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<tr>
<td><strong>AGENDA</strong></td>
<td>Regular Meeting of the County Board of Commissioners</td>
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<td>Van Buren County</td>
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<tr>
<td>October 10, 2017</td>
<td>4:00 PM</td>
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<tr>
<td><strong>Board of Commissioners Chambers - 219 East Paw Paw Street</strong></td>
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<tr>
<td>1.</td>
<td><strong>CALL TO ORDER</strong></td>
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<td>2.</td>
<td><strong>ADDITIONS/DELETIONS TO THE AGENDA</strong></td>
</tr>
<tr>
<td>3.</td>
<td><strong>APPROVAL OF AGENDA</strong></td>
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<td>4.</td>
<td><strong>APPROVAL OF MINUTES</strong></td>
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<tr>
<td></td>
<td>A. Minutes - September 27, 2017</td>
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<tr>
<td>5.</td>
<td><strong>PUBLIC COMMENT</strong></td>
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<td>6.</td>
<td><strong>ADMINISTRATIVE AFFAIRS COMMITTEE</strong></td>
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<td><strong>Recommendation/Discussion:</strong></td>
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<td>A. ** Miller Canfield - Engagement Letter - Legal Services**</td>
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<td>7.</td>
<td><strong>BUILDINGS AND GROUNDS COMMITTEE</strong></td>
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<td><strong>Recommendation/Discussion:</strong></td>
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<td>8.</td>
<td><strong>FINANCE/AUDITING COMMITTEE</strong></td>
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<td>A. Claims/Auditing</td>
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<td>11.</td>
<td><strong>EXECUTIVE SESSION</strong></td>
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<td>12.</td>
<td><strong>BOARD CORRESPONDENCE</strong></td>
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<td>13.</td>
<td><strong>COMMITTEE/OUT-BOARD ASSIGNMENTS</strong></td>
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<td>14.</td>
<td><strong>ADJOURNMENT</strong></td>
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Van Buren County will provide necessary and reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at any meeting/hearing upon ten (10) days notice to the Van Buren County Board of Commissioners’ Office. Individuals with disabilities requiring auxiliary aids or services should contact Van Buren County by writing, Debbie Hall, 219 Paw Paw Street, Ste. 303, Paw Paw, MI 49079, or by calling the Board of Commissioners’ Office at (269) 657-8200, option 8 ext. 1271.
TO: County Commission  
FROM: Suzie Roehm  
DATE: October 10, 2017  
RE: Approval of Minutes - September 27, 2017

ATTACHMENTS:
- Description
- Minutes - September 27, 2017
MINUTES
County Board of Commissioners
Van Buren County

September 27, 2017  4:00 PM
Board of Commissioners Chambers - 219 East Paw Paw Street

1. CALL TO ORDER

On the above date, the regular meeting of the Board of Commissioners was called to order at 4:23 p.m. by Richard Godfrey, Chairman of the Board.

***

The roll was called by County Clerk Suzie Roehm with the following commissioners answering to their name and district: Present: Gail Patterson-Gladney, District #1; Kurt Doroh; District #2; Richard Godfrey, District #3; Mike Toth, District #5; Donald A. Hanson, District #6; Paul S. Schincarel, District #7. Richard Freestone, District #4 absent and excused.

2. ADDITIONS/DELETIONS TO THE AGENDA

None.

3. APPROVAL OF AGENDA

All items on the agenda marked with *** are part of the consent agenda. Commissioners or the public can request that items be removed from the consent agenda. It is noted that the addition of items requiring action at today's meeting were approved by unanimous vote.

Motion to approve the agenda as presented.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

4. APPROVAL OF MINUTES

A. ** September 12, 2017

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

5. PUBLIC COMMENT

Zach Morris of Kinexus provided an update on the Michigan Public Service Commission's decision regarding Palisades Nuclear Plant.

6. ADMINISTRATIVE AFFAIRS COMMITTEE

A. ** Kinexus - Contractual Agreement

ADMINISTRATIVE AFFAIRS RESOLUTION AA239-27-2017

WHEREAS, Kinexus has requested the renewal of the Contractual Agreement to provide Van Buren County with an Economic Development Coordinator, and;
WHEREAS, through a collaborative partnership with the local units of government, their focus is to help create and facilitate opportunities for economic development, and;
WHEREAS, the level of service and pricing in the amount of $125,000 will continue for a two year period to begin October 1, 2017 through September 30, 2019.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County approves Contractual Agreement with Kinexus in the amount of $125,000 for a two-year to begin October 1, 2017 and authorizes the Board Chairman to execute said agreement on their behalf.
B. ** MSUE - Memorandum of Agreement

ADMINISTRATIVE AFFAIRS RESOLUTION AA24/9-27-2017

WHEREAS, the MSU Extension Office has presented a Memorandum of Understanding with Van Buren County for approval, and;
WHEREAS, last year MSU Extension changed the method for providing field agents/educators to county governments and modified their method Counties would be charged for the various agents/educators, and;
WHEREAS, the County will fund four positions: Agricultural Educator, 4-H Youth Educator, Health and Nutrition Educator and Natural Resources and AgriEconomics.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the Memorandum of Understanding with MSU Extension Office and authorize the Board Chairman to execute said agreement on their behalf.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

C. ** Brownfield Re-Dev. Board Appointment - Z. Morris

ADMINISTRATIVE AFFAIRS RESOLUTION AA25/9-27-2017

WHEREAS, the Van Buren County Board of Commissioners are responsible for making appointments to the Brownfield Redevelopment Authority Board, and;
WHEREAS, in an effort to fill a current vacancy, a recommendation from the Brownfield Re-Development Authority Board has been received for the appointment of Mr. Zach Morris from Kinexus for a three-year term.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the appointment of Zach Morris to the Brownfield Re-Development Board to fill a vacancy with a term to expire June 1, 2020.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

D. ** SB 386 - Opposition Resolution

ADMINISTRATIVE AFFAIRS RESOLUTION AA26/9-27-2017

WHEREAS, the collection of delinquent real property taxes and the administration of the delinquent tax revolving fund by the county treasurer under The General Property Tax, 1893 PA206, as amended MCL 211.1 to 211.157, is important is assuring that VAN BUREN COUNTY (the “County”) and local tax collecting units within the County actually receive taxes levied in a timely manner, that tax delinquent properties in the County are returned to productive use, and that a favorable credit rating for the County is maintained, and;
WHEREAS, Senate Bill 386 of 2017, as passed by the Michigan State (“SB 386”) would undermine the process for collecting delinquent real property taxes by: (1) increasing, litigation against the county treasurer, allowing anyone to challenge a court-ordered property tax foreclosure for eight new reasons, even a person with no legal interest in the property; (2) clouding title to court-foreclosed properties, reducing sale proceeds used to reimburse local tax collecting units for unpaid property taxes and reducing delinquent tax revolving fund revenue; and (3) creating uncertainty through retroactivity and interference with a pending case before the Michigan Supreme Court, and;
WHEREAS, by allowing new collateral attacks on judicial foreclosure order after the orders are final and appeal rights exhausted, SB 386 would undermine the quality of the fee simple title vested in the foreclosing governmental unit, cloud otherwise clear titles, create uncertainty, and reduce prices paid for tax-foreclosed properties at tax sales, all of which undermine the current effective tax sale and delinquent tax collection process, and;
WHEREAS, for these reasons, the Michigan Association of Counties, the Michigan Association of County Treasurers, and the county treasurer of this County have indicated their opposition to the
passage and enactment of SB 386, and;

WHEREAS, the county treasurer has asked this Board of Commissioners to join in opposing SB 386.
NOW, THEREFORE, BE IT RESOLVED, by this Board of Commissioners VAN BUREN COUNTY that the Board of Commissioners of VAN BUREN COUNTY HEREBY opposes the passage and enactment of Senate Bill 386 of 2017.

BE IT FURTHER RESOLVED, that a copy of this resolution shall be transmitted to the county treasurer, each member of the Michigan State Senate and the Michigan House of Representatives representing VAN BUREN COUNTY, and the Governor of Michigan.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

E. Board of Canvassers Appt.

ADMINISTRATIVE AFFAIRS RESOLUTION AA27/9-27-2017

WHEREAS, the Van Buren County Board of Commissioners is responsible for making appointments to the Board of Canvassers, and;
WHEREAS, these appointments are recommended by each political party to the County Clerk, and;
WHEREAS, the appointments of Mary Ann Middaugh (Republican) & Mae Linderman (Democrat) will expire on November 1, 2017, and it is necessary to make the appointments based on the recommendation of the Van Buren County Republican and Democratic County Committees, and;
WHEREAS, the Republican appointee recommendation is Mary Ann Middaugh. The Democratic party has not made a recommendation but it is up to the County Commission to make the appointments to the Board of Canvassers.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the appointment of Mary Ann Middaugh and Thomas Erdmann to the Van Buren County Board of Canvassers for a four-year term which expires November 1, 2021.

Motion by Mike Toth, Second by Don Hanson, Carried

7. BUILDINGS AND GROUNDS COMMITTEE

There were no items on the agenda.

8. FINANCE/AUDITING COMMITTEE

A. ** Veteran's Affairs Grant Application

FINANCE RESOLUTION F88/9-27-2017

WHEREAS, the State of Michigan has allocated funds for a grant program for the Michigan Veteran Affairs Agency’s intended to enhance the capacity and capabilities of counties in providing benefit claims assistance, and;
WHEREAS, these funds shall be used to continue to increase the number of accredited county veteran’s counselors, increase the number of counties that provide service to veterans through an established county department of veteran affairs, transportation, and technology upgrades/investments, and;
WHEREAS, a request is being made for the approval to apply for up to $30,000.00 for the purpose of establishing a previously non-existing Veteran’s Affairs Office and hiring of an accredited county veteran counselor.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the grant application in the amount of up to $30,000 for the Michigan Veteran Affairs Agency’s County Incentive Grant.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

B. ** Public Transit - MDOT Contracts

FINANCE RESOLUTION F89/9-27-2017

WHEREAS, the Michigan Department of Transportation (MDOT) has provided Agreement No. 2017-0136, Authorization P1/R2, Project No.131747 FY 2017 Section 5311 Operating Formula Grants and
WHEREAS, the purpose of Contract #2017-0136/P1/R2, Section 5311 Federal operating is an increase of $61,758, and
WHEREAS, the purpose of Contract #2017-0136/P2, Capital is for up to one replacement bus $93,750 total, with $50,000 Local.
NOW, THEREFORE, BE IT RESOLVED, that the Van Buren County Board of Commissioners approves MDOT Agreement No. 2017-0136, Authorization P1/R2, Project No.131747 FY 2017 Section 5311 Operating Formula Grants and Agreement No. 2017-0136, Authorization No. P2, Project No: 133098 FY 2017 Section 5311 Capital Formula Grants for Rural Areas Program and Small Cities Program, and authorizes the Board Chairman to execute said agreement on their behalf.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

C. ** Foster Swift & Concentric - Invoice Payment - New Covert Gen.

FINANCE RESOLUTION F90/9-27-2017

WHEREAS, a request has been made for the authorization to pay an invoice in the amount of $28,297.75 to Foster Swift for the services of Jack VanCoevering and $38,550.00 to Concentric for the New Covert Appeal case, and;
WHEREAS, the invoice is in regard to the defense of the assessment for the New Covert Power Plant and covers preparation of information, Cost Sharing Agreement, Intervention, and misc., and;
WHEREAS, it appears the bill from the attorney is appropriate and can be absorbed by the 2016–2017 budget and will be paid from fund 103.0-172.0-801.028.
NOW THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the payment of $66,847.75 for the New Covert Generating.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

D. ** LEPC Contractual Agreement

FINANCE RESOLUTION F91/9-27-2017

WHEREAS, the Van Buren County Local Emergency Planning Committee (LEPC) is requesting approval of a contractual agreement between the LEPC and Kyle Mead, and;
WHEREAS, this agreement will be effective September 1, 2017 at the direction of the LEPC update known site plans for agricultural farms located in Van Buren County that are subject to EPA/DNR reporting due to their use of specified hazardous materials on the operation of their business, and;
WHEREAS, the terms of the agreement will not extend beyond August 31, 2018 unless approved by both parties and per the agreement Mr. Mead will be compensated at $20.00/hr.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the Contractual Agreement between the Van Buren County LEPC and Mr. Kyle Mead and authorizes the Board Chairman to execute said agreement on their behalf.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

E. FY 2016 - 2017 - Budget Amendments

FINANCE RESOLUTION F92/9-27-2017

WHEREAS, the request has been made for authorization to amend the FY2016-2017 General Fund Budget to reflect unexpected changes in revenues and expenditures, and;
WHEREAS, the State of Michigan requires that all funds and activities budget reflect actual revenues and expenditures, and;
WHEREAS, the attached Budget Amendments will ensure the County is in compliance with state mandates for financial reporting.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the attached budget amendments to reflect unexpected changes in revenues and expenditures and ensure that the County is in compliance with all state mandates for financial reporting.

Motion by Mike Toth, Second by Gail Patterson-Gladney, Carried

F. Emerg. Mgmt. - FY 2017 - EMPG
WHEREAS, the Emergency Management Director is requesting authorization to submit FY 2017 Emergency Management Performance Grant, and;
WHEREAS, the purpose of this grant is to provide federal EMPG funds to the Subgrantee for the development and maintenance of an emergency management program capable of protecting life, property and vital infrastructure in times of disaster or emergency, and;
WHEREAS, this grant funds approximately 35.69% of the salary and fringe benefits for the Emergency Preparedness Director and is estimated to be $31,965.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the submission of the FY 2017 (EMPG) grant agreement as presented and authorizes the Board Chairman to execute said agreement on their behalf.

Motion by Mike Toth, Second by Kurt Doroh, Carried

G.  Sheriff’s Office - Radio Purchase

FINANCE RESOLUTION F94/9-27-2017

WHEREAS, a request has been received from the Sheriff’s Office for the purchase of 4 new radios out of the 2016 - 2017 fiscal budget to be installed into 4 Patrol Cars being purchased, and;
WHEREAS, earlier in the year $36,000 was approved for radio purchase and they were split into two separate purchases of which the first set has already been purchased, and;
WHEREAS, the new radios will be purchased for an amount not to exceed $18,259.52 to be paid from fund $101.0-302.00-969.001.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the purchase of 4 new radios for the Sheriff’s Office not to exceed the amount of $18,259.52 to be credited to the FY 2016 – 2017 budget.

Motion by Mike Toth, Second by Don Hanson, Carried

9.  LABOR NEGOTIATIONS AND CONTRACTS

A.  ** Circuit Court - Request for Position Re-organization

LABOR & NEGOTIATIONS RESOLUTIONS L6/9-27-2017

WHEREAS, due to recent vacancies and position responsibility changes Circuit Court is asking the Board to consider a proposal for three court positions, and;
WHEREAS, a request to eliminate the current vacant position of Deputy Clerk/Courtroom Clerk and create an Administrative Assistant position at the Level 22 on the Court Association pay scale. Thirty percent (30%) of this position is covered by the SAMHSA grant guaranteed for 5 years, and;
WHEREAS, a request to eliminate the Deputy Clerk/Courtroom/Jury Clerk position and create a Court Services Coordinator position at a level 22 on the AFSCME pay scale with new compensation retro to the date the additional responsibilities were added, and;
WHEREAS, a request to eliminate the Court Specialist II position in Juvenile Court and create another Court Specialist III position at a level 20 on the AFSCME pay scale with the new compensation retro to the date the additional responsibilities were added, and;
WHEREAS, the request has been reviewed by the county’s labor attorney and approved by the union.
NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the request by Circuit Court for a position elimination and creation of three positions as presented.

Motion by Kurt Doroh, Second by Gail Patterson-Gladney, Carried

10. PUBLIC COMMENT

There was no public comment.

11. EXECUTIVE SESSION

There was no Executive Session.
12. BOARD CORRESPONDENCE
13. COMMITTEE/OUT-BOARD ASSIGNMENTS

- MAC Conference
- SMICAA
- Brownfield Redevelopment Authority
- Road Commission
- Economic Development
- Labor/Negotiations - Grievance
- Senior Services
- Area Agency on Aging
- Public Health
- Cyber Security
- Solid Waste Consortium
- KATS
- Representative Griffin's Veterans meeting

Administrator:
- Indigent Defense meetings
- Cost Sharing meeting

14. ADJOURNMENT

The meeting was adjourned at 5:10 p.m.

____________________________________
Richard Godfrey, Chairman

________________________________________
Suzie Roehm, County Clerk
TO: County Commission
FROM: John Faul
DATE: October 10, 2017
RE: Miller Canfield - Engagement Letter - Legal Services

ATTACHMENTS:

Description

Miller Canfield Engagement Letter
VAN BUREN COUNTY BOARD OF COMMISSIONERS

RESOLUTION □ MOTION □ REPORT OF ADMINISTRATIVE AFFAIRS COMMITTEE

HONORABLE BOARD OF COMMISSIONERS:

WHEREAS, a recommendation has been made to accept a formal proposal for continued legal services from Miller Canfield, and;

WHEREAS, the proposal includes representation of the County in connection with labor and employment, litigation, real estate, corporate, Freedom of Information Act (“FOIA”), environmental and governmental issues, and;

WHEREAS, all services will be billed at $275/hr. except paralegal services which will be billed at $110.00/hr.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves the proposal and engagement letter for continued legal services of Miller Canfield and authorizes the County Administrator, John Faul to execute said letter on their behalf.

Signed: ____________________________________________
____________________________________________
___________________________________________
____________________________________________
____________________________________________
____________________________________________
____________________________________________

FOR CLERK’S USE ONLY

MOTION BY:                     CARRIED □
SECONDED BY:                   NOT CARRIED □

Date: October 10, 2017
TO:        County Commission
FROM:      Steve Vicenzi
DATE:      October 10, 2017
RE:        Claims/Auditing

ATTACHMENTS:
    Description
    ☐ Claims/Auditing
WHEREAS, claims in the amount of $1,927,963.15 for September 2017 were submitted and reviewed.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners approves total claims in the amount of $1,927,963.15.

Signed: ____________________________________________
____________________________________________
___________________________________________
____________________________________________
____________________________________________
___________________________________________

Date: October 10, 2017

FOR CLERK’S USE ONLY

MOTION BY: CARRIED □
SECONDED BY: NOT CARRIED □