

Board Conference Room
June 8, 2017
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Powers in the Board Conference Room on Thursday, June 8, 2017 at 2:00 p.m.

Roll was called by the Clerk. Present: Mr. Walker, Mr. Brown, Mr. Gustafson, Mr. Byl, Ms. Meyette, Mr. Sebolt and Mr. Powers. Absent: None.

Moved by Mr. Gustafson and seconded by Mr. Byl to approve the minutes of the May 25, 2017 meeting as presented. Voice vote. Motion carried.

The Public Hearing of the Oceana County Board of Commissioners was called to order by Chairperson Powers at 2:00 p.m. in the Oceana County Board Conference Room for the purpose of obtaining public input on the proposed Truth-in-Taxation Hearing.

Mr. VanderVries noted that this hearing is an opportunity for citizens to be heard; and, to allow the County to level the maximum millage rates. Choosing not to hold the public hearing could result in a negative revenue increase of 0.63%. By conducting the hearing, County revenue would increase \$157,067.

PUBLIC COMMENTS

Mr. Ferris questioned why the County borrows money to pay the entities, when many times there is a surplus of funds? Why not wait until after all back taxes have been paid and then disburse the funds, thus saving interest costs.

There being no further public comments, Chairperson Powers closed the Public Hearing at 2:04 p.m.

RESOLUTION NO. 1 – ACCEPTANCE OF BID PROPOSAL FOR CUSTODIAL SERVICES

Moved by Ms. Meyette and seconded by Mr. Brown to accept the bid proposal from Professional Building Services of Muskegon for custodial services for the County Building and County Annex Building. The custodial services contract is for three years beginning July 1, 2017 and expiring June 30, 2020 at a monthly cost of \$2,654.00.

Furthermore, as departments transition from the County Annex Building to the new "County Services Building," Professional Building Services has agreed to transfer that portion of the services contract to the new building at no additional cost because the overall square footage of the new building is comparable to the County Annex Building.

Roll call vote: Ms. Meyette-yes; Mr. Brown-yes; Mr. Byl-yes; Mr. Gustafson-yes; Mr. Walker-yes; Mr. Sebolt-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

RESOLUTION NO. 2 – APPROVAL OF PURCHASE AGREEMENT BETWEEN OCEANA COUNTY AND THE WESTSHORE EDUCATIONAL SERVICE DISTRICT

Moved by Mr. Brown and seconded by Mr. Walker to approve the purchase agreement of \$202,700

between Oceana County and Westshore Educational Service District for the property generally located at 844 Griswold Street, City of Hart, Michigan 49420; specifically, property numbers: 64-020-338-001-00; 64020-338-002-00; 64-020-337-005-00; and 64-020-337-060-00, collectively known as the "property."

Furthermore, the Chairperson of the Board of Commissioners is authorized to sign the purchase agreement and the County Administrator is authorized to amend the budget for the Special Revenue Fund 245 – Public Improvement from \$101,600 to \$304,300 as described below:

Revenues:

- Increase Transfer In account 245-000-699.998 by \$202,700 from \$101,600 to \$304,300

Expenditures:

- Increase Transfers Out account 254-253-999.000 by \$202,700 from \$444,665 to \$647,365
- Increase Land Acquisition account 245-000-971.000 by \$202,700 from \$0.00 to \$202,700

Roll call vote: Mr. Brown-yes; Mr. Walker-yes; Mr. Sebolt-yes; Ms. Meyette-yes; Mr. Byl-yes; Mr. Gustafson-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

RESOLUTION NO. 3 – 2017 SUMMER TAX LEVY

Moved by Mr. Gustafson and seconded by Mr. Byl to adopt the following Resolution:

WHEREAS, Oceana County is authorized under the General Property Tax Act, Public Act 206 of 1893, as amended, to levy and collect County allocated property taxes; and

WHEREAS, the General Property Tax Act was amended by Public Act 357 of 2004, being MCL 211.44 a, to require all Michigan Counties to impose a summer tax levy, with the summer tax levies for 2005 and 2006 to be in the amount of 1/3rd and 2/3rds, respectively, of the total County allocated tax, with the full amount of County allocated tax to be levied and collected as a summer tax levy in 2007 and each year thereafter.

WHEREAS, pursuant to Public Act 357 of 2004, the Oceana County allocated tax shall be levied and collected on July 1, 2017, at the full amount allocated after application of the "Headlee" millage reduction fraction, or 5.7500 mills.

NOW, THEREFORE BE IT RESOLVED: That the Treasurer of each city and township in Oceana County is directed to account for and deliver the County allocated tax collections for 2017 in accordance with the provisions of Public Act 357 of 2004.

BE IT FURTHER RESOLVED: That this Resolution constitutes Certification of the levy of the County allocated tax and authorized collection of the County allocated tax on July 1, 2017, at the full amount allocated after application of the "Headlee" millage reduction fraction, or 5.7500 mills.

BE IT FINALLY RESOLVED: That the County Clerk send a certified copy of this Resolution to the townships and cities within Oceana County.

Roll call vote: Mr. Gustafson-yes; Mr. Byl-yes; Mr. Walker-yes; Mr. Sebolt-yes; Ms. Meyette-yes; Mr. Brown-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

RESOLUTION NO. 4 – 2017 MILLAGE LEVY

Moved by Mr. Sebolt and seconded by Mr. Byl to adopt following Resolution:

WHEREAS, the Oceana County Board of Commissioners held the required Truth-in-Taxation Hearing on June 8, 2017, and

WHEREAS, the Oceana County Board of Commissioners has considered the budgetary needs of the County for FY 2018, and

WHEREAS, the millage rates shown in the following table are the maximum millage rates allowed.

THEREFORE BE IT RESOLVED that the County of Oceana’s 2017 Millage Levy shall be as follows:

<u>Source</u>	<u>Purpose</u>	<u>Maximum Allowable Millage Levy</u>	<u>July 1, 2017 Millage Levy</u>	<u>December 1, 2017 Millage Levy</u>
Allocated	County Operating	5.7500	5.7500	.0000
Voted	MCF Operating	2.4847	.0000	2.4847
Voted	Ambulance Operating	.9948	.0000	.9948
Voted	Council on Aging Operating	.7493	.0000	.7493
Voted	Veterans	.1000	.0000	.1000
Voted	9-1-1	.1398	.0000	.1398
Voted	MCF Building	.4969	.0000	.0000
Current Maximum Allowable Millage Rates Under Headlee & MCL 211.34		10.7155		
2017 Oceana County Summer & Winter Millage Rates			5.7500	4.4686
2017 Oceana County Total Millage Rate			= 10.2186	

BE IT FURTHER RESOLVED, to authorize the Chairman of the Board and the Oceana County Clerk to sign the L-4029 Tax Rate Request Certifying Compliance with Section 31 of Article 9 of the State Constitution of 1963, and that the requested levy rates have also been reduced, if necessary to comply with MCL Sections 211.24e, and 211.34.

Roll call vote: Mr. Sebolt-yes; Mr. Byl-yes; Mr. Gustafson-yes; Mr. Brown-yes; Ms. Meyette-yes; Mr. Walker-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

RESOLUTION NO. 5 – CORRECTION TO RESOLUTION #3 DATED MAY 25, 2017 REGARDING PART-TIME CORRECTIONS OFFICER

Moved by Mr. Walker and seconded by Mr. Sebolt to correct Resolution #3 (County Admin #17-73) dated May 25, 2017 regarding employment of a temporary part-time corrections officer to read "The employee shall not work more than 384 hours during the authorized period of time..." Furthermore, funding is currently available in the Sheriff’s jail budget, specifically Salaries and Wages Temporary account to cover the expense.

Roll call vote: Mr. Walker-yes; Mr. Sebolt-yes; Mr. Byl-yes; Mr. Gustafson-yes; Ms. Meyette-yes; Mr. Brown-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

RESOLUTION NO. 6 - PAYMENT OF CLAIMS

Moved by Mr. Byl and seconded by Mr. Brown to approve the payment of claims in the tentative amounts as follows:

AMBULANCE FUND	67,961.48
GIS FUND	-0-
PUBLIC IMPROVEMENT FUND	-0-
BUILDING DEPARTMENT FUND	3,320.04
TECHNOLOGY & INNOVATION FUND	483.32
ANIMAL CONTROL	-0-
CRIMINAL JUSTICE TRAINING FUND	-0-
TOTAL FORECLOSURE FUND	2,896.08
K-9 FUND	-0-
VETERAN AFFAIRS	3,520.82
MEDICAL RESERVE CORP	570.26
AUTOMATION FUND R.O.D.	750.00
LOCAL CORR. OFFICERS TRAINING FUND	3,120.00
GENERAL FUND	<u>325,514.30</u>
TOTAL	\$408,136.30

and to authorize the County Clerk to draw warrants and the County Treasurer to pay the same.

Roll call vote: Mr. Byl-yes; Mr. Walker-yes; Mr. Brown-yes; Mr. Gustafson-yes; Ms. Meyette-yes; Mr. Sebolt-yes; and Mr. Powers-yes. Absent: None.

Motion carried.

ADMINISTRATOR'S REPORT

Mr. Sobie continued with discussion, from the Finance and Equalization Committee Meeting, regarding the Michigan Indigent Defense system. In 2008, Michigan was the subject of a report by the National Legal Aid and Defender Association. The study evaluated trial-level indigent defense delivery systems using 10 counties a sample. After the year-long study, none of the counties used in the sample were "constitutionally adequate" (U.S. Constitution, Amendment VI and State Constitution, Section 20).

The Michigan Indigent Defense Commission (MIDC) was established in 2013 (P.A. 93) within the Department of Licensing and Regulatory Affairs (LARA) for the purpose of establishing standards for "...local delivery of indigent criminal defense services." For example, "criminal defense attorneys must have reasonable knowledge of the relevant law and be able to defend a client's case." Therefore, one of the first four standards adopted by the MIDC is annual continuing education for attorneys. Another example, "a confidential setting for interviews is essential to protect attorney-client privilege."

A commonly used approach to indigent defense is establishment of an office staffed by an indigent defense administrator, and supporting staff, to perform key duties regarding court appointed attorneys, investigators, and expert witnessed.

The County must still budget for indigent defense but it will not be more than the average budget for FY 2010, 2011, and 2012; calculated to be \$160,923. All other costs are to be covered by the State and the County only needs to implement a compliance plan when the state provides its share of funding, otherwise the county does not need to implement any plan related to indigent defense.

The first decision that must be made is if Oceana County wants to pursue developing a compliance plan on its own (solo). Or, a joint plan between Oceana and Newaygo counties because we share circuit and district courts. Finally, a regional plan that brings in additional counties.

Regarding a regional plan approach to compliance, Mr. Paul Bullock, Mecosta County Administrator, has facilitated some conversations with his colleagues in Oceana, Newaygo, Mason, Lake, and Osceola about this approach.

Mr. Sobie met with our local workgroup (judges, defense attorneys, Sheriff, Prosecuting Attorney) on June 5 to gather some initial input about how we might proceed with developing a compliance plan. Some preference exists to establish a compliance plan specific to Oceana County. Generally speaking, however, there seemed to be a consensus that a two-county (Oceana and Newaygo) plan is workable as well. Participants did not seem to favor a regional approach.

One county, two counties, or multiple counties, implementation of a compliance plan would rely on hiring a qualified individual to serve as the indigent defense administrator. This administrator would then hire one or more support staff. Duties and responsibilities of the administrator need to be developed.

Mr. Sobie stated that upon approval by the County Board, he will continue to meet with the Oceana Courts to develop a plan and then bring back for Board review.

COMMISSIONER REPORTS

Commissioner Walker noted that the audit for Mason/Oceana 9-1-1 was completed and the major focal point was the unfunded MERS liability.

Commissioner Walker informed the Board that with the annexation of Rothbury Village, property taxes dropped 2 mills. He mentioned the current process of borrowing funds for delinquent tax settlements, which varies from year to year. Possibly there could be a new strategy to build up the pool of funds needed to avoid the borrowing of funds

Commissioner Byl asked the Board if discussion on future plans for the Annex Building could be discussed at the Board meeting of July 13, as he will not be present at the June 22 meeting. All were in agreement.

Commissioner Sebolt stated that he attended the Lakeshore Regional Entity Oversight Policy Board meeting recently. A summit will be held on June 22 to discuss the opiate problem. He also commented that with respect to a new Medical Marijuana Law, the Board is looking at ways to handle this. A meeting will be held on June 20 in Hudsonville to discuss further.

Commissioner Meyette commended Mr. Corey, Oceana County EMS Director, for his expertise and demeanor conducted at the Michigan Township Association Meeting held on June 1.

Mr. Sobie reminded all Commissioners to attend the "Appreciation Luncheon" to be held on Wednesday, June 21, 2017 here at the Courthouse from 11:30 a.m. – 1:00 p.m.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 2:44 p.m.


Rebecca J. Griffin, County Clerk

6.22.17
Date


Mr. Powers, Chairperson