation, and reimbursement limitations, including restricting reimbursements to cash purchases and discouraging personal Amazon purchases due to existing business relationships; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the Employee Reimbursement Policy as presented.

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

E. ****Southwest Michigan Behavioral Health (SWMBH) Substance Use Disorder (SUD) Net Cost Contract**

FINANCE RESOLUTION F72/11-26-2024

WHEREAS, the Southwest Michigan Behavioral Health Net Cost Agreement for Substance Use Disorder Services is an annual contract funded through PA2 and supports the Van Buren County Circuit Court, Specialty Court; and,

WHEREAS, the total anticipated funding for FY 24-25 is \$69,765, an increase from \$64,765 in the previous year; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the FY 24-25 Southwest Michigan Behavioral Health Net Cost Agreement for Substance Use Disorder Services.

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

F. ****VBISD Sub-Recipient Agreement Amendment**

FINANCE RESOLUTION F73/11-26-2024

WHEREAS, the Board has approved \$950,000 of ARPA funds for the development of a Van Buren County Youth Center and a sub-recipient agreement with the Van Buren Intermediate School District (VBISD) authorizing the use of these funds; and, WHEREAS, discussions with VBISD have identified the need to amend the agreement to allow for indirect administrative expenses by removing Clause 5.B.1 (Non-Allowable Expenses, Administrative Costs) and adding Clause 5.A.6 (Allowable Expenses, Administrative Costs) with a limit of 9% of total expenditures; and, WHEREAS, this amendment corrects an oversight and does not alter the existing budget; and, NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approves the Amendment to the Van Buren Intermediate School District (VBISD) Sub-Recipient Agreement as presented.

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

11. Labor, Negotiations, and Contracts

12. Public Transit

13. Veterans Services

14. Commissioner's Roundtable

- Administrators meeting
- MiPhy Report
- Veterans Treatment Court
- Letter to Governor Whitmer circulated for signature
- South Haven water

15. Chairman's Update

- iPad v laptop

16. Board Correspondence

A. Iosco County Resolution

17. Closed Session

18. Public Comment

19. Adjournment

The meeting was adjourned at 02:24 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk