

## ALLEGAN COUNTY BOARD OF COMMISSIONERS

## INDEX

MARCH 28, 2024 SESSION

JOURNAL 72

<u>PAGE</u>	<u>ITEM</u>	<u>SUBJECT MATTER</u>
108	1	MARCH 28, 2024 SESSION - PLEDGE OF ALLEGIANCE, ROLL CALL
108	2	PUBLIC PARTICIPATION - COMMENTS
108	3	APPROVAL OF AGENDA AS PRESENTED
108	4	CONSUMERS ENERGY - CALKINS DAM UPDATE
108-109	5	BOARD OF COMMISSIONERS - SUPPORT CREATION OF COMMUNITY PROSPERITY GROUP RE: CALKINS DAM
109	6	ADMINISTRATIVE UPDATE
110-113	7	PUBLIC PARTICIPATION - COMMENTS
114	8	CLOSED SESSION: PERIODIC PERSONNEL EVALUATION FOR THE COUNTY ADMINISTRATOR
114	9	RECONVENE/ROLL CALL FROM CLOSED SESSION
114	10	ADJOURNMENT UNTIL APRIL 11, 2024
114	11	MARCH 28, 2024 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL
114	12	COMMUNICATIONS
115	13	APPROVAL OF MINUTES FOR MARCH 18, 2024
115	14	PUBLIC PARTICIPATION - COMMENTS
115	15	ADDITIONAL AGENDA ITEMS
115	16	APPROVAL OF AGENDA AS AMENDED
115	17	EMPLOYEE RECOGNITION
115-116	18	MEMORIAM - JOHN G KLEINHEKSEL
117	19	INFORMATIONAL SESSION - LAKESHORE ADVANTAGE

117-118	20	CLAIMS
118	21	COMMUNITY ACTION OF ALLEGAN COUNTY PROPERTY INQUIRY
118-119	22	ELECTIONS - COMMUNITY MENTAL HEALTH
119	23	APPOINTMENTS - 911 POLICY & PROCEDURE BOARD
119	24	PUBLIC PARTICIPATION - NO COMMENTS
119	25	REQUEST FOR MILEAGE
119	26	ADJOURNMENT UNTIL APRIL 11, 2024

DRAFT

## MORNING SESSION

**MARCH 28, 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 March 28, 2024 at 9:02 A.M. in accordance with the motion for adjournment of March 18, 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 - COMMENTS**

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

1. Ken Yonker of 3853 Forest Trail in Valley Twp addressed the board regarding the Calkins Dam and the history of decisions being made.
2. Carol Doeringer 3782 Damal Drive thanked the board for their time and support for the long-term prospects of the Calkins Dam.
3. Philip Zigulich of 4003 Manor Lane addressed the board regarding the Calkins Dam.

**AGENDA - ADOPTED AS PRESENTED**

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

**DISCUSSION ITEMS:****CONSUMERS ENERGY - CALKINS DAM UPDATE**

4/ Consumers Energy Community Affairs Director Derek Nofz addressed the board regarding the creation of the Community Prosperity Group.

Coco Soodek from the Lake Allegan Association addressed the board via Zoom in regards to pairing their efforts with Consumers Energy, Allegan County Board of Commissioners, ODC Network and other entities to preserve Lake Allegan.

Discussion followed.

**BOARD OF COMMISSIONERS - SUPPORT CREATION OF COMMUNITY PROSPERITY GROUP RE: CALKINS DAM**

5/ **WHEREAS**, in a news release dated August 9, 2022, Consumers Energy announced it will "gather opinions from the public about the 13 dams they own and operate on five Michigan rivers to help guide their decisions about the future of those electric generating facilities"; and

**WHEREAS**, on August 31, 2022, and June 27, 2023, Consumers Energy held public meetings in Allegan County regarding Calkins Bridge Dam; and

**WHEREAS**, public members and local leaders expressed great concern regarding the potential removal of the hydro facilities/dams and resulting loss of Lake Allegan to the local economy during the meeting and have further expressed concerns in writing to the Board of Commissioners (Board); and

**WHEREAS**, the Board believes that Lake Allegan is an integral part of our region and a key factor in the viability of local water availability (as a water source impacting a primary aquifer), and other dams and lakes are likely an integral part of their respective regions, the dams and lakes should be preserved; and

**WHEREAS**, the Board has identified river hydroelectric power as a reliable, stable source of power for both Allegan County and the State of Michigan; and

**WHEREAS**, the Board hosted a meeting with the Michigan Public Service Commission (MPSC) locally in Allegan County to consider local input, educate stakeholders on the role of the MPSC and impact that may have on the future of the Calkins Dam, and to discuss the unique value proposition the Calkins Dam offers; and

**WHEREAS**, Consumers Energy is convening a Community Prosperity Group (Group) in consultation with the Lake Allegan Association, and led by the ODC Network; and

**WHEREAS**, Consumers Energy and the Lake Allegan Association are requesting the participation from the Board and Administration as members of the Group.

**THEREFORE, BE IT RESOLVED** that the Allegan County Board of Commissioners supports the development of an independent Group; and

**BE IT FURTHER RESOLVED** the Board hereby appoints Commissioner Beltman to the Group and the County Administrator (or designee) to the Group; and

**BE IT FURTHER RESOLVED** the County Administrator has designated Executive Director of Services Dan Wedge to participate in the Group (and the County Administrator may continue to attend as a resource or in coverage of Mr. Wedge should he be unavailable) and is authorized to assist with meeting space for the Group if necessary; and

**BE IT FINALLY RESOLVED**, Midwest Strategies Group is requested to notify the MPSC and all members of the legislature representing Allegan County, of the creation of the Group.

Moved by Commissioner Beltman, 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.

#### **ADMINISTRATIVE UPDATE**

6/ Administrator Sarro noted his written report was submitted to Commissioners. Highlights included: M89/M40 roundabout construction; Courthouse/County Services construction; animal shelter; economic development; transportation technology; Stork Club; Human Services construction; old animal shelter demolition; and the broadband project.

**PUBLIC PARTICIPATION - COMMENTS**

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

1. Al Radspieler of Hopkins addressed the board regarding the M89/M40 roundabout; courthouse construction; animal shelter volunteers; and deer carcasses.
2. Sally Brooks of 1224 Turkey Lane, addressed the board with a complaint with the animal shelter and the new design of the courthouse.

Al Radspieler had submitted a list of questions to the Board of Commissioners on March 18, 2024. Commissioner Storey requested the responses be a part of the record.

DRAFT

## Allegan County Administrative Services



County Services Building  
3283 122<sup>nd</sup> Avenue  
Allegan MI 49010

March 26, 2024

Al Radspieler  
P.O.Box 266  
Hopkins, MI 49328

Dear Mr. Radspieler,

The Allegan County Board of Commissioners received your questions on March 18, 2024. Below are responses to each question.

- Q1. Why are you moving offices out of the courthouse when you are building enough space for the new judge? State law says they are to remain in the county seat. 'I spoke to Bob Genetski, Sally Brooks, and Denise Medemar, they are happy with where they are located.
- R1. The inability of the Courthouse, in its current state, to meet modern justice needs has long been discussed and documented. The addition of a Circuit Court Judge is just one factor. Since at least 2009, additional space has been requested by several offices now housed at the Courthouse. Lack of space for: client/attorney conference rooms, appropriate jury processes, separation of opposing parties, separation of victims and witnesses from the accused, probable cause conferences, District Court clerical functions, and expected growth needs for judicial space are just a few examples of other well-documented issues that are required to be addressed in the Courthouse.

The County's plan complies with State law. The County will continue to provide for the principal office of each elected official you mentioned in the Courthouse. The County's plan also utilizes vacant space at the County Services Building for general government services. Among other benefits, the County Services Building offers more direct physical access to service, increased easy access to parking, flexible office space, proximity to other general government offices, and a central County location. In addition, the plan supports expanding services to citizens through technology. The law does not prevent service from being supplied in multiple locations and through different methods.

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Executive Director of Human  
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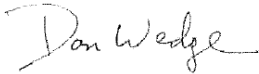
- Q2. Why wasn't the statue moved to the spot across from the library where more people would be able to see his face?
- R2. The County sought input from the Historical Society, the City, and the contractor. All recommended the location to which the statue was moved. The orientation of the statue is historically correct.
- Q3. What were the engineering costs for the new addition?
- R3. Engineering costs were not specific to each area. The total costs for engineering of the entire project were approved not to exceed \$600,000, which accounts for approximately 6% of the project cost, which is very competitive.
- Q4. Was the engineering job put up for bids?
- R4. Yes, the County requested bids for Facility Master Planning services from firms that have performed with Allegan County properties, specifically the Courthouse. The bids formed the basis for construction-specific work from the master planning. Wightman and Associates had the lowest cost and most qualified bid. The central entrance, holding cells, and sally port improvements to the Courthouse were engineered by the County's previously contracted architect and engineering firm, GMB. After those projects, GMB changed its primary focus and notified the County that it would not be continuing in its ongoing contract.
- Q5. Bike trails? There are over 50 K acres of state land in Allegan. Why place disruptive activity in the environment of one of the few places where the blue butterfly can survive? There is no NEED to put the trails there, choose another area.
- R5. Thank you for sharing your perspective. The blue butterfly issue was specific to the snowmobile trails. DNR has requested that the trail be re-routed. Yes, bike trails can exist within the 50,656 acres of the Allegan State Game area without detriment to the butterfly or other activities.
- Q6. Why was a flag and flagpole placed at the animal shelter at county expense? What was the cost of the flag and pole and installation? How many employees work at the animal shelter and what is their hourly wage?
- R6. A local veteran asked the County why there was no flagpole at the Animal Shelter. A flagpole exists at all other County-owned buildings; therefore, for consistency one was installed. A flagpole should have been installed when the building was constructed. The pole, solar lighting, outdoor rated American flag, professional installation, and all other supplies cost \$2,140.
- The County directly employs 11 staffed positions at the shelter. In general, 2024 base wages range between \$16.02/hr to \$25.63/hr. We also have a medical director position and paid

independent contractor positions for medical and veterinary services. Through the facilitation of a non-profit partner, over 75 volunteers also support the care of the shelter animals.

- Q7. How can we get the carcasses of dead animals removed from beside our roads? Their bloated bodies are gruesome and negative pictures as you drive pass them. The rotting and decaying of the animals present a HEALTH HAZZARD! Several of our neighboring counties have programs in place to alleviate the problem. So should we!
- R7. The County general government does not have jurisdiction over the roads. Roads, roadsides, road hazards, etc., are primarily governed by the Road Commission (a separate entity from Allegan County Government), the Michigan Department of Transportation, and certain local government units. The County Road Commission will move deceased animals to the roadside if they are a traffic hazard. According to the Michigan Department of Natural Resources and the Road Commission, the animals are left to decompose naturally, or if the deceased animal is near private property, the owner may opt to have the animal disposed of through a service provider at the property owner's cost. However, based on your reference to other counties, it is understood there may be exceptions, such as the Ottawa County Road Commission, that handles the removal of deceased animals. Barry County also has a program through its Sheriff's Department; however, that is funded through Solid Waste Tipping Fees. Allegan County does not receive that revenue as we do not have an active landfill.

If you have any additional questions, please contact me at (269) 686-5235.

Sincerely,



Executive Director of Services  
Allegan County  
3283 122<sup>nd</sup> Avenue  
Allegan, MI 49010



**CLOSED SESSION: PERIODIC PERSONNEL EVALUATION FOR THE COUNTY ADMINISTRATOR**

8/ Moved by Commissioner Kapenga, seconded by Commissioner Beltman to recess to closed session to discuss a periodic personnel evaluation of the County Administrator. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**RECONVENE/ROLL CALL FROM CLOSED SESSION**

9/ Moved by Commissioner Beltman, seconded by Commissioner DeYoung that the Board come out of closed session at 11:39 A.M. Motion carried by voice call vote. Yeas: 5 votes. Nays: 0 votes.

**ADJOURNMENT UNTIL APRIL 11, 2024 AT 9:00 A.M.**

10/ Moved by Commissioner DeYoung, seconded by Commissioner Beltman to adjourn until April 11, 2024 at 9:00 A.M. The motion carried by voice vote and the meeting was adjourned at 11:39 A.M. Yeas: 5 votes. Nays: 0 votes.

**AFTERNOON SESSION**

**MARCH 28, 2024 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 March 28, 2024 at 1:00 P.M. in accordance with the motion for adjournment of March 18, 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 - left at 2:03 P.M.
- DIST #4 SCOTT BELTMAN
- DIST #5 GALE DUGAN

**COMMUNICATIONS**

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

1. Grand Traverse County resolution of support for adoption of SB662
2. Tuscola County resolution to support local control for wind and solar operations
3. Ogemaw County resolution of support for statewide ballot initiative to restore local control of siting decisions for renewable energy and energy storage projects
4. Ingham County resolution supporting statewide water affordability legislation

**MARCH 18, 2024 SESSION MINUTES - ADOPTED**

13/ Moved by Commissioner Kapenga, seconded by Commissioner Dugan to approve the minutes for the March 18, 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. Emily Jipp, candidate for the 48<sup>th</sup> Circuit Court judgeship, introduced herself to the board.
2. Michelle Harris from Watson Township addressed the board regarding the marijuana revenue and the movie Fingerprints of Fraud.
3. Mike Staton, MSU Extension office, thanked the board for all the support he has received from the county. He will be retiring in May.

**AGENDA - AMENDMENT**

15/ Chair Storey asked if there were any additions or changes to the agenda. Commissioner Storey noted that discussion item #1 on the Calkins Dam was addressed during the morning session.

Moved by Commissioner Storey, seconded by Commissioner Dugan to adopt the changes to the meeting agenda as requested. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes.

**AGENDA - ADOPTED AS AMENDED**

16/ Moved by Commissioner Kapenga, seconded by Commissioner Dugan to adopt the meeting agenda as amended. Motion carried by voice vote. Yeas: votes. Nays: votes.

**EMPLOYEE RECOGNITION**

17/ Sheriff Frank Baker presented Corrections Officer Karen Larson with a plaque for her 16 years of service to Allegan County.

**MEMORIAM - JOHN G. KLEINHEKSEL**

18/ Commissioner Storey read the memorial resolution for John G. Kleinheksel and commissioners did a standing vote to adopt the resolution of memoriam.

Road Commission Managing Director Craig Atwood and Road Commissioner Larry Brown also presented a resolution to the family of John G. Kleinheksel.

ALLEGAN COUNTY BOARD OF COMMISSIONERS  
I N M E M O R I A M

John G. Kleinheksel  
March 21, 1948 - February 28, 2024

TO THE HONORABLE THE BOARD OF COUNTY COMMISSIONERS,  
Gentlemen:

WHEREAS, our Almighty God, in His providence, has removed from this life our friend and public servant, John Kleinheksel; and

WHEREAS, the members of this Board recognize and are grateful for his passionate commitment to citizenship and public service in our Allegan County Community. From November 1988 through November 2012, John served as Fillmore Township Trustee. Since January 1, 2009, John served as an Allegan County Road Commissioner and Chair of the Road Commission Board since October 10, 2018. John was also a Veteran of the Michigan National Guard, Wyoming Unit from 1966-1972; and

WHEREAS, John's joys were founded in family, farming, livestock, and a lifelong passion for God's land.

THEREFORE, BE IT RESOLVED that we, the Allegan County Board of Commissioners, mourning his loss, not only to his family but to his friends, to the public, and ourselves, do hereby extend our sincere sympathy to his bereaved family, and in cherishing his memory in respect to his many virtues, we do hereby instruct the Clerk of this Board to inscribe a page of this Journal to his memory and to forward a copy of this resolution to his family.

Dated at Allegan, Michigan, this 28<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Jim Storey, Board Chair

\_\_\_\_\_  
Dean Kapenga, Board Vice-Chair

The members of the Board of Commissioners rose for a moment of silence to honor the life and memory of John Kleinheksel.

STATE OF MICHIGAN)  
ss  
COUNTY OF ALLEGAN)

I, Bob Genetski, Clerk of the Allegan County Board of Commissioners and Clerk of the County of Allegan do hereby Certify that the Above Resolution was duly adopted by said Board on March 28<sup>th</sup> of the year 2024.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court in Allegan, Michigan, this 28<sup>th</sup> day of March 2024.

\_\_\_\_\_  
Bob Genetski, Clerk-Register

**INFORMATIONAL SESSION - LAKESHORE ADVANTAGE**

19/ Vice President of Strategic Initiatives Mandy Cooper presented Lakeshore Advantages annual report.

**FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS**

20/ **WHEREAS**, Administration has compiled the following claims for March 22, 2024 and March 29, 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.

**March 22, 2024**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
GENERAL FUND - 101	66,144.19	66,144.19	
PARKS/RECREATION FUND - 208	2,162.26	2,162.26	
FRIEND OF THE COURT -Cooperative Reimb - 215	3,251.00	3,251.00	
HEALTH DEPARTMENT FUND - 221	3,684.75	3,684.75	
SOLID WASTE / RECYCLING - 226	62,145.48	62,145.48	
ANIMAL SHELTER - 254	1,285.32	1,285.32	
INDIGENT DEFENSE FUND - 260	6,755.58	6,755.58	
SHERIFFS CONTRACTS - 287	6,549.33	6,549.33	
TRANSPORTATION FUND - 288	111,927.81	111,927.81	
CHILD CARE FUND - 292	5,102.93	5,102.93	
SENIOR SERVICES FUND - 298	109,971.39	109,971.39	
CAPITAL IMPROVEMENT FUND - 401	25,823.00	25,823.00	
PROPERTY TAX ADJUSTMENTS - 516	31.30	31.30	
FLEET MANAGEMENT / MOTOR POOL - 661	583.44	583.44	
SELF-INSURANCE FUND - 677	2,500.00	2,500.00	
DRAIN FUND - 801	74,666.47	74,666.47	
GENERAL FUND - 101	66,144.19	66,144.19	
PARKS/RECREATION FUND - 208	2,162.26	2,162.26	
FRIEND OF THE COURT -Cooperative Reimb - 215	3,251.00	3,251.00	
HEALTH DEPARTMENT FUND - 221	3,684.75	3,684.75	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$482,584.25</b>	<b>\$482,584.25</b>	

**March 29, 2024**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	169,953.15	169,953.15	
Parks/Recreation Fund - 208	5,847.28	5,847.28	

Friend of the Court Fund - Cooperative Reimb – 215	280.94	280.94	
Health Department Fund - 221	2,350.33	2,350.33	
Solid Waste/ Recycling –226	10,955.20	10,955.20	
Animal Shelter - 254	628.53	628.53	
Indigent Defense Fund- 260	61,837.26	61,837.26	
Central Dispatch Fund - 261	62,226.61	62,226.61	
Local Corrections Officers Training Fund – 264	4,800.00	4,800.00	
Grants – 279	5,173.90	5,173.90	
Sheriffs Contract - All Other - 287	972.64	972.64	
Transportation Fund – 288	4,387.78	4,387.78	
Child Care Fund - 292	4,199.44	4,199.44	
Veterans Relief Fund - 293	4,122.30	4,122.30	
Senior Services Fund - 298	78,828.86	78,828.86	
American Rescue Plan Act - ARPA - 299	10,881.59	10,881.59	
Capital Improvement Fund - 401	24,295.67	24,295.67	
Delinquent Tax Revolving Fund - 516	5,203.49	5,203.49	
Delinquent Tax Revolving Fund 2023 Taxes - 523	2,900,195.22	2,900,195.22	
Fleet Management / Motor Pool- 661	169.53	169.53	
Self-Insurance Fund - 677	2,010.04	2,010.04	
Drain Fund - 801	49,996.40	49,996.40	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$3,409,316.16</b>	<b>\$3,409,316.16</b>	

**THEREFORE BE IT RESOLVED** that the Board of Commissioners adopts the report of claims for March 22, 2024 and March 29, 2024.

Moved by Commissioner Dugan, seconded by Commissioner Beltman to adopt the report of claims for March 22, 2024 and March 29, 2024. Motion carried by roll call vote. Yeas: 5 votes. Nays: 0 votes.

**DISCUSSION ITEMS:**

**COMMUNITY ACTION OF ALLEGAN COUNTY PROPERTY INQUIRY**

21/ Commissioner Kapenga discussed Community Action's inquiry to use vacant county facilities to house a child care center or other uses. This is for discussion only to see if this is something the board would consider and to gather more information.

**ELECTIONS – COMMUNITY MENTAL HEALTH**

22/ Chair Storey opened nominations to fill the 3-year term on the Community Mental Health; term to expire 3/31/2027.

Commissioner Storey nominated:

Elizabeth Johnson, 2355 122<sup>nd</sup> Ave, Hopkins (Family member)

Craig Van Beek, 4290 Summer Creek Dr, Dorr (Family member)

Jessica Castaneda, 3996 Rabbit River Ln, Dorr (Family member)

Kim Bartnick, 1125 144<sup>th</sup> Ave Apt 1, Wayland (General Public)

Moved by DeYoung, seconded by Beltman to close the nominations and cast a unanimous ballot for the slate as nominated. Motion carried unanimously. Yeas: 4 votes. Nays: 0 votes. Absent: Kapenga.

**APPOINTMENTS - 911 POLICY AND PROCEDURE BOARD**

**23/** Chair Storey announced the appointment of the following individual to the 911 Policy and Procedure Board to fill the remainder of a 2-year term; term to expire 7/31/2024.

Gary Fordham, 4103 Whitepine Dr, Dorr MI (Dorr Fire Dept)

Moved by Commissioner DeYoung, seconded by Commissioner Dugan to approve the appointment as made. Motion carried by voice vote. Yeas: 4 votes. Nays: 0 votes. Absent: 1 vote.

**PUBLIC PARTICIPATION - NO COMMENTS**

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

**REQUEST FOR MILEAGE**

**25/** Commissioner Storey requested mileage reimbursement for attending the grant ceremony at Holtec International on March 27, 2024.

Moved by Commissioner Dugan, seconded by Commissioner Beltman to approve mileage reimbursement for Commissioner Storey. Motion carried by roll call vote. Yeas: DeYoung, Beltman and Dugan. Abstain: Storey. Absent: Kapenga.

**ADJOURNMENT UNTIL APRIL 11, 2024 AT 1:00 P.M.**

**26/** Moved by Commissioner Dugan, seconded by Commissioner DeYoung to adjourn until April 11, 2024 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 2:33 P.M. Yeas: 4 votes. Nays: 0 votes. Absent: 1 vote.

*Jennifer Dien*

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Deputy Clerk

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Board Chair

Minutes approved during the 00/00/2024 Session