



MINUTES
Board of Commissioners Chambers
219 East Paw Paw Street

February 22, 2022 4:00 PM

Commissioners

Gail Patterson-Gladney, District 1
Kurt Doroh, District 2
Richard Godfrey, District 3
Mike Chappell, District 4
Randall Peat, District 5
Donald Hanson, 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 04:35 PM by Paul Schincariol, Vice-Chairman of the Board.
2. **Recital of the Pledge of Allegiance / Prayer**
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, Kurt Doroh, Richard Godfrey, Mike Chappell, Donald Hanson, Paul Schincariol. Absent and excused: Randall Peat.
4. **Additions/Deletions to the Agenda**
5. **Approval of Agenda / Consent 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 Kurt Doroh, Carried

Motion to approve the consent agenda.
Motion by Kurt Doroh, Second by Donald Hanson, Carried
6. **Approval of Minutes**
 - A. ****2/8/2022 Board of Commissioner Meeting Minutes**
Motion by Kurt Doroh, Second by Donald Hanson, Carried
 - B. ****2/15/2022 Special Meeting - BOC Minutes**
Motion by Kurt Doroh, Second by Donald Hanson, Carried
7. **Public Comment**
8. **Administrative Affairs Committee**

A. Attorney Firm

ADMINISTRATIVE AFFAIRS RESOLUTION AA11/2-22-2022

WHEREAS, the request to approve the engagement letter with the attorney firm Miller Johnson as our general counsel for county affairs, and;
WHEREAS, on February 10, 2022, Miller Canfield contacted the county to inform us that Attorney Leigh Schultz had left their firm and moved to Miller Johnson. The letter advised us that we could continue to work with Miller Canfield or follow Attorney Schultz at Miller Johnson. The informational document regarding Miller Johnson included a listing of their clients. This includes Allegan and Kalamazoo Counties, and;
WHEREAS, Miller Canfield charged \$285 per hour. Miller Johnson will be at a rate of \$290 per hour for Leigh's services, and;
NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners authorizes the engagement letter with Miller Johnson and authorize the Board Vice-Chair to sign related documents.

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

B. DCS Technology Proposal - Rural Broadband Inventory Survey

ADMINISTRATIVE AFFAIRS RESOLUTION AA12/2-22-2022

WHEREAS, the request to waive the County's procurement and bidding policy and to approve the proposal by DCS Technologies, and;
WHEREAS, in August of 2019, Market Van Buren organized the first meeting of the Van Buren County Internet Task Force (ITF). The ITF includes representatives from a variety of stakeholders which includes community leaders, elected officials, local internet service providers (ISPs), and technology experts. The group was convened to discuss the issue of broadband access and expansion in Van Buren County. The following statement was established to articulate the mission and vision of the ITF: Broadband is the great equalizer between rural and urban communities. Reliable, high-speed internet levels the playing field by allowing our community's residents to connect with educational resources, healthcare, and economic opportunities that may otherwise be unavailable.

It is our goal that every household and business in Van Buren County has access to affordable broadband internet service.

The role of the Internet Task Force is to champion the improvement of internet infrastructure within Van Buren County by accelerating existing projects and leading new initiatives. The Internet Task Force places particular emphasis on supporting projects in unserved and underserved areas.

WHEREAS, as the county considers using ARPA dollars for the expansion of broadband, the Board needs to make informed decisions based upon an independent parcel level survey to identify the unserved and underserved areas of the county. It is best that we proceed with a company that is not an ISP.

To date, we have worked with and/or have engaged the following entities on the topic of providing parcel level mapping for the entire county:

1. Vantage Point (declined / failed to respond)
2. Antero Group (could not provide parcel level data, but could do mailers and other surveys)
3. Merit Network (could not provide parcel level data or would use a third-party vendor after conducting a mailer survey)
4. DCS Technology (does not do mailer-based surveys but does offer parcel level detailed reporting with boots on the ground research).

None of the ISP's that are part of the ITF offered any other sources that provide parcel

level mapping (and are not an ISP).

We have also reached out to Leelanau, Washtenaw and Berrien Counties to learn more about their approach in this process. All agree, the step we are proposing to take now with DCS Technology will place us ahead of many others by pursuing the parcel level details first.

Parcel level details will assist the county in making decisions regarding broadband expansion efforts in unserved and underserved areas of the county. The final report from DCS will also expedite the county's ability to apply for additional funds related to broadband expansion efforts.

WHEREAS, Pursuant to the County's Purchasing and Bidding Policy, only the board of commissioners can allow for an exemption to the procurement process requiring a formal Request for Proposals.

Justification:

- ☐ DCS is clearly the sole resource for this service in our area.
- ☐ DCS is not an ISP and will provide an independent, boots on the ground survey report that will provide parcel level detail for our entire county.
- ☐ They are a Michigan-based company and have had results that "exceeded the expectations" of other counties that have used them.
- ☐ Leelanau county's task force faced the same dilemma and after four years of work by the committee, the board decided there was no other source to seek bids from for this service.
- ☐ Further delays will put Van Buren County behind in the race for broadband expansion.

WHEREAS, the financial impact is \$96,000 of ARPA funding with \$3,400 reimbursement by the city of South Haven (for Casco Township's portion).

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners waives the County's procurement / bidding policy and approves the proposal by DCS Technologies and authorizes the Board Chair to sign related documents on the Board's behalf.

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

Yes: Gail Patterson-Gladney, Kurt Doroh, Mike Chappell, Donald Hanson, Paul Schincariol

No: Richard Godfrey

9. Finance Committee

A. **2022-2023 911 Local Surcharge Collection

FINANCE RESOLUTION F5/2-22-2022

WHEREAS, pursuant to the Emergency 9-1-1 Service Enabling Act ("Enabling Act"), Public Act 32 of 1986, as amended, Van Buren County is authorized to impose a county surcharge upon telephonic service users within the county that can access 9-1-1;

WHEREAS, the Michigan Public Service Commission ("MPSC"), in Case No. U-15489, established a default county surcharge rate for Van Buren County of \$1.17 per user; WHEREAS, Section 401b of the Enabling Act states that in the event. Van Buren County proposes an increase to the amount approved by the MPSC in Case No. U-15489, it must do so with the following limitations: (a) up to \$0.42 per month by resolution; (b) up to \$3.00 per month with the approval of the voters in the county; and, (c) any combination of (a) and (b) with a maximum county 9-1-1 charge of \$3.00 per

month;

WHEREAS, upon the expiration of the surcharge rate on June 30, 2021, the county surcharge would revert to the \$1.17 default rate set by the MPSC in Case No. U-1.15489, absent resolution by the Board of Commissioners, resulting in significant reduction in revenue to operate and maintain the county's 9-1-1 system;

WHEREAS, at the August 2020 Primary Election, the voters of Van Buren County approved a 9-1-1 Surcharge Proposal authorizing Van Buren County to assess a county 9-1-1 emergency services charge on monthly billings to each service device located within Van Buren County that can access 9-1-1 at a rate not to exceed \$1.83 each month in addition to the \$1.17 surcharge established by the Michigan Public Service Commission in Case No. U- 15489, subject to annual approval by the Van Buren County Board of Commissioners, for the period of July 1, 2021 through June 30, 2025, to be used exclusively for the funding of 9-1-1 emergency telephone call answering and dispatch services within Van Buren County, including facilities, equipment and operations; and,

WHEREAS, after due consideration of the reasonable expense necessary to operate and maintain the county's 9-1-1 system, the Board of Commissioners has concluded that any reduction in the current surcharge would prove detrimental to the operation of the 9-1-1 system designed to assist with the protection and safety of Van Buren County residents, businesses and visitors;

NOW, THEREFORE BE IT RESOLVED THAT:

1. The Van Buren County Board of Commissioners concludes that the default county surcharge rate of \$1.17 per device established by the MPSC in Case No. U-15489 must be increased in order for the county to meet its obligations associated with the reasonable and necessary expenses of operate and maintain its 9-1-1 system;
2. The Board of Commissioners hereby increases the default county surcharge rate established by the MPSC in Case No. U-15489 by \$1.83 per device located within Van Buren County that can access 9-1-1 for the period of July 1, 2022, through June 30, 2023, as approved by the voters of Van Buren County at the August 2020 Primary Election.
3. With this increase, the county surcharge imposed by Van Buren County upon each service device located within Van Buren County that can access 9-1-1 shall be \$3.00 for the period of July 1, 2022, through June 30, 2023, as approved by the voters in the August 2020 Primary Election.
4. The Board of Commissioners hereby authorizes the County Administrator, in conjunction with the County Sheriff and County 9-1-1 Director, to make all necessary filings with the State of Michigan to ensure that the correct surcharge rate of \$3.00 is imposed.

Motion by Kurt Doroh, Second by Donald Hanson, Carried

B. ****911 CPE (Customer Premise Equipment) - Phone Hardware Replacement**

FINANCE RESOLUTION F6/2-22-2022

WHEREAS, the request to approve InDigital quote to replace / refresh 911 CPE phone equipment., and;

WHEREAS, the VBCO 911 system was upgraded to NG911 in April 2017. Current CPE phone equipment is at end of life in spring 2022 and was scheduled / budgeted for replacement / refresh. Quote includes the addition of one phone position (currently 4 positions) at the supervisor's position, and;

WHEREAS, the quote from InDigital was budgeted in the 2021-2022 911 budget. Cost to replace the current positions including support & maintenance is \$48,641.19.

Addition of a 5th position is quoted at \$23,634.49. Total cost is \$72,275.68, and;

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of

Commissioners approves the 911 Customer Premise Equipment purchase.

Motion by Kurt Doroh, Second by Donald Hanson, Carried

C. ****Retirement and Adoption of K9 Aspen**

FINANCE RESOLUTION F7/2-22-2022

WHEREAS, the request for the retirement and adoption of K9 Aspen, and;
WHEREAS, K9 Aspen's handler Schmitt has retired from the sheriff's office. Schmitt is requesting to adopt K9 Aspen and the sheriff has agreed to allow Schmitt to purchase Aspen upon board approval, and;
WHEREAS, K9 Aspen is a 5-year-old female German Shepard and has been with her k9 handler since she was a puppy. Former K9 handler Scott Schmitt has retired and is requesting to adopt and purchase K9 Aspen. It was agreed upon by Sheriff Abbott and a waiver of liability and hold harmless agreement is to be signed by Sheriff Abbott and Schmitt, waiting for approval by the board to sell Schmitt K9 Aspen for one dollar. It is customary when K9 handlers leave the unit or retire to have the K9 go with the handler, as this is the family the k9 is accustomed to, and;
NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves adoption and purchase of K9 Aspen.

Motion by Kurt Doroh, Second by Donald Hanson, Carried

10. **Labor Negotiations and Contracts Committee**

A. ****Part Time Position Change to Full Time - Public Transit**

LABOR RESOLUTION L2/2-22-2022

WHEREAS, the request is to change two part-time driver positions to two full-time positions, and;
WHEREAS, Public Transit currently has nine full-time drivers fulfilling the current bargaining agreement. Due to staff shortages, some part-time drivers have been steadily working over 30 hours a week to fill in. Adding two full-time driver positions would alleviate the need of having some of them work over the 30 hour a week threshold. It will also avoid them leaving for full-time employment elsewhere, and;
WHEREAS, No financial impact for the county. Costs will be addressed through existing Public Transit Funds, and;
NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves changing two part time driver positions in Public Transit to two full-time driver positions.

Motion by Kurt Doroh, Second by Donald Hanson, Carried

B. ****Public Transit - Letter of Understanding**

LABOR RESOLUTION L3/2-22-2022

WHEREAS, the request is to place all members of AFSCME Public Transit on the AFSCME Unified pay scale as outlined, and;
WHEREAS, Administration met with the union and provided a proposal which identifies each member, where they would be placed and the impact it would provide. The method for scale placement was started by taking a look at where each employee is now and placing them at a step that gave them at least a \$0.25 increase, and;
WHEREAS, these increases would be absorbed by the existing budget for Public Transit wages with an estimated increased impact of \$56,043.60.
NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of

Commissioners approves the Letter of Understanding placing AFSCME Public Transit members on the AFSCME Unified pay scale with an effective date of 2/23/2022.

Motion by Kurt Doroh, Second by Donald Hanson, Carried

C. **Salary Exception - Family Court Administrator**

LABOR RESOLUTION L4/2-22-2022

WHEREAS, the court is requesting that the new Family Division Administrator, Natalie Dean, be placed on the Court Association payscale at range and step 35 B High, and; WHEREAS, the reason for the recommended placement on the pay scale is due to Ms. Dean's extensive professional experience. The position was posted requesting a Bachelor's degree in criminal justice, court administration, public administration, management, business administration, human resource management or other related field; three (3) years of progressively responsible experiences in administration, including at least two (2) years of supervisory experience preferred, and; WHEREAS, Natalie Dean comes to Van Buren County with local government experience beginning in 2004. She has held a number of positions, such as Assistant City Manager, Directory of Community Services, Planning & Zoning Administrator and HR Director. She holds a B.A. from Spring Arbor University in Computer-Mediated Communication and a M.S. from Central Michigan University in Public Administration. Ms. Dean comes highly recommended from her previous and current employers and we believe that her education and experience warrant her starting beyond the beginning of the payscale, and; WHEREAS, the previous Family Division Administrator was at the top of the R37 pay scale. The salary for the position is already allocated for the current fiscal year. No additional funding needed for this request. NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves the salary exception for the Family Court Administrator at the court association scale R35 Step B High.

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

D. **Out of State Travel Request**

LABOR RESOLUTION L5/2-22-2022

WHEREAS, the request is for board approval of an out of state travel request for the county administrator to attend the ICMA regional conference, and; WHEREAS, every year, ICMA members and nonmembers of all career stages attend the ICMA Regional Conferences to share lessons learned and explore strategies and best practices for advancing the local government profession. The conference is an opportunity to be inspired, build skills, network with colleagues, and develop meaningful relationships with your local government peers, and; WHEREAS, in 2022, the ICMA Regional Conferences will return to an in-person conference. The conference provides local government professionals the opportunity to come together for discussions that focus on tools, processes, and leading practices in the long-term, equitable recovery and transformation of local government management and communities, and; WHEREAS, the 2022 ICMA Regional Conferences are dedicated to enhancing your ability to bounce-back and thrive by offering new strategies, best practices, and creative solutions to some of the greatest challenges faced by your region. The event is scheduled from March 23 through March 25, 2022, and; WHEREAS, funding for the training will be covered under existing administration budget line items. The expected cost is around \$1100 (\$500 for hotel + \$400 for conference fee + \$200 airfare). 101.0- 172.00-910.004 (training / professional development) 101.0-172.00-861.001 (travel).

NOW, THEREFORE BE IT RESOLVED that the Van Buren County Board of Commissioners approves the out of state travel request for the County Administrator to attend the ICMA regional conference.

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

11. Public Comment

- Commissioner Godfrey re: MEDC funds for Welch's

12. Committee/Out-Board Assignments

- SW Michigan Community Action Agency
- SW Michigan Planning Commission
- Coastal Academy Leadership Training
- Brownfield Redevelopment Authority
- Senior Services
- Finance
- ARPA
- Veterans
- Mr. Moses retirement
- Wellness
- MiWorks
- Department of Human Services
- Labor
- Market Van Buren
- Municipalities

13. Adjournment

The meeting was adjourned at 04:53 PM.

Paul Schincariol, Vice-Chairperson

Suzie Roehm, County Clerk