

Board Conference Room
June 13, 2019
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 13, 2019 at 11:30 a.m.

Roll was called by the Clerk. Present: Mr. Sebolt, Mr. Gustafson, Ms. Meyette, Mr. Byl, and Mr. Powers. Absent: Mr. Brown.

Moved by Mr. Byl and seconded by Mr. Gustafson to approve the minutes of the May 9, 2019 minutes as presented.

Voice vote. Motion carried.

Chairperson Powers opened the Public Hearing on the County of Oceana's Truth-in-Taxation at 11:33 a.m. for the purpose of obtaining public input on the proposed 2019 tax levies. The 2019 Truth-in-Taxation hearing must be held in order to allow the County to collect the maximum millage rates allowed.

Mr. Kevin Hughes, District Health Department #10 provided copies of the annual report. The theme for this year is Public Health 3.0. This is believed to be the direction of the next evolution of public health. Public 3.0 is highlighted by focusing on the social determinants of health with policy change and action to meet the needs of the community.

Ms. Julie Sharpstein, Golden Township Resident, inquired as to whether it is the County's responsibility or each individual Township's to work with the Health Department to ensure that septic inspections are done.

Mr. Walker expressed that it would be easier to implement at the township level. If the County had to enforce the inspections, no area would be able to be excluded and certain areas would be resistant. Ms. Sharpstein also asked whether the Health Department would have the time/means to be able to perform the septic inspections if each township enacted and enforced the ordinances. Mr. Hughes stated that it would be the duty of each township to enforce their own ordinance pertaining to septic inspections and suggested that it could be done by contracting with the Health Department or by each township having their own individual to enforce it.

Ms. Nancy Husk, Silver Lake Resident, mentioned that there is a group trying to come up with a solution for the sewer/septic issues in Silver Lake. They know that they cannot just walk away from this issue because it has been voted down by the Golden Township board, but would like to take it farther and find a solution that will help everybody.

RESOLUTION NO. 1– APPROVAL OF MULTI-YEAR SENIOR RESOURCES PLAN

Moved by Mr. Sebolt and seconded by Ms. Meyette to adopt the following Resolution:

WHEREAS, Senior Resources of West Michigan, an Area Agency on Aging serves the counties of Muskegon,

Oceana and Ottawa and it was designated as an Area Agency on Aging in 1973 by said counties to administer the Older Americans Act and the Older Michiganians Act with said designation approved by the Office of Services to the Aging and authorized by the Michigan Commission on Aging; and

WHEREAS, the mission of Senior Resources is to provide a comprehensive and coordinated system of services designed to assist in maintaining the independence, dignity and quality of life for the elderly and act as an advocate for them by advancing causes or issues that are vital to their welfare; and

WHEREAS, it is Senior Resources specific goal to effectively implement the Older Americans Act by developing and administering a regional area plan for coordinating and contracting with viable agencies for services for persons 60 years and older; and

WHEREAS, the Senior Resources Multi-Year 2020-2022 Area Implementation Plan which is designed as an update to the Multi-Year 2017 - 2019 Area Implementation Plan once again emphasizes security and independence for the elderly with services targeted to low-income, frail, minority and the medically underserved elderly population; and

WHEREAS, it is also the intent of Senior Resources to assure that the basic services of home delivered meals, personal care, homemaker services, adult day care/in-home respite, case coordination and support and care management are available in the counties of Muskegon, Oceana and Ottawa; and

WHEREAS, it is the focus of Senior Resources, through its case management services, to provide older adults with the services necessary to remain in their own homes and to allow clients to choose from a pool of personal care, homemaking, in-home respite and adult day care providers; and

WHEREAS, use of a purchase of service format allows case managers more flexibility in arranging services and clients may choose their providers or change them if they are not satisfied; and

WHEREAS, Senior Resources has found this format to be a more efficient and effective use of limited dollars as demand for services continues to exceed the supply of available funds and requires the agency to look for alternative sources to assist their clients and to create measures to work with what they have.

THEREFORE, BE IT RESOLVED: the Oceana County Board of Commissioners approves the Senior Resources of West Michigan's Multi-Year 2020-2022 Area Implementation Plan as the goals and objectives reflect the views and input of elderly citizens, advisory council members, service providers, community leaders, the Senior Resources Program and Planning Advisory Board and the Senior Resources Board of Directors who participated throughout the region in the planning and public hearing process.

Roll call vote: Mr. Sebolt – yes; Ms. Meyette - yes; Mr. Walker - yes; Mr. Byl – Yes; Mr. Gustafson – Yes; and Mr. Powers – yes. Absent: Mr. Brown.

Motion carried.

RESOLUTION NO. 2 – REVISION OF SANITARY CODE: BODY ART & POINT OF SALE

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

WHEREAS, all amendments to the District Health Department #10 (DHD#10) Sanitary Code shall be approved by the Board of Commissioners of all counties within the jurisdiction of DHD#10;

WHEREAS, a public hearing was held on April 26, 2019, during the Board of Health meeting in the Boardroom located in the DHD#10 Wexford County office in Cadillac, Michigan, to consider proposed changes to the Sanitary Code;

WHEREAS, following the April 26 public hearing, the Board of Health recognized the State of Michigan has now assumed authority for overseeing and enforcing regulation of establishments engaged in providing tattoos and piercings; and approved a motion to remove Chapter 9, Body Art Code and Guidelines, from the DHD#10 Sanitary Code;

WHEREAS, a public hearing was held on May 31, 2019, during the Board of Health meeting in the Boardroom located in the DHD#10 Wexford County office in Cadillac, Michigan, to consider changes to the Sanitary Code chapter on Point of Sale as requested by the Manistee County Board of Commissioners;

WHEREAS, following the May 31 public hearing, the Board of Health approved a motion to adopt changes to the Manistee County Point of Sale program, which are intended to:

- Extend the timeframe for a Point of Sale evaluation to be valid from 24 to 36 months;
- Eliminate exemptions from inspections for certain property transfers: from spouse to immediate family members; foreclosures or forfeitures; or establishing or releasing a security interest; and
- Require inspections for Land Contract sales at the initiation of a contract.

NOW, THEREFORE, BE IT RESOLVED the changes to the DHD#10 Sanitary Code as duly reviewed through the public hearing process and approved by the Board of Health to (1) Delete Chapter 9, Body Art; and (2) Revise Terms of the Point of Sale Program for Manistee County, are approved by the Board of Commissioners of Oceana County, Michigan;

BE IT FURTHER RESOLVED, the changes approved herein will become effective after all other Boards of Commissioners for the Counties in the DHD#10 jurisdiction approve the same, and then only forty-five (45) days following the date the Board of Health adopts the approved Sanitary Code revisions.

Roll call vote: Mr. Sebolt - yes; Mr. Byl - yes; Ms. Meyette - yes; Mr. Gustafson - yes; Mr. Walker - yes; and Mr. Powers - yes. Absent: Mr. Brown.

Voice vote. Motion carried.

RESOLUTION NO. 3 – REVISION OF SANITARY CODE: POINT OF SALE

Moved by Mr. Sebolt and seconded by Ms. Meyette to adopt the following Resolution:

WHEREAS, all amendments to the District Health Department #10 (DHD#10) Sanitary Code shall be approved by the Board of Commissioners of all counties within the jurisdiction of DHD#10;

WHEREAS, a public hearing was held on April 26, 2019, during the Board of Health meeting in the Boardroom located in the DHD#10 Wexford County office in Cadillac, Michigan, to consider changes to the Sanitary Code to remove Kalkaska County from the Point of Sale program as requested by the Board of Commissioners of Kalkaska County;

WHEREAS, following the April 26 public hearing, the Board of Health approved the requested changes to remove Kalkaska County from the Point of Sale Program;

NOW, THEREFORE, BE IT RESOLVED the changes to the DHD#10 Sanitary Code as duly reviewed through the public hearing process and approved by the Board of Health to remove Kalkaska County from the Point of Sale Program, are approved by the Board of Commissioners of Oceana County, Michigan;

BE IT FURTHER RESOLVED, the changes approved herein will become effective after all other Boards of Commissioners for the Counties in the DHD#10 jurisdiction approve the same, and then only forty-five (45) days following the date the Board of Health adopts the approved Sanitary Code revisions.

Roll call vote: Mr. Sebolt - yes; Ms. Meyette – yes; Mr. Walker - yes; Mr. Byl - yes; Mr. Gustafson - yes; and Mr. Powers – yes. Absent: Mr. Brown.

Voice vote. Motion carried.

RESOLUTION NO. 4 – ACCEPTANCE OF BID RE: CONSTRUCTION OF PARKING LOT AT CSB

Moved by Ms. Meyette and seconded by Mr. Gustafson to accept the bid from Hallack Contracting at a cost not to exceed \$18,323.00 for construction of a parking lot on the vacant lot north of the County Services Building at 844 S. Griswold Street, Hart, Michigan. If the contractor encounters unforeseen costs to complete the project, the costs shall be presented to the Board of Commissioners for consideration and/or approval.

Furthermore, the County Administrator is authorized to process an interfund transfer of the costs from the General Fund's (#101) fund balance to the Capital Project Fund (#405).

Roll call vote: Ms. Meyette - yes; Mr. Gustafson – yes; Mr. Walker - yes; Mr. Byl – yes; Mr. Sebolt – yes; and Mr. Powers – yes. Absent: Mr. Brown.

Motion carried.

Mr. Walker stated that the Board should authorize Mr. Sobie to approve the sidewalk between the existing parking lot and the new parking lot to include concrete upon discussion with the Chairperson of the Buildings, Grounds, and Insurance Committee.

RESOLUTION NO. 5 – APPROVAL OF 2019 SUMMER TAX LEVY

Moved by Mr. Byl and seconded by Mr. Walker 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, 2019, 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 2019 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, 2019, 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. Byl – yes; Mr. Walker – yes; Mr. Gustafson – yes; Mr. Sebolt – yes; Ms. Meyette – yes; and Mr. Powers – yes. Absent: Mr. Brown.

Voice vote. Motion carried.

RESOLUTION NO. 6 – APPROVAL OF 2019 MILLAGE LEVY

Moved by Mr. Byl and seconded by Mr. Sebolt that following Resolution:

WHEREAS, the Oceana County Board of Commissioners held the required Truth-in-Taxation Hearing on June 13, 2019, and

WHEREAS, the Oceana County Board of Commissioners has considered the budgetary needs of the county for FY 2020, 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 2019 Millage Levy shall be as follows:

			<u>July 1, 2019</u>	<u>December 1, 2019 Millage</u>
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<u>Source</u>	<u>Purpose</u>	<u>Millage Levy</u>	<u>Levy</u>
Allocated	County Operating	5.7500	.0000
Voted	MCF Operating	.0000	2.4847
Voted	Ambulance Operating	.0000	.9948
Voted	Council on Aging Operating	.0000	1.0000
Voted	9-1-1	.0000	.1398
Voted	Veterans	.0000	.1000
Voted Debt	MCF Building	.0000	.2000
2019 Oceana County Summer & Winter Millage Rates		5.7500	4.9193
2019 Oceana County Total Millage Rate		= 10.6693	

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. Byl – yes; Mr. Sebolt - yes; Ms. Meyette - yes; Mr. Gustafson - yes; Mr. Walker - yes; and Mr. Powers - yes. Absent: Mr. Brown.

Motion carried.

RESOLUTION NO. 7 – APPROVAL OF 2019-2020 CHILD CARE FUND BUDGET

Moved by Ms. Meyette and seconded by Mr. Byl to approve the FY 2019/2020 Oceana County Child Care Budget in the amount of \$483,629 and to authorize the Chairperson of the Board and County Administrator to sign the budget document. The FY 2019/2020 Child Care Budget in the amount of \$483,629 represents an increase of \$52,029 when compare to the prior year budget.

The county’s FY 2019/2020 net share of the Child Care Budget is \$233,314.50 which represents an increase of \$25,014.50 from the prior year budget.

Roll call vote: Ms. Meyette - yes; Mr. Byl – yes; Mr. Gustafson - yes; Mr. Walker - yes; Mr. Sebolt - yes; and Mr. Powers - yes. Absent: Mr. Brown.

RESOLUTION NO. 8 – APPOINTMENT TO WHITE RIVER NATURAL RIVERS ZONING REVIEW BOARD

Moved by Mr. Gustafson and seconded by Mr. Sebolt to approve the recommendation of the Oceana County Planning Commission to appoint Mr. John Stivers to the White River Natural Rivers Zoning Review Board to serve as the primary member; and to appointment Mr. Paul Cutter as the alternate member.

Voice vote. Motion carried.

RESOLUTION NO. 9 – APPOINTMENT TO COUNTY PLANNING COMMISSION

Moved by Mr. Gustafson and seconded by Ms. Meyette to appoint Mr. Andrew Sebolt to the Oceana County Planning Commission effective immediately and with a term expiring December 31, 2021. Mr. Sebolt replaces Mr. Robert Walker as the Board of Commissioners' representative.

Voice vote. Motion carried.

RESOLUTION NO. 10 – APPROVAL TO HIRE PART-TIME TEMPORARY DISTRICT COURT CLERK

Moved by Mr. Gustafson and seconded by Mr. Byl to approve a request from 78th District Court Judge Kevin Drake to hire a temporary, part-time, court clerk for up to 20 hours per week for a maximum of 12 weeks of employment. The request is made pursuant to compliance requirements for the new indigent defense standards and the seasonal increase in court cases.

The temporary, part-time, court clerk shall earn an hourly wage not to exceed \$14.47 per hour. The position is not eligible for any fringe benefits or time accruals such as vacation and sick time.

Assuming the maximum of 240 hours are worked during the period of employment, the calculated cost is \$3,473, plus federal and state tax withholdings. Funding for the position shall come from an existing appropriation available in District Court's fiscal year 2019 budget.

Roll call vote: Mr. Gustafson - yes; Mr. Byl - yes; Mr. Walker - yes; Ms. Meyette - yes; Mr. Sebolt - yes; and Mr. Powers - yes. Absent: Mr. Brown.

Voice vote. Motion carried.

RESOLUTION NO. 11 – PAYMENT OF CLAIMS

Moved by Mr. Byl and seconded by Mr. Sebolt to approve the payment of claims for June 13, 2019 in the tentative amounts as follows:

AMBULANCE FUND	\$ 2,991.83
GIS	\$ -0-
CAPITAL PROJECTS-EQUIP REPLACEMENT	\$ -0-
INDIGENT DEFENSE FUND	\$ 8,969.45
PUBLIC IMPROVEMENT FUND	\$ -0-
BUILDING DEPARTMENT FUND	\$ 21,231.59
TECHNOLOGY	\$ 7,424.10
ANIMAL CONTROL BUILDING	\$ -0-
FORECLOSURE FUND	\$ 2,588.74
K-9 FUND	\$ 73.98
VETERANS AFFAIRS	\$ 6,822.59
MEDICAL RESERVE	\$ -0-
AUTOMATION FUND R.OD.	\$ 2,282.48
LOCAL CORR. OFFICERS TRAINING FUND	\$ 250.00

FRIEND OF THE COURT FUND	\$ 2,360.41
GENERAL FUND	\$ 403,396.46
TOTAL	\$ 458,391.63

Roll call vote: Mr. Byl – yes; Mr. Sebolt – yes; Ms. Meyette – yes; Mr. Walker - yes; Mr. Gustafson – yes; and Mr. Powers – yes. Absent: Mr. Brown.

Motion carried.

COMMISSIONERS REPORT

Mr. Sebolt was asked by some local farmers to invite Rep. Huizenga to meet them for a facility tour and present him with some issues regarding foreign trade policy with specifically with Peru and Mexico tomorrow.

Mr. Gustafson mentioned that the Village of Pentwater is coordinating a community wide effort titled Pentwater Vision consisting of 3 public events.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:21 p.m.

Amy L. Anderson, County Clerk

Date

Mr. Powers, Chairperson