

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, Chairperson
Gale Dugan, Vice Chairperson*

BOARD OF COMMISSIONERS MEETING – AGENDA *REVISION – 9/21/21

Thursday, September 23, 2021 – 1PM
County Services Building, Board Room
Virtual Meeting Options – Connectivity Instructions **Attached**

DISTRICT 1
Dean Kapenga
616-218-2599
dkapenga@
allegancounty.org

1PM

CALL TO ORDER:
ROLL CALL:
OPENING PRAYER: Commissioner Jim Storey
PLEDGE OF ALLEGIANCE:
COMMUNICATIONS: *Attached
APPROVAL OF MINUTES:
September 9, 2021
PUBLIC PARTICIPATION:
ADDITIONAL AGENDA ITEMS:
APPROVAL OF AGENDA:
PRESENTATIONS:
PROCLAMATIONS:
INFORMATIONAL SESSION:
County Prosecutor Myrene Koch
ADMINISTRATIVE REPORTS:

DISTRICT 2
Jim Storey
616-848-9767
jstorey@
allegancounty.org

DISTRICT 3
Max R. Thiele
269-673-4514
mthiele@
allegancounty.org

CONSENT ITEMS:

1. Motion to approve of claims paid and to incorporate into proceedings of the Board (9/17/21 & 9/24/21)

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

ACTION ITEMS:

1. 2022 Budget—set Budget Hearing

DISTRICT 5
Tom Jessup
269-637-3374
tjessup@
allegancounty.org

DISCUSSION ITEMS:

1. *Michigan Recycling Coalition House Bills 4454-4461—request Letter of Support (204-820) (TABLED 9/9/21)
2. *Mental Health Support for COVID-19 (TABLED 9/9/21)

DISTRICT 6
Gale Dugan
269-694-5276
gdugan@
allegancounty.org

NOTICE OF APPOINTMENTS & ELECTIONS:

1. Community Mental Health (E)
 - One Family Member Representative—term expires 3/31/24 [Applications REC 9/16](#)

APPOINTMENTS:

1. Tourist Council
 - One Representative—term expired 12/31/22 [Application REC 9/9](#)

DISTRICT 7
Rick Cain
269-744-7918
rcain@
allegancounty.org

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”

2. Water Study Workgroup:
 - Two County Commissioners Representatives
 - One Manager or Supervisor of a Local Unit of Government. Representative
 - One Municipal Water Supply Supervisor or Technician Representative [Application REC 8/3](#)
 - One Academia (Not directly related to the development of the groundwater study) Representative [Application REC 8/3](#)
 - Agricultural Businesses: Growers & Livestock Representative
 - Allegan County Conservation District (ACCD) Representative [Application REC 7/20](#)
 - Real Estate: Builder, Developer, and Realtor- Representative
 - Industrial Representative
 - Well Driller Representative [Application REC 9/3](#)
 - Restaurant Owner Representative
 - Community Member (owner of a private water supply) Representative [Application REC 7/2; 7/20](#)
 - Tribal Member Representative
3. Broadband Action Workgroup:
 - One City or Township (East Side) Representative
 - One Agri-business Representative
 - One Industry/Large Employer Representative [Application REC 9/3](#)
4. Brownfield Redevelopment Authority
 - One Representative—term expired 12/31/2019
5. Solid Waste Planning Committee
 - One Solid Waste Industry Representative—term expired 12/31/19
 - One Solid Waste Industry Representative—term expired 12/31/20
 - One Industrial Waste Generator Representative—term expired 12/31/20
6. Tourist Council
 - One Representative—term expired 12/31/20

ELECTIONS:

1. Commission on Aging
 - One Member Representative—term expires 12/31/22
2. Board of Canvassers
 - One Democratic Representative—term expires 10/31/21 [Nominees REC 9/1](#)
 - One Republican Representative—term expires 10/31/21 [Nominees REC 9/1](#)

PUBLIC PARTICIPATION:

FUTURE AGENDA ITEMS:

REQUEST FOR PER DIEM/MILEAGE:

BOARDS AND COMMISSIONS REPORTS:

ROUND TABLE:

ADJOURNMENT: Next Meeting - Thursday, October 14, 2021, 7:00PM @ COUNTY SERVICES BUILDING, BOARD ROOM



Allegan County Board of Commissioners



Allegan County Board of Commissioners Meeting

September 23, 2021



Allegan County
3283 122nd Ave
Allegan, MI 49010

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: 899 5058 6914, then #, then # again
- Type in Meeting Password: 92321, 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/89950586914>
- Meeting Password: 92321

<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 a red asterisk):

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

Below the form is a reCAPTCHA challenge with the text "I'm not a robot" and a "Join Webinar in Progress" button.

Four blue arrows with white text provide instructions:

1. Enter name and email
2. Click this box
3. Answer challenge question
4. Click when done.

The footer contains 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

Additional elements include a language dropdown, a currency dropdown (US Dollars), and a "VERIFY" button.

STEP 3: This Window will appear when connected.



STEP 4: Adjust audio settings (if needed)

1

2

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

269-673-4514
mble@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 ^

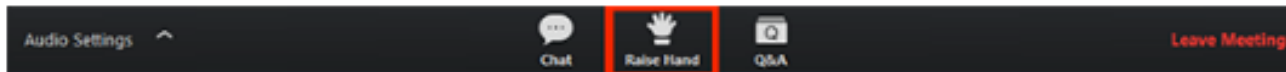
Chat Raise Hand Q&A

STEP 5: Raise hand to be recognized to speak.

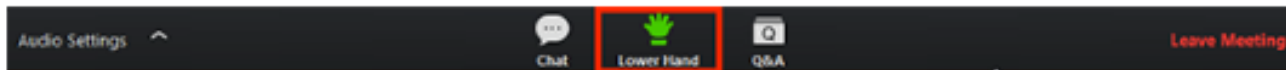
- Once “Raise Hand” is clicked, the Board Chairperson will receive notice and may UNMUTE your microphone when ready and verbally recognize you to speak.

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

You are viewing Allegan County Administration's screen View Options

Enter Full Screen

Allegan County Board of Commissioners

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Jim Storey, Chairperson
Gale Dugan, Vice Chairperson

BOARD OF COMMISSIONERS MEETING – AGENDA

DISTRICT 1
Dean Kasperge
616-218-2599
dkasperge@allegancounty.org

DISTRICT 2
Jim Storey
616-848-9767
jstorey@allegancounty.org

DISTRICT 3
Max R. Thiele
269-673-4514
mthiele@allegancounty.org

DISTRICT 4
Marti DeYoung

Virtual Meeting – Connectivity Instructions **Attached**

1PM

CALL TO ORDER:
ROLL CALL:
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PUBLIC PARTICIPATION:
ADDITIONAL AGENDA ITEMS:
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PRESENTATIONS:
PROCLAMATIONS:
INFORMATIONAL SESSION: Attached
ADMINISTRATIVE REPORTS:

CONSENT ITEMS:

PAGE 1 OF 2 251 WORDS 100%

Audio Settings Chat Raise Hand Q&A **Leave Meeting**



Michelle M. Stevenson

Roscommon County Clerk & Register of Deeds
500 Lake Street, Roscommon, Michigan 48653
Email: stevensonm@roscommoncounty.net
Phone: (989) 275-5923 or (989) 275-5931
Fax: (989) 275-8640

September 9, 2021

“Motion by Melvin, Second by Muckenthaler to adopt Resolution #2021-09-01;

RESOLUTION #2021-09-01

OPPOSING PROPOSED LEGISLATIVE CHANGES TO CURRENT MENTAL HEALTH SYSTEMS

WHEREAS, Northern Lakes Community Mental Health Authority has served for more than 50 years as the public mental health and intellectual/developmental disabilities services provider for this community, serving approximately 24,900 residents in Roscommon County each year; and

WHEREAS, Northern Lakes Community Mental Health Authority was created by the Roscommon County Board of Commissioners as duly authorized under the Community Mental Health Act of 1963; and

WHEREAS, Every year thousands of individuals and their families in this community depend on the public behavioral health system for daily and life-long supports and services; and

WHEREAS, Northern Lakes Community Mental Health Authority opposes any behavioral health redesign that harms the state and county partnership for community mental health and related Medicaid safety net services and/or seeks to privatize Medicaid behavioral health services; and

WHEREAS, The Roscommon County Board of Commissioners believes recent proposals in the Michigan House and Senate fundamentally change the public behavioral health system and will harm those served by the system for the following reasons:

- Beneficiaries would stand to lose access to services, supports and input into the design and operation of their services and supports system. Many Michiganders would be left out of the redesign proposals completely;
- Public oversight, governance, operations and accountability would be ended;
- Current proposals for redesign are not based on performance metrics related to positive outcomes, effectiveness and efficiency measures associated with the current public system. Also, there is no clear statement about the problems that the Senate or House are attempting to address or solve;
- The Senate proposal specifically incentivizes and prioritizes profits to private companies at the expense of the public and the beneficiaries served by the public behavioral health system;

WHEREAS, Instead of damaging our public behavioral health system through pursuit of these proposals recent innovations by the public behavioral health system should be supported. The Roscommon Board of Commissioners supports and asks our Legislative and Executive Branch leaders to support;

- Certified Community Behavioral Health Clinics (CCBHCs)
- Behavioral Health Homes
- Opioid Health Homes
- State Innovation Models

- Local primary and behavioral health integration infrastructure and care coordination at the point of service delivery

WHEREAS, The public behavioral health system is the safety net system for our state’s most vulnerable and needy people, we believe strongly that the public safety net behavioral health system must remain public in governance, accountability, funding and operation and we believe strongly that representatives in the community and to the whole board of directors through participation in local public board meetings under the Open Meetings Act, and recent proposals by the Michigan Senate and House eliminate these key features of the behavioral health system, we stand united in opposing these proposals, and

WHEREAS, The premise of these proposals seems to be that privatization (Senate) and state-centralization (House) are better than local access, local control, local accountability, collaborative regional/local management and local oversight. These are just a few of the beneficial features of the current public behavioral health system that the House and Senate proposals ignore and for these reasons we stand united in opposition to them, and

WHEREAS, Having come through a recent pandemic, and currently dealing with further results of the pandemic, this is no time for a major upheaval of the public behavioral health system that so many thousands of persons, their families and entire communities rely on for support. The public behavioral health safety net has ensured continued services and supports for all these people in our communities throughout the pandemic period.

THEREFORE, BE IT RESOLVED by the Roscommon County Board of Commissioners, that we request that our policy making representatives support, improve and strengthen the public behavioral health safety net system, and that you support improvements in the delivery of publicly governed, publicly accountable, publicly operated regional and community-based systems, invest in and expand initiatives that are proven to improve citizen access, beneficiary engagement, individual and population health, behavioral wellbeing, quality of life and community betterment such as those mentioned above. These are among the accomplishments of the public system that would be destroyed by pursuing these new legislative proposals.

On Roll Call:

Ayes: Russo, Schneider, Milburn, Muckenthaler

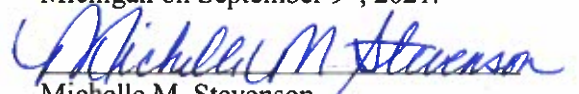
Nays: None

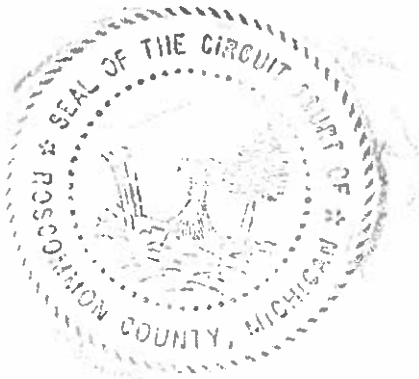
Resolution Adopted

State of Michigan }
County of Roscommon}

I, Michelle M. Stevenson, Clerk of the Board of County Commissioners for the County of Roscommon do hereby certify that the above is a true and correct copy of a resolution adopted by the Roscommon County Board of Commissioners at a regular session held on September 8th, 2021. That I have compared the same with the original and it is a copy transcript therefrom, and of the whole thereafter.

In testimony whereof, I have hereunto set my hand and affixed the official seal at Roscommon, Michigan on September 9th, 2021.


Michelle M. Stevenson
Clerk of the Board of County Commissioners



TUSCOLA COUNTY BOARD OF COMMISSIONERS

125 W. Lincoln Street
Suite 500
Caro, MI 48723

Telephone: 989-672-3700
Fax: 989-672-4011

At a regular meeting of the Board of Commissioners for the County of Tuscola, State of Michigan, on the 16th day of September, 2021 with the meeting called to order at 8:00 a.m.

Commissioners Present: Thomas Young, Thomas Rowland, Doug DuRusso, Dan Grinstead

Commissioners Absent: Kim Vaughan

The following resolution was offered by Commissioner Young, seconded by Commissioner Grinstead.

Resolution to Exempt Certain Counties from the Recently Updated Open Meetings Act (OMA)

Resolution 2021-13

Whereas, the Tuscola County Board of Commissioners has concerns regarding the decisions made regarding PA 254, and

Whereas, prior to the most recent amendments to the OMA, it was generally well-settled that members of a public body could participate in a meeting electronically so long as a quorum of the public body was physically present at the meeting location, and

Whereas, before March 31, 2021 and retroactive to March 18, 2020 any circumstances, including, but not limited to, any of the circumstances requiring accommodation of absent members described in section 3(2), and

Whereas, on and after March 31, 2021 through December 31, 2021, only those circumstances requiring accommodation of members absent for the reasons described in section 3(2). For the purpose of permitting an electronic meeting due to a local state of emergency or state of disaster, this subdivision applies only as follows:

- (i) To permit the electronic attendance of a member of the public body who resides in the affected area.
- (ii) To permit the electronic meeting of a public body that usually holds its meeting in the affected area.

Whereas, after December 31, 2021, members of a public body will be allowed to participate in a meeting electronically only in the circumstances requiring accommodation of members absent due to military duty as described in section (3)2, and

Whereas, this substantive change eliminates a public body's previous flexibility to allow one or two members to participate remotely.

Therefore, **Be It Resolved**, that the Tuscola County Board of Commissioners requests that all counties with populations of 75,000 or less be exempt from the portion of PA 254 that allows only members absent due to military duty to be allowed to participate in meetings electronically.

Be it Further Resolved, that the Tuscola County Board of Commissioners submits this resolution to all Michigan Senators, all Michigan Representatives, all Michigan Counties, Michigan Township Association, all Tuscola County Cities and Townships, Gene Pierce, Tuscola Intermediate School District Superintendent and all Superintendents within Tuscola County.

Roll Call Vote:

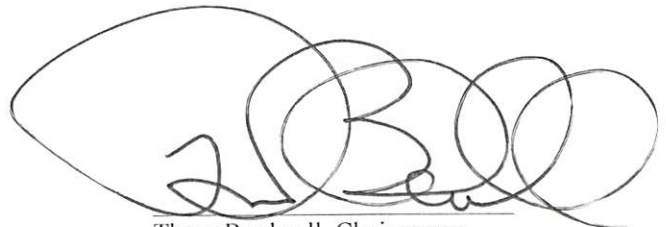
Ayes: *Young, DuRusseau, Hineshaw, Bardwell*

Nays: *none*

Absent - Vaughan

Resolution declared adopted.

Date 9-16-2021



Thom Bardwell, Chairperson
Tuscola County Board of Commissioners

I, Jodi Fetting, Tuscola County Clerk, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Tuscola County Board of Commissioners at its meeting on September 16, 2021.

Date 9-16-2021



Jodi Fetting
Tuscola County Clerk

County of Muskegon



MUSKEGON COUNTY RESOLUTION TO PROMOTE GENERAL WELFARE

At a regular meeting of the Muskegon County Board of Commissioners, Muskegon County, Michigan, held on 14th day of September, 2021, at 3:00 p.m. local time, the following resolution was adopted; and

WHEREAS, the citizens of Muskegon County being both informed about the risks and benefits of available medical treatment such as vaccines; as well as maintaining the sacred inalienable right to make autonomous choices about their own health are essential to securing both the general Welfare and securing the Blessings of Liberty as they are protected by the Constitution of the United States of America; and

WHEREAS, we, the Board of Commissioners for Muskegon County believe that the medical decisions of citizens are best made in consult with their healthcare professional who is knowledgeable of the citizens health history;

THEREFORE, LET IT BE RESOLVED, Muskegon County messaging henceforth related to vaccines shall encourage citizens to discuss the risks and benefits of any such treatment with their chosen healthcare provider; and

BE IT FURTHER RESOLVED, Muskegon County shall NOT question any citizens claim, or parents' claim on behalf of their children, to exemption from wearing a facemask or any other similarly mandated activity; and

BE IT FURTHER RESOLVED, Muskegon County shall NOT require of or mandate to any employee, prospective employee, or contractor any form of vaccine or similar medical treatment, verification or COVID-19 test verification as a general condition of employment; and will NOT encourage employers located within Muskegon County to establish such mandates that so hinder medical autonomy; and

BE IT FURTHER RESOLVED, The Muskegon County Board of Commissioners does hereby ENCOURAGE the citizens of Muskegon County to continue to increase their awareness of available preventative measures and therapies by discussing the risks and benefits of available preventative measures and therapies with their chosen healthcare provider; and

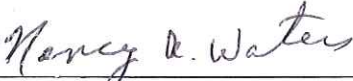
BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Whitmer, Senator Jon Bumstead, Representative Terry Sabo, Representative Greg VanWoerkom, the Michigan Senate, the Michigan House of Representatives, Michigan Association of Counties and to the Clerk of each County in the State of Michigan.

The Muskegon County Board of Commissioners, at its September 14, 2021, meeting recommended approval by Commissioner Zach Lahring, support by Commissioner Wilkins, the aforementioned resolution.

Ayes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Rillastine Wilkins

Nayes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

I, Nancy A. Waters, Clerk of the Muskegon County Board of Commissioners and Clerk of the County of Muskegon, do hereby certify that the above Resolution was duly adopted by said Board on September 14, 2021.



Nancy A. Waters, Clerk
County of Muskegon

9/20/21
Date



ALLEGAN COUNTY BOARD OF COMMISSIONERS

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SEPTEMBER 9, 2021 SESSION

JOURNAL 69

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643	3	AGENDA - ADDITIONS
643	4	AGENDA - ADOPTED AS AMENDED
643	5	ALLEGAN COUNTY MENTAL HEALTH UPDATE
644	6	AMEND MEETING AGENDA
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664	28	MICHIGAN RECYCLING COALITION HOUSE BILLS 4454- 4461 - REQUEST LETTER OF SUPPORT - TABLED
664	29	2022 BUDGET
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MORNING SESSION**SEPTEMBER 9, 2021 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 September 9, 2021 at 9:00 A.M. in accordance with the motion for adjournment of August 26, 2021, and rules of this board; Chairman Storey presiding.

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

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

DIST #1	DEAN KAPENGA	DIST #5	TOM JESSUP
DIST #2	JIM STOREY	DIST #6	GALE DUGAN
DIST #3	MAX THIELE	DIST #7	RICK CAIN - left at 10:55 AM
DIST #4	MARK DeYOUNG		

PUBLIC PARTICIPATION - COMMENTS

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

1. Steve McNeal of Holland read a statement opposing the mask mandates
2. Jeff Koon of Dorr Township - opposes mask mandate
3. Ken Beyer of Hamilton - opposes mask mandate
4. Matt Williamson of Shelbyville - opposes mask mandate
5. Amanda Pierson of Gun Plain Township - supports the efforts of the Health Department
6. Terri Beilby of Martin Township - look at the science from both sides

AGENDA ADDITIONS

3/ Chairman Storey asked if there were any additions or changes to the agenda. Commissioner Kapenga asked to add discussion item #3 relative to the duties of the Health Board and move the Administrative Update as discussion item #4.

Moved by Commissioner Kapenga, seconded by Commissioner Cain to adopt the changes to the meeting agenda as requested. Motion carried by voice vote. Yeas: Kapenga, Storey, DeYoung, Jessup, Dugan and Cain. Nays: Thiele.

AGENDA - ADOPTED AS AMENDED

4/ Moved by Commissioner Kapenga, seconded by Commissioner Cain to adopt the meeting agenda as amended. Motion carried by voice vote. Yeas: Kapenga, Storey, DeYoung, Jessup, Dugan and Cain. Nays: Thiele.

ALLEGAN COUNTY MENTAL HEALTH UPDATE

5/ Executive Director of Allegan County Mental Health Mark Witte addressed the board relative to the mental health aspect of the COVID-19 pandemic regarding children.

AMEND MEETING AGENDA

6/ Moved by Commissioner Thiele, seconded by Commissioner Dugan to amend the meeting agenda to have the Legal/Risk Health Impact and Data regarding Emergency Epidemic Order as discussion item #1 and have the 2022 Budget as discussion item #2. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

LEGAL/RISK, HEALTH IMPACT AND DATA REGARDING EMERGENCY EPIDEMIC ORDER

7/ Administrator Sarro provided information to the board on Michigan Municipal Risk Management Authority's (MMRA) opinion regarding the Emergency Epidemic Order. Discussion followed.

BREAK - 10:12 P.M.

8/ Upon reconvening at 10:22 A.M., the following Commissioners were present: Commissioner Kapenga, Storey, Thiele, DeYoung, Jessup, Dugan and Cain. Absent: None.

CLOSED SESSION: POTENTIAL LAWSUITS

9/ Moved by Commissioner Kapenga, seconded by Commissioner Cain to recess to closed session to discuss legal potential lawsuits that are being presented to the Board due to the health mask mandate.

Legal Counsel Pete Peterson joined the meeting via telephone regarding the Open Meetings Act to discuss the options the board can use to recess to closed session. Section 8 of the Open Meetings Act is specific in nature and the reason provided in the motion for going into closed session is not an option - only option for closed session relating to litigation requires specific pending litigation.

Commissioner Storey deemed the motion as invalid based on legal opinion.

LEGAL/RISK, HEALTH IMPACT AND DATA RE: EMERGENCY EPIDEMIC ORDER - CONTINUED

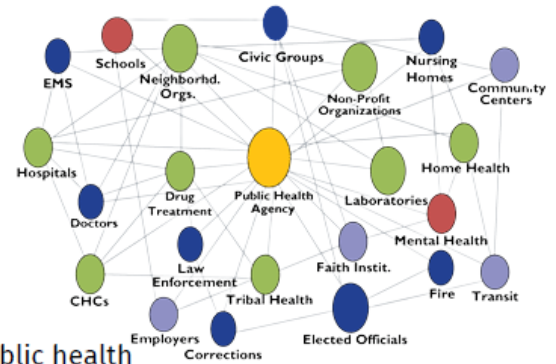
10/ Health Officer Angelique Joynes gave a presentation on information/comments from the last two Board of Commissioner meetings.

SEPTEMBER 9, 2021
BOARD OF COMMISSIONERS MEETING

**K-6 MASK
REQUIREMENT IN
ALLEGAN COUNTY**



What is Public Health?



"Public Health": the health of the population as a whole

- Pursuant to MCL 333.2433
 - A local health department shall continually and diligently endeavor to prevent disease, prolong life, and promote the public health through organized programs, including prevention and control of environmental health hazards; prevention and control of diseases; prevention and control of health problems of particularly vulnerable population groups; development of health care facilities and health services delivery systems; and regulation of health care facilities and health services delivery systems to the extent provided by law.

"Health": the state of being free from illness or injury.

- While a doctor treats people who are sick, public health professionals try to prevent people from getting sick or injured in the first place. They also promote wellness by encouraging healthy behaviors. (APHA)

<https://www.apha.org/what-is-public-health>

We were asked to review the information/comments from the last two BOC meetings

Choices



- Going to a football game
- Going to a restaurant
- Participating in extra curricular activities
- Attending Allegan County Fair

Not a Choice

- Children getting an education in public schools (for most people)
- 5-11 year olds do not have access to an authorized COVID-19 vaccine



My child, my choice?

Individual health behaviors impacting other individuals health



Example:

Public Health recommends for children to wear a helmet while riding a bike to minimize traumatic brain injuries. If the parent doesn't have their child wear a helmet, only that child's health is impacted from this event.



When children don't wear masks, and are carrying COVID-19, they are impacting other children's and their family's health directly. The more people that wear masks decreases the risk of transmission at school



K-6 Mask Requirement: *Who is excluded?*

01 Persons in the act of eating or drinking.



02 Persons outside if not engaged in activities involving direct physical contact.



03 Persons under the age of five years; however, supervised masking is strongly recommended.



04 Students with developmental conditions of any age attending school, although supervised masking is encouraged.



05 Teachers who are working with children who are hard of hearing or students with developmental conditions who benefit from facial cues. These teachers or staff must be vaccinated or comply with masking directive.

06 A person with a disability who cannot wear a mask, or cannot safely wear a mask, because of the disability as defined by the Americans with Disabilities Act (ADA, 42 U.S.C. 12101 et seq.) and Michigan Persons with Disabilities Act.



For concerns, schedule an appointment with your primary provider to determine whether your child's disability prevents them from safely wearing a mask.

Resources

Mental Health and Adverse Childhood Experiences (ACEs)

Mental Health impacts health and well being of our children. ACHD recognizes that this pandemic can be an adverse childhood experience or traumatic experience for many children in our community. ACEs are linked to chronic health problems, mental illness, substance use problems in adulthood. We recognize mental health support is needed for children to reach their full potential. ACHD is willing to provide recommendations to policy and decision makers on funding to ensure all families have access to mental health support.

If you or your child are feeling emotional distress, get free, confidential support from a Michigan Stay Well counselor.

- Dial 1-888-535-6136 and press "8"
- The Stay Well counseling line is available 24/7.

The Allegan County Community Mental Health Service Agency is also a resource. Please call (269) 673-6617

Masks and Research

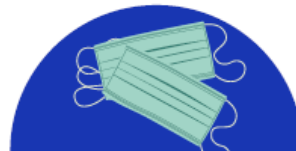
For mask suggestions for kids, or to read our literature review, visit www.allegancounty.org/covid

Face Masks



Find a well-fitting, comfortable mask.

- Every child's face is different, and because of that, there is no one right mask for all children.
- Make sure the mask is properly covering the nose and under the chin with no gaps on the sides



Pack extra masks for your child, in case the one they leave with gets wet or dirty

- Replace your mask with a new one as soon as it is wet or dirty
- Pack clean, dry masks in a paper bag.
- Let the teacher know they have extras.
- Talk to your school or the health department if you need extra masks
- Talk to your child on storing masks when they go out for recess (put in baggie, have a mask lanyard)



Pack a "mask baggie" for wet, dirty masks

- Store your wet or dirty mask in a plastic bag until it can be washed

Setting up for Success

- We recognize that children want to do the right thing
- Identifying tools, tips and tricks to help teachers and students be successful
- Health education for schools and parents

Information we were asked to look at

There is a lot of different perspectives among individuals in similar professions, but public health looks to professional organizations to provide guidance or standard of care for that profession as a whole



Literal Mask Expert Opens a Can on School Board

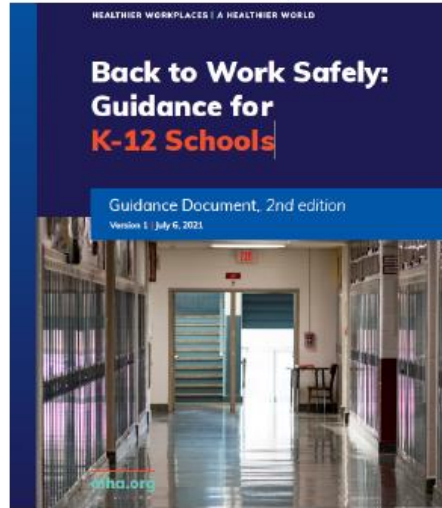
ericmoutsos · Published August 20, 2021 · 531,085 Views



1579 rumbles

EMBED ↗

Rumble — This woman spoke at the Grandville board meeting yesterday and has over 19 years experience in mitigation training and is a Senior Industrial Hygienist that works in Occupational and Environmental Toxicology. She teaches the "experts" on how to effectively use a mask.



Read their full guidance [here](#).

- Face coverings can help limit transmission. Schools should follow all local, state, or federal face covering requirements.
- Provide disposable or washable cloth face coverings to students, teachers, and school staff, if possible.
- Students, teachers, and staff should be frequently reminded not to touch their cloth or disposable face coverings and to wash their hands often.
- Train school employees and students on the proper way to maintain, wear (covering both their noses and mouths), handle, and clean or dispose of face coverings, as discussed by CDC.
- Refer to CDC's guidance on [how to wear masks](#).



8/30/2021 [f](#) [t](#) [in](#) [e](#)

Literal Mask Expert Opens a Can on School Board

ericmoutsos · Published August 20, 2021 · 531,085 Views



Infectious Diseases Experts Call for Layered Strategy to Protect Students and School Employees

"The Infectious Diseases Society of America (IDSA) is urging school systems nationwide to use all available public health tools and strategies to prevent COVID-19 transmission in schools as teachers and students return to in-person learning. This is critical with children under the age of 12 still ineligible to receive the COVID-19 vaccine, the highly contagious delta variant circulating throughout the U.S. and vaccination rates lagging in some areas of the country.

Protecting students requires that they and the adults around them follow science-based public health guidance, which includes:

- vaccination for all eligible individuals;
- universal mask wearing in schools and on school buses;
- maintaining physical distance;
- conducting activities, especially lunch, outdoors when possible;
- ventilation, including opening windows in classrooms and on school buses when weather permits;
- staying home when sick;
- transparent procedures for reporting, contact tracing and quarantining in the event of an exposure.

Reports of outbreaks in schools and among children have risen since the school year began. IDSA experts say putting multiple COVID-19 prevention strategies in place is the best way to keep students, teachers and school employees safe."

Barbara D. Alexander, MD, MHS, FIDSA—President, Infectious Diseases Society of America

Information we were asked to look at



International Journal of
Environmental Research
and Public Health



meta analysis/ review done

Review

Is a Mask That Covers the Mouth and Nose Free from Undesirable Side Effects in Everyday Use and Free of Potential Hazards?

Of the mathematically evaluable, groundbreaking 44 papers with significant negative mask effects ($p < 0.05$ or $n > 50\%$), 22 were published in 2020 (50%), and 22 were published before the COVID-19 pandemic. Of these 44 publications, 31 (70%) were of experimental nature, and the remainder were observational studies (30%).

- Most of the publications in question were English (98%).
- Thirty papers referred to surgical masks (68%), 30 publications related to N95 masks (68%), and only 10 studies pertained to fabric masks (23%).

- No control groups
- Some small sample sizes
- Many studies around health care workers

68% (30 publications) were around N95 use, which are not recommended for school age children

Time bound requirement until access to vaccine for age group available or we are in low transmission for a consecutive 7 days

Addressing Dr. Stock's presentation to Indiana School Board

ACHD presented the debunks to his presentation at our August 11, 2021 ACHD COVID-19 Update [here](#).

He describes himself as a "functional family medicine physician" which, according to him "means [he] is specially trained in immunology and inflammation regulation."

- That is not what a functional family medicine physician does and misrepresents his training and expertise. The Cleveland Clinic Center for Functional Medicine defines functional medicine as a personalized, systems-oriented model that empowers patients and practitioners to achieve the highest expression of health by working in collaboration to address the underlying causes of disease. Also functional medicine is not a specialty recognized by the American Board of Medical Specialties nor the American Medical Association.

He argues that masks don't work because viruses are small enough to pass through them.

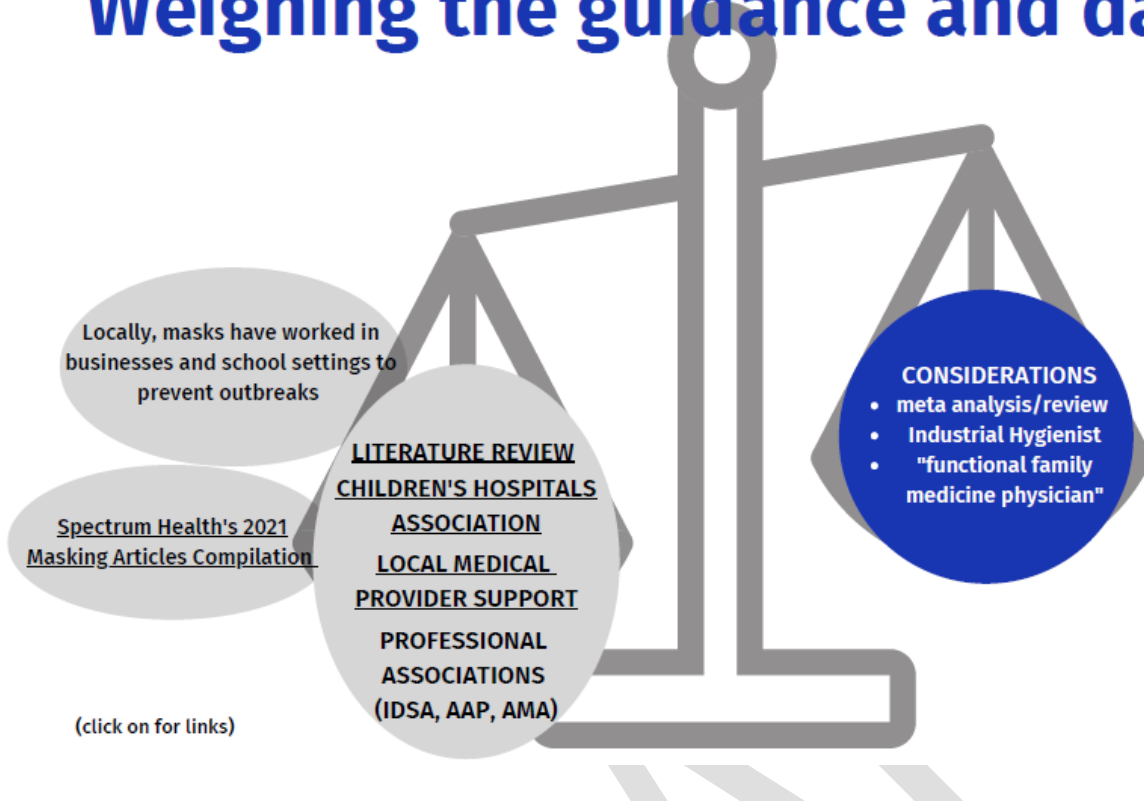
- The problem with this reasoning is viruses do not travel as individual viral particles- they are inside the aerosols and droplets. That's what the masks block. The Infectious Diseases Society of America (IDSA) has compiled the multitudinous, surfeit evidence demonstrating the effectiveness of masking [here](#)

Stock raises the matter of antibody-dependent enhancement, except he calls it "antibody-mediated viral enhancement."

- This is disinformation. Firstly, he defines ADE incorrectly by suggesting it is exclusive to vaccines. ADE does not have to be caused by a vaccine to be ADE- in Dengue which is the major infection for which it's relevant it is almost always because of infection. There is data on hundreds of thousands of people at this point who got convalescent plasma and it didn't make them worse. On top of that animal studies of the vaccines demonstrated protectiveness.



Weighing the guidance and data



School Data Transparency

- We recognize that school data needs to be more transparent/available for the community
- We are working on developing a forward facing way to present data by school building to include:
 - cases
 - total quarantines
 - modified quarantines
- We are looking to implement this in early October



AMEND MEETING AGENDA

11/ Moved by Commissioner Dugan, seconded by Commissioner Thiele to amend the meeting agenda to have the remainder of the discussion items moved to the afternoon session. Motion carried by voice vote. Yeas: 5 votes. Nays: 0 votes. Absent: Jessup and Cain.

PUBLIC PARTICIPATION - COMMENTS

12/ Chairman Storey opened the meeting to public participation and the following individuals offered comments:

1. Marla Webber of Heath Township - suicide rate/attempts; lawsuit against Health Dept.
2. Nevin Cooper-Keel of Monterey Township - discussed the Constitution and issues with the Health Dept.
3. Karmel Berens of Overisel Township - opposes mask mandate
4. Kevin Miedema of Fillmore Township - opposes mask mandate
5. Jill Dunham of Gun Plain Township - supports the efforts of the Health Department

ADJOURNMENT UNTIL SEPTEMBER 23, 2021 AT 9:00 A.M.

13/ Moved by Commissioner Thiele, seconded by Commissioner Jessup to adjourn until September 23, 2021 at 9:00 A.M. The motion carried by roll call vote and the meeting was adjourned at 11:56 A.M. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

AFTERNOON SESSION

SEPTEMBER 9, 2021 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

14/ 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 September 9, 2021 at 1:06 P.M. in accordance with the motion for adjournment of August 26, 2021, and rules of this Board; Chairman Storey presiding.

The invocation was offered by District #6 Commissioner Dugan.

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	DEAN KAPENGA	DIST #5	TOM JESSUP - left at 4:07 PM
DIST #2	JIM STOREY	DIST #6	GALE DUGAN
DIST #3	MAX THIELE	DIST #7	RICK CAIN
DIST #4	MARK DeYOUNG		

COMMUNICATIONS

15/ Deputy Clerk Tien noted to the board that they received the following resolution:

1. Grand Traverse resolution in support of vaccine awareness and medical autonomy

AUGUST 20, 2021 AND AUGUST 26, 2021 SESSION MINUTES - ADOPTED

16/ Moved by Commissioner Kapenga, seconded by Commissioner Cain to approve the minutes for the August 20, 2021 and August 26, 2021 session as distributed. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

PUBLIC PARTICIPATION - COMMENTS

17/ Chairman Storey opened the meeting to public participation and the following individuals offered comments:

1. Bill Sage of Allegan - discussed statistics of COVID deaths
2. Eric Kooienga of Wayland Township - opposes mask mandate
3. Dr. Steven - supports the efforts of the Health Department
4. Abby Arias of Gun Plain Township - supports the efforts of the Health Department
5. Dr. Roger Phillips of Laketown Township - supports the efforts of the Health Department
6. Andrew Wolf of Trowbridge Township - disappointed with the Health Departments presentation during the morning session
7. Dr. Russell Dykstra of Holland - supports the efforts of the Health Department
8. Ken Beyer of Hamilton - opposes mask mandate
9. Jeff Koon of Dorr - opposes mask mandate
10. Ashley of Salem Township - opposes mask mandate
11. Mindy Knapp of Fillmore Township - opposes mask mandate
12. Amy Nyboer of Heath Township - opposes mask mandate
13. Payton Schmitt a student at Martin - opposes mask mandate
14. Jamie Schmitt of Watson Township - opposes mask mandate

AGENDA - ADDITIONS

18/ Chairman Storey asked if there were any additions or changes to the agenda. Commissioner Kapenga asked to add a discussion item to appropriate \$200,000 for the relief of children that are needing medical assistance caused by fear, anxiety and depression from the mask mandate.

Moved by Commissioner Kapenga, seconded by Commissioner Cain to adopt the changes to the meeting agenda as requested. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Jessup and Cain. Nays: Thiele and Dugan.

During the morning session there was a motion to add the unfinished topics to the afternoon agenda - discussion on the legal risks; Health Board; and the draft of the 2022 Budget.

AGENDA - ADOPTED AS AMENDED

19/ Moved by Commissioner Storey, seconded by Commissioner Kapenga to adopt the meeting agenda as amended. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

INFORMATIONAL SESSION - TREASURER

20/ Attached is the 2020 Annual Report for the Treasurer's Office.



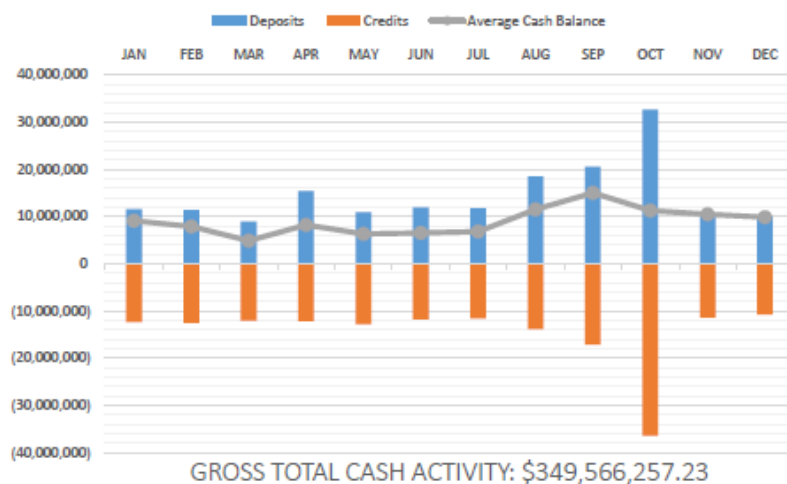
Allegan County Treasurer Annual Report 2020

Prepared by: Sally Brooks Allegan County Treasurer

Custodian of County Funds:

- The County Treasurer's Office is the depository for all county funds by Board resolution and in accordance with Act No. 40, Public Acts of Michigan 1932. Fund management activities include receipt for revenues, coordinate cash drawers, maintain bank accounts, reconcile receivables, coordinate disbursement of funds held in trust, and coordinate signature on and transfer of funds to cover county disbursements.

2020 Allegan County Checking Account Cash Flow



Delinquent Property Tax Administration

- It is the responsibility of the County Treasurer to collect delinquent real property taxes. Functions associated with delinquent taxes include writing receipts, processing tax roll adjustments to prior year tax rolls (for up to 20 years), processing bankruptcy claims, and managing the annual forfeiture and foreclosure process, and being the Foreclosing Unit of Government.

Annual March settlement with local units mostly done on line and no longer in person



Year 2018 2019 2020

March Delinquent Pay Out

	2018	2019	2020
No. of properties	6,079	5,790	5,782
Dollars in Millions	6,432,142	7,134,415	7,206,678

Forfeited and Foreclosed

	2018	2019	2020
Certified Mail Count	2191	2224	2257
Property Forfeited	837	811	837
Property Foreclosed	30	48	25
Financial Hardship given	47	34	39

Tax Collection

	2018	2019	2020
Receipts Written	7692	8377	8134
Dollar in Millions	7,234,756	8,318,112	8,433,132
Interest & Fees	851,225	1,019,943	1,197,116

Tax Roll Adjustments

	2018	2019	2020
No. Processed	442	308	155 summer



Michigan Homeowner Assistance Fund(MIHAF)

Established under section 3206 of the American Rescue Plan of 2021

Provides funds to eligible homeowners for foreclosure prevention defaults, displacement, loss of utilities

Award of \$242,812,277

Homeowners must have a coronavirus pandemic related hardship on or after 1/21/2020

Program launch December 2021

Eligibility Requirements:

- Owner occupied homeowners
 - Covid financial hardship after 1/21/20
 - Owned the property on or before January 21, 2020
 - Household income limits of no more than 150% AMI /\$112,950
 - 60% assisted have incomes no more than 100% AMI/ \$75,300
1. Homeowner applies online @ www.Michigan.gov/mihaf, 211 phone application, or with help of third party authorized agent such as counselor, legal-aide, or provider/program partner
 2. Staff triages application & determines preliminary eligibility
 3. Program provider/partner confirms delinquency
 4. Homeowner executes Grant Agreement
 5. Staff sends ACH funds to provider/partner
 6. Provider/partner confirms receipt of funds
 7. Staff completes close-out status

MSHDA

FOR HELP Please Contact:

Agencies for our Area

Name	Address	City	Phone
Community Action House	426 Century Lane 400	Holland	616-392-2368
Home Repair Services	1100 South Division	Grand Rapids	616-241-2601
Kalamazoo Neighborhood Housing Services, Inc. - Kalamazoo Office	1219 S. Park	Kalamazoo	269-385-2916
MSU Extension - Kent	775 Ball Ave. N.E.	Grand Rapids	616-632-7865

ADMINISTRATIVE REPORTS

21/ Administrator Rob Sarro noted his written report was submitted to Commissioners. Highlights included: removal of trees at the County Services Building that are overhanging in the parking area and the building (Administration will look at alternatives prior to the tree removal); request for letter of support of a bike trail located in State Game Area; and courthouse signage.

Moved by Commissioner Storey, seconded by Commissioner Dugan to have the bike trail proposal referred to the Parks Advisory Board for review and recommendation. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

22/ WHEREAS, Administration has compiled the following claims for September 3, 2021 and September 10, 2021; 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 2021 Claims folder of the Commissioners' Record of Claims.

September 3, 2021

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 1010	66,310.07	66,310.07	
Park/Recreation Fund - 2080	416.39	416.39	
Central Dispatch/E911 Fund - 2110	633.49	633.49	
Friend Of The Court Office - 2151	612.24	612.24	
Health Department Fund – 2210	10,250.83	10,250.83	
Solid Waste – 2211	6,971.65	6,971.65	

Transportation Grant – 2300	1,242.35	1,242.35	
Capital Improvement Fund - 2450	12,946.51	12,946.51	
Indigent Defense – 2600	1,044.00	1,044.00	
Local Corrections Officers Training Fund - 2640	254.00	254.00	
Law Library Fund - 2690	3,654.15	3,654.15	
Grants - 2790	4,675.00	4,675.00	
Victims Rights Grant - 2791	103.61	103.61	
Child Care – Circuit/Family - 2921	6,412.40	6,412.40	
Soldiers Relief Fund - 2930	2,659.27	2,659.27	
Senior Millage - 2950	2,384.12	2,384.12	
Drain Equip Revolving - 6390	-37.62	-37.62	
Self-Insurance Fund - 6770	334,101.21	334,101.21	
Drain Fund – 8010	26,619.10	26,619.10	
TOTAL AMOUNT OF CLAIMS	\$481,252.77	\$481,252.77	

September 10, 2021

		AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 1010	239,306.96	239,306.96	
Friend of the Court Fund - 2150	219.00	219.00	
Friend Of The Court Office - 2151	630.00	630.00	
Health Department Fund – 2210	6,329.55	6,329.55	
Solid Waste – 2211	12,549.54	12,549.54	
Transportation Grant – 2300	14,634.75	14,634.75	
Brownfield Redevelopment Auth – 2430	11,350.00	11,350.00	
Capital Improvement Fund - 2450	46,382.70	46,382.70	
Register of Deeds Automation Fund - 2560	929.59	929.59	
Grants – 2790	22,485.72	22,485.72	
Wayland Township – 2806	7,950.00	7,950.00	
Sheriff Contracts – 2807	70.72	70.72	
Child Care – Circuit/Family - 2921	10,346.58	10,346.58	
Soldiers Relief Fund - 2930	1,990.43	1,990.43	
Senior Millage - 2950	3,697.68	3,697.68	
Delinquent Tax Revolving Fund – 6160	14,815.39	14,815.39	
Drain Equip Revolving - 6390	170.24	170.24	
Self-Insurance Fund - 6770	34,335.20	34,335.20	
Drain Fund – 8010	121,417.40	121,417.40	
TOTAL AMOUNT OF CLAIMS	\$549,611.45	\$549,611.45	

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for September 3, 2021 and September 10, 2021.

Moved by Commissioner Thiele, seconded by Commissioner Cain to adopt the report of claims for September 3, 2021 and September 10, 2021. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

September 9, 2021 Session

DISCUSSION ITEMS:

CHILD CARE FUND - APPROVE BUDGET PLAN FOR FY2022

23/ BE IT RESOLVED that the Allegan County Board of Commissioners hereby approves the County Child Care Budget in the amount of \$4,911,743 for the period October 1, 2021 through September 30, 2022; and

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

Moved by Commissioner Thiele, seconded by Commissioner Dugan to approve the resolution as presented. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

LEGAL/RISK, HEALTH IMPACT AND DATA RE: EMERGENCY EPIDEMIC ORDER - CONTINUED

ORDERS REGARDING CONTROL AND PREVENTION OF COVID-19 TRANSMISSION IN EDUCATIONAL SETTINGS WITHIN ALLEGAN COUNTY, MICHIGAN

24/ Moved by Commissioner Dugan, seconded by Commissioner Thiele to approve the resolution presented to the board on "ORDERS REGARDING CONTROL AND PREVENTION OF COVID-19 TRANSMISSION IN EDUCATIONAL SETTINGS WITHIN ALLEGAN COUNTY, MICHIGAN". Discussion followed on amending the resolution.

X ORIGINAL DRAFT

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

BOARD OF COMMISSIONERS OF ALLEGAN COUNTY

ORDERS REGARDING CONTROL AND PREVENTION OF COVID-19 TRANSMISSION IN EDUCATIONAL SETTINGS WITHIN ALLEGAN COUNTY, MICHIGAN

WHEREAS, the Board of Commissioners received input from the public in-person, virtually and through written communication in opposition to, and in support of, the recent emergency order issued by the Health Officer under the authority and requirements of the Public Health Code; and

WHEREAS, subsequently, the Health Officer has provided information relative to the input above upon request from the Board; and

WHEREAS, legal counsel has reviewed the emergency order and any legal concerns submitted and has confirmed the Health Officer's establishment of the emergency order was in compliance with applicable law and consistent with the duties and requirements of a local health officer prescribed by the Public Health Code; and

WHEREAS, the Health Officer reviewed the order and the Board's request to rescind the order, considered all legal options and the input from educational institutions.

THEREFORE BE IT RESOLVED that Board of Commissioners recognizes the determination of the Health Officer that the emergency order will stand with the following amendment, "THIS ORDER is effective immediately and remains in effect until six weeks past the date COVID-19 vaccine is authorized and available to persons aged five years through age eleven, until the CDC level of community transmission is in low for 7 continuous days or until further notice from the Health Officer."

eliminate

BE IT FURTHER RESOLVED, that the Board of Commissioners recognizes the Health Officer's statutory authority and duties under the Public Health Code, as it currently exists, and the limitations of the Board or Administrator to intervene with the emergency order; and

BE IT FURTHER RESOLVED, that the Board of Commissioners may pursue the legislature to consider changes in the law and advises any parties to pursue the same venue to express concerns over the current law; and

BE IT FINALLY RESOLVED, that Administration is authorized to release the attached statement.

Moved by Commissioner Jessup, seconded by Commissioner Thiele to remove the 1st *THEREFORE BE IT RESOLVED* and the last *BE IT FINALLY RESOLVED* from the resolution.

Commissioner DeYoung requested division on the question.

Motion carried by roll call vote to remove the 1st *THEREFORE BE IT RESOLVED* from the resolution. Yeas: 7 votes. Nays: 0 votes.

Motion failed by roll call vote to remove the final *BE IT FINALLY RESOLVED* from the resolution. Yeas: Kapenga, Storey and Jessup. Nays: Thiele, DeYoung, Dugan and Cain.

Moved by Commissioner Thiele, seconded by Commissioner Dugan to incorporate the changes discussed on the draft resolution amending the *THEREFORE BE IT RESOLVED* and the *BE IT FURTHER RESOLVED* clauses. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

Moved by Commissioner Storey, seconded by Commissioner Thiele to add an additional *BE IT FURTHER RESOLVED* to have copies of the resolution submitted to Allegan County's State Senator, State Representatives and all County-Wide Elected Officials. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

WHEREAS, the Board of Commissioners received input from the public in-person, virtually and through written communication in opposition to, and in support of, the recent emergency order issued by the Health Officer under the authority and requirements of the Public Health Code; and

WHEREAS, subsequently, the Health Officer has provided information relative to the input above upon request from the Board; and

WHEREAS, legal counsel has reviewed the emergency order and any legal concerns submitted and has confirmed the Health Officer's establishment of the emergency order was in compliance with applicable law and consistent with the duties and requirements of a local health officer prescribed by the Public Health Code; and

WHEREAS, the Health Officer reviewed the order and the Board's request to rescind the order, considered all legal options and the input from educational institutions.

THEREFORE BE IT RESOLVED, that the Board of Commissioners recognizes the Health Officer's statutory authority and duties under the Public Health Code, as it currently exists, and the limitations of the Board or Administrator to intervene with the emergency order as outlined by County's legal counsel and supported by the findings of both Kent in-house and outside legal counsel; and

BE IT FURTHER RESOLVED, that in light of concerns expressed by Allegan County's State Representatives regarding the Health Department's issuance of the K-6 mask order, the Board of Commissioners urges those representatives pursue changes in the Public Health Code and advises any parties that have addressed the Board with concerns over the issuance of the order to pursue changes in the law through state representatives; and

BE IT FURTHER RESOLVED, that a copy of this resolution be furnished to Allegan County's State Senator, State Representatives and all County-Wide Elected Officials; and

BE IT FINALLY RESOLVED, that Administration is authorized to release the attached statement.

Moved by Commissioner Dugan, seconded by Commissioner Thiele to approve the resolution as amended during discussions on "ORDERS REGARDING CONTROL AND PREVENTION OF COVID-19 TRANSMISSION IN EDUCATIONAL SETTINGS WITHIN ALLEGAN COUNTY, MICHIGAN". Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

PRESS RELEASE AUTHORIZATION: ALLEGAN COUNTY STATEMENT ON K-6 SCHOOL MASK PUBLIC HEALTH ORDER

25/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the press release titled "Allegan County Statement on K-6 School Mask Public Health Order" as presented.

Moved by Commissioner Dugan, seconded by Commissioner Kapenga to amend the press release by: (1) removing the 1st sentence on page 2; (2) removing Angelique Joynes name from the document and replacing with Health Officer/Health Department; (3) removing "second guess" from page 3; and (4) strike the last sentence on page 3. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the press release as amended. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

FOR IMMEDIATE RELEASE

September 9, 2021

Allegan County Statement on K-6 School Mask Public Health Order

On Aug. 18, 2021, the Allegan County Health Department issued a [public health order](#) requiring masks be worn by students inside kindergarten through sixth grade schools. We have subsequently heard from concerned residents, both pro and con, regarding the topic of masks in schools. At a Board of Commissioners' special meeting on August 20, 2021, community members provided comment on COVID-19, the value and concerns of facial coverings, the rights of parents, and the role of government.

On August 20, 2021, the Allegan County Board of Commissioners passed a resolution requesting the Health Officer reconsider and rescind the emergency order. On August 27, 2021, the Health Officer provided the following response to the Board:

"After careful consideration and in the best interest of protecting the public health of children K-6 grade; ACHD is not rescinding the order at this time. ACHD bases this decision on the recommendations from public health agencies including the CDC and MDHHS, and Corporation Counsel. Not unlike other neighboring county health departments that have maintained their similar orders, data was carefully reviewed and relied upon to form the basis of issuing and maintaining this order. ACHD is amending the order to include a more distinct data related timeline which will result in the order to be in effect until Allegan County remains in the low transmission level for 7 consecutive days, or until six weeks past the date the COVID-19 vaccine is authorized and available to persons age five years through age eleven."

The Allegan County Board of Commissioners has been working to further understand the authority of the Allegan County Health Officer. Our Corporation Counsel, Miller Johnson, provided an opinion **concluding that neither the Allegan County Board of Commissioners nor the County Administrator have the authority to intervene in the Health Officer's performance of statutory duties under Michigan's Public Health Code.**

The Michigan Public Health Code was established by the Michigan State Legislature in 1978 for the protection and promotion of the public health. Specifically, the law states that health officers "may take actions and make determinations necessary or appropriate to carry out the local health department's functions under this part or functions delegated under this part and to protect the public health and prevent disease." [MCL 333.2428(2)].

Under the statutory *duties and authority* established by this law, the Health Department, issued a local public health order requiring masks be worn in kindergarten through sixth grade educational settings. When the public health order was issued on August 18, all epidemiologic measures of COVID-19 in our community were trending in the wrong direction and our CDC level of community transmission continues to be high. Additionally, regional COVID-19 hospitalizations were trending and continue to trend in the wrong direction.

—MORE—

Therefore, Health Department determined a school mask order was necessary to protect access to in-person learning for those students who do not yet have access to the vaccine, to slow the rate of transmission, and to keep students and teachers healthy.

Some members of the community have called on the Allegan County Board of Commissioners to rescind the public health order, remove our local health officer, or defund the health department. **However, the Board of Commissioners is prohibited by State law from taking any of these actions.** Legal review further concluded that:

- The Board *does not* have authority over local public health orders
- The Board *may not* remove a health officer for adopting a mask mandate
- The County Administration and Commissioners *may* face legal action if the Commissioners interfere in the public health order or remove the health director for issuing the public health order
- The Board of Commissioners *may not* defund the health department to change or negate a public health order
- If the Board defunds the health department, the State may take over the health department
- If a local health department fails to meet state requirements, the Michigan Department of Health and Human Services has the power to resume those functions itself, removing them from the local health department. Those requirements include:
 - Prevention and control of diseases
 - Prevention and control of health problems of particularly vulnerable population groups

Further, public health orders issued by local public health officers are not personal orders of the individual. Rather, the orders are issued in the Health Officer's official capacity and remain in effect even after the individual leaves the office.

A frequently-asked-questions document is attached. It provides additional information on these findings.

In conclusion, the local public health order requiring masks be worn in K – 6th grade schools has the full force of law and the Allegan County Board of Commissioners has no legal authority to intervene in this action. Residents are encouraged to voice their concerns over the authorities granted to local public health officers under the Michigan Public Health Code to state lawmakers.

We appreciate all the comments we have received on this topic, and we trust this statement clarifies the role of the Allegan County Board of Commissioners and County Administration. We encourage everyone to remain steadfast in helping to keep our community healthy and in supporting the dedicated Allegan County Health Department team that has worked diligently over the past 20 months to do the same.

###

PUBLIC HEALTH ORDERS FREQUENTLY ASKED QUESTIONS

(updated: 9/8/21)

Q: Who has the authority to issue a local public health order?

A: The Local Health Officer has the authority to issue local public health orders under Michigan's Public Health Code. By law, the local Health Officer has the responsibility to safeguard public health.

Q: What is the legal standard that must be met to issue a local public health order?

A: There are two kinds of local public health orders that can be issued during a public health emergency.

- When the local health officer **determines that control of an epidemic is necessary to protect the public health**, the local health officer may issue an emergency order to prohibit the gathering of people for any purpose and **may establish procedures to be followed by persons, including a local governmental entity, during the epidemic to insure continuation of essential public health services and enforcement of health laws.** (This describes the current order)
- When the local Health Officer determines that an **imminent danger to health or life** exists in the community, he or she is required by law to issue an order to avoid, correct or remove the imminent danger. An "Imminent danger" means a condition or practice which could reasonably be expected to cause death, disease, or serious physical harm immediately or before the imminence of the danger can be eliminated through enforcement procedures otherwise provided.

Q: Can the Allegan County Board of Commissioners (or its County Administrator) intervene in a local public health order?

A: No. The Board of Commissioners may not intervene in the local Health Officer's performance of his duties. The Board of Commissioners has no authority to, override, veto, rescind, amend, or modify a local public health order.

Q: Can the Allegan County Board of Commissioners remove its health officer for adopting a mask mandate?

A: No. The Michigan Supreme Court has expressly ruled that a Board of Commissioners may not use its powers to negate a Public Health Officer's decision. The local Health Officer acted within statutory authority in issuing the limited school mask mandate and the public health order meets all statutory, constitutional, and legal requirements.

—MORE—

Q: Can the Allegan Board of Commissioners defund the health department because of the school mask mandate?

A: No. The Michigan Supreme Court has expressly held that a Board of Commissioners may not use budgetary considerations or refusal to fund to overrule a public health officer.

Q: If a health officer leaves office, will local health orders remain in place or rescinded?

A: The orders remain in place. Local health orders are issued in the local Health Officer's official capacity and remain in effect even after the individual leaves the office. If a Local Health Officer leaves office, all Local Health Orders in place remain effective unless and until rescinded by the successor Local Health Officer.

Q: Are masks a restraint prohibited by the school code?

A: No. A face mask worn during a pandemic is not a "restraint" under the Code. In the Michigan School Code, "restraint" is physically holding or restraining students from moving their bodies. "Restraint" is an action that prevents or significantly restricts a student's physical movement. It does not include safety or medical equipment. "Restraint that negatively impacts breathing" means physically holding a student in a way that inhibits breathing or makes it difficult for the student to breathe. The statute states that its intent is to "encourage ...best practices to reduce the occurrence of challenging behaviors, eliminate the use of seclusion and restraint, and increase meaningful instructional time for all pupils." MCL 380.1307h. It addresses how schools may handle students who are extremely disruptive or a danger to themselves or others. The School Code's "restraint" regulation has no applicability to a use of a face mask used to help prevent a disease from spreading.

###

BOARD OF PUBLIC HEALTH

26/ Commissioner Kapenga requested information on what is required as a Commissioner on the Health Board. The Board of Commissioners is the local governing entity in Allegan County. Administrator Sarro will forward a copy of the Local Governing Entity Guidebook to Commissioners.

APPROPRIATE \$200,000 FOR THE RELIEF OF CHILDREN THAT ARE NEEDING MEDICAL ASSISTANCE CAUSED BY FEAR, ANXIETY AND DEPRESSION FROM THE MASK MANDATE

27/ Commissioner Kapenga requested \$200,000 be appropriated for the relief of children that are needing medical assistance caused by fear, anxiety and depression from the mask mandate. Discussion followed on where the funds would come from and if Mental Health can supply the services requested.

Moved by Commissioner Dugan, seconded by Commissioner Cain to table discussion and refer to the Health Department, Community Mental Health and Administration for research, review and recommendation. Motion carried by voice vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

MICHIGAN RECYCLING COALITION HOUSE BILLS 4454-4461 - REQUEST LETTER OF SUPPORT

28/ Moved by Commissioner Thiele, seconded by Commissioner Dugan to table discussion on Michigan Recycling Coalition House Bills 4454-4461. Motion carried by voice vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

2022 BUDGET

29/ Administrator Sarro noted the draft of the 2022 Budget has been sent to Commissioners for review. Discussion followed. A special meetings will be held at a future date.

PUBLIC PARTICIPATION - NO COMMENTS

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

FUTURE AGENDA ITEMS

31/ Administrator Sarro requested that a special meeting be held at 9:00 A.M. on September 30, 2021 to discuss the 2022 Budget.

PER DIEM/MILEAGE REQUEST

32/ Commissioner Cain requested mileage reimbursement for Commissioner Storey for attending the 9/9/2021 Board meeting for driving from Drummond Island.

Moved by Commissioner DeYoung, seconded by Commissioner Cain to approve the mileage reimbursement. Motion carried by roll call vote. Yeas: Kapenga, DeYoung, Dugan and Cain. Nays: Thiele. Abstain: Storey. Absent: Jessup.

ADJOURNMENT UNTIL SEPTEMBER 23, 2021 AT 1:00 P.M.

33/ Moved by Commissioner Cain, seconded by Commissioner Dugan to adjourn until September 23, 2021 at 1:00 P.M. The motion carried by roll call vote and the meeting was adjourned at 4:57 P.M. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.



Deputy Clerk

Board Chairperson

Minutes approved during the 00/00/2021 Session

September 9, 2021 Session

ALLEGAN COUNTY
PROSECUTING ATTORNEY

2020 Annual Report



Myrene K. Koch

Prosecuting Attorney

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PROSECUTING ATTORNEY STAFF

Myrene K. Koch, Prosecuting Attorney

Judith Kasson, Chief Assistant Prosecuting Attorney

Assistant Prosecuting Attorneys

Steven Lanting

Rachel Keeley

Emily Jipp

Elizabeth Peterson

Meredith Beidler

James Rolland

Jeff Rhoa

Molly Schikora

Victim/Witness Coordinator

Emelda Calanchi-Pope

Support Staff

Paige Christman, Legal Administrative Specialist, II

Jewell Raab, Legal Administrative Specialist

Gina Shashaguay, Legal Administrative Specialist

Tom Moore, Legal Administrative Specialist

Nashell Miller, Legal Administrative Specialist

Leslie Huntington, Victim Advocate Specialist

Hilary Anes, Victim's Rights Specialist

Dianne Yeaman, Irregular Part Time Legal Administrative Specialist

INTRODUCTION

We are pleased to present the 2020 Annual Report for your review. This report was prepared by the Allegan County Prosecuting Attorney, Myrene K. Koch and her staff.

The Michigan Constitution mandates that every county elect a Prosecuting Attorney whose duties are legally defined.

The Prosecuting Attorney administers public justice and is a local office. His or her duties to a large extent are local only in the sense that they are to be performed locally; for they are to be performed on behalf of the state just as much as are the duties of the judge who holds court for his or her county.

The Prosecuting Attorney is responsible for a wide array of legal functions for the County, including:

- ◆ Act as the chief law enforcement official in the County.
- ◆ Review, authorize and prosecute violations of felony and misdemeanor criminal laws of the State of Michigan and County ordinances committed inside the County.
- ◆ Authorize and prosecute felony and misdemeanor juvenile delinquency offenses.
- ◆ Represent the County in criminal matters before the District and Circuit Courts; juvenile delinquency, parental neglect and miscellaneous probate matters in the Family Court; and appeals in the Court of Appeals and Michigan Supreme Court.
- ◆ Advise the Michigan Department of Human Services on child abuse and neglect petitions, and actions to terminate parental rights.
- ◆ Attend contested mental health commitment hearings.
- ◆ Advise the County Board of Commissioners and other County departments on legal matters.

COVID

The COVID-19 virus dominated every discussion and with trepidation we hoped for a quick end that never came. We reviewed and learned the orders imposed by the Governor. We shared the updates with our partners in law enforcement, fire departments as well as local townships, cities and village boards. At this time, many departments began working remotely. Since our office is paper driven from warrant requests, reports, and files, we knew we would still need a presence in the office every day. We began with half the office staff working in office 2.5 days per week while the remaining half worked from home. Then they switched for the second half of the week. As the Chief Law Enforcement Officer of Allegan County, I felt it was my duty to be present in the office every day. While the duties and cases slowed, we still had work and serious cases to process.

We only worked the hybrid office/home model for approximately six weeks. We could no longer keep up with the demand. The entire office returned in the beginning of June. We put in every COVID safety measure possible in order to perform our duties. Our team has shown strength and determination during this pandemic.

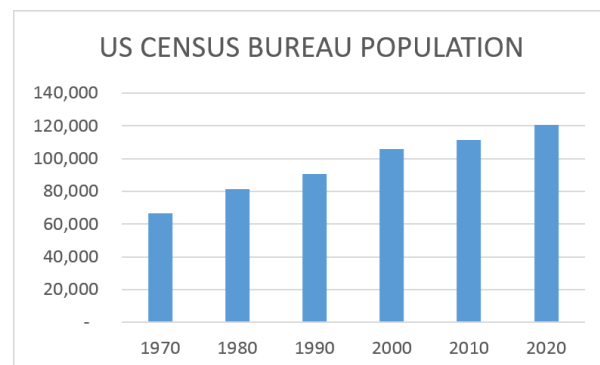
And we dutifully and conscientiously performed our tasks to the expectations of the citizens of Allegan County. We stood a little taller and walked a little prouder when we realized that we had adapted in a degree that no workplace has had to since the end of the industrial age and the beginning of the computer age.

POPULATION

Out of the 83 counties in Michigan, Allegan County is one of the top 5 fastest growing counties in the state. The population has steadily increased from 90,509 in 1990 to 120,502 in 2020. That is an increase of 33.13 percent in the last 30 years. And, an increase of 8.16 percent from 2010-2020. As a result we have and will continue to experience the inevitable increased workload with a limited staff.

According to the Detroit Free Press Online in a story published August 13, 2021 by Paul Egan, Kristi Tanner and Christine McDonald, the fastest-growing Michigan counties are mostly all outside of southeast Michigan, according to census data released Thursday. Michigan's five fastest growing counties since the last

Population	% Increase
1970	66,575
1980	81,555 10 yr - 22.5
1990	90,509 10 yr - 10.9
2000	105,665 10 yr - 16.7
2010	111,407 10 yr - 5.4
2020	120,502 10 yr - 8.2



census were:

- Ottawa County in western Michigan, up 12% to 296,200;
- Grand Traverse County, in the northern Lower Peninsula, up 9.5% to 95,238;
- Kent County, in western Michigan, up 9% to 657,974;
- Allegan County in western Michigan, up 8% to 120,502; and
- Washtenaw County, where Ann Arbor is the county seat, up 8% to 372,258.

CRIMINAL CASE CHARGING DUTY

Under Michigan Law, it is the duty of the Prosecuting Attorney to decide “if” someone will be charged with a crime and the precise nature of that criminal prosecution. Police agencies submit their investigative reports to the Prosecuting Attorney to determine if a factual and legal basis exists to initiate prosecution. The Prosecuting Attorney has a great responsibility to properly review reports and properly charge suspects. Each investigative report, if it results in a charged crime, could result in a jury trial in District Court, Circuit Court, or Family Court/Probate Court; and a jury trial could cost Allegan County between \$300.00 and \$800.00 per day of trial. The chart below shows the number of Adult and Juvenile charging requests and Abuse and Neglect petitions received by our office since 2011. While the numbers for 2020 are reduced, please keep in mind these were the serious cases during the pandemic that warranted immediate attention. Police were not making traffic stops to the same degree which also greatly reduced the numbers.

CASES ENTERED IN ACT/JCT								% of Charging Requests Denied		
	Adult	Denied	Juvenile	Denied	Ab/Neg	Total Rec'd	Total Denied			
2011	3901	575	486	99	194	4387	674	2011	15.88	Anderson/Kengis
2012	3761	615	516	88	228	4277	703	2012	17.25	Anderson/Kengis
2013	4307	655	448	75	221	4755	730	2013	16.67	Anderson/Kengis
2014	4062	633	503	85	147	4712	772	2014	16.91	Anderson/Kengis
2015	4237	496	434	77	146	4817	637	2015	13.63	Anderson/Kengis
2016	4308	512	436	77	151	4895	655	2016	13.80	Anderson/Kengis
2017	4827	496	438	71	76	5341	616	2017	11.69	Kengis/Koch
2018	5096	634	350	84	99	5545	771	2018	14.15	Koch/Kasson *
2019	4705	672	301	60	94	5100	732	2019	14.62	Koch/Kasson
2020	3868	575	276	64	88	4232	639	2020	15.43	Koch/Kasson

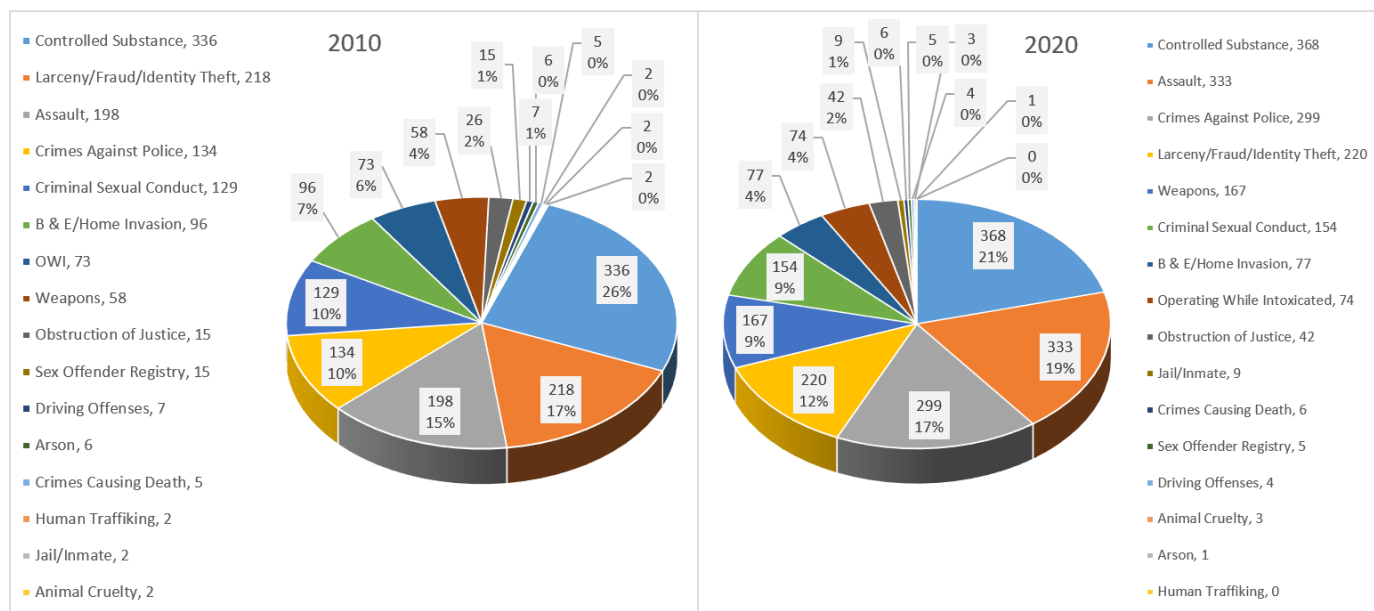
Increase in Cases Entered in ACT/JCT from 2015-2019 5.87% (5 years)
Decrease in Cases Entered in ACT/JCT from 2019-2020 17.02% (Covid)

* Kengis PA 1/1/18-3/16/18 Koch PA 3/17/18-12/31/18

During the last year, this office reviewed 3868 adult criminal warrant requests, 276 juvenile delinquent petitions and 88 new Abuse and Neglect petitions. On average, the office received 16.7 requests for adult and juvenile charges each day and 7.3 new Abuse and Neglect cases each month during 2020. The numbers above show how many cases were entered into our Adult Case Tracking (ACT) System and Juvenile

Case Tracking (JCT) System. **(PLEASE NOTE:** The number of Adult Cases entered above vs. the number listed on page 22 varies because the number above includes Civil and Other cases entered in ACT in which warrant request forms were not submitted by an agency. Civil and Other cases for 2020 is 221. The 3647 Warrant Requests shown on page 22 added to 221 equals the 3868 listed above.)

It is important that the Office of Prosecuting Attorney have a sufficient staff of attorneys to not only be available to staff the eight courtrooms and hearing rooms with their Judges, Magistrate and Referees but to also have attorneys available to review arrest warrant requests and search warrants, among all of the required statutory duties. Due to the serious nature of criminal cases and county civil liability, it is necessary for Assistant Prosecutors to have a sufficient amount of time to review investigative reports and prepare cases.



The types of crimes being committed in Allegan County has shifted somewhat over the years. The two pie charts above help to illustrate that point. In 2010 and 2020, Controlled Substances remained the #1 most charged crime with 336 and 368 counts respectively. In 2020, assault crimes increased which includes Strangulation, Domestic Violence, Felonious Assault and Assault/Battery.

Also, the laws themselves change regularly due to changes by the Michigan State Legislature. A charge that was once a Civil Infraction, can become a Misdemeanor, and likewise Misdemeanors become Civil Infractions or they may change to a Felony.

The Prosecuting Attorney and staff have a tremendous impact on how the criminal element is handled in Allegan County. Economic pressures and constraints have been placed upon every segment of our governmental system. However, law enforcement (as well as our educational system) continues to be a

vital link in our civilized society and must be protected. I point out to the Board of Commissioners that the Office of the Prosecuting Attorney is a constitutionally mandated office in Michigan County Government and the County must fund the office at a serviceable level.

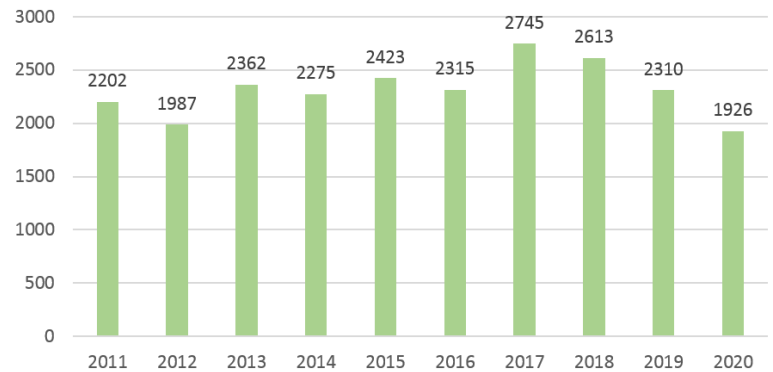
MISDEMEANOR CASES - DISTRICT COURT

Misdemeanor cases are crimes handled in District Court where punishment results in incarceration in the county jail for up to one year. Allegan County has two District Court Judges and a Hearing Magistrate. All felony cases begin in and have several hearings with the District Court before they are Bound Over to Circuit Court.

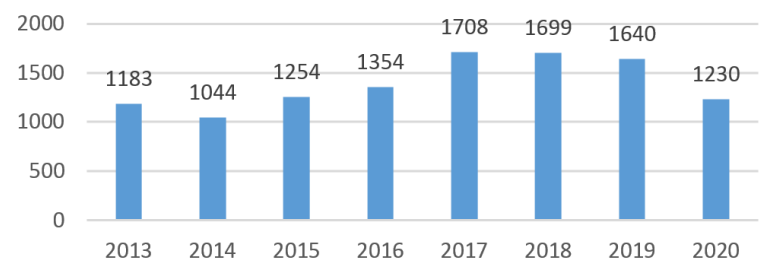
These types of cases are large in number and include, assaults (domestic and others), drunk driving, and property crimes. As a matter of policy, this office has sought and received significant jail terms for repeat drunk drivers and domestic assault defendants.

In 2020, both misdemeanor and ticket cases were lower as a result of the pandemic and lockdown.

MISDEMEANOR CASES AUTHORIZED



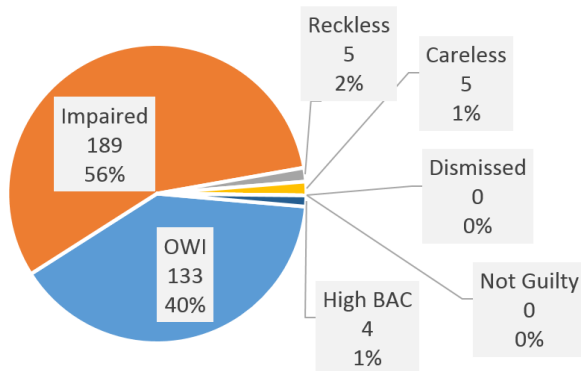
Ticket Cases



OWI Cases

In 2020, 95.83% (322) of the 336 individuals who were charged with Drunk Driving were convicted of either Operating While Intoxicated (OWI) or Impaired Driving. The pie chart below shows what the final disposition was on individuals charged with OWI. The graph on the following page shows the total number of Drunk Driving Case Dispositions from the years 2011 to 2020.

2020 OWI DISPOSITIONS



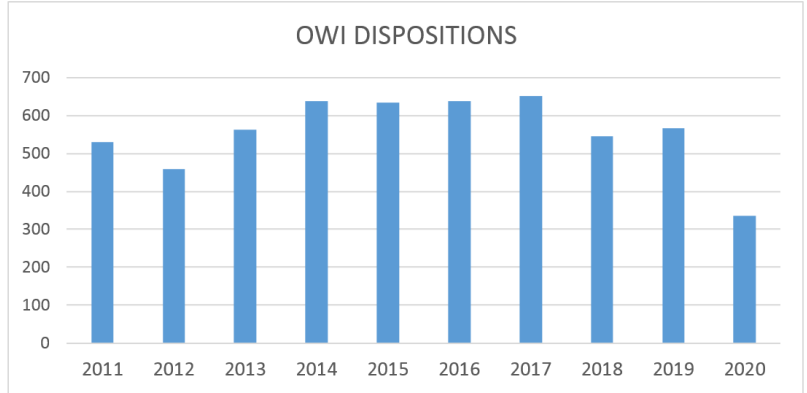
The graph on the following page shows the total number of Drunk Driving Case Dispositions from the years 2011 to 2020.

In 2018, there were 4 counts of OWI Causing Death, 7 counts of OWI Causing Serious Injury, 1 count of Reckless Driving Causing Death, and 2 counts of Reckless Driving Causing Serious Injury.

In 2019, there were 74 felony level Operating While

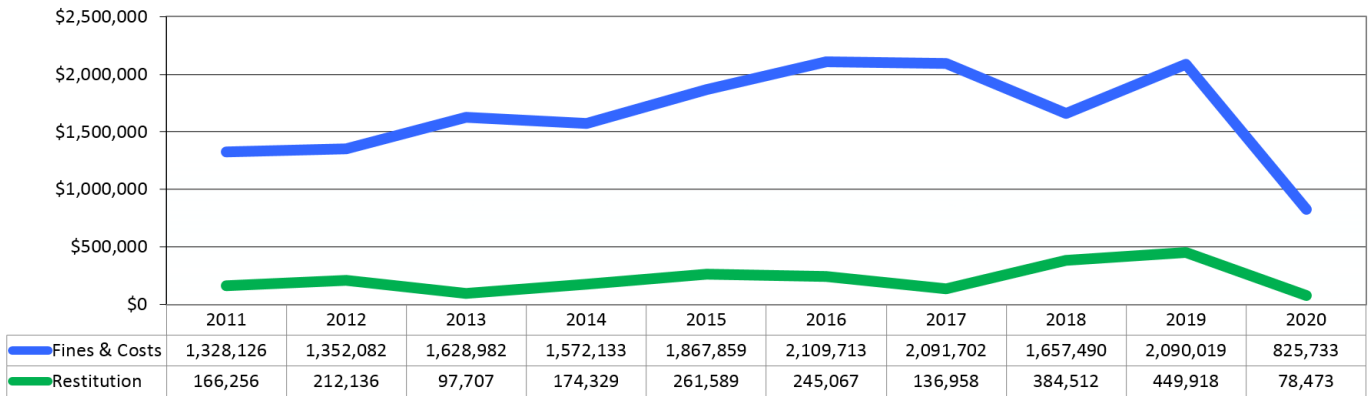
Intoxicated counts authorized and 2 counts of Felony level Operating with a High BAC.

In 2020, there were 65 counts of felony level Operating While Intoxicated, 1 count of OWI Causing Death, 1 count of OWI Causing Serious Injury and 7 counts of OWI with an Occupant under 16.



Fines, Costs & Restitution

The graph below shows what the District Court has ordered in regards to fines, costs, and restitution where this office has actively been involved.



Domestic Violence

Domestic Violence is abuse perpetrated by one or both partners involved within an intimate or family relationship. Domestic Violence is considered to be fairly expansive in nature, due to the fact that it may include a wide range of victims, activities, and vary in severity. The term “Domestic Violence” can include physical assault, property damage, arson, home invasion, weapons charges, telephone misuse, interfering with electronic communication (interrupting a phone call for help), stalking, emotional abuse, unlawful imprisonment, sexual abuse, and homicide.

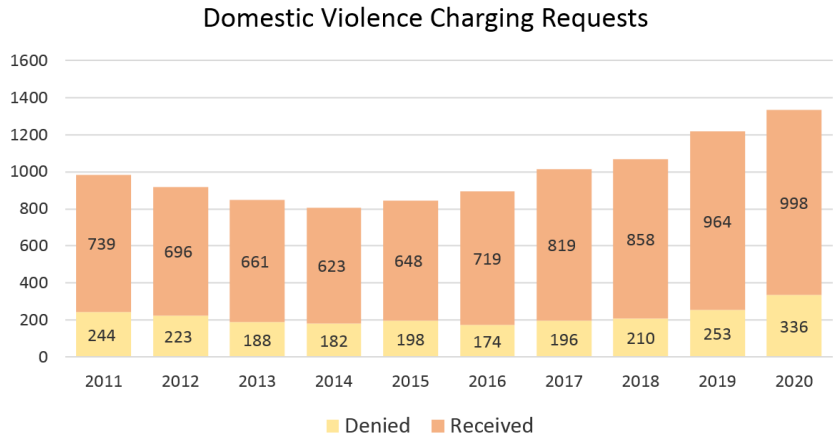
Domestic Violence can take place within a variety of intimate relationships, including married couples, individuals who are cohabitating, individuals considered to be intimately involved or child/parent relationship. Domestic Violence is not specific to sexual orientation or economic group.

When children are subjected to Domestic Violence it can often result in the perpetuation of violence.

Despite the existence of institutions providing resources, shelter, and assistance through the legal system, it is estimated that only about 50% of Domestic Violence cases are reported.

The graph below outlines the number of requests we receive each year for charges relating to Domestic Violence. As we see, Domestic Violence was an area that increased during the pandemic.

In 1998, the 57th District Court, at the request of this office and the Allegan County Domestic Violence Task Force, implemented a Domestic Violence Diversion Program where first time offenders are given the opportunity to receive counseling and avoid criminal convictions. The pre-requisites for acceptance into the program are specific, and one cannot qualify if there is aggravated physical injury or a history of Domestic Violence. The goal of the program is to stop the cycle of violence. The statistics from the 57th District Courts Annual Report are extremely encouraging for successful results from this program.



In 2015, a change in the law made Strangulation a 10 year felony, instead of a 93 day misdemeanor. Our office held training for local law enforcement outlining the changes in the laws. In 2015 our office charged 11 counts of Assault Causing Great Bodily Harm Less Than Murder and 38 counts of Strangulation. In 2016 our office charged 15 counts of Assault Causing Great Bodily Harm Less Than Murder and 54 counts of Strangulation. In 2017, our office charged 38 counts of Assault Causing Great Bodily Harm Less Than Murder and 18 counts of Strangulation. In 2018 our office charged 55 counts of Assault Causing Great Bodily Harm Less Than Murder, which at that point encompasses Strangulation as well. In 2019, there were 56 counts of Assault Causing Great Bodily Harm Less Than Murder, and in 2020, there were 40 counts of Assault Causing Great Bodily Harm Less Than Murder.

Specialty Courts

As the Chief Law Enforcement Officer, it is an important part of our duties to respond to concerns of the community. One example is the participation of this office in the use of the Allegan County Mental Health Court, the Drug Treatment Court, West Michigan Regional Veterans’ Treatment Court and Sobriety Treatment Courts. These programs require assigning an Assistant Prosecuting Attorney to attend program meetings and hearings in court.

Mental Health Treatment Court

On September 14, 2009, Judge Skocelas together with representatives from the Allegan County

Sheriff's Department, Allegan City Police, Allegan County Prosecutor's Office, Allegan County Community Mental Health, Michigan State Police, local defense attorneys and local substance abuse providers (OAR) to create a Mental Health Treatment Court.

During the year 2020, 23 people applied to the program, 11 people were admitted into the program, and 12 people were rejected. 13 people graduated successfully from the program. The number of graduates included participants that were admitted in 2019 as well as 2020.

Drug Treatment Court

The first participant was admitted into the Adult Drug Treatment Court on June 30, 2011 and is presided over by District Court Judge Baillargeon. The Allegan County Drug Treatment Court addresses the revolving-door cycle in which drug and alcohol offenders moved in and out of the justice system. Drug Treatment Court provides a comprehensive, sustained continuum of therapeutic interventions, treatment and other services to increase a participant's periods of abstinence and reduce relapse, re-arrest and subsequently incarceration.

During 2020, 2 people were admitted, 10 graduated from the program. The number of graduates included participants that were admitted in 2019 as well as 2020.

Veteran's Court

The West Michigan Regional Veterans' Treatment Court began operation on February 7, 2014 and Magistrate Daniel Norbeck is the Administrator/Case manager. The jurisdiction of the Veteran's Treatment Court is that of both the district and circuit courts of Allegan, Van Buren and Ottawa counties, but also accepts veterans from surrounding counties. It was developed and organized by Judge Baillargeon and the treatment court team to help veteran participants address underlying service related issues.

Partnering with the court from all three counties are county commissioners, judges, prosecutors, probation, law enforcement, mentors, community supervision providers, treatment providers, the Veterans Health Administration, Veterans Benefit Administration, veteran employment representatives and veterans service organization service officers.

During the year 2020, 6 people applied for the program. 2 people were admitted and 9 graduated successfully. The number of graduates included participants that were admitted in 2019 as well as 2020.

Sobriety Treatment Court

The Sobriety Court was established in April of 2018 and is presided over by Judge Baillargeon. This was specifically designed to address Operating While Intoxicated (OWI) 2nd Offense. This program has three

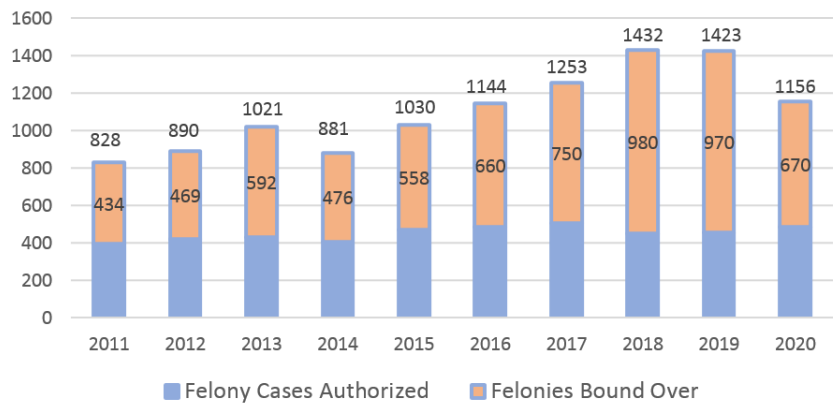
goals: divert from jail, eliminate substance use among substance abusers and to reduce OWI recidivism.

During the year 2020, 23 people applied to the program, 11 were admitted, 12 were rejected and 10 graduated successfully. The number of graduates included participants that were admitted in 2019 as well as 2020. Sobriety Court currently has 3 therapy groups with a maximum of 10 people allowed in each group at one time. This is the only Specialty Court that has a limit of how many people can be in at one time.

FELONY CASES - CIRCUIT COURT

The Circuit Court docket includes felony cases which are crimes where punishment is incarceration in excess of one year. Felony cases require significant staff time and multiple court appearances such as pre-exam hearings and preliminary examinations in District Court. If the case is bound over to Circuit Court, the Prosecuting Attorney is responsible for all proceedings at that level including pre-trials, motion hearings, pleas, bench or jury trials, and sentencing. All felony cases have strict time limits both for preliminary examinations (within 14 days) and trials (within 180 days). Allegan County's two Circuit Court Judges are primarily responsible for handling the adult felony cases. Due to the pandemic, these case numbers were also reduced significantly.

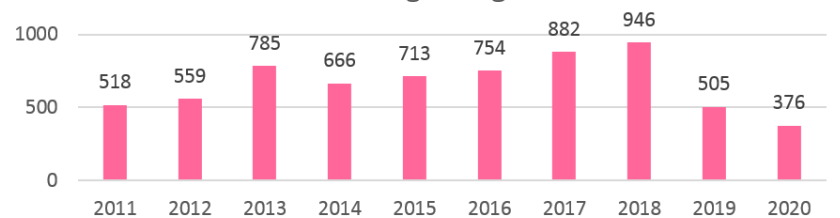
Felony Cases Authorized and Bound Over



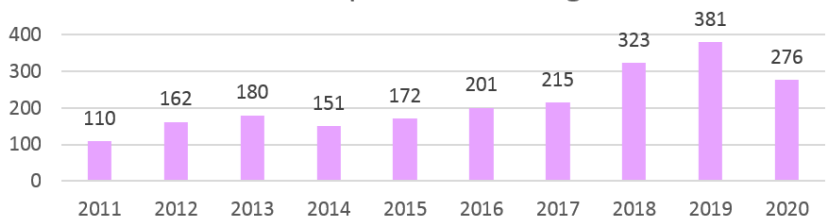
Controlled Substances

A large portion of our felony case load consists of controlled substance violations. Out of the 368 felony drug charges that were authorized in 2020, 276 or 73.99% were for Methamphetamine. Those charges are: Operating/Maintaining a Lab (5), Deliver/Manufacture Methamphetamine (15), Possession of Methamphetamine (255) and Use of Methamphetamine (1). Of the 670 felony cases bound over during 2020, 54.92% were drug related and 41.04% were related to Methamphetamine.

All Drug Charges



Methamphetamine Charges

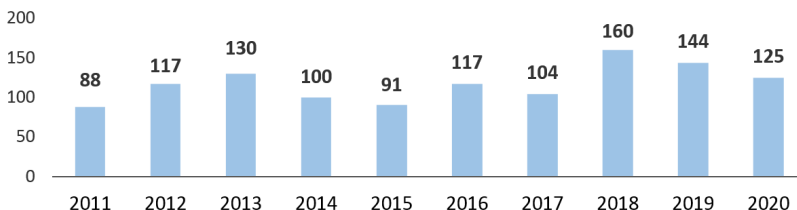


The use of Marihuana was legalized in December 2018. In 2017, 61.9% of all drug charges were marihuana related. In 2018, 506 or 53.49% were marihuana related. In 2019, 19 cases, or 3.76% were related to marihuana and in 2020, 9 cases were related to marihuana.

Criminal Sexual Conduct

Criminal Sexual Conduct (CSC) charges, Child Sexually Abusive Materials and/or Activity (CSAM), Child Abuse and Assaults are included in the graph on the right. The reduction in cases is linked to victims, particularly children, not having the safe adult to disclose to when schools were shut down to in-person instruction.

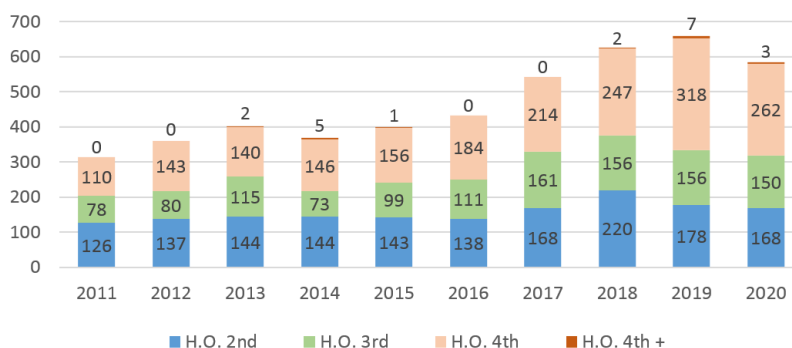
FELONY CRIMINAL SEXUAL CONDUCT



Habitual Offenders

Under Michigan’s current habitual offender law, once an individual has previously been convicted of one or more felonies (or attempts to commit felonies), that person can be sentenced for subsequent felony charges as a “habitual offender.” A habitual offender faces sentencing enhancements ranging from 25 percent, 50 percent, or 100 percent depending on the number of previous felony convictions on top of any sentence they could receive for an immediate offense for which they are being convicted. The statutory maximum is also increased by this law.

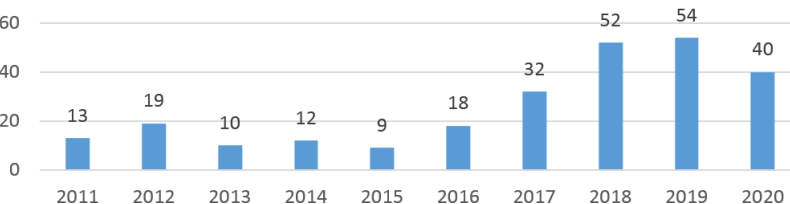
HABITUAL OFFENDER



Assault GBH/Strangulation

As mentioned earlier, (page 7 and page 10) in 2015, Assault with Intent to do Great Bodily Harm (GBH) changed to include Strangulation. Prior to that, Strangulation was categorized as a misdemeanor. On the right is a graph of the number of Assault GBH cases that were charged from 2011-2020.

GBH/Strangulation Cases



Human Trafficking

In the last few years, Human Trafficking has come to the national forefront. It is defined as modern day slavery and includes recruiting, enticing, harboring, transporting or providing individuals for the purpose of forced labor or services. Traffickers use force, fraud, or coercion to lure their victims and force them into labor or commercial sexual exploitation. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings.

		HUMAN TRAFFICKING / PROSTITUTION				
		2016	2017	2018	2019	2020
	Human Trafficking (M)	0	0	0	0	0
	(F)	0	1	0	0	0
	Prostitution (M)	1	1	1	0	0
	(F)	1	7	0	0	0
Charges		2016	2017	2018	2019	2020
Felony	Keeping a House of Ill Fame	0	1	0	0	0
	Prostitution/Pandering	0	2	0	0	0
	Prostitution/Accepting Earnings	0	2	0	0	0
	Prostitution/Transporting Person	0	2	0	0	0
	Human Trafficking-Minor for Commercial Sexual Activi	0	1	0	0	0
Misdemeanor	Prostitution/Engaging Services of	3	1	1	0	0
	Prostitution/Leasing House	0	0	0	0	0
		3	9	1	0	0

Many myths and misconceptions exist. Recognizing key indicators of human trafficking is the first step in identifying victims and can help save a life, and stop an offender. Not all indicators are present in every human trafficking situation, and the presence or absence of any of the indicators is not necessarily proof of human trafficking.

Homicides

In 2020, we had four cases charged with homicide/open murder (five counts authorized); three of which are still pending. One case pled to Murder in the 2nd Degree with 2 additional counts of child abuse. These cases are assigned to a senior and junior attorney. They take a great deal of time to prepare, often involving 50 witnesses or more and a plethora of evidence.

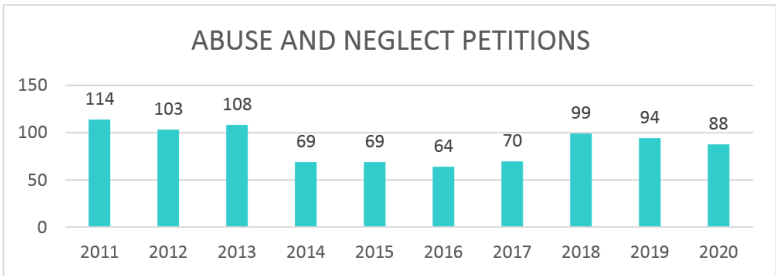
CIRCUIT COURT – FAMILY DIVISION

The Circuit Court – Family Division has one Family Court/Probate Judge, and two Hearing Attorney-Referees.

In the Family Court, the Prosecuting Attorney is charged with the responsibility of bringing cases of child neglect or abuse to the court, cases of juvenile delinquency, as well as involuntary commitments pursuant to the Mental Health Code in Probate Court.

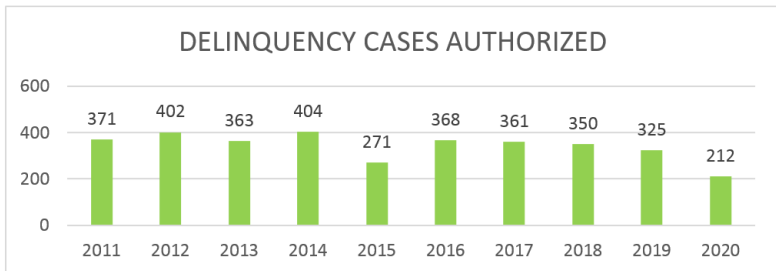
Abuse/Neglect

The graph on the right shows how many new Abuse and Neglect Petitions were authorized since 2011. In 2020 our office authorized 88 new Abuse and Neglect Petitions. This represents 204 children. Also, during 2020 our office filed 17 petitions to Terminate the Parental Rights of one or both parents in Abuse and Neglect cases.



Delinquency

In 2020, this office authorized 212 juvenile delinquency petitions. This included 53 Felony Petitions, 121 Misdemeanor Petitions, 1 Juvenile PPO and 37 Status Offense petitions. A Status Offense is when a child is charged with something that if they were an adult, would not result in charges (Truancy and Incurable are two examples).



Mentally Ill

It is necessary to regularly appear for involuntary commitment hearings of the mentally ill. These hearings are held every month at the Kalamazoo Psychiatric Hospital (KPH). Our county is on a rotation schedule with 14 other counties, and in 2020 our office attended 5 times. These Hearings typically require an APA from our office travel to Kalamazoo on the days our Probate Judge and his recorder are scheduled to conduct these hearings. During 2020, due to COVID and gathering restrictions, all of these hearings were conducted via Zoom. Occasionally, our Probate Court will hear these hearings in Allegan County. During 2020, there were 18 hearings set in the Allegan County Probate Court that our office was required to attend. These cases include many people that are a serious threat to the public or themselves.

CRIME VICTIM ASSISTANCE

Most crime victims experience physical suffering, financial loss, and emotional distress. Physical injuries occur in nearly one-third of all violent crimes. Our Victim Assistance Program provides an extensive notification service to victims to advise them of each court proceeding as their case moves through the court system. In 2020, the Victim Assistance Program provided over 8540 contacts with victims throughout the year. This is a very important function of this office and is mandated by the Crime Victims Rights Act. During 2020, our office provided services by way of letter, telephone contact and email, providing support to victims

in court and providing appointments with victims of various crimes.

The Victim/Witness Coordinator serves as the primary contact for victims of Domestic Violence, Criminal Sexual Conduct, Homicide/Open Murder, Drunk Driving or Driving Under the Influence of Controlled Substance Causing Death or Serious Injury. This contact includes explaining of rights, court procedures, services, shelter alternative and assistance.

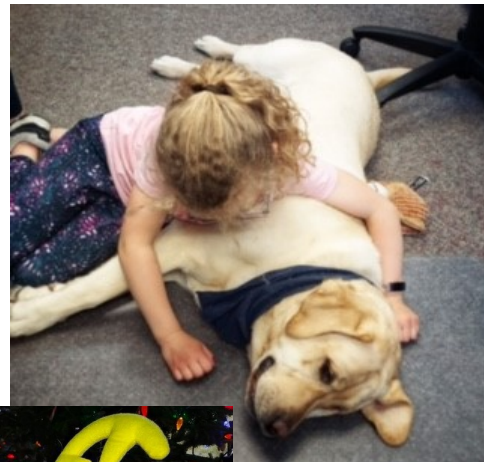
Our Victim Assistance Program is funded by a grant of \$163,378.00 from the Michigan Crime Victim Services Commission. This fund is used to employ both a full time Victim Rights Coordinator, full time Victim's Rights Secretary, and a part time Victim Advocate Specialist, who assists the Victim/Witness Coordinator.

The Allegan County Victim/Witness Coordinator has a Bachelors Degree in Psychology with over thirty years of experience working with child and adult victims.

Canine Advocate - Joey

On July 11, 2019, our office received our Canine Advocate, Joey. He is a yellow lab. His primary handler is Emelda Calanchi-Pope, our Victim/Witness Coordinator, and his secondary handler is Judith Kasson, our Chief Assistant Prosecutor.

During 2020, Joey has assisted victims on 6 Preliminary Hearings, 5 Trials, 32 Interviews and 3 cases that involved entire families. One of the trials was for several full days in a row including the wait for a jury's



verdict and consoling the entire family when the verdict came back as Not Guilty. Joey’s services were requested in Barry County where he worked with a victim during a Preliminary Hearing.

In January, Joey attended the DV Task Force Meeting, had his 2nd Birthday Party which was attended by Ryan Lewis of the Allegan County News and Live-streamed. The Live-stream had 3.5k views. Joey also attended a Safety meeting. Joey has his own Facebook page with occasional uplifting and Holiday messages.

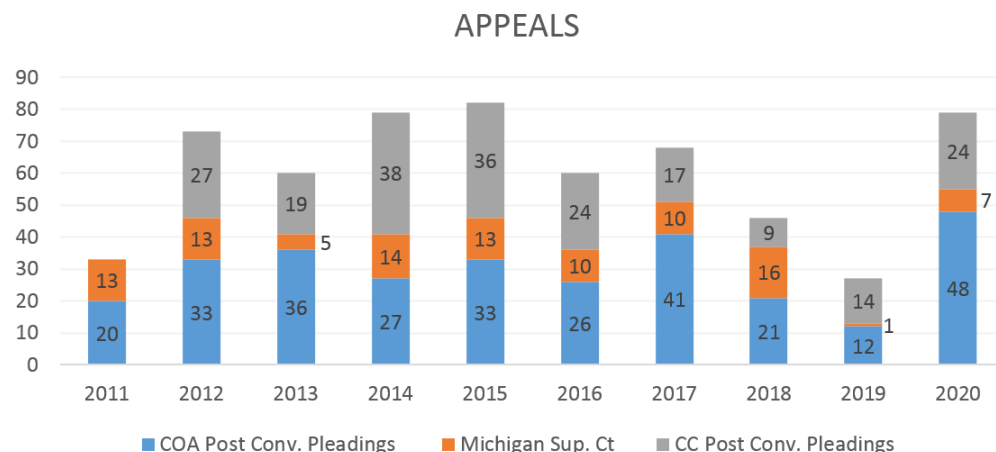
Joey has also visited other offices in the court house for Valentine’s Day, and passed out candy to people in the other departments to help uplift spirits during a difficult year. He has dressed up like Cupid on Valentines Day, for Halloween, as a Bantha with a small Jawa (from *Star Wars*) on his back and as Max from *The Grinch who Stole Christmas* to share Christmas Cheer and bring a little joy to other people’s day.

APPEALS

Each person who is convicted of a crime in Michigan is entitled to appeal his or her conviction. The Prosecuting Attorney has the obligation to represent Allegan County in opposing each appeal. Appellate cases require meticulous research in the preparation of lengthy legal briefs, as well as appearances in the various appellate courts. These are vitally important areas of endeavor. If we are not successful in the appeals in the higher courts of the state, the efforts of our office as well as the police departments are futile.

As illustrated below, in 2020, our office filed 48 pleadings with the Court of Appeals and attended 4 oral arguments in front of the Court of Appeals. During this time we also reviewed 30 pleadings and received 79 correspondences related to cases pending with the Court of Appeals. Our office filed 7 pleadings with the Michigan Supreme Court

and reviewed 6 pleadings for pending cases. We also attended one oral argument at the Michigan Supreme Court. Our office filed 24 post-conviction pleadings in the Circuit Court and reviewed 7 pleadings filed.



OTHER CASE DUTIES

The Prosecuting Attorney also is responsible for enforcement of approximately 253 mandated duties created by 373 different statutes including from advising various county departments and agencies to making

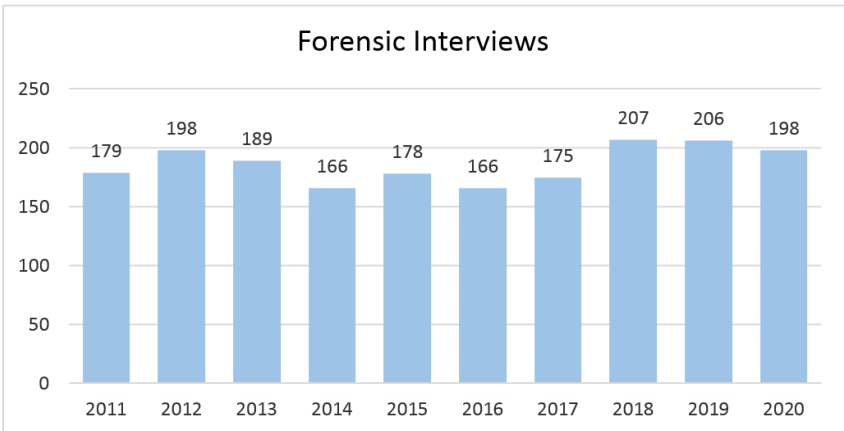
sure the annual county real estate tax sale is completed correctly.

This office is a part of the Southwest Michigan Enforcement Team (SWET). The team’s top priorities are to: reduce the number of lives lost due to drug overdoses, investigate, dismantle, and successfully prosecute major drug trafficking organizations and be an investigative resource to police agencies in Southwest Michigan. SWET is comprised of sworn Law Enforcement personnel from the Berrien County Sheriff’s Office, Allegan County Sheriff’s Office, Allegan City Police Department, Barry County Sheriff’s Office, Calhoun County Sheriff’s Office, Covert Township Police Department, Kalamazoo County Sheriff’s Office, Kalamazoo Township Police Department, Michigan State Police, South Haven City Police Department, St. Joseph County Sheriff’s Office and Sturgis City Police Department.

SWET is funded in part by the Michigan HIDTA (High Intensity Drug Trafficking Area) as well as the U.S. Department of Justice, Byrne JAS Grant. As a member of this team, our office will now receive 20% of any contested civil forfeiture and 10% of any administrative civil forfeiture.

The Allegan County Prosecutor’s Office participates in the Allegan County Child Abuse Multi-Disciplinary Team with 10 other agencies pursuant to the Child Abuse Investigation Protocol mandated by the State of Michigan. The team reviews all cases of suspected child sexual abuse and severe physical abuse. The reviews include monitoring child forensic interviews and a monthly case review process of those interviews. On average, this team reviews and monitors the progress of approximately 140 cases of child abuse, criminal sexual conduct and child sexually abusive material every month.

An interview of a child typically takes one hour to complete, and assistant prosecutors are present for that part of the investigation. Interviews are



conducted by a trained forensic specialist, while the remainder of the team views the interview over closed circuit video at the Safe Harbor Children’s Advocacy Center or through the use of poly-com technology from the Prosecutor’s Office. This system was made possible by a grant through Safe Harbor and allows Assistant Prosecutors to be present for the interviews while not leaving the office.

ON CALL DUTIES

A Prosecuting Attorney is on call twenty-four hours a day. The Prosecutor is required to consult with

police agencies, issue arrest warrants even during evenings, weekends and holidays and be available to prepare search warrants (which are usually needed at the most inconvenient times).

OTHER ACTIVITIES

The Prosecuting Attorney continues to be active in several different areas related to criminal justice. The involvement includes membership and participation in the following agencies and organizations:

Board of Directors - *Prosecuting Attorney Association of Michigan*,
Vice President - Board of Directors of *Safe Harbor Child Advocacy Center*,
Co-Chair - *Allegan County Coordinating Council on Domestic Violence*,
Chair - *Case Review Multi-Disciplinary Team*,
Chair - *Child Advocacy Center Advisory Committee*,
Member - *Allegan County Substance Abuse Prevention Counsel*,
Member - *Child Death Review Committee*,
Member - *MACC*,
Chief Chair - *Allegan County Law Enforcement Council (ACLEC)*,
Trainer for the *Prosecuting Attorney Association of Michigan*,
Member - *Allegan County Safe Schools Committee*.

OFFICE UPDATES

Employee Changes in 2020

- ◆ Molly Schikora, Assistant Prosecutor started with our office on 04/06/2020
- ◆ Janie Hernandez, Part Time Victim Advocate, left employment with our office on 08/11/2020
- ◆ Hilary Anes, Part Time Irregular Support Staff began full time employment in the Victim Rights Specialist position on 9/9/2020.
- ◆ Delora Andrus, Victim Rights Specialist left employment with our office on 09/25/2020
- ◆ Leslie Huntington, Part Time Victim Advocate, started with our office on 11/06/2020
- ◆ Emily Jipp, Assistant Prosecutor left employment as an Assistant Prosecutor on 12/18/2020.

New Initiatives

Meth Regional Task Force

Translation of Victim Rights forms

Translation services for victim appointments

Increase training county wide

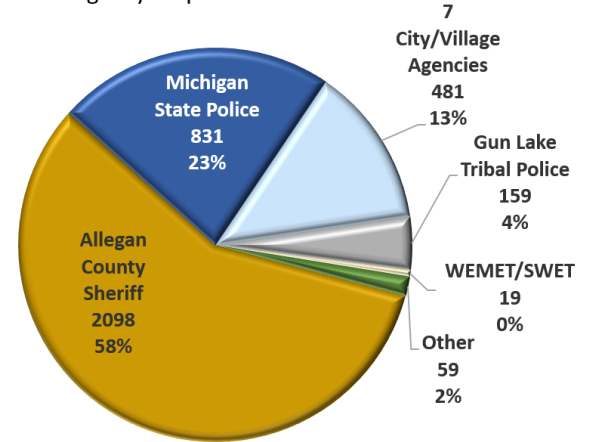
CSAM Diversion Program

LAW ENFORCEMENT AGENCIES

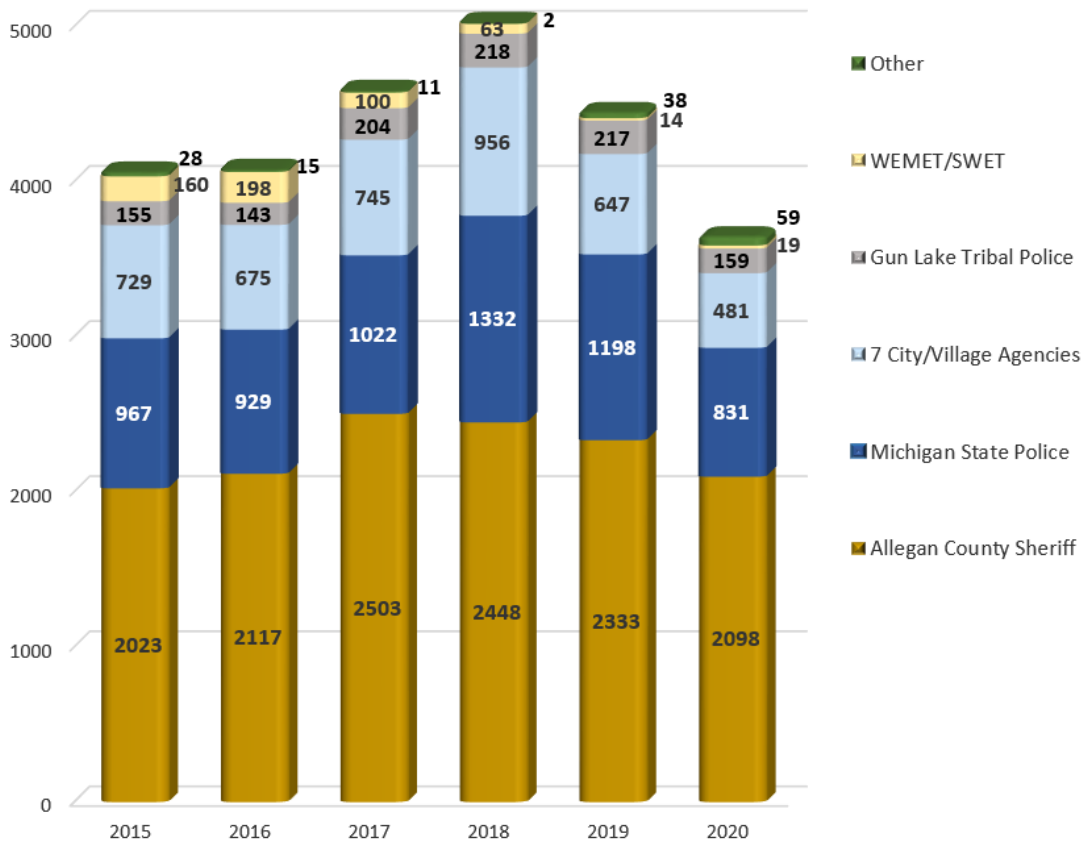
This office serves all the law enforcement agencies in Allegan County including the Sheriff’s Office, the State Police, DNR, and the Cities of Plainwell, Otsego, Wayland, Holland, Allegan, Douglas, Fennville and Gun Lake Tribal Police Department. The Gun Lake Tribal Police was established in 2012.

As the gatekeeper of all criminal activity from the policing agencies to the court system it is critical to our criminal justice system to adequately staff the Office of the Prosecuting Attorney and not compromise the public safety of the citizens of Allegan County. The pie chart on the right shows of all the charging requests we received in 2019, what the percentage was from each department. Below is a graph showing what the agencies have submitted over the last 5 years. The chart on the following page shows all the agencies that have submitted warrant requests since 2012.

2020 Agency Request for Warrants



AGENCY REQUESTS FOR WARRANTS



	2012	2013	2014	2015	2016	2017	2018	2019	2020
Allegan County Sheriff's Dept.	1933	2167	1957	2023	2117	2503	2448	2333	2098
Michigan State Police	638	960	933	967	929	1022	1332	1198	831
Gun Lake Tribal Police	58	114	122	155	143	204	218	217	159
WEMET/SWET	122	107	89	160	198	100	63	14	19
All Local City & Village Agencies:									
Allegan PD	223	187	185	155	176	167	199	223	147
Fennville PD		20	10	8	17	15	19	10	29
Hopkins PD	8	11	8	1	1	1	-	-	-
Holland PD	30	24	19	22	18	11	7	34	27
Otsego PD	93	118	97	106	85	106	116	120	79
Plainwell DPS	136	148	124	123	100	129	123	100	70
Saugatuck/Douglas PD	132	124	126	127	120	126	-	-	-
Douglas PD (2018)	-	-	-	-	-	-	31	60	23
Wayland PD	185	162	184	184	157	189	170	99	106
Total City/Village Agencies	807	795	754	729	675	745	956	646	481
All Other Agencies:									
Dept of Nat. Resources	24	32	14	21	4	5	14	27	44
Office of Insp. General	23	24	57	2	4	5	5	6	3
SCAR	3	4	-	4	3	1	1	2	5
Dept. Environ. Quality	-	-	1	1	0	-	0	-	-
Alpena Co.	-	-	-	-	-	-	1	-	-
Barry Co.	1	-	1	-	-	-	-	1	-
Berrien Co.	-	-	1	-	-	-	-	-	-
Kalamazoo Co.	-	-	-	-	-	-	-	-	-
Kent Co.	-	-	-	-	-	-	-	-	-
Ottawa Co	-	-	1	-	4	-	1	2	7
Van Buren Co.	4	3	-	-	-	-	-	-	-
Kalamazoo City PD	-	-	-	1	-	-	-	-	-
Grand Haven City PD	-	-	-	1	-	-	-	-	-
South Haven City PD	-	-	1	-	-	-	-	-	-
Hastings City PD	-	-	-	-	1	1	-	1	-
Wyoming City PD	-	1	-	-	-	-	-	-	-
Zeeland City PD	-	-	-	1	-	-	-	-	-
Total All Other Agencies	55	63	75	28	15	11	22	39	59
Yearly Totals	4475	5064	4759	4819	4767	5341	5726	4447	3647

CONCLUSION

I look forward to working with all members of the law enforcement community to help make Allegan County a safe place in which to work, live, and raise a family.

Respectfully submitted,
Myrene K. Koch
Prosecuting Attorney

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 9/17/21 and 9/24/21; 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 2021 Claims folder of the Commissioners' Record of Claims.

September 17, 2021

			AMOUNT DISALLOWED
General Fund - 1010	94,245.64	94,425.64	
Park/Recreation Fund - 2080	7,468.15	7,468.15	
Central Dispatch/E911 Fund - 2110	4,657.50	4,657.50	
Central Dispatch CIP - 2118	276.00	276.00	
Friend Of The Court Office - 2151	2,637.01	2,637.01	
Health Department Fund - 2210	29,609.07	29,609.07	
Transportation Grant - 2300	67,389.66	67,389.66	
Capital Improvement Fund - 2450	6,395.84	6,395.84	
Register of Deeds Automation Fund - 2560	133.47	133.47	
Indigent Defense - 2600	29,256.97	29,256.97	
Drug Law Enforcement Fund - Prosecutor- 2651	252.07	252.07	
Grants - 2790	13,653.44	13,653.44	
Wayland Township - 2806	2,093.18	2,093.18	
Child Care - Circuit/Family - 2921	11,323.68	11,323.68	
Senior Millage - 2950	116,556.28	116,556.28	
Delinquent Tax Revolving Fund - 6160	602.77	602.77	
Tax Reversion - 6200	63.99	63.99	
Tax Reversion 2020 - 6201	51.92	51.92	
Drain Equip Revolving - 6390	57.61	57.61	
Fleet Management - 6612	110.08	110.08	
Self-Insurance Fund - 6770	17,290.67	17,290.67	
Drain Fund - 8010	3,565.00	3,565.00	
TOTAL AMOUNT OF CLAIMS	\$407,870.00	\$407,870.00	

September 24, 2021

			AMOUNT DISALLOWED
General Fund - 1010	105,486.67	105,486.67	
Park/Recreation Fund - 2080	353.44	353.44	
Central Dispatch/E911 Fund - 2110	96.78	96.78	
Friend Of The Court Office - 2151	176.43	176.43	
Health Department Fund - 2210	14,887.78	14,887.78	
Solid Waste - 2211	66,740.40	66,740.40	
Transportation Grant - 2300	3,092.96	3,092.96	
Capital Improvement Fund - 2450	345,245.37	345,245.37	
Animal Shelter - 2550	6,438.00	6,438.00	
Register of Deeds Automation Fund - 2560	13,322.90	13,322.90	
Indigent Defense - 2600	9,740.00	9,740.00	
CDBG Loan Repayment -2771	30.00	30.00	
Wayland Township - 2806	3,161.96	3,161.96	
Child Care - Circuit/Family - 2921	9,724.09	9,724.09	
Senior Millage - 2950	51,111.51	51,111.51	
Self-Insurance Fund - 6770	2,719.34	2,719.34	
Drain Fund - 8010	36,938.66	36,938.66	
TOTAL AMOUNT OF CLAIMS	\$669,266.29	\$669,266.29	

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for 9/17/21, 9/24/21 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

2022 FINAL BUDGET - SET PUBLIC HEARING

WHEREAS, consistent with the Uniform Budgeting Act, the County Administrator has submitted a recommended balanced budget to the Board of Commissioners; and

WHEREAS, the Board of Commissioners has accepted the recommended budget for final consideration.

THEREFORE BE IT RESOLVED that along with consideration of the final proposed budget, the Board of Commissioners has set a public hearing at 7:00 P.M. at the Annual Board Meeting on October 14, 2021, for review of the 2022 budget.

PUBLIC NOTICE
2022 ALLEGAN COUNTY PROPOSED FINAL BUDGET

The Board of Commissioners of the County of Allegan will hold a budget hearing on Thursday, October 14, 2021, for all interested citizens to comment and discuss the proposed budget.

The hearing will take place at 7:00PM in the Board Room, County Services Building, 3283–122nd Avenue, Allegan, Michigan, for the purpose of discussion of the proposed budget. The public may also participate in the meeting/public hearing by calling 1-929-205-6099, Meeting ID: 848 6387 9892 and Meeting Password 101421. For other options connecting to the meeting, please visit our meeting notice website at www.allegancounty.org or contact the County Administrator's Office.

The proposed budget may be examined online at www.allegancounty.org under News Media Room or on weekdays at the Office of the Allegan County Administrator (address below), between 8:00AM and 5:00PM. All interested citizens will have the opportunity to give written and/or oral comment.

The County will provide necessary reasonable auxiliary aids and services to individuals with disabilities at the public hearing upon one (1) week notice. Individuals requiring auxiliary aids or services should contact the following in writing or by telephone:

Robert J. Sarro,
County Administrator,
3283 – 122nd Avenue,
Allegan, Michigan, 49010
269-673-0239

Published in the Allegan County News on September 30, 2021.



ALLEGAN COUNTY
REQUEST FOR ACTION FORM

Completed RFA form must be attached to a work order request through the Track-It System. If you have any questions regarding this process, please contact Administration @ ext. 2633.

RFA#: _____
Date: _____

Request Type _____ Committees _____ **Select a Request Type to reveal and complete required form.**
Department Requesting _____ Health _____
Submitted By _____ Rosemary Graham; Supervisor Angelique Joynes _____
Contact Information _____ x4759 or rgraham@allegancounty.org _____

Description

At the August 24, 2021, Solid Waste Planning Committee meeting, SWPC chairperson Llewellyn motioned to request that Graham follow up with the BOC regarding HB 4454-4461 and the request made by the Michigan Recycling Coalition to the Southwest Michigan Solid Waste Consortium to request letter of support for bill package by member counties as communicated in a BOC update and to request an explanation from the BOC regarding their decision to submit a letter of support or not, supported by Webster. All in favor, motion carried.

August 26, BOC Update: Public Health/Resource Recovery Program, MRC requests support for Part 115 Update - At the Southwest Michigan Solid Waste Consortium meeting on July 28, 2021, the Executive Director of the Michigan Recycling Coalition, Kerrin O'Brien, presented information regarding proposed updates to Part 115 and the current status of this legislation. O'Brien requested the support of member counties and has provided the attached template. For reference, I have included a brief summary of this presentation and more information can be found at <https://www.michiganrecycles.org/part-115-update/>. These updates encompass HB 4454-4461 and passed the House of Representatives on April 22, 2021. On April 27, 2021 the Senate referred this package of bills to the Committee on Regulatory Reform. O'Brien's presentation entitled Solid Waste Policy Reform: Modernizing Material Management explained that states must plan for solid waste disposal and the State of Michigan places this responsibility on counties. The State has not had funding to call for plan updates for 25 years. Past practice has focused on ensuring landfill capacity for each county. Michigan currently has a great amount of landfill capacity. Michigan lacks an infrastructure to promote recycling, our recycling rate is at 18% and our goal is 45%. The MRC anticipates passage of Part 115 updates would create 138k jobs, \$9.05 billion annual revenue, and \$33.8 billion in economic growth. Gov. Snyder developed a funding path for recycling in 2018, providing \$24 million annually. \$15 million for grants and counties and \$9 million for oversight. 70 stakeholder groups were involved in proposed Part 115 updates. O'Brien outlined legislative updates and highlighted goals for providing recycling service, functional stability assurances for landfills, financial assurances for material management facilities, regulations on compost facilities, and financial support for counties during the planning process. Counties will receive \$60k each year for 5 years to update plans and an additional \$0.50 per capita for the first three years. Counties that plan together will also receive an additional \$10k. O'Brien asked counties to support the passage of Part 115 updates by passing a resolution and by contacting Senator Aric Nesbitt of District 26, Chair of the Senate Regulatory Committee. For more information, please contact Rosemary Graham, Resource Recovery Coordinator, at rgraham@allegancounty.org.

Allegan County Solid Waste Planning Committee (SWPC)



Human Services Building
3255 – 122nd Avenue Suite 200
Allegan, MI 49010
269-673-5411 Main Office
269-673-4172 Main Fax
<http://www.allegancounty.org>

Garth Llewellyn, Chairman
Rosemary Graham,
Resource Recovery Coordinator

SOLID WASTE PLANNING COMMITTEE – MINUTES

Vacant
Solid Waste Industry
Representative

Tuesday, August 24, 2021 – 6:00 PM
Hybrid Meeting

Vacant
General Public
Representative

CALL TO ORDER: 6:08 PM

ROLL CALL:

Present: Webster, Llewellyn, Brown, DeFranco, Rapp

Absent: Jessup, Rosser, Dugan

Vacant
Township
Representative

Vacant
Industrial Waste
Generator
Representative

COMMUNICATIONS: *Kent County Memo, re: Sustainable Business Park progress update and timeline. Rapp asked if Kent County would meet with stakeholders regularly during the time period outlined in memo. Graham reported that a meeting schedule had not yet been provided to her office.*

Vacant
City Government
Representative

APPROVAL OF MINUTES: *Motion made by Rapp, supported by Brown. All in favor, motion carried.*

Denise Webster
General Public
Representative

PUBLIC PARTICIPATION: *None.*

Garth Llewellyn
General Public
Representative

APPROVAL OF AGENDA: *Motion made by Webster, supported by DeFranco. All in favor, motion carried.*

Tom Jessup
County
Commissioner

PRESENTATIONS: *None.*

Jack Brown
Solid Waste Industry
Representative

RECYCLE COORDINATOR REPORT: *See agenda packet. Llewellyn motioned to request an update from the Allegan County Board of Commissioners regarding the status of the request made by Kerrin O'Brien of the Michigan Recycling Coalition to the Southwest Michigan Solid Waste Consortium requesting a letter of support from member counties for HB 4454-4461, as communicated in a BOC update and to request an explanation from the BOC regarding their decision to submit a letter of support or not, supported by Webster. All in favor, motion carried.*

Daniel DeFranco
Environmental
Representative

Randy Rapp
Environmental
Representative

ACTION ITEMS: *None.*

Matt Rosser
Solid Waste Industry
Representative

DISCUSSION ITEMS:

Gale Dugan
Regional Solid Waste
Planning
Representative

1. SWPC membership applications

Graham introduced new members Denise Webster and Daniel DeFranco. Webster is a new resident of the county and former Isabella County resident and Central Michigan University instructor. Webster reported her involvement and support of

Vacant
Solid Waste Industry
Representative

Mission Statement

"Allegan County shall plan, develop and evaluate the necessary policies and resources to ensure our county continues to progress and prosper"

recycling programs while a resident of Isabella County. DeFranco is an instructor at Grand Valley State University and the Vice Chairperson of the Tri-Community Recycling Committee (TCRC) (Saug. City, Saug. Twp., & Douglas). DeFranco described the TCRC new 'Back to Basics' recycling education campaign, recent household hazardous waste collection event (the 1st in 13 years in the area), battery collection campaign, paper gator placement, and grant application to perform a recycling audit in the region.

2. Materials Management Plan Update

a. Where are we now?

Graham presented a summary of the current status of the Allegan County Materials Management Plan 1997 update. Llewellyn asked what may occur if the legislation regarding plan updates is not passed? Graham reported that EGLE may call for plan updates or the County could decide to update the plan regardless of the passage of the legislative package, but the legislative package provides funding to counties.

PUBLIC PARTICIPATION: *None.*

FUTURE AGENDA ITEMS: *Webster requested the committee seek presenters. Rapp recommended seeking a presentation from the SBP anchor tenant once the selection is made public by Kent County. Llewellyn requested that Graham explore options for SWPC strategic planning in preparation for part 115 legislative update and call to update county plan as a sub-committee or committee as a whole and report back to committee at November meeting.*

ROUND TABLE: *Graham asked if the committee meets in-person should a Zoom meeting should also be created? Committee members noted in-person meetings are open to the public, posted online, communication can be made through Graham to present to the committee, and the county offers accessibility options to the public in the event in-person attendance is not possible. Graham agreed to create a Zoom meeting if a request to do so was made by the public, otherwise future meetings will be offered in-person only unless directed otherwise by Order. Llewellyn asked why some local units of government have not joined the Resource Recovery Program (RRP). Rapp explained the structure of PA 69 of 2005 used to fund the program and other funding options available to units of government. The use of PA 69 requires interlocal agreements that may not be suitable to every local unit. Webster asked how often local units were provided instructions on how to join the RRP? Graham explained that instructions are available upon request and provided to every local unit of government in the county each surcharge recycling voting cycle.*

ADJOURNMENT: *Motion made by Webster to adjourn at 7:23 PM, supported by DeFranco. All in favor, motion carried.*

NEXT MEETING: November 23, 2021 @ 6:00 PM.

Resolution of Support for Updating Part 115, Michigan's Solid Waste Law

Whereas, the Michigan Department of Environment, Great Lakes, and Energy has been working with a wide range of stakeholders to substantially update and amend Part 115, Michigan's solid waste statute, to prioritize sustainable materials management, specifically the recovery and diversion of discarded materials for productive use;

Whereas, XXXX County's last Solid Waste Plan was updated and approved in XXXX and is long overdue for an update. XXXX County would receive funding to facilitate a new planning process, in which all pertinent local stakeholders would work to update the county's plan under the updated system. Plans will be required to show how progress will be made to meet established benchmark recycling standards and State recycling goals based on the needs and interests of the county as determined by local participants. These new plans will be designated as Materials Management Plans, reflecting the shift in priorities to reduce the disposal of resources;

Whereas, Part 115 updates aim to support sustainable materials management methodologies such as recycling, composting, anaerobic digestion, and other beneficial utilization activities, by:

- Incentivizing counties to set recycling goals and plan for holistic discards management.
- Consider and plan for the development of facilities necessary to manage these materials in ways that protect human health and the environment, as well, as making materials available for remanufacturing.
- Making funding available with the goal of tripling Michigan's recycling rate. The funding would cover:
 - County Materials Management Planning,
 - Recycling infrastructure development,
 - Development of markets for recyclable materials, and
 - Education to help residents use recycling systems effectively.

Whereas, XXXX County recycles less than XX% of its municipal waste stream and would benefit from a fresh take on waste, funded planning, and state grants, including funding for:

- Improved recycling infrastructure and services
- Public education

Whereas, Public Act 588 enrolled in the 2018 Legislative makes annual funding available to support the amendments proposed to Michigan Solid Waste Laws;

Accordingly, it is hereby resolved that the County of XXXX supports the substantial update of Michigan solid waste laws, Part 115, for the advancement of local, county, regional, and state recycling goals and county materials management planning.

Adopted by the County of XXXX on this day, _____

Signed:

Chairman of the XXXX County Board of Commissioners

Certification

STATE OF MICHIGAN)

COUNTY OF XXXX)

I, _____, Clerk of the County of XXXX, Michigan, do hereby certify that the above resolution was duly adopted by the XXXX County Board of Commissioners on the ____ day of _____, 2021

In TESTIMONY WHEREOF, I hereunto set my hand and affix the Seal of the County of XXXX, Michigan this ____ of _____, 2021.

County Clerk

CITY OF XXX , MICHIGAN

XXX CITY COUNCIL

Policy Resolution XXXX

RESOLUTION IN SUPPORT OF Updating Part 115, Michigan's Solid Waste Law

Whereas, the City of XXX has long recognized the value of recycling, and has prioritized waste reduction as a core goal of the (City's Climate Sustainability Plan or other);

Whereas, the City of XXX has been a leader in the state and region in creating recycling opportunities and infrastructure for recycling access that reflects the valued position recycling holds as one of our Community's core services;

Whereas the City of XXX is concerned with growing recycling in Michigan, and supports the legislative package, as it will facilitate the development of sustainable materials management programs and infrastructure through a comprehensive update of the state's regulations;

Whereas, the Michigan Department of Environment, Great Lakes, and Energy has been working with a wide range of stakeholders to substantially update and amend Part 115, Michigan's solid waste statute, to prioritize sustainable materials management, specifically the recovery and diversion of discarded materials for productive use;

Whereas, the City of XXX has partnered regionally to support and grow sustainable materials management initiatives, and would further welcome initiatives involving XXX County and the region;

Whereas, Part 115 updates aim to support sustainable materials management methodologies such as recycling, composting, anaerobic digestion, and other beneficial utilization activities, by:

- Incentivizing counties to set recycling goals and plan for holistic discards management.
- Consider and plan for the development of facilities necessary to manage these materials in ways that protect human health and the environment, as well, as making materials available for remanufacturing.
- Making funding available with the goal of tripling Michigan's recycling rate. The funding would cover:
 - County Materials Management Planning,
 - Recycling infrastructure development,
 - Development of markets for recyclable materials, and
 - Education to help residents use recycling systems effectively.

Whereas, the City of XXX believes the region would benefit from a fresh take on waste reduction, funded planning, and state grants, including funding for:

- Improved recycling infrastructure and services
- Public education

Whereas, Public Act 588 enrolled in the 2018 Legislative makes annual funding available to support the amendments proposed to Michigan Solid Waste Laws;

Accordingly, it is hereby resolved that the City of XXX supports the substantial update of Michigan solid waste laws, Part 115, for the advancement of local, county, regional, and state recycling goals and county materials management planning.

Moved by Council member:

Supported by Council member:

ADOPTED: Yeas:
Nays:
Absent:

XXX, Mayor

Adopted:

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the XXX City Council at a public meeting held on _____, the original of which is part of the Council's minutes.

XXX Township , MICHIGAN

XXX Township Board

Policy Resolution XXXX

RESOLUTION IN SUPPORT OF Updating Part 115, Michigan's Solid Waste Law

Whereas, XXX Township has long recognized the value of recycling, and has prioritized waste reduction as a core goal of the (City's Climate Sustainability Plan or other);

Whereas, XXX Township has been a leader in the state and region in creating recycling opportunities and infrastructure for recycling access that reflects the valued position recycling holds as one of our Community's core services;

Whereas, XXX Township is concerned with growing recycling in Michigan, and supports the legislative package, as it will facilitate the development of sustainable materials management programs and infrastructure through a comprehensive update of the state's regulations;

Whereas, the Michigan Department of Environment, Great Lakes, and Energy has been working with a wide range of stakeholders to substantially update and amend Part 115, Michigan's solid waste statute, to prioritize sustainable materials management, specifically the recovery and diversion of discarded materials for productive use;

Whereas, XXX Township has partnered regionally to support and grow sustainable materials management initiatives, and would further welcome initiatives involving XXX County and the region;

Whereas, Part 115 updates aim to support sustainable materials management methodologies such as recycling, composting, anaerobic digestion, and other beneficial utilization activities, by:

- Incentivizing counties to set recycling goals and plan for holistic discards management.
- Consider and plan for the development of facilities necessary to manage these materials in ways that protect human health and the environment, as well, as making materials available for remanufacturing.
- Making funding available with the goal of tripling Michigan's recycling rate. The funding would cover:
 - County Materials Management Planning,
 - Recycling infrastructure development,
 - Development of markets for recyclable materials, and
 - Education to help residents use recycling systems effectively.

Whereas, XXX Township believes the region would benefit from a fresh take on waste reduction, funded planning, and state grants, including funding for:

- Improved recycling related infrastructure and services
- Public education

Whereas, Public Act 588 enrolled in the 2018 Legislative makes annual funding available to support the amendments proposed to Michigan Solid Waste Laws;

Accordingly, it is hereby resolved that XXX Township supports the substantial update of Michigan solid waste laws, Part 115, for the advancement of local, county, regional, and state recycling goals and county materials management planning.

Moved by Township Trustee:

Supported by Township Trustee:

ADOPTED: Yeas:
Nays:
Absent:

XXX Township, Board Chair

Adopted:

CLERKS CERTIFICATION: I hereby certify that the foregoing is a true and complete copy of a Resolution adopted by the XXX Township at a public meeting held on _____, the original of which is part of the Township Board's minutes.



MEMORANDUM

September 21, 2021

TO: Board of Commissioners

FROM: Robert J. Sarro, County Administrator

RE: **Mental Health Assistance for COVID-19**

In the face of the global COVID-19 pandemic, schools have confronted significant challenges as students and their families have quickly shifted from in-school classes to an online format, then back to an in-school format with mitigation strategies (including masks, spacing, cleaning, etc.) while trying to make plans amidst great uncertainty. The pandemic itself has caused much worry, stress, and grief. These stressors can cause mental health challenges for anyone and can cause acute symptoms to appear for people who may experience mental health challenges.

During the September 9th Allegan County Board of Commissioners' Meeting, Administration was asked to research mental health support options for Allegan County students/families relative to COVID-19. In identifying options, the concept of a Student Assistance Program (SAP) surfaced as a possibility. A SAP is defined as a systematic team process used to mobilize resources to remove barriers to learning. SAPs are designed to assist in identifying issues including alcohol, tobacco, other drugs, and mental health issues which pose a barrier to a student's success. The primary goal of a SAP is to help students overcome these barriers so that they may achieve, advance, and remain in school.

Family members of students can also access these services. Whether we specifically refer to a program as a SAP or Community Assistance Program (CAP), when getting quotes for these services, vendors confirmed that we could confine services to strictly COVID-19 related issues that are not pre-existing (prior to the pandemic). Please be advised that while some options could include the ability for existing providers to be included in the support network, it is not recommended, nor proposed, that Allegan County provide any direct reimbursements to families or providers but rather access to service. **Based on the information below, it is recommended both administratively and legally that services be offered in a broad sense of COVID-19 Mental Health Support. As such, Administration recommends utilizing the CCBHC program through CMH. Since CMH services may need start-up time, it is recommended that the Charles Nechtum program be utilized initially to help assess the demand for service and provide immediate assistance. Service needs can be re-evaluated in 90 days.**

1. **Mark A. Witte, MSW, LMSW**, Executive Director, Allegan County CMH Services

Allegan CMH was awarded a SAMHSA grant that started August 23, 2021, for Certified Community Behavioral Healthcare Clinic (CCBHC) Services. CMH is in the early phases of operationalizing that service which must be stood up within four (4) months of award (which for us will be December for everything required). Counseling services are a

required element, as are crisis response services. CMH is aware that many individuals have insurance resources that could address these needs as well. CMH will be working toward becoming paneled to provide these services with as many insurance companies as are necessary to meet the needs of our community to have a local provider. The grant provides \$2,000,000 per year for two (2) years which allows CMH to hire the staff needed to provide all of the additional services required by the grant.

Considering the information above, CMH declined the invitation to submit a proposal for county funds to meet the need (whatever it ends up being), but rather substitute a proposal with an offer to use their new grant to cover whatever cost might happen. CMH can offer the service from 8 am to 12 midnight, 7 days a week. This would include unlimited telephonic counseling available by CMH staff as well as referrals to face to face providers when necessary. It is expected that 90% of the issues can be handled by our phone therapists.

2. Mr. Charles Nechtem, Charles Nechtem Associates, Inc.

Costs for services would be \$.34 per student/per month for the 17,948 (\$73,228 per year), eligible students including family members.

A program for the entire county, 118,081 people, would be \$.096 per member/per month (\$136,029 per year).

The program would include unlimited telephonic counseling with the EAP therapists, not face-to-face visits. Face-to-face, when necessary would be covered by insurance or by therapists who charge a sliding scale fee. Most [90%] of the counseling will be done telephonically by our EAP phone therapists. The 10% referred will be substance abuse or chronic issues. If an individual needed to be referred out for face-to-face, only for COVID-19 related issues, their network of providers range from \$75 to \$150 depending on the credentials of the therapist. Charles Nechtem can set this up like the Allegan County EAP. [1-6 sessions] Grief, depression, anxiety, students having to go back to school ...these are the issues they are seeing. The program could be ready by October 1.

3. Mr. Bob VandePol, Pine Rest Christian Mental Health Services

Currently, there are five (5) schools in the Grand Rapids area that have a Pine Rest SAP (defined above). These clients include a university, high school, elementary school, pre-school, and an entire district.

The service is for three (3) visits and is generally \$9.00 per year, per student per student family (17,948 x \$9 = \$161,532. We assume many families have more than one student in your schools so your costs would be reduced. Five (5) visits could be up to \$18.00, six (6) visits up to \$20.00 (17,948 x \$20 = \$358,960 per year on high end) if for whole community (118,081 x \$20 = \$2,961,620). This would be for the student and family and Faculty and staff, per year. A proposal may be developed further upon Board direction.