

## ALLEGAN COUNTY BOARD OF COMMISSIONERS

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SEPTEMBER 24, 2020, 2020 SESSION

JOURNAL 68

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**SEPTEMBER 24, 2020 SESSION - PLEDGE OF ALLEGIANCE, ROLL CALL**

1/ The Board of Commissioners of the County of Allegan, State of Michigan, met remotely online connecting through a Zoom webinar on September 24, 2020 at 9:00 A.M. in accordance with the motion for adjournment of September 10, 2020, 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 - Absent
DIST #2	JIM STOREY	DIST #6	GALE DUGAN
DIST #3	MAX THIELE	DIST #7	RICK CAIN
DIST #4	MARK DeYOUNG		

**PUBLIC PARTICIPATION - NO COMMENTS**

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

**AGENDA - ADOPTED AS PRESENTED**

3/ Moved by Commissioner Dugan, seconded by Commissioner DeYoung to adopt the meeting agenda as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**DISCUSSION ITEMS:****2021 BUDGET/COMMISSIONER INQUIRIES**

4/ Discussions continued on the draft of the proposed budget for FY2021. It was noted that the County-wide fee schedule has been attached to the budget. October 8, 2020 is the target date for adoption on the FY2021 budget.

**FACILITIES MGMT - COURTHOUSE PROJECT UPDATE**

5/ Executive Director of Operations Steve Sedore gave an update on the Courthouse construction project. The original approved budget amount from 9/26/2019 was for 1 million dollars. Construction cost projections are now approximately 1.8 million dollars. Two options were presented 1) to fund the additional costs and 2) to decrease the scope of the project.

**WHEREAS**, on June 13, 2019, the Board of Commissioners (Board) authorized County Administration to engage the County's architectural and engineering firm (GMB) to design and provide cost estimates on various components of the Courthouse e.g. entrance, sally port; and

**WHEREAS**, on August 22, 2019, the Board authorized the County Administrator to proceed in the design of a central security entrance for the courthouse entitled "New Main Central Entry", additional holding cells and the improvement of existing holding cells to ensure appropriate

security, separation and sanitary conditions and proceed with the design of a sally port located at the north side of the building of the courthouse; and

**WHEREAS**, on June 25, 2020, GMB (architect) presented design plans that would be used to release a request for proposal to complete the construction at the Courthouse as directed by the Board.

**WHEREAS**, the request for proposal process has been completed and the Board has been presented with final estimates to complete the project as scoped at \$1,803,428.

**WHEREAS**, the Board has allocated \$1,000,000 in the FY2020 Budget.

**THEREFORE BE IT RESOLVED** that the Board authorizes the project to proceed as presented and for funds to be carried over into the next fiscal year until the project is completed; and

**BE IT FURTHER RESOLVED** the County Administrator is authorized to negotiate the necessary agreements with the successful bidders based on the advice of GMB to release a request for proposal under the direction of the County Administrator; and

**BE IT FURTHER RESOLVED** the project budget is increased to \$1,803,428 with the difference from the original budget be allocated from the Capital Improvement Plan Fund fund balance.

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

Moved by Commissioner Cain, seconded by Commissioner Kapenga to adopt the resolution as presented. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Dugan and Cain. Nays: Thiele. Absent: Jessup.

#### **COURTHOUSE SIGNAGE**

6/ Executive Director of Operations Steve Sedore reviewed the signage options for the new courthouse entrance.

Moved by Commissioner DeYoung, seconded by Commissioner Dugan to have the new building entrance be titled "Allegan County" and have the "Ralph B. Sytsema Memorial Center" sign on the north side of the Courthouse be moved to a sufficient height after construction of the sally port. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Dugan and Cain. Nays: Thiele. Absent: Jessup.

#### **ADMINISTRATIVE UPDATE**

7/ Administrator Rob Sarro noted his written report was submitted to Commissioners. Highlights included: open positions within the County and tax limitation zoom meetings.

#### **EQUALIZATION - PROPERTY ASSESSING REFORM**

8/ Administrator Sarro updated the board of the options that the county has for the appointment of a Designated Assessor as part of implementation of P.A. 660 of 2018. The appointment will be brought before the board at a later date for final approval.

**PUBLIC PARTICIPATION - NO COMMENTS**

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

**ADJOURNMENT UNTIL OCTOBER 8, 2020 AT 3:00 P.M.**

10/ Moved by Commissioner Kapenga, seconded by Commissioner Dugan to adjourn until October 8, 2020 at 3:00 P.M. The motion carried and the meeting was adjourned at 11:35 A.M.

**AFTERNOON SESSION**

**SEPTEMBER 24, 2020 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

11/ The Board of Commissioners of the County of Allegan, State of Michigan, met remotely online connecting through a Zoom webinar on September 24, 2020 at 1:00 P.M. in accordance with the motion for adjournment of September 10, 2020; Chairman Storey presiding.

The invocation was offered by District #2 Commissioner Storey.

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

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

DIST #1	DEAN KAPENGA	DIST #5	TOM JESSUP - Absent
DIST #2	JIM STOREY	DIST #6	GALE DUGAN
DIST #3	MAX THIELE	DIST #7	RICK CAIN
DIST #4	MARK DeYOUNG		

**COMMUNICATIONS**

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

1. Bay County resolution that urges the President of the United States, the Senate and Congress to provide the financial assistance required to aid states and local units of government as they continue to deal with the economic long term effects of Covid-19
2. Cheshire Township resolution in support of an Allegan County-wide ORV ordinance
3. Ganges Township resolution in support of an Allegan County-wide ORV ordinance

**SEPTEMBER 10, 2020 SESSION MINUTES - ADOPTED**

13/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the minutes for the September 10, 2020 session as distributed. Motion carried by voice vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**PUBLIC PARTICIPATION - NO COMMENTS**

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

**AGENDA - ADDITIONS**

15/ Chairman Storey asked if there were any additions or changes to the agenda. Administrator Sarro asked to remove discussion item #2 Equalization Property Assessing Reform as the matter was discussed during the planning session.

Moved by Commissioner DeYoung, seconded by Commissioner Dugan to adopt the changes to the meeting agenda as requested.

Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**AGENDA - ADOPTED AS AMENDED**

16/ Moved by Commissioner Dugan, seconded by Commissioner DeYoung to adopt the meeting agenda as amended. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

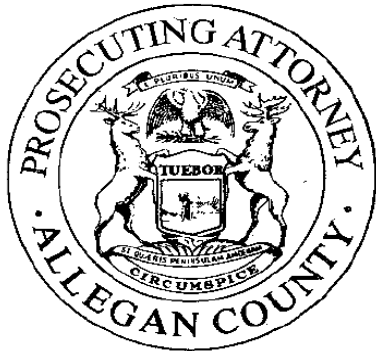
**INFORMATIONAL SESSION: PROSECUTING ATTORNEY**

17/ Prosecuting Attorney Myrene Koch gave her annual report for 2019.

**2019**

ALLEGAN COUNTY PROSECUTING ATTORNEY

ANNUAL REPORT



RESPECTFULLY SUBMITTED TO:

THE CITIZENS OF ALLEGAN COUNTY

AND

ALLEGAN COUNTY BOARD OF COMMISSIONERS

## Allegan County Prosecuting Attorney 2019 Annual Report

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**ALLEGAN COUNTY PROSECUTING ATTORNEY  
2019 ANNUAL REPORT****INTRODUCTION**

We are pleased to present the 2019 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.

PROSECUTING ATTORNEY STAFF

Myrene K. Koch, Prosecuting Attorney  
Judith Kasson, Chief Assistant Prosecuting Attorney

Assistant Prosecuting Attorney

Steven J. Lanting  
Rachel E. Keeley  
Emily W. Jipp  
Elizabeth Peterson  
Meredith R. Beidler  
James R. Rolland  
Jeff Rhoa

Victim/Witness Coordinator

Emelda Calanchi-Pope

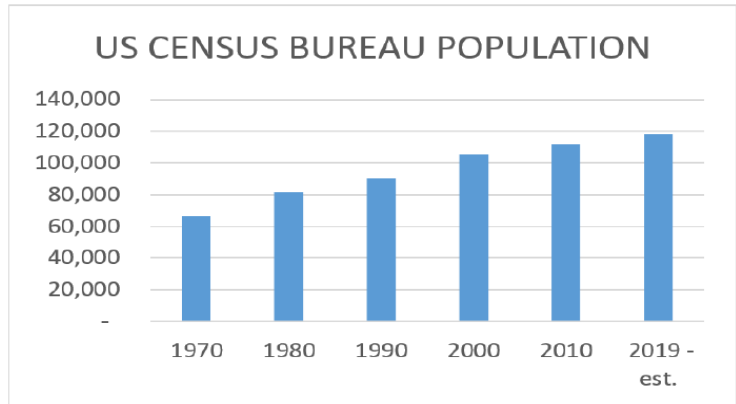
Support Staff

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  
Delora Andrus, Victim's Rights Specialist  
Dianne Yeaman, Irregular Part Time Legal Administrative Specialist  
Hilary Anes, Irregular Part Time Legal Administrative Specialist

POPULATION

Allegan County is one of the fastest growing counties in this state by population having increased from 90,509 in 1990 to 105,665 in 2000 and then 111,407 in 2010. That is an increase of 23.09 from 1990 to 2010. The U.S. Census Bureau estimates Allegan County’s population at 118,081 in 2019. As a result, we have and will continue to experience the inevitable result of an increased workload with a limited staff.

Population by Year		% Increase
1970	66,575	
1980	81,555	22.5
1990	90,509	10.9
2000	105,665	16.7
2010	111,407	5.4
2019 - est.	118,081	5.99



<https://www.census.gov/quickfacts/fact/table/allegancountymichigan/PST045219>

According to Julie Mack in a story posted to MLive on April 18, 2019, *Michigan’s population peaked at 10.09 million in 2006 and last exceeded the 10 million mark in 2008, on the eve of the Great Recession, according to U.S. Census Bureau estimates. With job losses hammering the state, the population dropped to 9.88 million by 2011, based on Census Bureau estimates. It’s slowly increased since [then]. Among Michigan’s 83 counties, Kent and Ottawa counties ranked Nos. 1 and 2 in population gains between 2017 and 2018. Allegan County is the 18<sup>th</sup> most populated county in Michigan, and ranks #7 in population growth.*

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 graph on the following page shows the number of Adult and Juvenile charging requests and Abuse and Neglect charges received by our office since 2010.

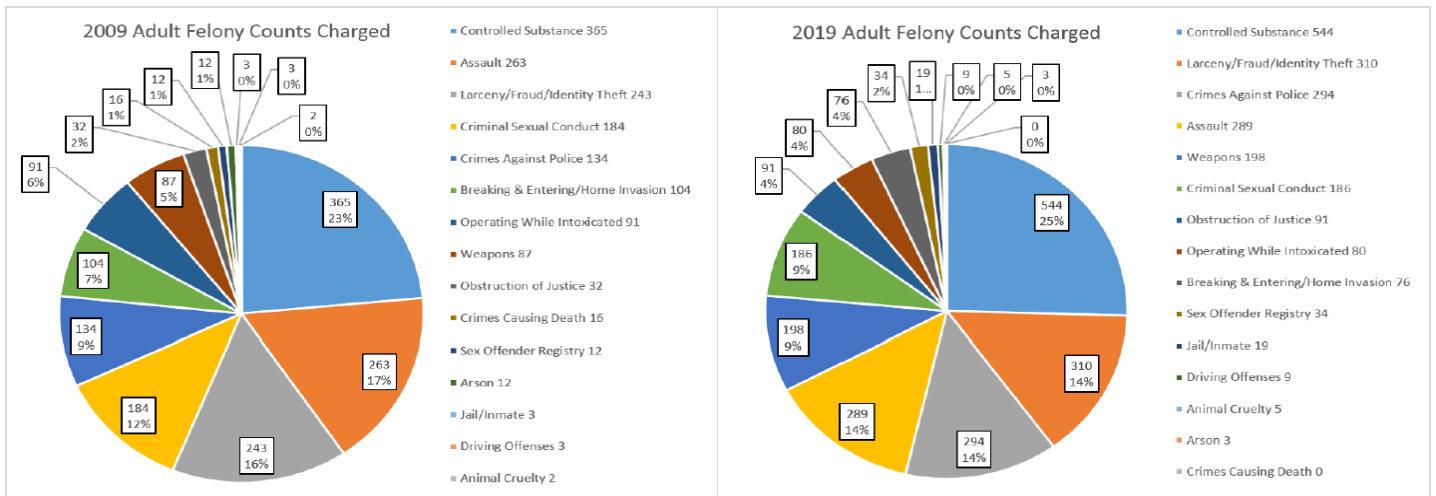
	Cases Entered in ACT/JCT						% of Charging Requests Denied			
	Adult	Denied	Juvenile	Denied	Ab/Neg	Total Rec'd	Total Denied	Year	Percentage	Prosecutor
2010	3889	682	547	103	178	4436	785	2009	15.07%	Anderson/Bakker
2011	3901	575	486	99	194	4387	674	2010	17.74%	Anderson/Bakker
2012	3761	615	516	88	228	4277	703	2011	15.88%	Anderson/Kengis
2013	4307	655	448	75	221	4755	730	2012	17.25%	Anderson/Kengis
2014	4062	633	503	85	147	4712	772	2013	16.67%	Anderson/Kengis
2015	4237	496	434	77	146	4817	637	2014	16.91%	Anderson/Kengis
2016	4308	512	436	77	151	4895	655	2015	13.63%	Anderson/Kengis
2017	4827	496	438	71	76	5341	616	2016	13.80%	Anderson/Kengis
2018	5096	634	350	84	99	5545	771	2017	11.69%	Kengis/Koch
2019	4705	672	301	60	94	5100	732	2018	14.15%	Koch/Kasson*
								2019	14.62%	Koch/Kasson

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

During the last year, this office reviewed 4447 adult criminal warrant requests, 301 juvenile delinquent petitions and 94 new Abuse and Neglect petitions. On average, the office received 20.26 requests for adult and juvenile charges each day in 2019. The numbers below 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 19 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 2019 is 258. The 4447 Warrant Requests received from page 19 added to 258 equals the 4705 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 and Referees but to also have attorneys available to review arrest warrant requests and search warrants. 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 on the previous page help illustrate that point. In 2009 and 2019, Controlled Substances remained the #1 most charged crime with 365 and 544 counts respectively. In 2019, Crimes against the Police was the #5 most charged and in 2019 it was the 3<sup>rd</sup> most charged offense.

In 2008, Assaults were the 2<sup>nd</sup> most charged offense, and in 2019 it fell to #4, but the overall number still increased from 263 to 289. That is a 9.88 % increase.

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. For example in 2018, marijuana laws changed so that crimes that had been misdemeanors can now be Civil Infractions. Conversely, in 2015, Assault with Intent to do Great Bodily Harm changed to include strangulation, so a charge of Strangulation in the past was a misdemeanor, and now it is a felony.

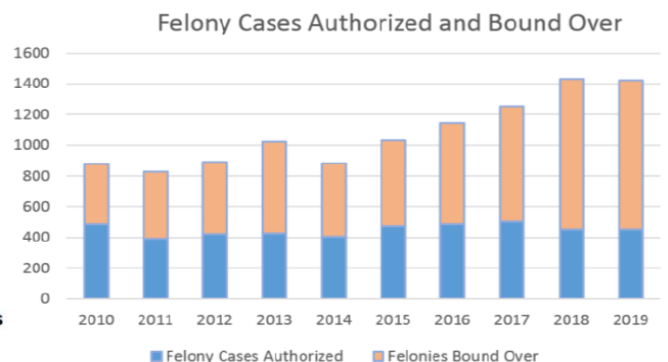
The Prosecuting Attorney and staff have a tremendous impact on how the criminal element is handled in Allegan County. Economic pressures and constraints have been placed upon every segment of our governmental system. However, law enforcement (as well as our educational system) continues to be a vital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

CIRCUIT COURT – FELONY CASES

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 has two Circuit Court Judges, who are primarily responsible for handling the adult felony cases.

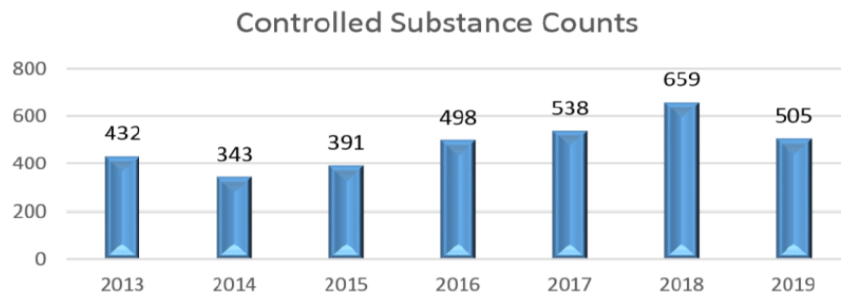
	Felony Cases Authorized	Felonies Bound Over	% of B.O.
2010	877	392	44.69
2011	828	434	52.41
2012	890	469	52.69
2013	1021	592	57.98
2014	881	476	54.02
2015	1030	558	54.17
2016	1144	660	57.69
2017	1253	750	59.85
2018	1432	980	68.19
2019	1423	970	68.16

Bind Overs increased **73.83% in the last 5 years** - Increased **147.44% in last 10 years**



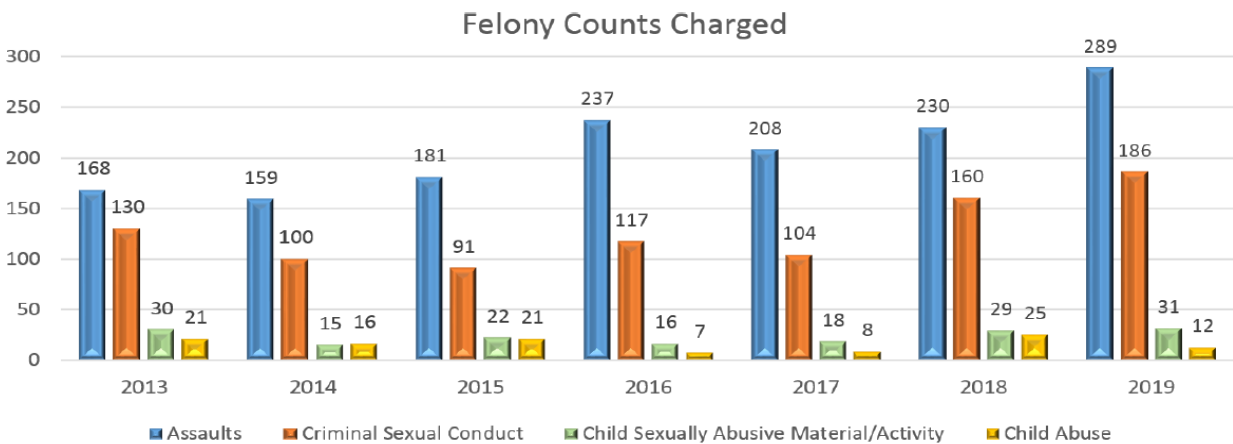
Controlled Substances

A large portion of our felony case load consists of controlled substance violations. Out of the 505 felony drug charges that were authorized, 383 or 75.84% of the drug cases were for Methamphetamine. Those charges are: Operating/Maintaining a Lab (1), Deliver/Manufacture Methamphetamine (27) and Possession of Methamphetamine (355). Of the 970 Felony Cases Bound Over during 2019, 52.06% were drug related and 39.38% were related to Methamphetamine.



Criminal Sexual Conduct

Criminal Sexual Conduct (CSC) charges, Child Sexually Abusive Materials and/or Activity (CSAM), Child Abuse and Assaults are included in the following graph.



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.

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.

### Prostitution

Prostitution is a criminal act that includes the trade, barter, or exchange of sexual acts with the expectation of the receipt of economic gain or opportunity. The notion of 'gain' expressed in the definition of Prostitution may vary in its classification with regard to personal circumstance on a case-by-case basis. Human trafficking can play a part in this crime when the expressed intent of engaging and arranging forced sexual activity in the form of Prostitution; this type of Prostitution can involve victims ranging from adults to children. The following chart shows the number of times Prostitution or Human Trafficking was charged in Allegan County in the last 5 years.

#### **HUMAN TRAFFICKING / PROSTITUTION**

	2015	2016	2017	2018	2019
Human Trafficking (M)	0	0	0	0	0
(F)	0	0	1	0	0
Prostitution (M)	0	1	1	1	0
(F)	0	1	7	0	0

<b>Human Trafficking/Prostitution Charges</b>		<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Felony	Keeping a House of Ill Fame	0	0	1	0	0
	Prostitution/Pandering	0	0	2	0	0
	Prostitution/Accepting Earnings	0	0	2	0	0
	Prostitution/Transporting Person	0	0	2	0	0
	Human Trafficking of a Minor for Commercial Sexual Act	0	0	1	0	0
Misdemeanor	Prostitution/Engaging Services of	0	3	1	1	0
	Prostitution/Leasing House	0	0	0	0	0
		<b>0</b>	<b>3</b>	<b>9</b>	<b>1</b>	<b>0</b>

#### CIRCUIT COURT – FAMILY DIVISION

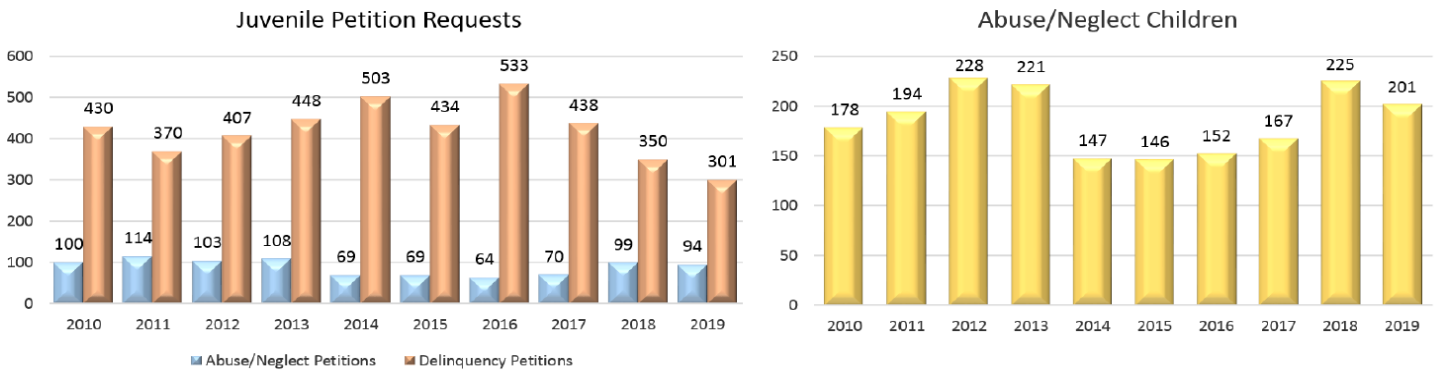
The Circuit Court – Family Division has one Family Court/Probate Judge, and two Hearing Attorney-Referees.

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.

In 2019, this office reviewed 301 requests for delinquency petitions, reviewed 94 petitions for new Abuse and Neglect cases, and filed 18 petitions to terminate the parental rights of one or both parents in Abuse and Neglect cases.

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 our office attends 4 times a year. These Hearings require an APA from our office travel to Kalamazoo on the days our Probate Judge and his recorder are scheduled to conduct these hearings. Occasionally, our Probate Court will hear these hearings in Allegan County. During 2019, there were 13 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.

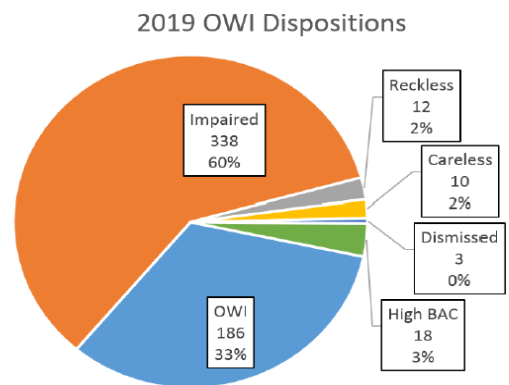
Below is the number of new Petitions received for Delinquency and Abuse/Neglect as well as how many children were involved in new Abuse and Neglect Cases authorized since 2010.



DISTRICT COURT – MISDEMEANOR CASES

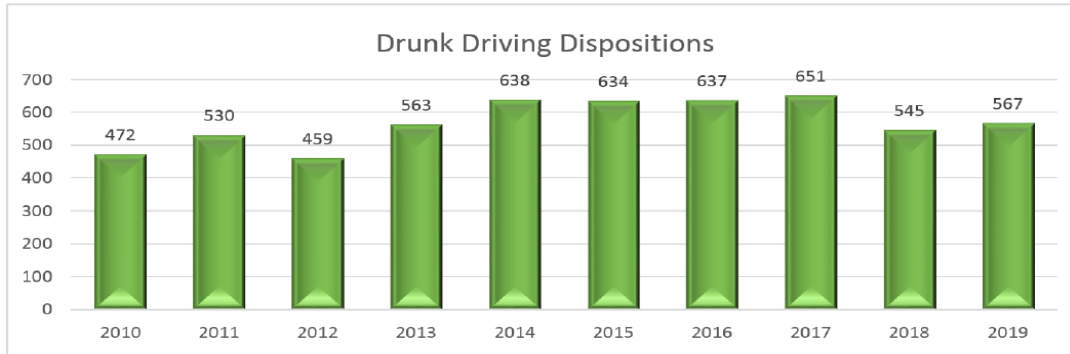
Misdemeanor cases are crimes handled in District Court where punishment results in incarceration in the county jail for up to one year. Allegan County has two District Court Judges and a Hearing Magistrate. These types of cases are large in number and include, assaults (domestic and others), drunk driving, drug use or possession, 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 2019, 92.41% (524) of the 567 individuals who were charged with Drunk Driving were convicted of either





Operating While Intoxicated (OWI) or Impaired Driving. The pie chart on the previous page shows what the final disposition was on individuals charged with OWI. The graph below shows the total number of Drunk Driving Case Dispositions from 2010 to 2019.



In some cases, OWI and Reckless Driving can rise to a Felony level. In 2016, there were 2 cases of OWI Causing Death, 7 cases of OWI Causing Serious Injury, and 1 case of Reckless Driving Causing Serious Injury.

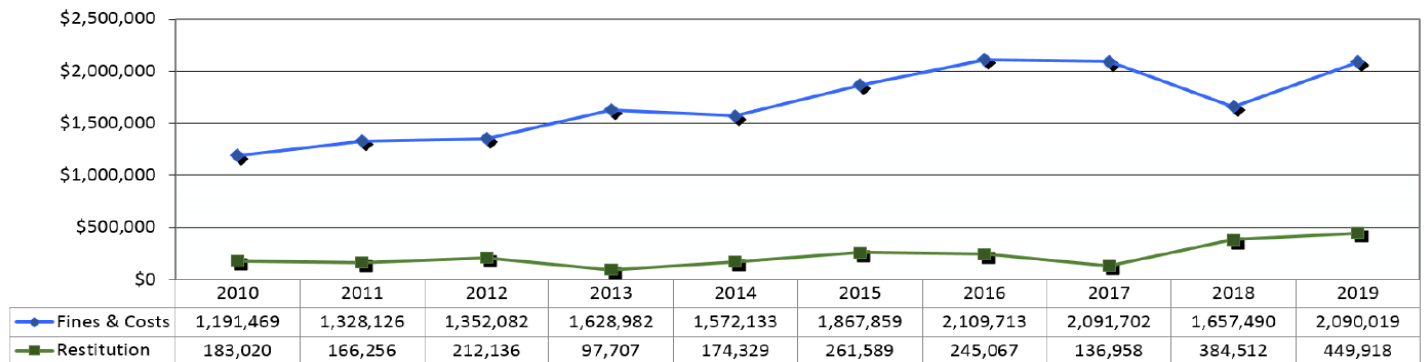
In 2017, there were 2 counts of OWI Causing Death, 5 counts of OWI Causing Serious Injury, and 1 count of Reckless Driving Causing Serious Injury.

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.

MISDEMEANOR FINES, COSTS & RESTITUTION

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



DOMESTIC VIOLENCE

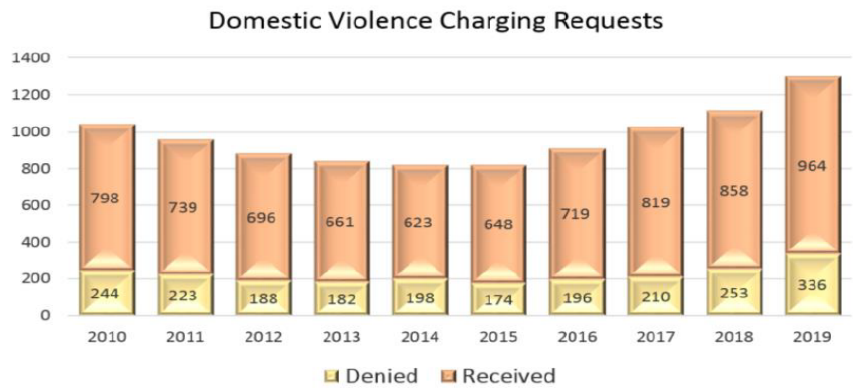
Domestic Violence is abuse perpetrated by one or both partners involved within an intimate or family relationship. Domestic Violence is considered to be fairly expansive in nature, due to the fact that it may include a wide range of victims, activities, and vary in severity. The term “Domestic Violence” 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 on the right outlines the number of requests we receive each year for charges relating to Domestic Violence.



In 1998, the 57<sup>th</sup> 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 57<sup>th</sup> 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.

#### 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 2019, 24 people applied to the program, 5 people were admitted into the program, and 19 people were rejected. 17 people graduated successfully from the program. The number of graduates included participants that were admitted in 2018 as well as 2019.

##### 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 2019, 35 people applied for the program. 6 people were admitted, 29 were rejected and 4 graduated from the program. The number of graduates included participants that were admitted in 2018 as well as 2019.

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 2019, 8 people applied for the program. 4 people were admitted and 8 graduated successfully. The number of graduates included participants that were admitted in 2018 as well as 2019.

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) 2<sup>nd</sup> Offense. This program has three goals: divert from jail, eliminate substance use among substance abusers and to reduce OWI recidivism.

During the year 2019, 24 people applied to the program, 13 were admitted, 11 were rejected and 21 graduated successfully. The number of graduates included participants that were admitted in 2018 as well as 2019. 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.

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.

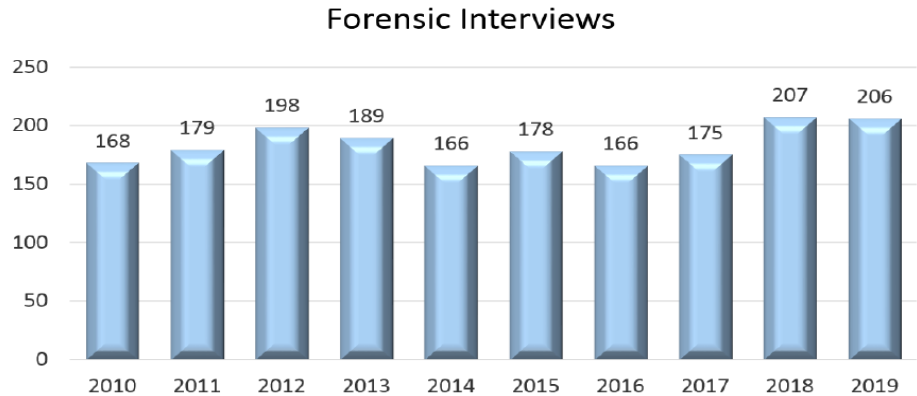
This office is a part of the Southwest Michigan Enforcement Team (SWET). The team's top priorities are to: reduce the number of lives lost due to drug overdoses, investigate, dismantle, and successfully prosecute major drug trafficking organizations and be an investigative resource to police

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 as a part of a memorandum of understanding 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 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:

- 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 - *Prosecuting Attorney Association of Michigan*,
- 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 UPDATESCanine Advocate - Joey

In 2019, our office received our newest Victim Advocate, Joey. Joey, our K9 Advocate, began working with us July 11, 2019. He is a yellow lab. His primary handler is Emelda Calanchi-Pope, our Victim/Witness Coordinator, and his secondary handler is Judy Kasson, our Chief Assistant Prosecutor. Joey was sworn in at a ceremony on Wednesday, September 18, 2019 at 3:00pm in Circuit Court.

Joey received nearly \$40,000 worth of training through Leader Dogs for the Blind and the Canine



Advocacy Program. We were able to secure grant funding to cover his costs.

Joey has a Facebook page (Joey – Allegan County K9 Advocate) and posts positive messages and pictures in support of various events, such as Domestic Violence Awareness Month, Anti-Bullying day, the 4<sup>th</sup> of July, etc.

Joey has also visited other offices in the court house for Halloween and Valentine's Day as a way to support and bring a little joy to other people's day.

#### New Employees in 2019

Delora Andrus, Victim Rights Specialist. Started 04/08/2019

Meredith Beidler, Assistant Prosecuting Attorney. Started 05/23/2019

Jay Rolland, Assistant Prosecuting Attorney. Started 06/24/2019.

Joey, Canine Advocate. Started 07/11/2019

Janie Hernandez, Part Time Victim Advocate. Started 11/25/2019

Jeff Rhoa, Assistant Prosecuting Attorney. Started 12/11/2019

#### New Initiatives

1. Meth Regional Task Force
2. Translation of Victim Rights forms
3. Translation services for victim appointments
4. Increase training county wide

#### 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 2019, the Victim Assistance Program provided over 8995 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 2019, 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, 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 will assist the Victim/Witness Coordinator.

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

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.

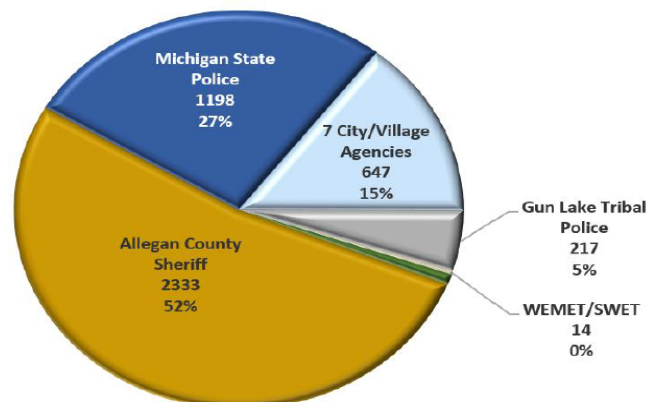
In 2019, our office filed 12 post-conviction pleadings with, as well as attended 2 oral arguments at the Michigan Court of Appeals in Grand Rapids. During this same time 14 pleadings and 44 correspondences were received and reviewed for cases pending in the Court of Appeals. Our office filed 1 pleadings with the Michigan Supreme Court while receiving 7 pleadings and 6 correspondences. Our office also filed 14 post-conviction pleadings on appeals in the Circuit Court, either as appeals from the District Court, remands from the Court of Appeals, or in post-conviction matters. Our office received 40 pleading and correspondences for appeals in Circuit Court. From those, 6 hearings were attended in the Circuit Court.

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

2019 Agency Request for Warrants

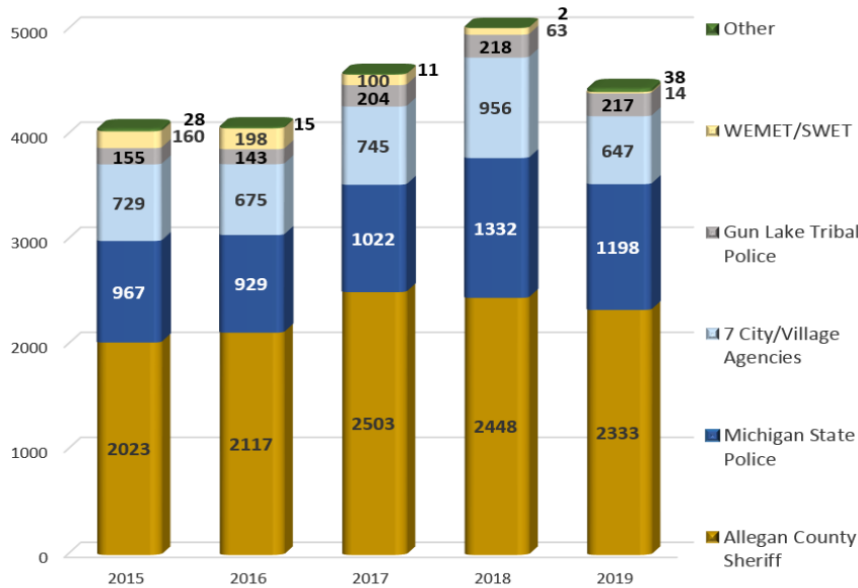




County. The pie chart on the previous page shows of all the charging requests we received in 2019, what the percentage was from each department. Below is a graph showing what the agencies have submitted

over the last 5 years. The chart below shows all the agencies that have submitted warrant requests since 2012.

Agency Requests for Warrants



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

CONCLUSION

I look forward to working with other 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

**FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS**

**18/ WHEREAS**, Administration has compiled the following claims for September 18, 2020 and September 25, 2020; 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 2020 Claims folder of the Commissioners' Record of Claims.

**September 18, 2020**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 1010	167,399.85	167,399.85	
Park/Recreation Fund - 2080	2,008.00	2,008.00	
Central Dispatch/E911 Fund - 2110	104,830.16	104,830.16	
Central Dispatch CIP - 2118	426.67	426.67	
Friend Of the Court Office - 2151	84.32	84.32	
Health Department Fund – 2210	2,240.96	2,240.96	
Solid Waste – 2211	42,993.35	42,993.35	
Transportation Grant – 2300	47,488.20	47,488.20	
Multi Agency Collaborative Committee – 2400	261.90	261.90	
Capital Improvement Fund - 2450	28,245.70	28,245.70	
Register of Deeds Automation Fund - 2560	559.87	559.87	
Palisades Emergency Planning Facility UP – 2630	5,037.28	5,037.28	
Grants - 2790	13,887.49	13,887.49	
Victims Rights Grant - 2791	400.00	400.00	
Child Care-Circuit/Family – 2921	52,283.71	52,283.71	
Senior Millage – 2950	759.59	759.59	
Wayland Refunding 2012 - 3670	125.00	125.00	
Drain Equip Revolving - 6390	7.20	7.20	
Fleet Management - 6612	229.63	229.63	
Self-Insurance Fund - 6770	1,026.75	1,026.75	
Drain Fund – 8010	47,380.47	47,380.47	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$517,676.10</b>	<b>\$517,676.10</b>	

**September 25, 2020**

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 1010	80,815.34	80,815.34	
Park/Recreation Fund - 2080	292.93	292.93	
Central Dispatch/E911 Fund - 2110	3,304.99	3,304.99	
Central Dispatch CIP - 2118	2,531.64	2,531.64	
Friend Of the Court Office - 2151	2,688.45	2,688.45	

Health Department Fund – 2210	5,980.13	5,980.13	
Solid Waste – 2211	15,578.55	15,578.55	
Transportation Grant – 2300	3,320.21	3,320.21	
Multi Agency Collaborative Committee – 2400	218.25	218.25	
Capital Improvement Fund - 2450	622.33	622.33	
Animal Shelter - 2550	6,250.00	6,250.00	
Indigent Defense – 2600	233.95	233.95	
Palisades Emergency Planning Facility UP – 2630	125.95	125.95	
Grants – 2790	2,120.90	2,120.90	
Victims Rights Grant - 2791	272.27	272.27	
Child Care-Circuit/Family – 2921	8,615.97	8,615.97	
Senior Millage – 2950	1,533.15	1,533.15	
Delinquent Tax Revolving Fund - 6160	7,377.63	7,377.63	
Tax Reversion – 6200	63.88	63.88	
Drain Equip Revolving - 6390	1,935.00	1,935.00	
Fleet Management - 6612	105.87	105.87	
Self-Insurance Fund - 6770	971.47	971.47	
Drain Fund – 8010	26,418.65	26,418.65	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$171,377.51</b>	<b>\$171,377.51</b>	

**THEREFORE BE IT RESOLVED** that the Board of Commissioners adopts the report of claims for September 18, 2020 and September 25, 2020.

Moved by Commissioner Dugan, seconded by Commissioner Cain to adopt the report of claims for September 18, 2020 and September 25, 2020. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**ACTION ITEMS:**

**EMERGENCY MANAGEMENT – APPROVE LATEST EMERGENCY OPERATIONS PLAN**

**19/ WHEREAS**, averting the threat of, or minimizing the effects of natural, technological and/or man-made disasters upon Allegan County lives and property is an appropriate governmental responsibility best addressed by the creation, communication, and implementation of an Emergency Operations Plan; and

**WHEREAS**, the preparedness to cope with the threat of, or the effects of a disaster requires an integrated deployment of public, private and individual citizen resources through an integrated emergency management system; and

**WHEREAS**, the National Incident Management System (NIMS) recognizes the potential deployment of various multi-jurisdictional resources to respond to a disaster, or threat thereof, and provides a coordinated organizational structure that will assure a consistent, nationwide, emergency management response regardless of the cause, size or complexity of a disaster; and

**WHEREAS**, the Allegan County Emergency Operation Plan is responsive to the federal requirements contained in the NIMS and subject to approval by

the State of Michigan and the Federal Emergency Management Agency (FEMA); and

**WHEREAS**, pursuant to Act 390 of the P.A. of 1990, Allegan County has established the Allegan County Emergency Management Division and, to the limits of its capabilities, the Emergency Management Division is responsible for the disaster preparedness activities within Allegan County.

**THEREFORE, BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves the 2020 Emergency Operations Plan as presented; and

**BE IT FURTHER RESOLVED**, that the Board Chairperson is authorized to approve modifications to the 2020 plan in coordination with State FEMA and sign the necessary documents on behalf of the County; and

**BE IT FINALLY RESOLVED** that the approved Emergency Operations Plan is to be filed in the Clerk's Office at the Allegan County Courthouse.

Moved by Commissioner Dugan, seconded by Commissioner Kapenga to approve the resolution as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

#### **2020 MILLAGE LEVY - SET ADDITIONAL COUNTY MILLAGE RATE**

**20/ WHEREAS**, on June 11, 2020, that the Board approved millages to be levied throughout the County of Allegan in the year of 2020 totaling 5.9841; and

**WHEREAS**, on August 4, 2020, the voters of Allegan County passed the Medical Care Facility at 0.25 mills.

**THEREFORE, BE IT RESOLVED** that the Board of Commissioners hereby approves the revised L-4029, as attached, in which the Medical Care Facility millage will be levied throughout the County of Allegan in the year of 2020 (winter); and

**FINALLY BE IT RESOLVED** that the Board Chairperson and County Clerk are authorized to sign the necessary documents on behalf of the Board.

Moved by Commissioner Dugan, seconded by Commissioner Cain to approve the resolution as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**2020 TAX RATE REQUEST** (This form must be completed and submitted on or before September 30.)  
**MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS**

County	ALLEGAN	2020 Taxable Value of All Properties as of	5,161,479,818
Local Government Unit	ALLEGAN COUNTY		

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE CAREFULLY.

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119. The following tax rates have been authorized for levy on the 2020 tax roll.

(1) Source	(2) Purpose of Millage	(3) Date of Election	(4) Original Millage Authorized by Election, Charter, etc.	(5) 2019 Millage Rate Permanently Reduced by MCL 211.34d "Headline"	(6) 2020 Current Year "Headline" Millage Reduction Fraction	(7) 2020 Millage Rate Permanently Reduced by MCL 211.34d "Headline"	(8) Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	(9) Maximum allowable Millage Rate*	(10) Millage Requested to be Levied July 1	(11) Millage Requested to be Levied Dec. 1	(12) Expiration Date of Millage Authorized
ALLOCATED	OPERATING	11/2/1965	5.7000	4.5407	0.9938	4.5125	1.0000	4.5125	4.4925		UNLIMITED
	Op Vet			0.0000	0.9938	0.0000	1.0000	0.0000	0.0200		UNLIMITED
EXTRA VOTED	ROADS	8/7/2018	1.0000	0.9919	0.9938	0.9857	1.0000	0.9857	0.9857	0.9857	12/31/2023
EXTRA VOTED	SENIOR SERVICES	8/7/2018	0.4930	0.4890	0.9938	0.4859	1.0000	0.4859	0.4859	0.4859	12/31/2021
EXTRA VOTED	MEDICAL CARE FACILITY	8/4/2020	0.2500	1.0000	1.0000	0.2500	1.0000	0.2500	0.2500	0.2500	12/31/2029
Prepared by	Matthew Woolford MMAO	Co-Sign - Verified by									
		Title	EQUALIZATION DIRECTOR								
		Total Authorized (exclude debt)						6.2341			
		Date-CED	9/14/2020								
		Co-Sign Date									

As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary, to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24a, 211.34, and for LOCAL school districts which levy a Supplemental (Hold Harmless) Millage, MCL 380.121(3).

<input checked="" type="checkbox"/> Clerk	Signature	<i>[Signature]</i>	Type Name	Bob Genetski, Clerk - Register
<input type="checkbox"/> Secretary	Signature	<i>[Signature]</i>	Type Name	Jim Storey, Chairperson
<input checked="" type="checkbox"/> Chairperson				
<input type="checkbox"/> President				

Date	9/15/20
Date	9/17/20
Local School district Use Only. Complete if requesting millage to be levied. See STC Bulletin 2 of 2008 for instructions on completing this section.	
Total School District Operation Rates to be Levied (HHISupp and NH Oper Only)	
For Principal Residence, Qualified Ag, Qualified forest and Industrial Personal	
For Commercial Personal	
For all Other	

\*Under Truth in Taxation, MCL Section 211.24a, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in column 9. The requirements of MCL 211.24a must be met prior to levying an operation levy which is larger than the base tax rate but not larger than the rate in column 9.  
**\*\* IMPORTANT:** See enclosed instructions for the correct method of calculating the millage rate in column (6).

**MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR CDBG CARES FUNDING – SET PUBLIC HEARING**

**21/ WHEREAS**, on August 13, 2020, the Board of Commissioners approved the application for and acceptance of CARES reimbursement for COVID expenditures for a total of \$320,354 or greater if permitted by the program from January 21, 2020 through December 31, 2020; and

**WHEREAS**, for compliance purposes a public hearing is necessary.

**THEREFORE BE IT RESOLVED** the Board of Commissioners sets a public hearing at 7:00 P.M. at the Annual Board Meeting on October 8, 2020, for the purpose of affording citizens an opportunity to submit comments on the proposed application for a CDBG Cares Funding Grant.

Moved by Commissioner Kapenga, seconded by Commissioner Thiele to approve the resolution as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**2021 FINAL BUDGET – SET PUBLIC HEARING**

**22/ 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 8, 2020, for review of the 2021 budget.

Moved by Commissioner Thiele, seconded by Commissioner Kapenga to approve the resolution as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**DISCUSSION ITEMS:**

**SHERIFF'S OFFICE – AWARD BODY SCANNING SYSTEM BID**

**23/ WHEREAS**, the Board of Commissioners (Board) appropriated \$160,000 in the 2020 budget (fund #2450 – CIP Public Improvements Fund) to replace the body scanning system at the Sheriff's Office; and

**WHEREAS**, the current equipment is inoperable; replacement will also allow for increased social distancing, which is an effective COVID control measure; and

**WHEREAS**, following a competitive bidding process and an evaluation of proposals received, the Proposal Evaluation Team is recommending award of this procurement to TEK-84.

**THEREFORE BE IT RESOLVED** that the Board hereby awards the bid to replace the body scanning system at the Sheriff's Office to TEK-84, Inc., 13495 Gregg Street, Poway, California, 92064, for a not to exceed amount of \$139,000.00; and

**BE IT FURTHER RESOLVED** the County Administrator is authorized to seek reimbursement through any available COVID related funding; and

**BE IT FINALLY RESOLVED** that the County Administrator is authorized to negotiate a final contract and 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 Dugan, seconded by Commissioner Kapenga to approve the resolution as presented. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**PUBLIC PARTICIPATION - NO COMMENTS**

24/ 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**

25/ Commissioner Thiele asked to receive a written update from the Parks Director regarding the Westside Park beach access point.

**CANCEL PLANNING SESSION ON OCTOBER 8, 2020**

26/ Moved by Commissioner Thiele, seconded by Commissioner Cain to cancel the 3:00 Planning Session to be held on October 8, 2020. Motion carried by roll call vote. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

**ADJOURNMENT UNTIL OCTOBER 8, 2020 AT 7:00 P.M.**

27/ Moved by Commissioner Thiele, seconded by Commissioner Dugan to adjourn until October 8, 2020 at 7:00 P.M. The motion carried and the meeting was adjourned at 2:33 P.M.



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Deputy Clerk

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Board Chairperson

Minutes approved during the 00/00/2020 Session