

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

Thursday, February 22, 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 Dean Kapenga

PLEDGE OF ALLEGIANCE:

PUBLIC HEARING:

COMMUNICATIONS:

APPROVAL OF MINUTES: February 13, 2024

PUBLIC PARTICIPATION:

ADDITIONAL AGENDA ITEMS:

APPROVAL OF AGENDA:

PRESENTATIONS: Midwest Strategy Group Legislative Update

PROCLAMATIONS:

INFORMATIONAL SESSION:

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 (2/16/24 & 2/23/24)

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. Household Hazardous Waste
2. 2023/27 Board Strategic Planning Update

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 service areas: mental health, public health, substance abuse, employment, and training or community alternative program—term expires 12/31/23

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”

- 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 Gale Dugan
- 2. CONSENT: Motion to approve of claims paid and to incorporate into proceedings of the Board (3/1/24 & 3/8/24 & 3/15/24)
- 3. INFORMATIONAL SESSION: Bob Genetski—County Clerk/Register of Deeds

REQUEST FOR MILEAGE:

BOARDS AND COMMISSIONS REPORTS:

ROUND TABLE:

CLOSED SESSION:

ADJOURNMENT: Next Meeting – Monday, March 18, 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

The screenshot shows a web browser window with the URL `zoom.us/webinar/register/WN_YneHxuk_SjqfnMwchbtUEg`. The page title is "Webinar Registration".

Registration details:

- Topic: BOC Meeting - 4/9/2020
- Time: Apr 9, 2020 01:00 PM in Eastern Time (US and Canada)

Registration form fields (marked as required with an asterisk):

- First Name *
- Last Name *
- Email Address *
- Confirm Email Address *

Below the form is a reCAPTCHA challenge:

- Checkbox: I'm not a robot
- reCAPTCHA logo and "Privacy - Terms" link

A blue button labeled "Join Webinar in Progress" is located below the reCAPTCHA.

At the bottom of the page is a footer with navigation links:

- About: Zoom Blog, Customers, Our Team, Why Zoom, Features, Careers, Integrations, Partners, Investors
- Download: Meetings Client, Zoom Rooms Client, Browser Extension, Outlook Plug-in, Lync Plug-in, iPhone/iPad App, Android App
- Sales: 1.888.799.9666, Contact Sales, Plans & Pricing, Request a Demo, Webinars and Events
- Support: Test Zoom, Account, Support Center, Live Training, Feedback, Contact Us, Accessibility

Four blue arrows with white text provide instructions:

1. Enter name and email (points to the name and email fields)
2. Click this box (points to the reCAPTCHA checkbox)
3. Answer challenge question (points to the reCAPTCHA image grid)
4. Click when done. (points to the "Join Webinar in Progress" button)

STEP 3: This Window will appear when connected.



STEP 4: Adjust audio settings (if needed)

The screenshot shows a meeting interface with a 'Settings' window open. The 'Audio' section is selected in the left sidebar. A context menu is open, showing options for speaker and microphone settings. Blue arrows labeled '1' and '2' indicate the steps to adjust audio settings.

Settings

- General
- Video
- Audio**
- Share Screen
- Virtual Background
- Recording
- Statistics
- Feedback
- Keyboard Shortcuts
- Accessibility

Speaker

- Test Speaker
- Remote Audio

Output Level: _____

Volume:

Microphone

- Test Mic
- _____

Input Level: _____

Volume:

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

Sync buttons on headset

Advanced

Context Menu:

- Select a Speaker
- Remote Audio
- Same as System
- Test Speaker & Microphone...
- Leave Computer Audio
- Audio Settings...

Meeting Content:

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)

Audio Settings ^

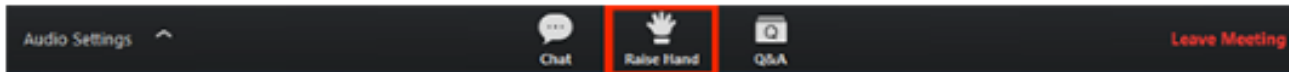
Chat Raise Hand Q&A

STEP 5: Raise hand to be recognized to speak.

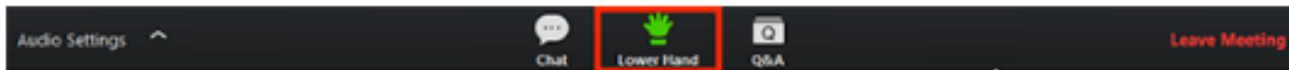
- Once “Raise Hand” is clicked, the Board Chairperson will receive notice and may UNMUTE your microphone when ready and verbally recognize you to speak.

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 Jim Storey and Gale Dugan. The agenda items are listed under "BOARD OF COMMISSIONERS MEETING - AGENDA", including District 1 through 4 details and a central list of items like "CALL TO ORDER", "ROLL CALL", "OPENING PRAYER", etc. At the bottom of the screen, the Zoom meeting controls are visible, including "Audio Settings", "Chat", "Raise Hand", "Q&A", and a red "Leave Meeting" button. A large blue arrow points to the "Leave Meeting" button.

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

JANUARY 25, 2024 SESSION

JOURNAL 72

<u>PAGE</u>	<u>ITEM</u>	<u>SUBJECT MATTER</u>
79	1	FEBRUARY 13, 2024 SESSION - PLEDGE OF ALLEGIANCE, ROLL CALL
79	2	PUBLIC PARTICIPATION - COMMENTS
79	3	APPROVAL OF AGENDA AS PRESENTED
79	4	2023/27 BOARD STRATEGIC PLANNING UPDATE
79	5	BREAK
79	6	ADMINISTRATIVE UPDATE - 4 TH QUARTER CAPITAL REPORT
79	7	PUBLIC PARTICIPATION - NO COMMENTS
80	8	ADJOURNMENT UNTIL FEBRUARY 22, 2024
80	9	FEBRUARY 13, 2024 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL
80	10	APPROVAL OF MINUTES JANUARY 25, 2024
80	11	PUBLIC PARTICIPATION - COMMENTS
80	12	APPROVAL OF AGENDA AS PRESENTED
81-82	13	CLAIMS 2/2/24 AND 2/9/24
82-83	14	BOARD OF COMMISSIONERS - RESOLUTION AUTHORIZING ELECTION PURSUANT TO PUBLIC ACT 69 OF 2005
83	15	BREAK
83-84	16	ALLEGAN STATE GAME AREA (ASGA) USAGE
85-86	17	MICHIGAN DEPARTMENT OF TRANSPORTATION - PERFORMANCE RESOLUTION FOR MUNICIPALITIES
87	18	PUBLIC PARTICIPATION - NO COMMENTS
87	19	ADJOURNMENT UNTIL FEBRUARY 22, 2024

February 13, 2024 Session

FEBRUARY 13, 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 February 13, 2024 at 9:00 A.M. in accordance with the motion for adjournment of January 25, 2024, and rules of this board; Vice-Chair Kapenga 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 - Absent
DIST #2 MARK DEYOUNG
DIST #3 DEAN KAPENGA
DIST #4 SCOTT BELTMAN
DIST #5 GALE DUGAN

PUBLIC PARTICIPATION - COMMENTS

2/ Vice-Chair Kapenga opened the meeting to public participation and the following individuals offered comments:

1. Alice Bernal, candidate for the 48th Circuit Court Judge, introduced herself to the board

AGENDA - ADOPTED AS PRESENTED

3/ Moved by Commissioner Dugan, seconded by Commissioner Beltman to adopt the meeting agenda as presented. Motion carried by voice vote. Yeas: 4 votes. Nays: 0 votes. Absent: 1 vote.

2023/27 BOARD STRATEGIC PLANNING UPDATE

4/ Commissioners discussed the 2023/27 Board Strategic Planning. Highlights included: Broadband Action Workgroup is ready to conclude; State Game area; sustainable business park; corridor development and Calkins Dam.

BREAK - 9:50 A.M.

5/ Upon reconvening at 10:00 A.M., the following Commissioners were present: Commissioner DeYoung, Kapenga, Beltman and Dugan. Absent: Storey.

ADMINISTRATIVE UPDATE - 4TH QUARTER CAPITAL REPORT

6/ Project Manager Valdis Kalnins presented the 4th Quarter Capital Report for 2023.

PUBLIC PARTICIPATION - NO COMMENTS

7/ Vice-Chair Kapenga opened the meeting to public participation and as there were no comments from the public, he closed the meeting to public participation.

ADJOURNMENT UNTIL FEBRUARY 22, 2024 AT 9:00 A.M.

8/ Moved by Commissioner Dugan, seconded by Commissioner Beltman to adjourn until February 22, 2024 at 9:00 A.M. The motion carried by voice vote and the meeting was adjourned at 11:18 A.M. Yeas: 4 votes. Nays: 0 votes. Absent: 1 vote.

AFTERNOON SESSION**FEBRUARY 13, 2024 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

9/ 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 February 13, 2024 at 1:00 P.M. in accordance with the motion for adjournment of January 25, 2024, and rules of this Board; Vice-Chair Kapenga presiding.

The invocation was offered by District #1 Commissioner Storey.

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 25, 2024 SESSION MINUTES - ADOPTED

10/ Moved by Commissioner Beltman, seconded by Commissioner Dugan to approve the minutes for the January 25, 2024 session as distributed. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

PUBLIC PARTICIPATION - COMMENTS

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

1. Al Radspieler of PO Box 266, Hopkins, addressed the board regarding the Pledge of Allegiance; courthouse engineering plans; deer carcasses; and the animal shelter.
2. Tim Culver from Rep. Matt Hall's office gave a legislative update on current bills in Lansing
3. Joe Schaeffer, Dorr Township, addressed the board via Zoom and thanked the Board and the Road Commission for their work; and State Game area issues

AGENDA - ADOPTED AS PRESENTED

12/ 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.

CONSENT ITEMS:

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

13/ WHEREAS, Administration has compiled the following claims for February 2, 2024 and February 9, 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.

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 February 2, 2024 and February 9, 2024.

Moved by Commissioner Dugan, seconded by Commissioner Kapenga to adopt the report of claims for February 2, 2024 and February 9, 2024. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

DISCUSSION ITEMS:

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

14/ 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 14, 2024 by 4:00 P.M.,

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.

Moved by Commissioner Dugan, 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.

BREAK - 2:02 P.M.

15/ Upon reconvening at 2:09 P.M., the following Commissioners were present: Commissioner Storey, DeYoung, Kapenga, Beltman and Dugan.

ALLEGAN STATE GAME AREA (ASGA) USAGE

16/ Commissioners discussed the Allegan State Game Area Usage resolution.

Moved by Commissioner Dugan, seconded by Commissioner Beltman to adopt the amendments to three WHEREAS clauses as discussed. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

Moved by Commissioner Beltman, seconded by Commissioner Beltman to accept the amendment on the final WHEREAS clause. Motion carried by voice call vote. Yeas: 5 votes. Nays: 0 votes.

Moved by Commissioner Storey, seconded by Commissioner Dugan to add a third resolving clause to the resolution. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

Moved by Commissioner Kapenga, seconded by Commissioner Dugan to amend the final THEREFORE BE IT RESOLVED. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

ALLEGAN STATE GAME AREA (ASGA) USAGE

16.1/ **WHEREAS**, the Michigan Department of Natural Resources (MDNR) is committed to the conservation, protection, management, use and enjoyment of the state's natural and cultural resources for current and future generations; and

WHEREAS, the Board of Commissioners (Board) requested a dialogue with MDNR to expand recreation usage of the ASGA initially regarding increased use for biking; and

WHEREAS, citizens, directly and through an independently facilitated citizen engagement survey, have expressed an expectation of increased recreational programming; and

WHEREAS, the Board has since added a goal to increase ASGA usage to its Strategy Plan including consideration of expanding opportunities for

walking, biking, hunting, equestrian use, snowmobiling, ORV use and other potential programming; and

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

WHEREAS, MDNR has generically referenced that the expanded use and activities outlined above may be restricted and not permitted under land use, species protection, and funding agreements.

THEREFORE BE IT RESOLVED that the Board is formally requesting from MDNR any and all documents relative to the properties located within Allegan County, with specific highlights and/or citations to sections of such documents, that outline any restrictions to any activities outlined above, notwithstanding that some activities may need to operate separately from other activities within the broader ASGA; and

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

BE IT FURTHER 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; and

BE IT FINALLY RESOLVED that the Clerk is directed to provide authentic copies of this resolution to Allegan County's representatives and senators in the Michigan Legislature and United States Congressman Bill Huizenga.

Moved by Commissioner Beltman, seconded by Commissioner Dugan to approve the final resolution with all amendments as written. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

MICHIGAN DEPARTMENT OF TRANSPORTATION – PERFORMANCE RESOLUTION FOR MUNICIPALITIES

17/

Michigan Department of Transportation 2207B (05/21)

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 _____ Board of Commissioners

 (Name of Board, etc.)
 of the _____ County of Allegan _____ of _____ Allegan _____

 (Name of MUNICIPALITY) (County)
 at a _____ Board of Commissioners _____ meeting held on the 13th day
 of _____ February _____ A.D. _____ 2024 _____.

Signed

County Clerk/Register of Deeds

Title

Bob Genetski

Print Signed Name

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

PUBLIC PARTICIPATION - NO COMMENTS

18/ Chair 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 FEBRUARY 22, 2024 AT 1:00 P.M.

19/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to adjourn until February 22, 2024 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 2:43 P.M. Yeas: 5 votes. Nays: 0 votes.



Deputy Clerk

Board Chair

Minutes approved during the 00/00/2024 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 2/16/24 and 2/23/24; 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 16, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund - 101	143,114.45	143,114.45	
Friend of the Court - 215	373.65	373.65	
Health Department Fund - 221	3,037.68	3,037.68	
Solid Waste/Recycling Fund - 226	53,519.59	53,519.59	
Multi-Agency Collab. Committee - 245	12,457.00	12,457.00	
Animal Shelter - 254	29.48	29.48	
Indigent Defense Fund - 260	3,242.15	3,242.15	
Central Dispatch Fund - 261	1,472.16	1,472.16	
Grants - 279	2,251.10	2,251.10	
Sheriffs Contracts - 287	183.96	183.96	
Transportation Fund - 288	106,296.36	106,296.36	
Child Care Fund - 292	37,599.35	37,599.35	
Veterans Relief Fund - 293	123.94	123.94	
Senior Services Fund - 298	736.71	736.71	
American Rescue Plan Act - ARPA - 299	11,484.60	11,484.60	
Capital Improvement Fund - 401	190,279.01	190,279.01	
Property Tax Adjustments - 516	4,980.71	4,980.71	
Tax Reversion - 629	240.00	240.00	
Revolving Drain Maintenance Fund - 639	58.97	58.97	
Fleet Management/Motor Pool - 661	64.62	64.62	
Self -Insurance Fund - 677	18,521.30	18,521.30	
Drain Fund - 801	27,173.31	27,173.31	
TOTAL AMOUNT OF CLAIMS	\$617,240.10	\$617,240.10	

February 23, 2024

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund - 101	135,119.20	135,119.20	
Parks/Recreation Fund - 208	1,802.43	1,802.43	
Friend of the Court - 215	1,571.00	1,571.00	
Health Department Fund - 221	3,052.50	3,052.50	
Solid Waste/Recycling Fund - 226	19,333.98	19,333.98	
Animal Shelter - 254	35.27	35.27	
Indigent Defense Fund - 260	13,327.14	13,327.14	
Central Dispatch Fund - 261	459.97	459.97	
Grants - 279	4,389.84	4,389.84	
Sheriffs Contracts - 287	6,173.58	6,173.58	
Transportation Fund - 288	8,457.89	8,457.89	
Child Care Fund - 292	3,204.71	3,204.71	
Veterans Relief Fund - 293	1,780.00	1,780.00	
Senior Services Fund - 298	161,363.01	161,363.01	
Capital Improvement Fund - 401	645.00	645.00	
Property Tax Adjustments - 516	10,336.63	10,336.63	
Revolving Drain Maintenance Fund - 639	28.26	28.26	
Self -Insurance Fund - 677	804.86	804.86	
Drain Fund - 801	14,204.98	14,204.98	
TOTAL AMOUNT OF CLAIMS	\$386,090.25	\$386,090.25	

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for 2/16/24, 2/23/24, 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

HOUSEHOLD HAZARDOUS WASTE

WHEREAS, Allegan County maintains a Resource Recovery Program for recycling; and

WHEREAS, household hazardous waste (HHW) and electronic device drop-off events and scheduled drop-offs have been held for Participating Governmental Units (PGU); and

WHEREAS, the cost of these events is charged back to PGU accounts, and citizens residing in non-PGU are not eligible to participate; and

WHEREAS, the County desires to encourage the safe and responsible disposal of HHW and electronic devices while minimizing program overhead.

THEREFORE BE IT RESOLVED that the Board of Commissioners authorizes a pilot project for 2024 scheduled events and drop-off services to the Health Department as a county-wide eligible event; and

BE IT FINALLY RESOLVED that the County Administrator is authorized to make the necessary budget adjustments (including the allocation from the PCB Water Pollution Class Action Settlement Pay Out and apply/accept grant funding), and any necessary documents to complete this action are authorized to be signed.