

## ALLEGAN COUNTY BOARD OF COMMISSIONERS

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APRIL 14, 2022 SESSION

JOURNAL 70

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MORNING SESSION

**April 14, 2022 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 April 14, 2022 at 9:00 A.M. in accordance with the motion for adjournment of March 24, 2022, 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  |
| 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 Thiele, seconded by Commissioner Kapenga to adopt the meeting agenda as presented. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**COMMUNITY UPDATE**

4/ Commissioners reviewed and amended the draft of the "Community Update" newsletter that will be mailed out to county residents.

**BREAK - 10:16 A.M.**

5/ Upon reconvening at 10:26 A.M., the following Commissioners were present: Commissioner Kapenga, Storey, Thiele, DeYoung, Jessup, Dugan and Cain. Absent: None.

**ADMINISTRATION—AUTHORIZE COMMUNITY UPDATE RELEASE**

6/ **WHEREAS**, on March 10, 2022, the Board authorized the development of a community survey update outlined by the County Administrator; and

**WHEREAS**, on March 24, 2022, the County Administrator presented the concept in written form to the Board; and

**WHEREAS**, based off that discussion, a draft update was crafted; as presented.

**THEREFORE BE IT RESOLVED**, the Board approves the community update and authorizes the County Administrator to make the necessary grammatical and graphical changes prior to release; and

**BE IT FINALLY RESOLVED**, the County Administrator is authorized to incur the necessary expenditures and the Executive Director of Finance is

authorized to make the necessary budget adjustments to complete this project.

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

**ADMINISTRATION—RESTORE TRANSPORTATION DIRECTOR/FUND EXECUTIVE DIRECTOR OF SERVICES**

7/ Commissioners discussed the restoration of the Transportation Director and the funding of the Executive Director of Services.

Moved by Commissioner DeYoung, seconded by Commissioner Kapenga to continue discussion on the topic during the afternoon session. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - NO COMMENTS**

8/ 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 APRIL 28, 2022 AT 9:00 A.M.**

9/ Moved by Commissioner Dugan, seconded by Commissioner Thiele to adjourn until April 28, 2022 at 9:00 A.M. The motion carried by roll call vote and the meeting was adjourned at 11:50 A.M. Yeas: 7 votes. Nays: 0 votes.

**AFTERNOON SESSION**

**APRIL 14, 2022 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL**

10/ 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 April 14, 2022 at 1:00 P.M. in accordance with the motion for adjournment of March 24, 2022, 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 |
| DIST #2 | JIM STOREY   | DIST #6 | GALE DUGAN |
| DIST #3 | MAX THIELE   | DIST #7 | RICK CAIN  |
| DIST #4 | MARK DeYOUNG |         |            |

**MARCH 24, 2022 SESSION MINUTES - ADOPTED**

11/ Moved by Commissioner Kapenga, seconded by Commissioner Thiele to approve the minutes for the March 24, 2022 session as distributed. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - COMMENTS**

12/ Chairman Storey opened the meeting to public participation and the following individual offered comment:

1. Harold Michael of 3905 40<sup>th</sup> Street in Hamilton addressed the board regarding the excessive dog barking issue he has been dealing with the past few years

**AGENDA - ADOPTED AS PRESENTED**

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

**PRESENTATIONS - FENNVILLE DISTRICT LIBRARY**

14/ Commissioner Jessup introduced Fennville District Library Director Teresa Kline who was recently received the Michigan Library Association's Public Librarian of the Year Award. Kline updated the board with the activities and services that libraries in the area provided to residents.

**INFORMATIONAL SESSION - 57<sup>TH</sup> DISTRICT COURT**

15/ Judge Skocelas and District Court Administrator Linda Lenahan presented the 2021 Annual Report for 57<sup>th</sup> District Court. Full report can be found on the county website under Connect and then Annual Reports and State of the County Report.

**ADMINISTRATIVE REPORTS**

16/ Administrator Sarro noted his written report was submitted to Commissioners.

**FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS**

17/ **WHEREAS**, Administration has compiled the following claims for April 1, 2022; April 8, 2022 and April 15, 2022; 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 2022 Claims folder of the Commissioners' Record of Claims.

APRIL 1, 2022

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	192,172.01	192,172.01	
Parks/Recreation Fund - 208	211.37	211.37	
Friend of the Court – Cooperative Reimb. - 215	159.62	159.62	
Health Department Fund - 221	25,222.60	25,222.60	
Multi-Agency Collab Committee - 245	523.83	523.83	
Animal Shelter - 254	6,631.00	6,631.00	
Register of Deeds Automation Fund - 256	333.59	333.59	
Central Dispatch Fund - 261	36,432.42	36,432.42	

Local Corrections Officers Training Fund - 264	3,100.00	3,100.00	
Grants - 279	1,419.89	1,419.89	
Crime Victims Rights Grant - 280	133.87	133.87	
Transportation Fund - 288	2,329.53	2,329.53	
Child Care Fund - 292	35,969.84	35,969.84	
Veterans Relief Fund - 293	1,402.13	1,402.13	
Senior Services Fund - 298	99,579.89	99,579.89	
Delinquent Tax Revolving Fund - 516	5,447.63	5,447.63	
Self-Insurance Fund - 677	1,519.79	1,519.79	
Drain Fund - 801	15,260.18	15,260.18	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$427,849.19</b>	<b>\$427,849.19</b>	

APRIL 8, 2022

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	93,354.89	93,354.89	
Friend of the Court – Cooperative Reimb. - 215	221.19	221.19	
Health Department Fund - 221	27,521.06	27,521.06	
Solid Waste/Recycling - 226	6,820.90	6,820.90	
Register of Deeds Automation Fund - 256	409.73	409.73	
Indigent Defense Fund - 260	28,363.97	28,363.97	
Central Dispatch Fund - 261	29.23	29.23	
Concealed Pistol Licensing Fund - 263	616.80	616.80	
Grants - 279	6,160.33	6,160.33	
Transportation Fund - 288	21,098.31	21,098.31	
Child Care Fund - 292	8,983.80	8,983.80	
Senior Services Fund - 298	6,634.40	6,634.40	
Radio Debt Fund - 367	271,463.00	271,463.00	
Capital Improvement Fund - 401	1,617.50	1,617.50	
Delinquent Tax Revolving Fund - 516	5,665.89	5,665.89	
Delinq. Tax Revolving Fund 2021 Taxes – 521	5,993,711.34	5,993,711.34	
Fleet Management/Motor Pool - 661	151.03	151.03	
Self-Insurance Fund - 677	398,969.96	398,969.96	
Drain Fund - 801	4,251.32	4,251.32	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$6,876,044.65</b>	<b>\$6,876,044.65</b>	

APRIL 15, 2022

	TOTAL AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT DISALLOWED
General Fund – 101	148,486.63	148,486.63	
County Road Fund - 201	19.56	19.56	
Parks/Recreation Fund - 208	1,520.61	1,520.61	

April 14, 2022 Session

Friend of the Court – Cooperative Reimb. - 215	453.76	453.76	
Health Department Fund - 221	24,136.63	24,136.63	
Solid Waste/Recycling - 226	1,794.50	1,794.50	
Register of Deeds Automation Fund - 256	72.62	72.62	
Palisades Fund - 257	951.02	951.02	
Indigent Defense Fund - 260	397,668.11	397,668.11	
Central Dispatch Fund - 261	1,052.96	1,052.96	
Law Library Fund - 269	2,272.12	2,272.12	
Grants - 279	15,810.02	15,810.02	
Sheriffs Contract – Wayland Twp - 286	1,572.32	1,572.32	
Transportation Fund - 288	6,102.49	6,102.49	
Child Care Fund - 292	13,204.32	13,204.32	
Veterans Relief Fund -293	1,425.29	1,425.29	
Senior Services Fund - 298	43,386.74	43,386.74	
Capital Improvement Fund - 401	296,946.00	296,946.00	
Medical Care Facility Fund - 512	7.96	7.96	
Delinquent Tax Revolving Fund - 516	11,046.47	11,046.47	
Delinq. Tax Revolving Fund 2021 Taxes – 521	3,459.46	3,459.46	
Revolving Drain Maintenance Fund - 639	464.54	464.54	
Fleet Management/Motor Pool - 661	651.46	651.46	
Self-Insurance Fund - 677	1,150.77	1,150.77	
Drain Fund - 801	6,830.57	6,830.57	
<b>TOTAL AMOUNT OF CLAIMS</b>	<b>\$980,486.93</b>	<b>\$980,486.93</b>	

**THEREFORE BE IT RESOLVED** that the Board of Commissioners adopts the report of claims for April 1, 2022; April 8, 2022 and April 15, 2022 Moved by Commissioner Dugan, seconded by Commissioner Kapenga to adopt the report of claims for April 1, 2022; April 8, 2022 and April 15, 2022. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

**ACTION ITEMS:**

**ELECTIONS – COMMUNITY MENTAL HEALTH**

**18/** Chairman Storey opened nominations to fill the 3-year term on the Community Mental Health Board; term to expire March 31, 2025.

Commissioner Storey nominated:

Emily Schwartz 4037 Patti Road, Dorr (General Public Rep)

Alice Kelsey, 1632 10<sup>th</sup> Street, Martin (Family Rep)

Moved by Commissioner Thiele, seconded by Commissioner Dugan to close the nominations and cast a unanimous ballot for Emily Schwartz and Alice Kelsey as nominated. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**DISCUSSION ITEMS:****SHERIFF'S DEPARTMENT-APPLY/ACCEPT FY2023 MDOC COMPREHENSIVE COMMUNITY CORRECTIONS GRANT**

**19/ BE IT RESOLVED** that the Allegan County Board of Commissioners hereby approves to apply and accept when awarded the Michigan Department of Corrections, Office of Community Correction Grant for FY2023 (October 1, 2022 through September 30, 2023), to continue previously established programs; Career Readiness, Moral Reconciliation Therapy, Re-Entry Case Management, Re-Lapse Prevention, Gatekeeper, Meth Diversion, Pretrial Assessment, and Pretrial Supervision; and

**BE IT FURTHER RESOLVED** any personnel and/or program services are coterminous with receipt of adequate funds through this grant; 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 Kapenga, seconded by Commissioner Cain to approve resolution as presented contingent upon receipt of approval from the Community Corrections Advisory Board. Motion carried by roll call vote. Yeas: 7 votes Nays: 0 votes.

**FACILITIES MANAGEMENT-AWARD BID FOR COURTHOUSE AIR HANDLER REPLACEMENT**

**20/ WHEREAS**, the Board of Commissioners (Board) appropriated \$200,000 in 2022 from the #401 - CIP Public Improvements Fund to fund the replacement of two air handler units; and

**WHEREAS**, consistent with the County's Purchasing Policy, a Request for Proposal process was used to solicit competitive bids of which the lowest bid with a satisfactory proposal received was for \$116,925.00.

**THEREFORE BE IT RESOLVED** that the Board awards the bid to replace the Courthouse air handlers (Project #1130-22A) to Kalamazoo Mechanical, Inc. of 5507 E. Cork St., Kalamazoo, MI 49048 for the not to exceed cost of \$116,925.00; and

**BE IT FINALLY RESOLVED** that the Board Chairperson and/or the County Administrator are authorized to sign any necessary documentation on behalf of the County.

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

**OUTSIDE LOBBYISTS**

**21/** Moved by Commissioner Kapenga, seconded by Commissioner Cain to take the outside lobbyist off the table. Motion carried by voice vote. Yeas: Kapenga, Storey, DeYoung, Jessup, Dugan and Cain. Nays: Thiele.

Commissioners discussed the use of outside lobbyists.

**CLOSED SESSION: ATTORNEY OPINION**

**22/** Moved by Commissioner Dugan, seconded by Commissioner Thiele to recess to closed session to discuss attorney opinion. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.



**RECONVENE/ROLL CALL**

23/ Upon reconvening at 3:12 P.M., the following Commissioners were present: Kapenga, Storey, Thiele, DeYoung, Jessup, Dugan and Cain.

**ADMINISTRATION — RELEASE LEGISLATIVE ADVOCACY SERVICES PROPOSAL**

24/ **WHEREAS**, on March 10, 2022, during the Board of Commissioners (Board) Meeting, it was requested as a future agenda item to discuss outside lobbyist services; and

**WHEREAS**, on March 24, 2022, discussion began on this topic and the Board tabled the matter to the April 14, 2022, Board Meeting; and

**WHEREAS**, on April 14, 2022, the Board removed this topic from the table.

**THEREFORE BE IT RESOLVED** the Board authorizes the release of the Request for Proposal #1029-22 for Legislative Advocacy Services for an initial contract term of 1 year from date of execution unless extended by the Board of Commissioners; as presented; and

**BE IT FURTHER RESOLVED** that the County Administrator will schedule presentations from vendors for the April 28, 2022, Board Planning Session; and

**BE IT FINALLY RESOLVED** that the start time of the Planning Session shall be changed to 9:00 A.M.

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

**RECOGNITION OF SERVICE-REPRESENTATIVE FRED UPTON RESOLUTION**

25/ **WHEREAS** U.S. Representative Fred Upton, M.C., has announced his decision to not seek re-election in 2022 as Allegan County's representative in the Congress of the United States; and

**WHEREAS** Fred, as he preferred to be addressed, has represented Allegan County well for decades; and

**WHEREAS**, the residents of Allegan County have benefitted from his work in Washington, D.C. and at home in Michigan to foster economic growth, preservation of the unique natural resources that attend our county, and the cause of military veterans;

**WHEREAS**, the continued dredging of the county's lone port, Kalamazoo Harbor, his authorship of the 21<sup>st</sup> Century Cares Act, and his connections as former chair and current ranking member on the Energy and Commerce Committee have benefitted our state and this county's residents; now therefore be it

**RESOLVED**, by the Allegan County Board of Commissioner, that it extends its thanks and appreciation to Representative Fred Upton for his stellar service in behalf of this county and its residents; and be it further

**RESOLVED**, the Board of Commissioners extends its best wishes for many years of satisfactory reflection to Fred Upton for his accomplishments as our Congressman; and be it further

**RESOLVED**, that a suitable copy of this resolution be presented to Fred Upton as a token of appreciation for his successful career from a grateful county.

Moved by Commissioner Dugan, seconded by Commissioner Jessup to approve the Recognition of Service for Representative Fred Upton as presented. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**ADMINISTRATION—RESTORE TRANSPORTATION DIRECTOR/FUND EXECUTIVE DIRECTOR OF SERVICES**

**26/ WHEREAS**, historically a full-time Transportation Director (Director) position existed; and

**WHEREAS**, various staffing additions and changes have occurred within Transportation since its creation; and

**WHEREAS**, the role and responsibilities of the Director position (which was eliminated) were combined within a full-time Executive Director of Services (EDS) position to assist the County in broader needs and supervision; and

**WHEREAS**, the EDS position has been funded through a cost share between the County General Fund and Transportation Funds at varying degrees of proration; and

**WHEREAS**, the cost sharing of the EDS position has worked well for many years and has been cost effective to meeting program service needs and general County needs; and

**WHEREAS**, the Board of Commissioners (Board) through its planning and adoption of the 2022 budget has restored and increased county-wide transportation services; and

**WHEREAS**, the need for operational supervision, administrative support and strategic project management continues to grow; and

**WHEREAS**, the demands on the shared position of the EDS continues to expand and the demand exists for Transportation specific leadership; and

**WHEREAS**, the transportation fund will receive increased grant funding in the next two fiscal years.

**THEREFORE BE IT RESOLVED** the Board authorizes the restoration of a full time Director in the Transportation Department (which will be paid for through blended State, Federal and County Funds budgeted within the Transportation Fund); and

**BE IT FURTHER RESOLVED** the Board authorizes the redirection of up to \$30,000 from the FY22 General Fund appropriation Transfer Out to the Transportation Fund to fully fund the EDS position (thereby reducing the current transfer out from \$850,000 to \$820,000 and retaining the \$30,000 difference within the General Fund Administration Activity 172); and

**BE IT FINALLY RESOLVED** the Human Resources Department will establish the Director at C51 and the Executive Director of Finance is authorized to perform the necessary budget adjustments to complete these actions.

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

**APPOINTMENTS**

27/

**BROWNFIELD REDEVELOPMENT**

Chairman Storey announced the appointment of the following individual to the Brownfield Redevelopment Board to fill the remainder of a 3-year term; term to expire 12/31/2024.

Darrell Oakley, 323 Water St, Allegan

Moved by Commissioner Dugan, seconded by Commissioner Thiele to approve the appointment as made. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**PARKS ADVISORY BOARD**

Chairman Storey announced the appointment of the following individual to the Parks Advisory Board to fill the remainder of a 3-year term; term to expire 12/31/2024.

Jaclyn Hulst, 4659 36<sup>th</sup> St., Zeeland (General Public Representative)

Moved by Commissioner Thiele, seconded by Commissioner Dugan to approve the appointment as made. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**CITY OF ALLEGAN MEETING WITH COMMISSIONERS**

Chairman Storey announced the appointment of the following individuals to the meeting with the City of Allegan.

Commissioner Thiele, 319 River St, Allegan  
 Commissioner Kapenga, 5634 136<sup>th</sup> Ave, Hamilton  
 Commissioner Cain, 2554 E. Selkirk Lake, Shelbyville

Moved by Commissioner Dugan, seconded by Commissioner DeYoung to approve the appointments as made and to include appropriate per diem and mileage. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

**PUBLIC PARTICIPATION - NO COMMENTS**

28/ 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 April 28, 2022 AT 7:00 P.M.**

29/ Moved by Commissioner Kapenga, seconded by Commissioner Cain to adjourn until April 28, 2022 at 7:00 P.M. The motion carried by voice vote and the meeting was adjourned at 3:59 P.M. Yeas: 7 votes. Nays: 0 votes.

*Jennifer Dier*

Deputy Clerk

Board Chairperson

*James M. Storey*

✓ Minutes approved during the 04/28/2022 Session

April 14, 2022 Session