

## ALLEGAN COUNTY BOARD OF COMMISSIONERS

## INDEX

MAY 25, 2023 SESSION

JOURNAL 71

<u>PAGE</u>	<u>ITEM</u>	<u>SUBJECT MATTER</u>
211	1	MAY 25, 2023 SESSION - PLEDGE OF ALLEGIANCE, ROLL CALL
211	2	PUBLIC PARTICIPATION - COMMENTS
211	3	APPROVAL OF AGENDA AS PRESENTED
211	4	INTRODUCTIONS
211	5	2022 ANNUAL PUBLIC HEALTH REPORT AND 1 <sup>ST</sup> QUARTER 2023
211	6	BREAK - 10:22 A.M.
211-212	7	BOARD OF COMMISSIONERS - URGE STATE COURT ADMINISTRATIVE OFFICE TO COVER VISITING JUDGE EXPENSES
212	8	ADMINISTRATIVE UPDATE
212	9	PUBLIC PARTICIPATION - NO COMMENTS
212	10	ADJOURNMENT UNTIL JUNE 8, 2023
212-213	11	MAY 25, 2023 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL
213	12	COMMUNICATIONS
213	13	APPROVAL OF MINUTES - MAY 11, 2023
213	14	PUBLIC PARTICIPATION - NO COMMENTS
213	15	APPROVAL OF AGENDA AS PRESENTED
213-214	16	CLAIMS 5/19/23 AND 5/26/23
215-216	17	BOARD OF COMMISSIONERS - APPROVE COMMISSIONER MILEAGE
217	18	FACILITIES MGMT - AWARD COUNTY SERVICES AND HUMAN SERVICES GENERATOR BID

May 25, 2023 Session

## 210

217	19	PARKS & RECREATION - AWARD DUMONT LAKE PARK UTILITY POLE REPLACEMENT BID
217-218	20	SHERIFF DEPT - APPROVE DRUG IDENTIFICATION DEVICE PURCHASE
218	21	PUBLIC PARTICIPATION - COMMENTS
218	22	CLOSED SESSION - PENDING LITIGATION
218	23	RECONVENE FROM CLOSED SESSION
218	24	ADJOURNMENT UNTIL JUNE 8, 2023

**MAY 25, 2023 SESSION - PLEDGE OF ALLEGIANCE, ROLL CALL**

1/ The Board of Commissioners of the County of Allegan, State of Michigan, met in the Board Room of the County Services Building in the Township of Allegan on May 25, 2023 at 9:01 A.M. in accordance with the motion for adjournment of May 11, 2023, and rules of this board; Chairman Storey presiding.

The Deputy Clerk led the Board in the Pledge of Allegiance to the flag.

Upon roll call the following members answered as Commissioners for the respective Districts:

DIST #1 JIM STOREY  
DIST #2 MARK DEYOUNG  
DIST #3 DEAN KAPENGA  
DIST #4 SCOTT BELTMAN  
DIST #5 GALE DUGAN

**PUBLIC PARTICIPATION - NO COMMENTS**

2/ Chairman Storey opened the meeting to public participation and as there were no comments from the public, he closed the meeting to public participation.

**AGENDA - ADOPTED AS PRESENTED**

3/ Moved by Commissioner Dugan, seconded by Commissioner DeYoung to adopt the meeting agenda as presented. Motion carried by voice vote. Yeas: votes. Nays: votes.

**INTRODUCTIONS**

4/ Administrator Sarro introduced new employee Jennifer Ludwick to the board. She is the new Executive Director of Finance.

**2022 ANNUAL PUBLIC HEALTH REPORT AND 1<sup>ST</sup> QUARTER 2023**

5/ Health Officer Angelique Joynes addressed the board with her annual report for 2022 and the 1<sup>st</sup> Quarter of 2023.

**BREAK - 10:22 A.M.**

6/ Upon reconvening at 10:31 A.M., the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan. Absent: None.

**BOARD OF COMMISSIONERS—URGE STATE COURT ADMINISTRATIVE OFFICE TO COVER VISITING JUDGE EXPENSES**

7/ **WHEREAS**, the 48<sup>th</sup> Circuit Court Administrator recently received retirement notice from Chief Circuit Court Judge Roberts Kengis; and  
**WHEREAS**, the retirement will leave a vacancy in one of the legislatively approved and funded positions of Circuit Court Judge in Allegan County; and

**WHEREAS**, until such time as an appointment is made by the State, that position must be filled with a visiting judge; and

**WHEREAS**, the 48<sup>th</sup> Circuit Court sent the State Court Administrative Office's (SCAO) a letter for consideration of payment of all expenses for the visiting judge and was denied; and

**WHEREAS**, while the local funding unit understands that Section 10 of the SCAO's Judicial Assignments Procedure states, "All salaries and expenses for visiting judges shall be paid from the local court's budget," the County interprets this to be under discretionary circumstances and not when a legislatively approved and budgeted position is vacant pending the State's appointment.

**THEREFORE, BE IT RESOLVED** that since the SCAO receives the funds for the salary of each approved judge, Allegan County, as the local funding unit, urges that State allocated budgeted funds be utilized to directly pay for the expenses of a visiting judge while the appointment process is being carried out, or that the 48<sup>th</sup> Circuit Court be reimbursed for such expenditures; and

**BE IT FURTHER RESOLVED** that the Clerk is instructed to forward a copy of this resolution to all nine Allegan County's legislative representatives and the Executive Director of the Michigan Association of Counties.

Moved by Commissioner Kapenga, seconded by Commissioner Beltman to approve the resolution as presented. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

#### **ADMINISTRATIVE REPORTS**

**8/** Administrator Sarro noted his written report was submitted to Commissioners. Highlights included employee engagement; training opportunities; courthouse/county services building renovations; facility master planning; GIS system upgrade; courthouse radio coverage; downtown Allegan construction; Boomer Bash; access to medical care;

#### **PUBLIC PARTICIPATION - NO COMMENTS**

**9/** Chairman Storey opened the meeting to public participation and as there were no comments from the public, he closed the meeting to public participation.

#### **ADJOURNMENT UNTIL JUNE 8, 2023 AT 9:00 A.M.**

**10/** Moved by Commissioner Beltman, seconded by Commissioner Dugan to adjourn until June 8, 2023 at 9:00 A.M. The motion carried by voice vote and the meeting was adjourned at 11:20 A.M. Yeas: 5 votes. Nays: 0 votes.

#### **AFTERNOON SESSION**

#### **MAY 25, 2023 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

**11/** The Board of Commissioners of the County of Allegan, State of Michigan, met in the Board Room of the County Services Building in the Township of Allegan on May 25, 2023 at 1:02 P.M. in accordance with the motion for adjournment of May 11, 2023, and rules of this Board; Chairman Storey presiding.

The invocation was offered by District #2 Commissioner DeYoung.

The Deputy County Clerk led the Board in the Pledge of Allegiance to the flag.

Upon roll call the following members answered as Commissioners for the respective Districts:

- DIST #1 JIM STOREY
- DIST #2 MARK DEYOUNG
- DIST #3 DEAN KAPENGA
- DIST #4 SCOTT BELTMAN
- DIST #5 GALE DUGAN

**COMMUNICATIONS**

12/ Deputy Clerk Tien noted to the board that they received the following communication:

- 1. Resolution from Lenawee County in opposition to House bills 4526, 4527 and 4528

**MAY 11, 2023 SESSION MINUTES - ADOPTED**

13/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the minutes for the May 11, 2023 session as distributed. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - NO COMMENTS**

14/ Chairman Storey opened the meeting to public participation and as there were no comments from the public, he closed the meeting to public participation.

**AGENDA - ADOPTED AS PRESENTED**

15/ Moved by Commissioner Kapenga, seconded by Commissioner Beltman to adopt the meeting agenda as presented. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

**FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS**

16/ **WHEREAS**, Administration has compiled the following claims for May 19, 2023 and May 26, 2023; and

**WHEREAS**, the following claims, which are chargeable against the County, were audited in accordance with Section 46.61 to 46.63, inclusive, M.C.L. 1970 as amended and resolutions of the Board; and

**WHEREAS**, said claims are listed in the 2023 Claims folder of the Commissioners' Record of Claims.

**May 19, 2023**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	89,959.84	89,959.84	
Parks/Recreation Fund – 208	1,953.64	1,953.64	
Friend of the Court – Cooperative Reimb. – 215	317.26	317.26	
Health Department Fund – 221	13,998.32	13,998.32	
Solid Waste/Recycling – 226	3,212.25	3,212.25	
Central Dispatch Fund – 261	31,464.64	31,464.64	

Grants – 279	5,781.07	5,781.07	
Transportation Fund – 288	2,462.73	2,462.73	
Child Care Fund – 292	17,537.10	17,537.10	
Senior Services Fund – 298	172,937.19	172,937.19	
American Rescue Plan Act – ARPA – 299	245,704.90	245,704.90	
Capital Improvement Fund – 401	21,063.10	21,063.10	
Property Tax Adjustments – 516	2,421.75	2,421.75	
Tax Reversion 2020 – 621	175.00	175.00	
Revolving Drain Maintenance Fund – 639	9.99	9.99	
Drain Fund – 801	146,517.27	146,517.27	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$755,516.05</b>	<b>\$755,516.05</b>	

**May 26, 2023**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	97,470.84	97,470.84	
Parks/Recreation Fund – 208	1,184.69	1,184.69	
Friend of the Court – Other – 216	595.81	595.81	
Health Department Fund – 221	2,612.24	2,612.24	
Solid Waste/Recycling – 226	58,228.06	58,228.06	
Brownfield Redevelopment Auth. – 243	495.00	495.00	
Animal Shelter – 254	6,830.00	6,830.00	
Register of Deeds Automation Fund – 256	405.58	405.58	
Indigent Defense Fund – 260	15,519.74	15,519.74	
Central Dispatch Fund – 261	5,346.40	5,346.40	
Justice Training Fund – 266	580.00	580.00	
Grants – 279	11,300.00	11,300.00	
Sheriffs Contracts – 287	5,868.25	5,868.25	
Transportation Fund – 288	3,146.76	3,146.76	
Child Care Fund – 292	22,899.05	22,899.05	
Senior Services Fund – 298	20,342.74	20,342.74	
Capital Improvement Fund – 401	54,824.72	54,824.72	
Property Tax Adjustments – 516	30,994.76	30,994.76	
Tax Reversion – 620	4,642.14	4,642.14	
Revolving Drain Maintenance Fund – 639	36.01	36.01	
Drain Fund – 801	2,324.82	2,324.82	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$345,647.61</b>	<b>\$345,647.61</b>	

**THEREFORE BE IT RESOLVED** that the Board of Commissioners adopts the report of claims for May 19, 2023 and May 26, 2023.

Moved by Commissioner Dugan, seconded by Commissioner DeYoung to adopt the report of claims for May 19, 2023 and May 26, 2023. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**ACTION ITEMS:****BOARD OF COMMISSIONERS—COMMISSIONER MILEAGE REIMBURSEMENT**

17/ **WHEREAS**, as a result of eliminating Commissioner per diem and setting an overall fixed salary, on April 27, 2023, County Administration requested clarity regarding the intent of mileage reimbursement; and

**WHEREAS**, on May 11, 2023, the County Administrator outlined options for consideration, and Option 2 was moved to May 25 for Board action.

**THEREFORE, BE IT RESOLVED** that the Board approves the following language to be incorporated into the Board Rules of Organization and Procedure under Section 10, b:

- i. BOC Mileage: The following BOC-related meetings shall be eligible for mileage reimbursement at the current IRS rate:
- (1) Attendance in any official meeting of the BOC or a board, commission, committee, or official activity, e.g., training or conferences to which a BOC member has been appointed by the BOC or BOC Chairperson through BOC action. See Attachment "B" for identified boards, commissions, and committees,
  - (2) Quarterly Interdepartmental Meetings normally held on the last Wednesday of January, April, July, and October,
  - (3) Attendance in Michigan Association of Counties (MAC) activities in which participation or appointment has occurred,
  - (4) One publicly noticed local unit meeting per month for each local unit in a commissioner's district,
  - (5) Meetings or events at the request of the CAO to best represent the interests of the County,
  - (6) All other meetings, Board approval will be required; and

**BE IT FINALLY RESOLVED** that the County Administrator is authorized to perform a budget adjustment to cover the additional expense within the 2023 Budget.

Moved by Commissioner Dugan, seconded by Commissioner DeYoung to approve the resolution as presented. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

<b>ALLEGAN COUNTY BOARDS &amp; COMMISSIONS</b>	
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**ALLEGAN-KENT SUSTAINABLE BUSINESS PARK ADVISORY COMMITTEE**  
**AREA AGENCY ON AGING, INC**  
**AREA COMMUNITY SERVICES EMPLOYMENT & TRAINING COUNCIL**  
**BOUNDARY COMMISSION**  
**BROADBAND ACTION WORKGROUP**  
**BROWNFIELD REDEVELOPMENT AUTHORITY**  
**BUILDING AUTHORITY**  
**CANVASSERS, BOARD OF**  
**CASINO LOCAL REVENUE SHARING BOARD**  
**CLEAN AIR ORDINANCE COMMITTEE**  
**COMMISSION ON AGING**  
**COMMUNITY ACTION AGENCY OF ALLEGAN COUNTY**  
**COMMUNITY CORRECTIONS ADVISORY BOARD**  
**COMMUNITY ECONOMIC DEVELOPMENT STRATEGIES COMMITTEE**  
**OnPoint (formerly COMMUNITY MENTAL HEALTH SERVICES BOARD)**  
**ECONOMIC DEVELOPMENT COMMISSION**  
**EMERGENCY MANAGEMENT ADVISORY COUNCIL**  
**HUMAN SERVICES, BOARD OF**  
**JURY BOARD**  
**LAKE BOARDS**  
**LAKESHORE REGIONAL ENTITY - OVERSIGHT POLICY BOARD**  
**LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**  
**MACATAWA AREA COORDINATING COUNCIL (MACC)**  
**MICHIGAN ASSOCIATION OF COUNTIES EXECUTIVE BOARD**  
**MICHIGAN STATE EXTENSION DISTRICT 7 ADVISORY COUNCIL**  
**MULTI-AGENCY COLLABORATIVE COMMITTEE**  
**PARKS ADVISORY BOARD**  
**PLAT BOARD**  
**PUBLIC WORKS, BOARD OF**  
**ROAD COMMISSION**  
**SOLDIERS/SAILORS RELIEF COMMISSION**  
**SOLID WASTE PLANNING COMMITTEE**  
**SOUTHWEST MICHIGAN AREA REGION THREE (SMART)**  
**TOURIST COUNCIL**  
**WATER STUDY WORKGROUP**  
**WEST MICHIGAN REGIONAL AIRPORT AUTHORITY**  
**WEST MICHIGAN REGIONAL PLANNING COMMISSION**  
**911 OPERATIONAL POLICY & PROCEDURE COMMITTEE**



**DISCUSSION ITEMS:**

**FACILITIES MANAGEMENT - AWARD COUNTY SERVICES & HUMAN SERVICES GENERATOR BID 18/** **WHEREAS**, the Allegan County Board of Commissioners (Board) appropriated \$70,000 for a 2023 capital project to replace the generator at the County Services Building (CSB) and \$160,000 to replace the generator at the Human Services Buildings (HSB); and

**WHEREAS**, the procurement of both generators was combined and consistent with the County's Purchasing Policy, and a request for proposal was issued to solicit competitive bids to replace both generators.

**THEREFORE, BE IT RESOLVED** that the Board awards the bid to replace the generators at the CSB (Project #1509-23) and at the HSB (Project #1509-23A) to Allied Electric Inc., of 2503 Waldorf Court NW, Grand Rapids, MI 49544, for an amount of \$208,800; and

**BE IT FINALLY RESOLVED** that the County Administrator is authorized to make the necessary budget adjustments, and any necessary documents to complete this action are authorized to be signed.

Moved by Commissioner Dugan, seconded by Commissioner Kapenga to take immediate action and approve the resolution as presented. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**PARKS & RECREATION - AWARD DUMONT LAKE PARK UTILITY POLE RELOCATION BID 19/** **WHEREAS**, the Allegan County Board of Commissioners (Board) appropriated \$10,000 for a 2023 capital project to relocate a utility pole at Dumont Lake Park; and

**WHEREAS**, a request for proposal was released to solicit competitive bids; and

**WHEREAS**, the recommended bid for the award exceeds the \$10,000 budgeted amount.

**THEREFORE, BE IT RESOLVED** that the Board awards the Dumont Lake Utility Pole Relocation Project to Excel Electronic Inc., 3115 Dixie SW, Grandville, MI 49418, for an amount of \$14,550; and

**BE IT FURTHER RESOLVED** the Board authorizes an additional appropriation from the #401 Capital Improvement (Parks) Fund in the amount of \$4,550 to complete this project; and

**BE IT FINALLY RESOLVED** that the County Administrator is authorized to make the necessary budget adjustments, and any necessary documents to complete this action are authorized to be signed.

Moved by Commissioner DeYoung, seconded by Commissioner Dugan to take immediate action and approve the resolution as presented. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**SHERIFF'S DEPARTMENT - APPROVE DRUG IDENTIFICATION DEVICE PURCHASE**

**20/** **WHEREAS**, the Sheriff's Department is requesting approval to purchase a drug identification device which includes a 5-year warranty, 24/7 technical support, lifetime software updates and test sticks, and solution vials using funds from the drug forfeiture fund for an amount of \$37,191.30.

**THEREFORE BE IT RESOLVED** that the Board hereby authorizes a fund balance transfer of \$38,000 from the drug forfeiture fund to cover the purchase of a drug identification device; and

**BE IT FURTHER RESOLVED**, the County Administrator is authorized to negotiate and sign the contracts and complete the necessary budget adjustments to complete this action.

Moved by Commissioner Beltman, seconded by Commissioner DeYoung to take immediate action and approve the resolution as presented. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - COMMENTS**

21/ Chairman Storey opened the meeting to public participation and the following individual offered comment:

1. Ben Jamison of 885 106<sup>th</sup> Ave of Gun Plain Twp addressed the board regarding the informational session that the GOP put on with 18 people in attendance

**CLOSED SESSION: PENDING LITIGATION**

22/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to recess to closed session to discuss pending litigation. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**RECONVENE/ROLL CALL**

23/ Upon reconvening at 3:15 P.M., the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan.

**ADJOURNMENT UNTIL JUNE 8, 2023 AT 1:00 P.M.**

24/ Moved by Commissioner Dugan, seconded by Commissioner Beltman to adjourn until June 8, 2023 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 3:15 P.M. Yeas: 5 votes. Nays: 0 votes.



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Deputy Clerk



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Board Chairperson

Minutes approved during the 06/08/2023 Session

**BE IT FURTHER RESOLVED**, the County Administrator is authorized to negotiate and sign the contracts and complete the necessary budget adjustments to complete this action.

Moved by Commissioner Beltman, seconded by Commissioner DeYoung to take immediate action and approve the resolution as presented. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - COMMENTS**

21/ Chairman Storey opened the meeting to public participation and the following individual offered comment:

1. Ben Jamison of 885 106<sup>th</sup> Ave of Gun Plain Twp addressed the board regarding the informational session that the GOP put on with 18 people in attendance

**CLOSED SESSION: PENDING LITIGATION**

22/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to recess to closed session to discuss pending litigation. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**RECONVENE/ROLL CALL**

23/ Upon reconvening at 3:15 P.M., the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan.

**ADJOURNMENT UNTIL JUNE 8, 2023 AT 1:00 P.M.**

24/ Moved by Commissioner Dugan, seconded by Commissioner Beltman to adjourn until June 8, 2023 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 3:15 P.M. Yeas: 5 votes. Nays: 0 votes.



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Deputy Clerk



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Board Chairperson

Minutes approved during the 06/08/2023 Session