



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

January 14, 2025

Commissioners

Gail Patterson-Gladney, District 1
Mike Chappell, District 2
Kurt Doroh, District 3
David DiStefano, 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 02:22 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, David DiStefano, Randall Peat, Tina Leary, Paul Schincariol.
4. **Additions/Deletions to the Agenda**
Delete Item 16.A. due to technical difficulties with Zoom.
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. ****December 10th, 2024 Board of Commissioner Minutes**
Motion by Mike Chappell, Second by Gail Patterson-Gladney, Carried
Abstain: DiStefano
7. **Public Comment**
8. **Administrative Affairs**

A. ****KL Avenue Landfill - Restricted Use Zone**
ADMINISTRATIVE AFFAIRS RESOLUTION A1/1-14-2025
WHEREAS, the Van Buren Cass District Health Department Board of Health held a public hearing and voted to adopt a regulation establishing Groundwater Use Restricted Zones; and,
WHEREAS, the regulation prohibits the installation and use of groundwater wells in a designated area of Almena Township unless approved by the U.S. EPA, EGLE, or the

Health Department; and,
WHEREAS, this restricted zone supports remediation efforts at the West KL Avenue Landfill under the oversight of the U.S. EPA and ensures protection of public health and safety; and,
WHEREAS, the West KL Avenue Landfill Group will plug any non-approved wells and provide suitable replacements at no cost to property owners; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the adoption of the amendment to the Environmental Health Code to add Section 9.16, establishing Groundwater Use Restricted Zones.

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

B. ****Out-of-State Travel Request - Juvenile Court**

ADMINISTRATIVE AFFAIRS RESOLUTION A2/1-14-2025

WHEREAS, the juvenile court has identified an in-state residential placement shortage for youth requiring treatment, prompting the need to utilize out-of-state providers, including Rite of Passage; and,
WHEREAS, the juvenile court has budgeted for out-of-state residential treatment and travel expenses, which are included in the provider's program costs; and,
WHEREAS, an initial site visit to the Rite of Passage facility in South Bend, Indiana, is planned for January 28, 2025, involving a referee, juvenile court probation officer supervisor, and three probation officers; and,
WHEREAS, future youth placements may require travel to facilities in other states, with probation officers visiting placed youth every 90 days to ensure compliance and care; and,
WHEREAS, timely placement of youth in out-of-state facilities is critical to prevent extended stays in detention and facilitate immediate access to necessary treatment; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the juvenile court's request for out-of-state travel for visiting Rite of Passage facilities, including the January 28, 2025, site visit to South Bend, Indiana, and future travel as needed for youth placement, subject to a signed court order.

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

C. **Joint Legal Engagement Agreement - New Covert Generating Litigation EXPEDITED**

ADMINISTRATIVE AFFAIRS RESOLUTION A3/1-14-2025

WHEREAS, Van Buren County has been acting as an Intervening Respondent in the New Covert Generating litigation, utilizing the legal services of Foster Swift; and,
WHEREAS, Covert Township, as the Primary Respondent, has utilized separate legal counsel, while Foster Swift has served as the primary legal representative throughout much of the litigation; and,
WHEREAS, consolidating legal representation under Foster Swift will improve efficiency and consistency as the litigation nears its conclusion; and,
WHEREAS, there is no additional financial impact, as the County and Covert Township currently operate under a cost-sharing agreement for the litigation expenses; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves, on an expedited basis, the joint legal engagement letter with Covert Township to engage the services of Foster Swift for the New Covert Generating litigation.

Motion by Gail Patterson-Gladney, Second by Kurt Doroh, Carried

D. **Appointment - Southwest Michigan Behavioral Health (SWMBH) Substance Use Disorder (SUD) Oversight Policy Board (OPD) EXPEDITED**

ADMINISTRATIVE AFFAIRS RESOLUTION A4/1-14-2025

WHEREAS, the Southwest Michigan Behavioral Health (SWMBH) Substance Use Disorder (SUD) Oversight Policy Board (OPB) oversees the expenditure of funds and compliance with State requirements for future funding, which supports programs such as the County's Specialty Courts; and,

WHEREAS, Mr. Richard Godfrey has served on the SUD Oversight Policy Board throughout his tenure as a County Commissioner and wishes to continue his service; and, WHEREAS, the request is to appoint Mr. Godfrey for a two-year term, beginning January 1, 2025, and expiring January 1, 2027, allowing him to attend the next Board meeting scheduled before the next regular Van Buren County Board of Commissioners meeting; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners appoints Mr. Richard Godfrey to the Southwest Michigan Behavioral Health (SWMBH) substance use disorder (SUD) Oversight Policy Board (OPB) for a two-year term, effective January 1, 2025, through January 1, 2027.

Motion by Gail Patterson-Gladney, Second by David DiStefano, Carried

9. Buildings and Grounds

10. Finance

A. Applied Innovation Invoice EXPEDITED

FINANCE RESOLUTION F1/1-14-2025

WHEREAS, the Friend of the Court adopted the use of the OnBase electronic imaging and workflow system to improve efficiency and document management; and,

WHEREAS, Invoice P101338 from Applied Innovation in the amount of \$58,467.08 represents the renewal of the OnBase licensing required to maintain this system; and, WHEREAS, in compliance with the County's purchasing policy, Board approval is required for invoices exceeding \$25,000.00; and,

WHEREAS, expedited approval is requested to ensure payment before the waiver of the 20% late fee expires on January 31, 2025; and, WHEREAS, payment will be allocated from the following general ledger accounts:

636.0-228.00-801.015: \$12,203.52

215.0-290.00-801.015: \$46,263.60; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the payment of Invoice P101338 from Applied Innovation in the amount of \$58,467.08, as itemized above.

Motion by Gail Patterson-Gladney, Second by David DiStefano, Carried

B. Restated Grant Agreement: Michigan Strategic Fund and Van Buren County for Michigan Community Development Block Grant (CDBG) Program EXPEDITED

FINANCE RESOLUTION F2/1-14-2025

WHEREAS, the Michigan Strategic Fund (MSF) administers the Michigan Community Development Block Grant (CDBG) Program to support economic development initiatives through the operation of a Revolving Loan Fund (RLF); and,

WHEREAS, Van Buren County has previously participated in the Michigan CDBG Program and operated an RLF through its Economic Development Corporation (EDC) to support local businesses and economic growth; and,

WHEREAS, the existing agreement between Van Buren County and the Michigan Strategic Fund expired due to an oversight, and it is necessary to renew the agreement for the period of July 1, 2024, through June 30, 2027, to ensure continued operation of

the RLF; and,
WHEREAS, failure to renew the agreement would necessitate the return of the RLF funds to the State of Michigan, thereby disrupting economic development efforts within the County; and,
WHEREAS, the renewal of this agreement will allow the County, through its EDC and Market1, to operate the RLF and ensure eligibility to recover costs for the third and fourth quarters of 2024; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners, approve on an expedited basis the Grant Agreement between the Michigan Strategic Fund and Van Buren County for the Michigan CDBG Program (Revolving Loan Fund).

Motion by David DiStefano, Second by Gail Patterson-Gladney, Carried

11. Labor, Negotiations, and Contracts

A. Specialty Court Consultant Contract EXPEDITED

LABOR RESOLUTION L1/1-14-2025

WHEREAS, the Circuit Court has hired a new Specialty Court Administrator who will begin employment on January 27, 2025; and,
WHEREAS, Rachel Lindley, the outgoing Specialty Court Administrator, will transition from her full-time employment status on January 24, 2025, and has agreed to provide consultation and training to ensure a smooth transition; and,
WHEREAS, the training plan includes one month of full-time consultation from January 27, 2025, to February 23, 2025, followed by a reduction to a maximum of 15 billable hours per week from February 24, 2025, to April 30, 2025, to assist with the completion of a quarterly grant cycle and other critical tasks; and,
WHEREAS, this arrangement will ensure continuity in the administration of grants, programs, and distributions managed by the Specialty Court; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the consultation and training contract with Rachel Lindley for full-time consultation from January 27, 2025, to February 23, 2025, followed by part-time consultation of up to 15 hours per week from February 24, 2025, to April 30, 2025.

Motion by David DiStefano, Second by Gail Patterson-Gladney, Carried

B. Police Officers Labor Council (POLC) Van Buren County Patrol Deputies Unit Letter of Understanding - Courthouse Security EXPEDITED

LABOR RESOLUTION L2/1-14-2025

WHEREAS, the Sheriff has reached an agreement with the Police Officers Labor Council (POLC) Deputies Unit to include the full-time Lead Security Officer position in the bargaining unit; and,
WHEREAS, this position, previously non-union, will align with existing compensation practices by receiving the same pay as the highest-paid Road Deputy, ensuring no financial impact to the County; and,
WHEREAS, this change will create operational efficiencies by enabling experienced Road Deputies to transition into the Lead Security Officer position following the retirement of the current Lead Officer; and,
WHEREAS, the Letter of Understanding has been reviewed and approved by Labor Counsel; and,
NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves, on an expedited basis at the January 14, 2025, meeting, the Letter of Understanding with the Police Officers Labor Council.

Motion by David DiStefano, Second by Gail Patterson-Gladney, Carried

C. Salary Exception - Assistant Public Defender, Office of the Public Defender
EXPEDITED

LABOR RESOLUTION L3/1-14-2025

WHEREAS, the Office of the Public Defender has selected a highly qualified candidate for the Assistant Public Defender position, with over 19 years of experience as a roster attorney and expertise in handling high-level felony cases; and,

WHEREAS, the candidate's extensive experience will not only fulfill the position requirements but also provide valuable mentorship to less experienced attorneys; and,

WHEREAS, the request is to approve a salary exception for the Assistant Public Defender position at the R34, D-2 step on the non-union scale; and,

WHEREAS, this position is grant-funded, ensuring no financial impact to the County's general fund; and,

NOW, THEREFORE BE IT RESOLVED, we, the Van Buren County Board of Commissioners approves the salary exception for the Assistant Public Defender position at the R34, D-2 step on the non-union scale.

Motion by David DiStefano, Second by Tina Leary, Carried

12. Public Transit

Commissioner reported that he toured the new transit building.

13. Veterans Services

14. Chairman's Update

Chairman's Update and Commissioner Roundtable:

- Materials Management Planning Commission
- Road Commission Road Tour
- Hartford Chamber of Commerce February 10th
- Opioid Settlement Funds
- Land Preservation Board
- Parks Committee
- Michigan Association of Counties
- South Haven Regional Business Hub
- Commissioner Specific AI training
- Senator Nesbitt announced running for Governor

15. Board Correspondence

A. Ingham County

B. Leelanau County

16. Closed Session

A. Hoekstra Litigation

This item was removed from the agenda.

17. Public Comment

Julie Pioch - Veterans Therapy Garden update and her retirement

18. Adjournment

Motion to adjourn.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

The meeting was adjourned at 03:00 PM.

Randall Peat, Chairperson

Suzie Roehm, County Clerk