

Allegan County Board of Commissioners



County Services Building
3283 – 122nd Avenue
Allegan, MI 49010
269-673-0203 Main Office
269-686-5331 Main Fax
<http://www.allegancounty.org>

Jim Storey, Chair
Dean Kapenga, Vice Chair

BOARD OF COMMISSIONERS MEETING – AGENDA

Tuesday, February 13, 2024 – 1 PM

County Services Building – Board Room

Virtual Connectivity Options Attached

DISTRICT 1

Jim Storey
616-848-9767
jstorey@
allegancounty.org

1 PM

CALL TO ORDER:

ROLL CALL:

OPENING PRAYER: Commissioner Jim Storey

PLEDGE OF ALLEGIANCE:

PUBLIC HEARING:

COMMUNICATIONS:

APPROVAL OF MINUTES: January 25, 2024

PUBLIC PARTICIPATION:

ADDITIONAL AGENDA ITEMS:

APPROVAL OF AGENDA:

PRESENTATIONS:

PROCLAMATIONS:

INFORMATIONAL SESSION: None

ADMINISTRATIVE REPORTS:

DISTRICT 2

Mark DeYoung
616-318-9612
mdeyoung@
allegancounty.org

DISTRICT 3

Dean Kapenga
616-218-2599
dkapenga@
allegancounty.org

CONSENT ITEMS:

1. Motion to approve of claims paid and to incorporate into proceedings of the Board (2/2/24 & 2/9/24)

DISTRICT 4

Scott Beltman
616-292-1414
sbeltman@
allegancounty.org

ACTION ITEMS:

1. None

DISTRICT 5

Gale Dugan
269-694-5276
gdugan@
allegancounty.org

DISCUSSION ITEMS:

1. Board—Resolution authorizing Election Pursuant to Public Act 69 of 2005
2. DNR State Game Usage
3. Michigan Department of Transportation—Performance Resolution for Municipalities (235-496)

NOTICE OF APPOINTMENTS & ELECTIONS:

1. Community Corrections Advisory Board (A):
 - a. a representative from at least one, but not more than three of the following

Mission Statement

“The Allegan County Board of Commissioners shall plan, develop, and evaluate the necessary policies and resources to ensure our county continues to progress and prosper”

- service areas: mental health, public health, substance abuse, employment, and training or community alternative program—term expires 12/31/23
- b. Business Community Representative—term expires 12/31/23
 2. Local Emergency Planning Committee (A)
 - a. Media Representative—term expired 12/31/22
 - b. Facilities Representative—term expires 12/31/25
 - c. Firefighter Representative—term expires 12/31/25
 3. Solid Waste Planning Committee (A)
 - a. General Public Representative—term expired 12/31/22
 - b. Solid Waste Industry Representative—term expired 12/31/19
 - c. Regional Solid Waste Planning Representative—12/31/22
 - d. Township Representative—term expired 12/31/19
 4. Tourist Council (A)
 - a. Two Representatives—term expires 12/31/23
 5. Jury Board (Circuit Judge recommends/Board appoints)
 - a. One Representative—term expired 8/31/23
 - b. One Representative—term expires 3/31/25

ELECTIONS:

1. Commission on Aging
 - a. Member At Large Representative—12/31/24 [Applications REC 12/29/23 & 1/25/24](#)
2. Economic Development Commission
 - b. Private Sector Representative—term expires 12/31/24 [Applications REC 2/6/23](#)
 - c. Healthcare Representative—term expires 12/31/23
 - d. Education Representative—term expires 12/31/23 [Applications REC 2/6/23](#)

APPOINTMENTS:

1. Tourist Council
 - a. One Representative—term expires 12/31/23 [Application REC 2/6/23](#)

PUBLIC PARTICIPATION:

FUTURE AGENDA ITEMS:

1. OPENING PRAYER: Commissioner Dean Kapenga
2. CONSENT: Motion to approve of claims paid and to incorporate into proceedings of the Board (2/16/24 & 2/23/24)
3. PRESENTATION: Midwest Strategy Group Legislative Update

REQUEST FOR MILEAGE:

BOARDS AND COMMISSIONS REPORTS:

ROUND TABLE:

CLOSED SESSION:

ADJOURNMENT: Next Meeting – Thursday, February 22, 2024, 1 PM @ **BOARD ROOM – COUNTY SERVICES BUILDING, COUNTY SERVICES COMPLEX.**

Please note that Regular and Special Meetings of the Board of Commissioners held in the Board Room are streamed live and recorded in accordance with the County's Live Stream & Publishing Recordings of Meetings Policy, which can be viewed on the County's website.

Your attendance constitutes your consent to audio/visual streaming and/or recording and to permit the County to broadcast your name/voice/image/content to a broader audience.



Allegan County Board of Commissioners

STEP 1: Connect to the Meeting

- OPTION 1: Zoom over Telephone

- Call (929) 205-6099 -or- (312) 626-6799 -or- (253) 215-8782
- Type in Meeting ID: 891 6032 7098, then #, then # again
- Type in Meeting Password: **Board**, then #

- To raise your hand to speak, press *9
- To Mute and Unmute, press *6

<STOP here>

You do not have to continue reading the rest of the instructions.

- OPTION 2: Youtube

- Open Internet Explorer or Chrome
- Navigate to <https://www.youtube.com/channel/UCQIiZQstN2Pa57QAItAWdKA>
- Click on image of “Live” video

<STOP here>

You do not have to continue reading the rest of the instructions.

- OPTION 3: Zoom over Web browser

- Open Internet Explorer or Chrome
- Navigate to <https://zoom.us/j/89160327098>
- Meeting Password: **Board**

<Continue with the rest of the instructions>

STEP 2: Enter registration information

Webinar Registration - Zoom

zoom.us/webinar/register/WN_YneHxuk_SjqfnMwchbtUEg

Webinar Registration

Topic: BOC Meeting - 4/9/2020

Time: Apr 9, 2020 01:00 PM in Eastern Time (US and Canada)


* Required information

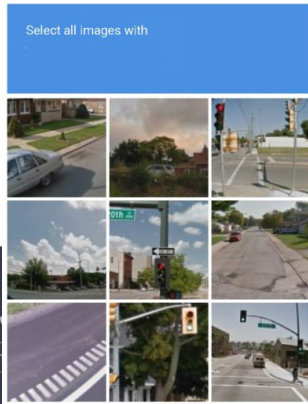
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Last Name *

Email Address *

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1. Enter name and email

2. Click this box

4. Click when done.

3. Answer challenge question

STEP 3: This Window will appear when connected.



STEP 4: Adjust audio settings (if needed)

The screenshot shows the Zoom application interface. On the left, a vertical menu lists various settings: General, Video, Audio, Share Screen, Virtual Background, Recording, Statistics, Feedback, Keyboard Shortcuts, and Accessibility. A blue arrow labeled '1' points to the 'Audio' option in this menu. A second blue arrow labeled '2' points to the 'Remote Audio' option in a sub-menu that is open below the 'Audio' menu item. The sub-menu also includes 'Test Speaker & Microphone...', 'Leave Computer Audio', and 'Audio Settings...'. The main 'Settings' window is open to the 'Audio' tab, showing options for Speaker (Test Speaker, Remote Audio), Output Level, Volume, Microphone (Test Mic), Input Level, and Volume. There are also checkboxes for 'Automatically adjust volume', 'Use separate audio device to play ringtone simultaneously', 'Automatically join audio by computer when joining a meeting', 'Mute my microphone when joining a meeting', 'Press and hold SPACE key to temporarily unmute yourself', and 'Sync buttons on headset'. An 'Advanced' button is visible at the bottom right of the settings window. In the background, a meeting document is visible with the following text:

269-673-4514
mthiele@allegancounty.org

Economic Development — Greg King, Director
ADMINISTRATIVE REPORTS:

DISTRICT 4
Mark DeYoung
616-318-9612
mdeyoung@allegancounty.org

CONSENT ITEMS:

1. Motion to approve of claims paid and to incorporate into proceedings of the Board (3/20/20 & 3/27/20)

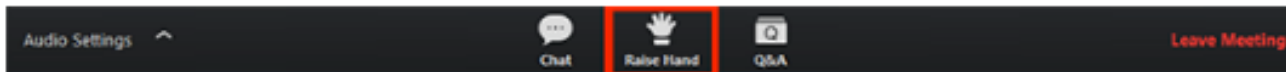
At the bottom of the screen, there is a meeting control bar with icons for Chat, Raise Hand, and Q&A. The text 'Audio Settings' is visible in the bottom left corner of the meeting window.

STEP 5: Raise hand to be recognized to speak.

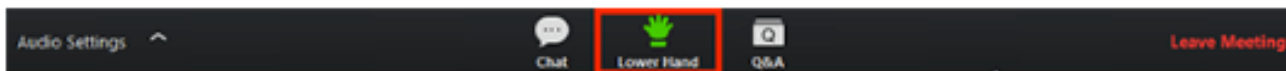
- Once “Raise Hand” is clicked, the Board Chairperson will receive notice and may UNMUTE your microphone when ready and verbally recognize you to speak.

On bottom of screen.

1. Click **Raise Hand** in the Webinar Controls.



2. The host will be notified that you've raised your hand.
3. Click **Lower Hand** to lower it if needed.



STEP 6: To leave the meeting

The screenshot shows a Zoom meeting interface. At the top, a green banner reads "You are viewing Allegan County Administration's screen" with a "View Options" dropdown. In the top right corner, there is an "Enter Full Screen" button. The main content is a document viewer displaying a Microsoft Word document titled "BOC20200409_agenda [Compatibility Mode] - Word". The document header includes the "Allegan County Board of Commissioners" logo and contact information for County Services Building, including address, phone, fax, and website. Below the header, the document title is "BOARD OF COMMISSIONERS MEETING – AGENDA". The agenda items are listed by district: DISTRICT 1 (Dean Kasperge), DISTRICT 2 (Jim Storey), DISTRICT 3 (Max R. Thiele), and DISTRICT 4 (Mick DeYoung). The agenda items include "Virtual Meeting – Connectivity Instructions Attached", "1PM CALL TO ORDER: ROLL CALL: OPENING PRAYER: PLEDGE OF ALLEGIANCE: COMMUNICATIONS: Attached APPROVAL OF MINUTES: Attached", "PUBLIC PARTICIPATION: ADDITIONAL AGENDA ITEMS: APPROVAL OF AGENDA: PRESENTATIONS: PROCLAMATIONS: INFORMATIONAL SESSION: Attached ADMINISTRATIVE REPORTS:", and "CONSENT ITEMS:". At the bottom of the document viewer, it shows "PAGE 1 OF 2" and "251 WORDS". Below the document viewer is a Zoom meeting control bar with icons for "Audio Settings", "Chat", "Raise Hand", and "Q&A". A red "Leave Meeting" button is located in the bottom right corner of the control bar. A large blue arrow points to this "Leave Meeting" button.

ALLEGAN COUNTY BOARD OF COMMISSIONERS

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JANUARY 25, 2024 SESSION

JOURNAL 72

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DRAFT

JANUARY 25, 2024 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 January 25, 2024 at 9:00 A.M. in accordance with the motion for adjournment of January 11, 2024, and rules of this board; Chair 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/ Chair 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 Kapenga, seconded by Commissioner Dugan to adopt the meeting agenda as presented. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

2023/27 BOARD STRATEGIC PLANNING UPDATE – WATER STUDY PROJECT

4/ Water Study Workgroup Chair Tom Kunetz presented an update to the board on the groundwater protection strategy.

BREAK – 9:52 A.M.

5/ Upon reconvening at 10:02 A.M., the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan. Absent: None.

2023/27 BOARD STRATEGIC PLANNING UPDATE

6/ Administrator Sarro reviewed the Allegan County Board of Commissioner Approved Strategic Plan for 2023-2027. Goals reviewed: support a united and engaged workforce; continuously improve processes; maintain financial stability; and provide valuable and necessary quality services to customers.

ADMINISTRATIVE UPDATE

7/ Administrator Sarro noted his written report was submitted to Commissioners. Highlights included: adoptions available at Wishbone; park programs; public safety radio coverage; courthouse construction and renovation; general fund revenues/expenditures; Veteran's treatment court grant; and highway safety funding.

PUBLIC PARTICIPATION - COMMENTS

8/ Chair Storey opened the meeting to public participation and the following individual offered comment:

1. Allegan County Treasurer Sally Brooks addressed the board and thanked them for their goals for Allegan County

CLOSED SESSION: PENDING LITIGATION CASE #23-066963-CZ

9/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to recess to closed session to discuss pending litigation Case number 23-066963-CZ. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

RECONVENE/ROLL CALL FROM CLOSED SESSION

10/ Upon reconvening at 12:56 P.M. from the closed session, the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan. Absent: None.

ADJOURNMENT UNTIL FEBRUARY 13, 2024 AT 9:00 A.M.

11/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to adjourn until February 13, 2024 at 9:00 A.M. The motion carried by voice vote and the meeting was adjourned at 12:56 P.M. Yeas: 5 votes. Nays: 0 votes.

AFTERNOON SESSION**JANUARY 25, 2024 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

12/ 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 January 25, 2024 at 1:00 P.M. in accordance with the motion for adjournment of January 11, 2024, and rules of this Board; Chair 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

JANUARY 11, 2024 SESSION MINUTES - ADOPTED

13/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the minutes for the January 11, 2024 session as distributed. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

PUBLIC PARTICIPATION - COMMENTS

14/ Chair Storey opened the meeting to public participation and the following individuals offered comments:

1. Scott Korpak from MSU Extension addressed the board regarding 3 local students participating in the 4-H Animal Science 2024 Skillathon State Championship; and the Great Lakes Day conference on February 27, 2024. Michigan Sea grant

AGENDA - ADOPTED AS PRESENTED

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

INFORMATIONAL SESSION - MICHIGAN DEPT OF CORRECTIONS/ALLEGAN CIRCUIT COURT PROBATION & PAROLE

16/ Supervisor Cindy Garcia presented the annual report for the Michigan Department of Corrections/Allegan Circuit Court Probation & Parole.

CONSENT ITEMS:

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

17/ **WHEREAS**, Administration has compiled the following claims for January 19, 2024 and January 26, 2024; 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 2024 Claims folder of the Commissioners' Record of Claims.

January 19, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	124,892.26	124,892.26	
Parks/Recreation Fund - 208	1,272.56	1,272.56	
Friend of the Court – 215	2,519.84	2,519.84	
Health Department Fund – 221	9,061.95	9,061.95	
Solid Waste/Recycling – 226	67,463.56	67,463.56	
Animal Shelter – 254	2,719.33	2,719.33	
Indigent Defense Fund – 260	428,768.36	428,768.36	
Local Corrections Officers Training Fund – 264	1,270.44	1,270.44	
Law Library Fund - 269	158.50	158.50	
CDBG Program Income Fund – 277	967.81	967.81	
Grants – 279	86.33	86.33	
Sheriffs Contracts – 287	5,503.45	5,503.45	
Transportation Fund – 288	115,169.80	115,169.80	
Child Care Fund – 292	17,538.46	17,538.46	

Veterans Relief Fund – 293	996.95	996.95	
Senior Services Fund – 298	99,908.21	99,908.21	
American Rescue Plan Act – ARPA – 299	29,271.38	29,271.38	
Capital Improvement Fund – 401	118,000.00	118,000.00	
Revolving Drain Maintenance Fund – 639	372.99	372.99	
Fleet Management/Motor Pool – 661	8,297.86	8,297.86	
Drain Fund - 801	41,367.62	41,367.62	
TOTAL AMOUNT OF CLAIMS	\$1,075,607.66	\$1,075,607.66	

January 26, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	108,818.37	108,818.37	
Friend of the Court – 215	450.00	450.00	
Health Department Fund – 221	3,929.03	3,929.03	
Solid Waste/Recycling – 226	7,904.73	7,904.73	
Animal Shelter – 254	461.00	461.00	
Register of Deeds Automation Fund – 256	5,842.23	5,842.23	
Indigent Defense Fund – 260	178,448.11	178,448.11	
Central Dispatch Fund – 261	9,033.05	9,033.05	
Grants – 279	7,406.36	7,406.36	
Crime Victims Rights Grant – 280	80.37	80.37	
Sheriffs Contracts – 287	373.20	373.20	
Transportation Fund – 288	6,990.26	6,990.26	
Child Care Fund – 292	3,582.05	3,582.05	
Senior Services Fund – 298	97,870.65	97,870.65	
Capital Improvement Fund – 401	4,309.00	4,309.00	
Property Tax Adjustments – 516	7,678.06	7,678.06	
Tax Reversion 2018 – 629	1,562.00	1,562.00	
Self -Insurance Fund – 677	25,348.87	25,348.87	
Drain Fund – 801	88,505.20	88,505.20	
TOTAL AMOUNT OF CLAIMS	\$558,592.54	\$558,592.54	

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for January 19, 2024 and January 26, 2024.

Moved by Commissioner Kapenga, seconded by Commissioner Beltman to adopt the report of claims for January 19, 2024 and January 26, 2024. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

ACTION ITEMS:**TRANSPORTATION—APPROVE FY2025 MICHIGAN DEPARTMENT OF TRANSPORTATION OPERATING AND CAPITAL ASSISTANCE APPLICATIONS**

18/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the request from Allegan County Transportation Services to approve the attached FY2025 Michigan Department of Transportation (MDOT) applications for operating and capital assistance

- Regular Service- State operating of \$854,794 and Federal Operating - Section 5311 \$381,800
- Job Access Reverse Commute of \$102,300
- Capital Section New Freedom-Mobility Management for \$62,500
- Capital Section Transit Vehicles/equipment for \$1,915,550; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to purchase transit vehicles as requested in the application; and

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

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

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Allegheny County Transportation
Capital Requests For FY 2025

Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
2025 STBG(STP)								
Requested:0	Facility	Desc: Parking lot resurfacing and replacement of asphalt in spots. Includes the relocation of entrance sign and widening the paved entrance (driveway). Justn: STBG (STP) Funded project approved by RTF 11/2022, Driveway and parking lot resurfacing.	\$200,000	\$50,000	\$0	\$250,000	REPLACE	PRE-REQUESTED
Requested:1	Equipment	Desc: Requesting funds to replace maintenance truck once it has reached its useable life benchmark. Justn: Replace existing ACT maintenance truck. RTF approval 11/2022.	\$25,600	\$6,400	\$0	\$32,000	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$225,600	\$56,400	\$0	\$282,000		
2025 SEC 5310-NF								
Requested:0	Mobility Mgt	Desc: Funds enable a full-time Mobility Management Assistant that coordinates trips for individuals with disabilities and older adults to ensure they are able to maintain their independence by getting to medical appointments, getting groceries, and other essential services. Justn: Continuation of Funding for Mobility Management activities.	\$50,000	\$12,500	\$0	\$62,500	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$50,000	\$12,500	\$0	\$62,500		
2025 SEC 5339 - Bus and Bus Facilities								
Eligible/Pending:2 Requested:2	Vehicle	Desc: Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl decal/lettering) Justn: Unit #43 (local unit identifier) eligible for replacement FY 2024, Local unit #56 (transfer from Kiskadee March 2023) eligible for replacement FY 2025.	\$290,240	\$72,560	\$0	\$362,800	REPLACE	PRE-REQUESTED

Allegheny County Transportation
Capital Requests For FY 2025

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Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
Eligible/Pending:1 Requested:1	Vehicle	Desc: 12-Passenger Van w/ lift (Vinyl decal/lettering) Justn: Local number 50 eligible for replacement by age (4yr)	\$65,080	\$16,270	\$0	\$81,350	REPLACE	PRE-REQUESTED
Eligible/Pending:3 Requested:3	Vehicle	Desc: Small Bus, 176 in. wheelbase, w/ lift, propane (Vinyl lettering/decals (label normally included but already part of MDOT-funded project)) Justn: Local units 34, 35, 36 VRR 2022; still awaiting funding, Eligible for Replacement FY 2022.	\$435,360	\$108,840	\$0	\$544,200	REPLACE	PRE-REQUESTED
Eligible/Pending:1 Requested:1	Vehicle	Desc: Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl lettering/decals) Justn: Local unit #41; eligible 2023 (VRR), still awaiting confirmation of funding.	\$145,120	\$36,280	\$0	\$181,400	REPLACE	PRE-REQUESTED
Eligible/Pending:2 Requested:2	Vehicle	Desc: Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl decal) Justn: Local ID 41 eligible for replacement and requested in 2023, Awaiting funding, Local ID 42 eligible for replacement 2024 based on mileage.	\$290,240	\$72,560	\$0	\$362,800	REPLACE	PRE-REQUESTED
Requested:0	Equipment	Desc: Power generator has met its useful life (10yr) and needs replacement before failure. This vital for back-up power. Justn: New Generator for Transportation Facility, Previously approved and funded with RTF funds, but initially no vendors bid on project. Projects of similar scope indicate the need to request additional funding.	\$80,000	\$20,000	\$0	\$100,000	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$1,306,040	\$326,510	\$0	\$1,632,550		
Sub Total By Request Year			\$1,581,640	\$395,410	\$0	\$1,977,050		

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Allegheny County Transportation
Capital Requests For FY 2025

Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
2026 STBG(STP)								
Requested:0	Facility	Desc:The Allegheny County Transportation has a shingled roof with steel located above the office area; it has met its useable life. Justn:RTF approval 11/2022; replacement of shingled roof above office area at Transportation facility.	\$28,800	\$7,200	\$0	\$36,000	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$28,800	\$7,200	\$0	\$36,000		
2026 SEC 5310-NF								
Requested:0	Mobility Mgt	Desc:Funds enable a full-time Mobility Management Assistant that coordinates trips for individuals with disabilities and older adults to ensure they are able to maintain their independence by getting to medical appointments, getting groceries, and other essential services. Justn:Continuation of funding for Mobility Management activities.	\$60,000	\$12,500	\$0	\$62,500	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$50,000	\$12,500	\$0	\$62,500		
2026 SEC 5339 - Bus and Bus Facilities								
Eligible/Pending:2 Requested:2	Vehicle	Desc:Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl lettering/decals and tablet) Justn:Units 46 & 47 (local identifier numbers) eligible for replacement FY 2025 based on year (7 yrs)	\$290,480	\$72,620	\$0	\$363,100	REPLACE	PRE-REQUESTED
Eligible/Pending:2 Requested:2	Vehicle	Desc:Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl decals, tablets) Justn:Revised eligibility year: Units #46 & #49 now eligible for replacement based on mileage FY 2025	\$290,480	\$72,620	\$0	\$363,100	REPLACE	PRE-REQUESTED

Allegheny County Transportation
Capital Requests For FY 2025

1/4/2024 19:36 Page 3 of 6

Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
Eligible/Pending:2 Requested:2	Vehicle	Desc:Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl decals and tablet) Justn:Local ID units 44 & 45 eligible for replacement in 2025.	\$290,480	\$72,620	\$0	\$363,100	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$871,440	\$217,860	\$0	\$1,089,300		
Sub Total By Request Year			\$950,240	\$237,560	\$0	\$1,187,800		

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Allegan County Transportation
Capital Requests For FY 2025

Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
2027 SEC 5310-NF								
Requested:0	Mobility Mgt	Desc:Funds enable a full-time Mobility Management Assistant that coordinates trips for individuals with disabilities and older adults to ensure they are able to maintain their independence by getting to medical appointments, getting groceries, and other essential services. Justn:Continuation of funding for Mobility Management activities.	\$50,000	\$12,500	\$0	\$62,500	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$50,000	\$12,500	\$0	\$62,500		
2027 SEC 5339 - Bus and Bus Facilities								
Eligible/Pending:5 Requested:5	Vehicle	Desc:Small Bus, 158 in wheelbase, w/ lift, propane (Vinyl decals lettering and tablets) Justn:Units 54, 52, 55, 51, 53 eligible for replacement FY 2027 based on useable life (7 yrs)	\$726,400	\$181,600	\$0	\$908,000	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$726,400	\$181,600	\$0	\$908,000		
Sub Total By Request Year			\$776,400	\$194,100	\$0	\$970,500		

Allegan County Transportation
Capital Requests For FY 2025

1/4/2024 19:36 Page 5 of 6

Req. Yr	Program	Item Description/Justification	Federal Amount	State Amount	Local Amount	Total Amount	Action	Status
2028 SEC 5310-NF								
Requested:0	Mobility Mgt	Desc:Funds enable a full-time Mobility Management Assistant that coordinates trips for individuals with disabilities and older adults to ensure they are able to maintain their independence by getting to medical appointments, getting groceries, and other essential services. Justn:Continuation of Funding for Mobility Management activities.	\$50,000	\$12,500	\$0	\$62,500	REPLACE	PRE-REQUESTED
Sub Total By Program Type			\$50,000	\$12,500	\$0	\$62,500		
Sub Total By Request Year			\$50,000	\$12,500	\$0	\$62,500		
Grand Total			\$3,358,280	\$839,570	\$0	\$4,197,850		

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Allegran County Transportation

750 Airway Drive
Allegran, Michigan 49010

(269) 686-4529

Nonurban County

Regular Service

Annual Budgeted

2025

Total Eligible Expenses: \$2,089,365

Comments: -

Allegheny County Transportation
Nonurban County
Regular Service
Annual Budgeted
2025

Revenue Schedule Report

Code	Description	Amount
401 :	Farebox Revenue	
40100	Passenger Fares (-)	\$140,670
407 :	NonTrans Revenues	
40720	Rental of Bldgs or Other Property (CAP/rental)	\$22,500
40760	Gains from the Sale of Capital Assets (Explain in comment field) (* Vehicle/equipment sales - amount that can be retained)	\$5,000
409 :	Local Revenue	
40910	Local Operating Assistance (- General Fund Transfer)	\$615,850
40950	Local Service Contract/Local Source (* Gradual reduction in contracted service to focus more on individual passenger needs)	\$95,010
411 :	State Formula and Contracts	
41101	State Operating Assistance (* 40,2993 state LBO)	\$854,794
413 :	Federal Contracts	
41301	Section 5311 Operating (- 18 percent Federal)	\$381,800
41398	RTAP (+)	\$5,500
Total Revenues: \$2,121,124		

Allegheny County Transportation
Nonurban County
Regular Service
Annual Budgeted
2025

Expense Schedule Report

Code	Description	Amount
501 :	Labor	
50101	Operators Salaries & Wages (-)	\$644,975
50102	Other Salaries & Wages (*)	\$315,925
50103	Dispatchers' Salaries & Wages (-)	\$193,495
502 :	Fringe Benefits	
50200	Fringe Benefits (*)	\$195,100
503 :	Services	
50302	Advertising Fees (*)	\$8,960
50399	Other Services (- Contracted snow removal, janitorial, MTM admin services)	\$63,855
504 :	Materials and Supplies	
50401	Fuel & Lubricants (- Based on usage estimates (non-financial tab); price per gallon for 2025 pulled from the US Energy Information Administration)	\$295,810
50402	Tires & Tubes (*)	\$5,245
50499	Other Materials & Supplies (- Building maint and supplies)	\$32,025
505 :	Utilities	
50500	Utilities (-)	\$47,380
506 :	Insurance	
50603	Liability Insurance (* Based on county CAP & breakdown of contractor expenses)	\$100,250
50699	Other Insurance (*)	\$105,225
509 :	Misc Expenses	

**Allegheny County Transportation
Nonurban County
Regular Service
Annual Budgeted
2025**

Expense Schedule Report

Code	Description	Amount
50902	Travel, Meetings & Training (* 5500 RTAP eligible; remaining routine expense and contractor expense (non-RTAP). Budgeted less than FY 2023 due to lower RTAP grant amount.)	\$6,930
50903	Association Dues & Subscriptions (* MPTA, CTA and Chamber Memberships)	\$3,050
512 :	Operating Leases & Rentals	
51200	Operating Leases & Rentals (* Sheriff's Department Rental - CAP)	\$102,890
550 :	Ineligible Expenses	
55008	Other Ineligible Expenses (Explain in comment field) (- equipment/vehicle sales proceeds)	\$3,500
55009	Ineligible Percent of Association Dues (* Estimated MPTA ineligible percent of dues based on FY 2023)	\$250
560 :	Ineligible Expenses	
56004	Ineligible Expenses Associated w/Rentals (* CAP/Rental)	\$22,500
574 :	Ineligible Expenses	
57402	Ineligible RTAP (-)	\$5,500
Total Expenses: \$2,121,115		
Total Ineligible Expenses: \$31,750		
Total Eligible Expenses: \$2,089,365		

**Allegan County Transportation
Nonurban County
Regular Service
Annual Budgeted
2025**

Non Financial Schedule Report		
Public Service		
Code	Description	Quantity DR
810	Vehicle Hours	31,838
811	Vehicle Miles	702,780
815	Unlinked Passenger Trips - Regular	14,270
816	Unlinked Passenger Trips - Elderly	9,680
817	Unlinked Passenger Trips - Persons w/Disabilities	10,444
818	Unlinked Passenger Trips - Elderly Persons w/Disabilities	7,546
822	Total Demand-Response Unlinked Passenger Trips	41,920
825	Days Operated	912

Total Passengers: 41,920

Vehicle Information

Code	Description	Quantity
655	Total Demand-Response Vehicles	22
656	Demand-Response Vehicle w/ Lifts	22
658	Total Transit Vehicles	22

Total Vehicles: 22

Miscellaneous Information

Code	Description	Quantity DR
659	LPG (propane) or CNG (compressed natural gas) Gallons Equivalent Consumed	21,383
660	Diesel/Gasoline Gallons Consumed	64,150
661	Total Transit Agency Employees (Full-Time Equivalents)	27
662	Total Revenue Vehicle Operators (Full-Time Equivalents)	16
865	Number of Volunteer Drivers	8
801	Property Damage Only (PDO) Accidents w/damage equal to or greater than \$1,000 but less than \$25,000	8

Allegran County Transportation

750 Airway Drive
Allegran, Michigan 49010

(269) 686-4529

Nonurban County

Job Access

Annual Budgeted

2025

Total Eligible Expenses: \$102,300

Comments: - Estimating a modest increase based on ridership increase from FY 2022-23 based on service expansion and employment growth in the area.

**Allegheny County Transportation
Nonurban County
Job Access
Annual Budgeted
2025**

Revenue Schedule Report

Code	Description	Amount
401 :	Farebox Revenue	
40100	Passenger Fares (- Projecting a 6.2 percent increase based on ridership trends)	\$2,800
411 :	State Formula and Contracts	
41199	Other MDOT/OPT Contracts and Reimbursements (Explain in comment field) (• State JARC 50%)	\$51,150
413 :	Federal Contracts	
41399	Other Federal Transit Contracts & Reimbursements (Explain in comment field) (• Federal JARC 50%)	\$51,150
Total Revenues: \$105,100		

Allegheny County Transportation
Nonurban County
Job Access
Annual Budgeted
2025

Expense Schedule Report

Code	Description	Amount
501 :	Labor	
50101	Operators Salaries & Wages (-)	\$32,729
50102	Other Salaries & Wages (+)	\$15,560
50103	Dispatchers' Salaries & Wages (-)	\$9,530
502 :	Fringe Benefits	
50200	Fringe Benefits (+)	\$9,610
503 :	Services	
50302	Advertising Fees (+)	\$440
50399	Other Services (- Contracted snow removal, janitorial, MTM admin services)	\$3,145
504 :	Materials and Supplies	
50401	Fuel & Lubricants	\$14,568
50402	Tires & Tubes (-)	\$258
50499	Other Materials & Supplies (+ Bld maintenance, bus parts, supplies)	\$1,575
505 :	Utilities	
50500	Utilities (+)	\$1,785
506 :	Insurance	
50603	Liability Insurance (+)	\$4,940
50699	Other Insurance (+)	\$5,400
509 :	Misc Expenses	
50902	Travel, Meetings & Training (+)	\$340
50903	Association Dues & Subscriptions (-)	\$150

**Allegheny County Transportation
Nonurban County
Job Access
Annual Budgeted
2025**

Expense Schedule Report

Code	Description	Amount
512 :	Operating Leases & Rentals	
51200	Operating Leases & Rentals (- County CAP)	\$5,070
550 :	Ineligible Expenses	
55000	Ineligible JARC and NF Fares (+)	\$2,800

Total Expenses: \$105,100

Total Ineligible Expenses: \$2,800

Total Eligible Expenses: \$102,300

Allegan County Transportation
Nonurban County
Job Access
Annual Budgeted
2025

Non Financial Schedule Report		
Public Service		
Code	Description	Quantity DR
610	Vehicle Hours	1,562
611	Vehicle Miles	33,850
615	Unlinked Passenger Trips - Regular	1,250
617	Unlinked Passenger Trips - Persons w/Disabilities	482
618	Unlinked Passenger Trips - Elderly Persons w/Disabilities	60
622	Total Demand-Response Unlinked Passenger Trips	1,792
625	Days Operated	250

Total Passengers: 1,792

Vehicle Information

Code	Description	Quantity
655	Total Demand-Response Vehicles	2
656	Demand-Response Vehicle w/ Lifts	2
658	Total Transit Vehicles	2

Total Vehicles: 2

Miscellaneous Information

Code	Description	Quantity DR
659	LPG (propane) or CNG (compressed natural gas) Gallons Equivalent Consumed	815
660	Diesel/Gasoline Gallons Consumed	4,200
661	Total Transit Agency Employees (Full-Time Equivalents)	1
662	Total Revenue Vehicle Operators (Full-Time Equivalents)	2

I acknowledge that I have reviewed a copy of the Contract Clauses. I understand that the nature of the project will determine which requirements of the contract clauses apply and I will comply with all applicable clauses for all FTA-funded contracts for the application year.

Name Of The Person Authorized To Sign A Contract Or Project Authorization

Robert J. Sarro

Legal Organization Name

Allegan County Board of Commissioners

Title Of Authorized Signer

Signature Of Authorized Signer ** (See Below)

Date

County Administrator

.....

Governing Board Chair Information ***:

Name*

Commissioner James Storey

Phone* (###)###-####

6168489767

Email*

jstorey@allegancounty.org

* If the organization has a master agreement with MDOT, the organization name must match the name as it appears on the master agreement. Organizations with multiple contracts must submit multiple contract clauses certifications.

** If the organization has a master agreement with MDOT, the signature must be the same as the authorized signer of the master agreement or an individual with legal authority to sign a project authorization for the organization. Your agency can change, add or remove an authorized signer at any time by completing a signature resolution.

*** Chair of the governing board having supervisory powers over your agency.

Name Of Applicant (legal organization name)

Allegan County Board of Commissioners

The Applicant agrees to comply with the applicable requirements of categories below. *
Those requirements that do not apply to you or your project will not be enforced.

<u>Categories</u>	<u>Descriptions</u>
01.	Certifications and Assurances Required of Every Applicant.
02.	Public Transportation Agency Safety Plans.
03.	Tax Liability and Felony Convictions.
04.	Lobbying.
05.	Private Sector Protections.
06.	Transit Asset Management Plan.
07.	Rolling Stock Buy America Reviews and Bus Testing.
08.	Formula Grants for Rural Areas.
09.	Grants for Buses and Bus Facilities and Low or No Emission Vehicle Deployment Grant Programs.
10.	Enhanced Mobility of Seniors and Individuals with Disabilities Programs.
11.	Alcohol and Controlled Substances Testing.
12.	Demand Responsive Service.
13.	Interest and Financing Costs.
14.	Emergency Relief Program.

FTA and MDOT intend that the certifications and assurances the Applicant has selected on this form should apply, as required, to each project for which the Applicant seeks FTA assistance during application year.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document, and acknowledges that the provisions of the program Fraud Civil Remedies Act of 1986, as amended, 31 U.S.C. 3801 et seq., and implemented by DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance, or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 may apply to any certification, assurance, or submission made in connection with any program administered by FTA.

This form is required for all agencies applying for Regular Services, Section 5311 JARC, Section 5310, and/or New Freedom projects,

Name of Applicant (legal organization name)

Allegan County Board of Commissioners

THE APPLICANT AGREES TO COMPLY WITH THE APPLICABLE REQUIREMENTS SELECTED BELOW:

- A. This organization has the necessary operational lifts on its vehicles as required by Act 51, [Section 10e (17) and 10e(18)] of the Public Acts of 1951, as amended, and the Americans with Disabilities Act of 1990. The organization also certifies that the lifts are maintained and cycled on a regularly scheduled basis.
- B. This organization has proof of insurance on file that meets the insurance requirements in exhibit a of your master agreement with the Michigan Department of Transportation.

The applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in statements submitted herein with this document. The truthfulness and accuracy of this document will enable the applicant to receive state funding.



DISCUSSION ITEMS:**MATERIALS MANAGEMENT PLAN (MMP) INITIATION AND UPDATES**

19/ Resource Recovery Director Heather Bausick updated the board on the Materials Management Plan. Discussion followed.

PUBLIC PARTICIPATION - NO COMMENTS

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

ROUND TABLE

21/ Chair Storey read a letter from the Michigan Association of Counties presenting Allegan County with a framed copy of the "Seals of the Michigan Counties" poster honoring the 125th anniversary.

DRAFT



110 W. Michigan Ave., Suite 200
Lansing, MI 48933
517-372-5374 Fax 517-482-4599
www.micounties.org
Stephan W. Currie, Executive Director

Jan. 24, 2024

Jim Storey
Chair
Allegan County Board of Commissioners
3283 122nd Ave.
Allegan, MI 49010

Dear Chair Storey,

It is our pleasure to present to you and your county a framed copy of the "Seals of Michigan Counties" poster.

This poster was created as part of MAC's 125th Anniversary celebration. We hope you and your colleagues agree to display this document in a prominent location in your meeting chambers or elsewhere in your facilities.

Your county's stalwart support of MAC and its work is appreciated.

Thank you for your ongoing service to your county and our state.

Sincerely,

A handwritten signature in black ink that reads "Jim Storey".

Jim Storey
Board President

A handwritten signature in black ink that reads "Stephan W. Currie".

Stephan W. Currie
Executive Director

www.micounties.org

ADJOURNMENT UNTIL FEBRUARY 13, 2024 AT 1:00 P.M.

22/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to adjourn until February 13, 2024 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 2:22 P.M. Yeas: 5 votes. Nays: 0 votes.

Jennifer Sten

Deputy Clerk

Board Chair

Minutes approved during the 00/00/2023 Session

DRAFT

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

FINANCE - CLAIMS & INTERFUND TRANSFERS

WHEREAS, Administration has compiled the following claims for 2/2/24 and 2/9/24; 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 2024 Claims folder of the Commissioners' Record of Claims.

February 2, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund - 101	183,981.16	183,981.16	
Parks/Recreation - 208	8,760.85	8,760.85	
Friend of the Court - 215	114.88	114.88	
Health Department Fund - 221	4,419.40	4,419.40	
Solid Waste/Recycling - 226	8,048.83	8,048.83	
Animal Shelter - 254	263.30	263.30	
Central Dispatch Fund - 261	5,507.24	5,507.24	
CDBG Program Income Fund - 277	2,350.00	2,350.00	
Grants - 279	114.20	114.20	
Sheriffs Contracts - 287	418.26	418.26	
Transportation Fund - 288	1,907.63	1,907.63	
Child Care Fund - 292	9,379.49	9,379.49	
Fitness Center Fund - 296	1,539.62	1,539.62	
Senior Services Fund - 298	555.43	555.43	
Capital Improvement Fund - 401	3,580.00	3,580.00	
Central Dispatch CIP - 496	23,100.00	23,100.00	
Tax Reversion 2019 - 619	4,154.52	4,154.52	
Tax Reversion - 620	19,750.00	19,750.00	
Revolving Drain Maintenance Fund - 639	310.00	310.00	
Self -Insurance Fund - 677	3,044.63	3,044.63	
Drain Fund - 801	16,259.77	16,259.77	
TOTAL AMOUNT OF CLAIMS	\$297,559.21	\$297,559.21	

February 9, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund - 101	220,989.14	220,989.14	
Parks/Recreation - 208	508.75	508.75	
Friend of the Court - 215	3,771.55	3,771.55	
Health Department Fund - 221	20,414.69	20,414.69	
Animal Shelter - 254	9,232.53	9,232.53	
Indigent Defense Fund - 260	153.54	153.54	
Central Dispatch Fund - 261	4,420.44	4,420.44	
Law Library Fund - 269	2,640.60	2,640.60	
CDBG Program Income Fund - 277	30.00	30.00	
Grants - 279	232.49	232.49	
Transportation Fund - 288	19,278.86	19,278.86	
Child Care Fund - 292	28,724.42	28,724.42	
Veterans Relief Fund - 293	1,554.17	1,554.17	
Senior Services Fund - 298	815.50	815.50	
Property Tax Adjustments - 516	71.82	71.82	
Revolving Drain Maintenance Fund - 639	261.51	261.51	
Self -Insurance Fund - 677	431,885.01	431,885.01	
Drain Fund - 801	3,429.00	3,429.00	
TOTAL AMOUNT OF CLAIMS	\$748,414.02	\$748,414.02	

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for 2/2/24, 2/9/24, and interfund transfers.

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

BOARD OF COMMISSIONERS—RESOLUTION AUTHORIZING ELECTION PURSUANT TO PUBLIC ACT 69 OF 2005

WHEREAS, if approved by the voters of a participating unit of government, Public Act 69 of 2005 permits a county to charge not more than \$4.00 per month or \$50.00 per year per household for waste reduction programs and for the collection of consumer source separated materials for recycling or composting, including, but not limited to, recyclable materials, as defined in part 115 of the Natural Resources and Environmental Protection Act, 1994 P.A. 451, MCL 324.11501 to 324.11550, household hazardous wastes, tires, batteries, and yard clippings.

THEREFORE BE IT RESOLVED that:

1. The Allegan County Board of Commissioners (Board) hereby authorizes an election under P.A. 69 of 2005 scheduled for August 6, 2024,
2. Robert Sarro, County Administrator for Allegan County, is designated as the individual to negotiate the interlocal agreement between the municipalities and townships within the County,
3. Each municipality and township within the County that intends to participate in the County's waste reduction programs shall authorize an election under MCL 124.508a by May 13, 2024,
4. Each municipality and township within the County that intends to participate in the County's waste reduction programs shall elect to participate in the interlocal agreement by December 31, 2024,
5. The amount of the proposed surcharge is \$50 per year per household,
6. Commercial businesses will not be subject to the proposed surcharge,
7. A voter-approved surcharge is a mandatory charge to be collected as part of billings for property taxes, both current and delinquent; and

BE IT FINALLY RESOLVED that the County Administrator and/or the Board Chairperson are authorized to sign the necessary documents on behalf of the County and that the Executive Director of Finance is authorized to perform the necessary budget adjustments to complete this action.

cc: Admin. - Finance - Human Resources - Resource Recovery

S T A T E O F M I C H I G A N

BOARD OF COMMISSIONERS OF THE COUNTY OF ALLEGAN

DNR STATE GAME USAGE

WHEREAS, the Board of Commissioners (Board) requested a dialogue with State DNR to expand usage of the game area with a minimum of authorizing biking; and

WHEREAS, the Board has since added a goal to increase DNR State Game usage to its Strategy Plan; and

WHEREAS, the County has met with the State DNR, Representative Smit, Midwest Strategy Group, and other stakeholders to discuss the potential use of the state game area for biking and subsequently meeting with DNR officials on a decision to close a snowmobile trail; and

WHEREAS, DNR has generically referenced that such activity is restricted and not permitted under land use, species protection, and funding agreements.

THEREFORE BE IT RESOLVED that the Board is formally requesting any and all documents, specifically sections of such documents that outline restrictions under land use and funding agreements; and

BE IT FURTHER RESOLVED to the extent the State DNR requires a request under Michigan's Freedom of Information Act, this Board action shall serve as the written official request; and

BE IT FINALLY RESOLVED that the County Administrator is authorized to work with the necessary stakeholders and services within reason to gather said information and to have such information evaluated.

PERFORMANCE RESOLUTION FOR MUNICIPALITIES

This Performance Resolution (Resolution) is required by the Michigan Department of Transportation for purposes of issuing to a Municipality an "Individual Permit for Use of State Highway Right of Way", and/or an "Annual Application and Permit for Miscellaneous Operations within State Highway Right of Way".

RESOLVED WHEREAS, the _____ Allegan County _____
(County, City, Village, Township, etc.)

hereinafter referred to as the "MUNICIPALITY," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "DEPARTMENT," for permits, referred to as "PERMIT," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the DEPARTMENT granting such PERMIT, the MUNICIPALITY agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the MUNICIPALITY is performed by a contractor, the MUNICIPALITY shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the DEPARTMENT and their agents and employee's, against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that result from the sole negligence or willful acts of the DEPARTMENT, until the contractor achieves final acceptance of the MUNICIPALITY Failure of the MUNICIPALITY to require its contractor to indemnify the DEPARTMENT, as set forth above, shall be considered a breach of its duties to the DEPARTMENT.
3. Any work performed for the MUNICIPALITY by a contractor or subcontractor will be solely as a contractor for the MUNICIPALITY and not as a contractor or agent of the DEPARTMENT. The DEPARTMENT shall not be subject to any obligations or liabilities by vendors and contractors of the MUNICIPALITY, or their subcontractors or any other person not a party to the PERMIT without the DEPARTMENT'S specific prior written consent and notwithstanding the issuance of the PERMIT. Any claims by any contractor or subcontractor will be the sole responsibility of the MUNICIPALITY.
4. The MUNICIPALITY shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the PERMIT which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the DEPARTMENT, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the PERMIT, it will be considered as a breach of the PERMIT thereby giving the State of Michigan, the DEPARTMENT, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy, including, but not by way of limitation, a judgment for money damages.
5. The MUNICIPALITY will, by its own volition and/or request by the DEPARTMENT, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the MUNICIPALITY'S facilities according to a PERMIT issued by the DEPARTMENT.

- 6. With respect to any activities authorized by a PERMIT, when the MUNICIPALITY requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the DEPARTMENT, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the DEPARTMENT and all officers, agents, and employees thereof, pursuant to a maintenance contract.
- 7. The incorporation by the DEPARTMENT of this *Resolution* as part of a PERMIT does not prevent the DEPARTMENT from requiring additional performance security or insurance before issuance of a PERMIT.
- 8. This *Resolution* shall continue in force from this date until cancelled by the MUNICIPALITY or the DEPARTMENT with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the MUNICIPALITY with regard to any PERMIT which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the DEPARTMENT for the necessary permit to work within State Highway Right of Way on behalf of the MUNICIPALITY.

Title and/or Name:

Sheriff Frank Baker

Undersheriff Mike Larsen

Lt John Damveld

Lt Michael Brown

I HEREBY CERTIFY that the foregoing is a true copy of a resolution adopted by

the _____
(Name of Board, etc.)

of the _____ of _____
(Name of MUNICIPALITY) (County)

at a _____ meeting held on the _____ day

of _____ A.D. _____.

Signed

Title

Print Signed Name