

ALLEGAN COUNTY BOARD OF COMMISSIONERS

INDEX

JUNE 9, 2022 SESSION

JOURNAL 70

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MORNING SESSION

JUNE 9, 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 June 9, 2022 at 9:00 A.M. in accordance with the motion for adjournment of May 26, 2022, and rules of this board; Chairman Storey presiding.

The Chief 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 ADDITIONS

3/ Chairman Storey asked if there were any additions or changes to the agenda. Administrator Sarro requested a close session be added to the agenda. Commissioner Jessup requested that agenda #3 Broadband Funding be moved to #2 of the agenda. With no objection being heard Chairman Storey approved amending the agenda.

AGENDA - ADOPTED AS AMENDED

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

AUTO INSURANCE REFORM

5/ Moved by Commissioner Kapenga, seconded by Commissioner Cain to table discussion until the June 23, 2022 Board Planning Session to have the proposed resolution sent to Senator Nesbitt for input relative to this legislation. Motion carried by voice vote. Yeas: Kapenga, Storey, Thiele, DeYoung, Dugan and Cain. Nays: Jessup.

BROADBAND FUNDING - LEE TOWNSHIP

6/ Lee Township Supervisor Scott Owen addressed the board regarding the broadband grant. Discussion followed.

Moved by Commissioner Jessup, seconded by Commissioner Thiele to allocate \$431,000 of ARPA funds for the broadband project in Lee Township. Motion carried by roll call vote. Yeas: Storey, DeYoung, Jessup, Dugan and Cain. Nays: Kapenga and Thiele.

Moved by Commissioner Dugan, seconded by Commissioner DeYoung to include the adoption of option 3 in the Administrator's memo dated 6/9/2022 titled Lee Township Broadband Options. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Jessup, Dugan and Cain. Nays: Thiele.

Allegan County
Administrator

Robert J. Sarro



County Services Building
3283 – 122nd Avenue
Allegan, MI 49010
269.673.0203

MEMORANDUM

June 9, 2022

TO: Board of Commissioners
FROM: Robert J. Sarro, County Administrator *Robert J. Sarro*
RE: **Lee Township Broadband Options**

During the June 2, 2022, Broadband Action Workgroup (BAW) meeting the BAW voted (with some absences) to support Lee Township presenting a proposal to the Board of Commissioners requesting a guaranteed grant match should the Township be awarded a State grant. This request is understandable as the Township has done a lot of work locally to prepare for broadband implementation and their community represents a significant level of unserved and/or underserved households. From a countywide perspective, committing funds or separating a project out in advance of the Broadband Request for Proposal (RFP) process, designed to solicit and evaluate broadband solutions, may present challenges. As such, the following alternative options are being presented from an administrative perspective for the Board's consideration:

Option 1 – Table the request until completion of the RFP (after receipt of Connect MI data)

- Allows project to move forward as planned
- Utilizes accurate data from Connect MI (not expected to begin data collection until mid-July and data tentatively received by County by end of August)
- Does not meet the advanced timeline for Lee Township

Option 2 – Expedite the release of the RFP and consider the Township's request earlier, but as part of the RFP process

- May meet Lee Township's timeline
- Address level data may not be accurate and the effectiveness of the RFP process and related proposals may be degraded as opposed to waiting for the Connect MI data

Option 3 – Implement a process for any Allegan County local unit to request direct County ARPA funds (up to the amount of funds the local unit received from the State) for a "shovel-ready" broadband or water project and forego receipt of any additional County ARPA funding, though they may still be included for planning purposes (e.g RFP)

In review of Lee Township's request and these alternative options, Option 3 seems to accomplish the most needs in a reasonably fair manner and will allow the final RFP and water studies to continue effectively for those areas that do not already have a broadband or water plan in place. As such, Option 3 is recommended if the Board desires to grant Lee Township's request for reserved funding.

BREAK - 10:55 A.M.

7/ Upon reconvening at 11:09 A.M., the following Commissioners were present: Commissioner Kapenga, Storey, Thiele, DeYoung, Jessup, Dugan and Cain. Absent: None.

WATER STUDY WORKGROUP - AUTHORIZE GROUNDWATER STUDY PHASE II PROJECT/RESERVE WATER PROJECT FUNDS

8/ **WHEREAS**, results from an Ottawa County study demonstrated water availability issues and potential impact for Allegan County; and

WHEREAS, on December 12, 2019, the Board of Commissioners (Board) authorized Public Health to proceed to gather a complete project scope on the groundwater study for the County of Allegan; and

WHEREAS, on March 12, 2020, the Board approved the Groundwater Study Phase I Proposal from Hydrosimulatics, Inc. in an amount not to exceed \$150,000; and

WHEREAS, in February 2021, Hydrosimulatics, Inc. produced and presented the Groundwater Study Phase I to the Board, which included recommended next steps; and

WHEREAS, on March 25, 2021, the Board approved the County Administrator's recommendation that a work group be convened to review the data and form recommendations for next steps; and

WHEREAS, on May 13, 2021, as the next step, the Board accepted the Public Health's Water Study Workgroup Report; and

WHEREAS, on May 27, 2021, the Board accepted the Water Study Group Memorandum from the County Administrator which further vetted the workgroup's tasks and deliverables; and

WHEREAS, on June 10, 2021, the Board established the Water Study Workgroup; and

WHEREAS, on March 23, 2022, the workgroup held its first meeting; and

WHEREAS, on May 4, 2022, the workgroup recommended to the Board to accept the Screening-Level Modeling, Risk Analysis, and Ranking Proposal (Groundwater Study Phase II Project) from Hydrosimulatics, Inc. for screening level modeling of contaminated sites; and

WHEREAS, on June 1, 2022, the workgroup voted to recommend the implementation of monitoring wells in conjunction with the Michigan Geological Survey/Western Michigan for the initial build of four wells (approximately \$15,000 of ARPA with blended funding) and a plan to implement approximately twenty more wells with blended funding (estimated total of approximately \$100,000); and

WHEREAS, on June 1, 2022, the workgroup reviewed funding models for overall anticipated project plans and is recommending the Board appropriate three million dollars (\$3,000,000.00) for the purpose of ground water studies, monitoring wells, potential water quality and availability improvements all towards the development of a short and long term plan for the protection of Allegan County water supply.

THEREFORE BE IT RESOLVED that the Board accepts the Groundwater Study Phase II Project from Hydrosimulatics, Inc. for approximately \$110,000, as presented; and

BE IT FURTHER RESOLVED, that the total project cost will be funded from the American Rescue Plan Act Fund (ARPA); and

BE IT FURTHER RESOLVED, the County Administrator is authorized to negotiate contracts for services for the Phase II study (Hydrosymulatics, Inc.) and up to 24 monitoring wells (Michigan Geological Survey/Western Michigan); and

BE IT FURTHER RESOLVED, the Board reserves \$3,000,000.00 of ARPA funds for water related projects including those authorized in this resolution; and

BE IT FINALLY RESOLVED, the County Administrator is authorized to sign any necessary documents on behalf of the County and the Executive Director of Finance is authorized to perform the necessary budget adjustments to complete this action.

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

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.

CLOSED SESSION: COLLECTIVE BARGAINING

10/ Moved by Commissioner Jessup, seconded by Commissioner Dugan to recess to closed session to discuss collective bargaining. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

RECONVENE/ROLL CALL

11/ Upon reconvening at 12:53 P.M., the following Commissioners were present: Kapenga, Storey, Thiele, DeYoung, Jessup, Dugan and Cain.

ADJOURNMENT UNTIL JUNE 23, 2022 AT 9:00 A.M.

12/ Moved by Commissioner Jessup, seconded by Commissioner Dugan to adjourn until June 23, 2022 at 9:00 A.M. The motion carried by roll call vote and the meeting was adjourned at 12:53 P.M. Yeas: 7 votes. Nays: votes.

AFTERNOON SESSION

JUNE 9, 2022 SESSION - INVOCATION, PLEDGE OF ALLEGIANCE, ROLL CALL

13/ 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 June 9, 2022 at 1:00 P.M. in accordance with the motion for adjournment of May 26, 2022, and rules of this Board; Chairman Storey presiding.

The invocation was offered by District #5 Commissioner Jessup.

The Chief 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 arrived 1:14pm |
| DIST #4 | MARK DeYOUNG left 2:06pm | | |

COMMUNICATIONS

14/ Chief Deputy Clerk Porter noted to the board that they received the following resolutions:

1. Resolution from Tuscola, Menominee and Cass Counties opposing Michigan House Bills 4729, 4730, 4731 and 4732

MAY 26, 2022 SESSION MINUTES - ADOPTED

15/ Moved by Commissioner Kapenga, seconded by Commissioner DeYoung to approve the minutes for the May 26, 2022 session as distributed. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

PUBLIC PARTICIPATION - NO COMMENTS

16/ 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

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

AGENDA - AMEND MEETING AGENDA

18/ Moved by Commissioner Dugan, seconded by Commissioner Kapenga to add action item #5 outcome of the closed session regarding collective bargaining. Motion carried by voice vote. Yeas: 7 votes. Nays: 0 votes.

INFORMATIONAL SESSION - 48th CIRCUIT COURT

19/ Jennifer Brink, Circuit Court Administrator presented the 2021 Annual Report for the 48th Circuit Court. Full report can be found on the county website (www.allegancounty.org) under Connect and the Annual Reports.

ADMINISTRATIVE REPORTS

20/ Administrator Sarro noted his written report was submitted to Commissioners. Highlights included: Register of Deeds service window has been installed; the County received MERS annual Act Valuation Report; and the County has received the First Response Training and Recruitment grant of \$100,000.

FINANCE COMMITTEE - CLAIMS & INTERFUND TRANSFERS

21/ WHEREAS, Administration has compiled the following claims for June 3, 2022 and June 10, 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.

June 3, 2022

| | TOTAL AMOUNT CLAIMED | AMOUNT ALLOWED | AMOUNT DISALLOWED |
|---|-----------------------|-----------------------|-------------------|
| General Fund – 101 | 126,962.32 | 126,962.32 | |
| Park/Recreation Fund - 208 | 267.75 | 267.75 | |
| Friend of the Court Fund – 215 | 100.00 | 100.00 | |
| Health Department Fund - 221 | 26,094.15 | 26,094.15 | |
| Multi Agency Collaborative Committee - 245 | 523.83 | 523.83 | |
| Palisades Fund – 257 | 150.42 | 150.42 | |
| Indigent Defense - 260 | 323.04 | 323.04 | |
| Central Dispatch/E911 Fund - 261 | 4,905.11 | 4,905.11 | |
| Justice Training Fund – P.A.302, 1982 - 266 | 400.00 | 400.00 | |
| Law Library Fund – 269 | 2,272.12 | 2,272.12 | |
| Grants – 279 | 9,416.74 | 9,416.74 | |
| Transportation Grant – 288 | 6,318.84 | 6,318.84 | |
| Child Care-Circuit/Family - 292 | 4,883.56 | 4,883.56 | |
| Soldiers Relief Fund - 293 | 1,272.28 | 1,272.28 | |
| Senior Millage - 298 | 1,085.77 | 1,085.77 | |
| Capital Improvement Fund - 401 | 266,035.00 | 266,035.00 | |
| Delinquent Tax Revolving Fund - 516 | 897.28 | 897.28 | |
| Fleet Management - 661 | 633.15 | 633.15 | |
| Self-Insurance Fund - 677 | 375,772.42 | 375,772.42 | |
| Drain Fund - 801 | 1,222,709.06 | 1,222,709.06 | |
| TOTAL AMOUNT OF CLAIMS | \$2,051,022.84 | \$2,051,022.84 | |

June 10, 2022

| | TOTAL AMOUNT CLAIMED | AMOUNT ALLOWED | AMOUNT DISALLOWED |
|--|----------------------|----------------|-------------------|
| General Fund – 101 | 183,626.28 | 183,626.28 | |
| GASB 84 - 108 | 365,713.49 | 365,713.49 | |
| Park/Recreation Fund - 208 | 5,266.32 | 5,266.32 | |
| Friend of the Court - Coop. Reimb. – 215 | 145.13 | 145.13 | |
| Health Department Fund - 221 | 32,756.02 | 32,756.02 | |
| Brownfield Redevelopment Auth. - 243 | 3,945.15 | 3,945.15 | |
| Indigent Defense Fund - 260 | 28,692.08 | 28,692.08 | |
| Central Dispatch Fund - 261 | 7,249.22 | 7,249.22 | |
| Local Corrections Officers Training Fund - 264 | 1,425.00 | 1,425.00 | |
| Grants – 279 | 5,058.95 | 5,058.95 | |
| Crime Victims Rights Grant - 280 | 46.37 | 46.37 | |

| | | | |
|--|---------------------|---------------------|--|
| Transportation Fund – 288 | 29,175.54 | 29,175.54 | |
| Child Care Fund - 292 | 31,654.54 | 31,654.54 | |
| Veterans Relief Fund - 293 | 1,136.71 | 1,136.71 | |
| Senior Services Fund - 298 | 740.99 | 740.99 | |
| American Rescue Plan Act – ARPA - 299 | 17,025.20 | 17,025.20 | |
| Capital Improvement Fund - 401 | 33,299.80 | 33,299.80 | |
| CIP – Youth Home Building Fund – 492 | 101,706.75 | 101,706.75 | |
| Central Dispatch CIP - 496 | 20,022.67 | 20,022.67 | |
| Delinquent Tax Revolving Fund - 516 | 4,440.33 | 4,440.33 | |
| Tax Reversion - 620 | 63.78 | 63.78 | |
| Revolving Drain Maintenance Fund - 639 | 298.52 | 298.52 | |
| Fleet Management/Motor Pool - 661 | 196.80 | 196.80 | |
| Self-Insurance Fund - 677 | 14,619.56 | 14,619.56 | |
| Drain Fund - 801 | 48,246.96 | 48,246.96 | |
| TOTAL AMOUNT OF CLAIMS | \$936,552.16 | \$936,552.16 | |

THEREFORE BE IT RESOLVED that the Board of Commissioners adopts the report of claims for June 3, 2022 and June 10, 2022.

Moved by Commissioner DeYoung, seconded by Commissioner Dugan to adopt the report of claims for June 3, 2022 and June 10, 2022. Motion carried by roll call vote. Yeas: 7 votes. Nays: 0 votes.

ACTION ITEMS:

LEGISLATIVE ADVOCACY SERVICES: PRIORITIZATION OF STRATEGIC FOCUS AREAS

22/ WHEREAS, Midwest Strategy requested the Board of Commissioners (Board) rank the County’s strategic focus areas within three categories:

HIGH - will receive a specific plan to move forward; these are the areas the advocate will spend the majority of time on,

MEDIUM - the advocate can support through other associations in a public fashion,

LOW - the advocate will only monitor, and give a report on any movement or changes; and

WHEREAS, on May 12, 2022, individual Commissioners ranked the eleven focus areas and the results were tallied and shared back with the Board.

THEREFORE BE IT RESOLVED, the Board approves the priority ranking of strategic focus areas for Midwest Strategy (advocate):

| Survey Results | RANKING | | |
|---------------------------------|---------|--------|-----|
| | HIGH | MEDIUM | LOW |
| American Rescue Plan Act (ARPA) | 1 | | |
| Broadband | 2 | | |
| Water quality and availability | 3 | | |
| Debt Elimination | 4 | | |
| Public Health | 5 | | |

| | | | |
|---|--|---|----|
| Facility and Road Planning/Construction (Infrastructure) | | 6 | |
| Transportation Services | | 7 | |
| Public Safety and Criminal Justice | | 8 | |
| Brownfield Properties | | | 9 |
| Placement of an additional Circuit Court Judge | | | 10 |
| Parks and Recreation | | | 11 |
| | | | |

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

NATIONAL COMMUNITY SURVEY—RELEASE

23/ WHEREAS, on March 10, 2022, the Allegan County Board of Commissioners (Board) authorized the County Administrator to negotiate and sign contract documents, purchasing the services of the Polco National Research Center, Inc., 8001 Terrance Ave. Middleton, WI 53562; and

WHEREAS, a workgroup consisting of the individuals listed below developed the final draft National Community Survey with Polco National Research Center:

Jim Storey, Board of Commissioners Chairperson
 Frank Baker, Sheriff
 Dan Wedge, Executive Director of Services
 Angelique Joynes, Health Officer
 Sherry Owens, Director Senior and Veterans
 Brandy Gildea, Parks Manager
 Mark Witte, Director ACCMH (funding)
 Lisa Evans, Allegan County Community Action (funding)
 Amanda Telgenhof, United Way (funding)
 William Brown, Allegan Area Educational Service Agency (funding)
 Michael Kiella, Community Representative.

THEREFORE BE IT RESOLVED the Board approves the release of the survey; as presented.

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

2022 MILLAGE LEVY - SET COUNTY MILLAGE RATES

24/ WHEREAS, pursuant to State Law (MCL 141.412 and 141.413), a notice of a public hearing concerning the 2022 County Budget was published in the Allegan County News, a newspaper of general circulation, on September 30, 2021 and a public hearing concerning the budget was held on October 14, 2021; and

WHEREAS, the Board of Commissioners (Board) adopted a Fiscal Year 2022 Appropriation on October 14, 2021; and

WHEREAS, having held said hearing, the Board has determined the levy of said proposed millage to be in the best interests of the County; and

WHEREAS, the Senior Services millage renewal is scheduled for the August 2, 2022 election.

THEREFORE BE IT RESOLVED that the Board hereby approves the following millages to be levied throughout the County of Allegan in the year of 2022:

| | |
|----------------------------------|---------------|
| County Operating Tax | 5.1272 |
| Allocated - Veterans Relief Fund | <u>0.0200</u> |
| TOTAL COUNTY OPERATING | 5.1472 |

| | |
|--------------------------------------|---------------|
| COUNTY ROAD TAX | 0.9654 |
| SENIOR SERVICES | 0.0000 |
| MEDICAL CARE FACILITY | 0.2448 |
| ALLEGAN COUNTY CONSERVATION DISTRICT | <u>0.0979</u> |
| TOTAL COUNTY MILLAGE | 6.4553 |

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

OUTCOME FROM CLOSED SESSION - COLLECTIVE BARGAINING

25/ Moved by Commissioner Cain, seconded by Commissioner Dugan to authorize the County Administrator to offer the presented holiday proposal to all labor groups as presented pending judicial concurrence. Motion carried by voice vote. Yeas: Kapenga, Storey, Thiele, DeYoung, Dugan and Cain. Nays: Jessup.

DISCUSSION ITEMS:**FACILITIES MANAGEMENT - FACILITY MASTER PLANNING SERVICES**

26/ **WHEREAS**, the County desires to update its overall Facility Master Plan to determine future space needs and building maintenance costs; and

WHEREAS, funds have not been appropriated for this service and a contract award would require a mid-year appropriation of funds; and

WHEREAS, available capital funds remain in the Courthouse Air Handler Replacement Project, which will be completed under budget.

THEREFORE BE IT RESOLVED that the Board of Commissioners (Board) authorizes the budgetary reallocation of \$80,000 within the Public Improvement Fund (Fund #401) for this Facility Master Planning Project; and

BE IT FURTHER RESOLVED that the County Administrator is authorized to negotiate a final contract with Wightman of 1670 Lincoln Road, Allegan, Michigan 49010 for a not to exceed amount of \$80,000; and

BE IT FINALLY RESOLVED that the County Administrator is 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 Dugan, seconded by Commissioner Cain to take action during the June 23, 2022 meeting.

Moved by Commissioner Thiele, seconded by Commissioner Cain to amend the motion and take immediate action of the Facility Master Planning Services and approve the resolution as presented. Motion carried by roll call vote. Yeas: Kapenga, Storey, DeYoung, Jessup, Dugan and Cain. Nays: Thiele.

PUBLIC PARTICIPATION - NO COMMENTS

27/ 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 JUNE 23, 2022 AT 1:00 P.M.

28/ Moved by Commissioner Dugan, seconded by Commissioner Cain to adjourn until June 23, 2022 at 1:00 P.M. The motion carried by voice vote and the meeting was adjourned at 2:13 P.M. Yeas: 6 votes. Nays: 0 votes. Absent: 1 vote.

Jackie Fortner
Chief Deputy Clerk

James M. Storey
Board Chairperson

Minutes approved during the 06/23/2022 Session