

Board Conference Room
December 19, 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, December 19, 2019, at 11:30 a.m.

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

Mr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; and John Cavanagh, Oceana's Herald-Journal correspondent were also present.

Moved by Mr. Walker and seconded by Mr. Brown to approve the minutes of the December 5, 2019 minutes as presented.

Voice vote. Motion carried.

Chairperson Powers opened the Public Hearing on the County of Oceana's grant application to the Michigan Economic Development Corporation's Community Development Block Grant (CDBG) to assist a local business with the purchase of new machinery and equipment at 11:31 a.m., for the purpose of obtaining public input for grant application.

Mr. Powers provided a brief history on Peterson Farms and what their business encompasses today.

Mr. Rafaelli, CEO of Peterson Farms, was present to explain the projects that the grant will fund and how it will create 54 new full-time jobs. The grant will be used to supplement the \$22 million investment into projects that Peterson Farms is undertaking. Mr. Rafaelli explained that if they were not successful in obtaining the grant that it could be awarded to another state.

Mr. Sebolt noted that it is important to understand that there is no cost to taxpayers whatsoever.

Mr. Byl mentioned that he had contact with a constituent who believes the grant should be used for road funding. Mr. Byl explained to the constituent that the grant is set up by the government to purchase machinery and expand a business.

Mr. Rafaelli made mention that the only way to have the grant funds dispersed would be to spend the money on the projects and to actually create the jobs. Without meeting those two requirements, the grant funding would not be dispersed to Peterson Farms.

Ms. Meyette requested clarification that Oceana County was not the party that initiated this. She also mentioned that one of her constituents was concerned that the county was singling out a company to help receive grant funding. Ms. Jodi Nichols, Oceana Economic Alliance, assured her that this was a very competitive grant application and that Peterson Farms had taken the steps to further their business by expanding production lines and creating new jobs. Mr. Rafaelli did clarify that Peterson Farms did start the process and that the county did not approach them.

Mr. Powers reported that he received a phone call from Mr. Paul Jordan, Benona Township resident, informing him that he was not in favor of the county submitting the application for this grant on behalf of Peterson Farms. Mr. Jordan believes that public money should not be used for private companies and the money would be better used for putting bike paths on the shoulders of the roads. Mr. Jordan also believes the show of support and grant funding gives Peterson Farms an unfair advantage over other processors.

Mr. Gustafson thanked Mr. Rafaelli for his initiative with this grant.

Eric Fox, President of Oceana Economic Alliance, offered a letter of support for the grant application. He believes this is a simple decision to support and would like to let Peterson Farms know how appreciated they are for their decision and for their commitment to Oceana County. Mr. Fox is also grateful for Jodi Nichols, Oceana Economic Alliance, and believes that she has been instrumental in helping with this project. He also very thankful that the County Commissioners allowed this partnership to occur.

Tammy Carey, of the Oceana Community Foundation, offered her praise for Ms. Nichols and all the work she has done over the past year. Ms. Carey also mentioned that she has watched Peterson Farms expand and have become a leader in providing housing, downtown development, creation of jobs, and helping to create an inclusive community.

Mr. Rafaelli would like to encourage the continuation of the relationship with the Oceana Economic Alliance and The Right Place, both of whom utilize Ms. Nichols.

Jodi Nichols, from the Oceana Economic Alliance and The Right Place, appreciates the commitment of the Board and how they have helped to show in-kind support for the work that has been put into this project.

Gayle Forner, Vice-Chair of the Oceana Economic Alliance, encouraged the board to approve and support the grant application.

Public hearing closed at 12:03 p.m.

RESOLUTION NO. 1 – REQUEST FOR CDBG FUNDS AND DESIGNATION OF SIGNER

WHEREAS, the Michigan Strategic Fund has invited Units of General Local Government to apply for its Community Development Block Grant (CDBG) - Infrastructure and Resiliency (IR) Competitive Funding Round; and

WHEREAS, the Oceana County Board of Commissioners desires to request \$1,000,000 in CDBG funds to assist Peterson Farms, Inc. with the purchase of new machinery and equipment to expand the company's fruit processing capabilities; and

WHEREAS, Oceana County will contribute in-kind services to audit and administer the Grant Agreement; and

WHEREAS, the proposed project is consistent with Oceana County's economic and community development statements described in its 2016 Oceana County Master Plan, and as further described in the project narrative of the CDBG Application; and

WHEREAS, the proposed project will create 54 new jobs in which at least 51% of the beneficiaries of the proposed project will be low- and moderate income persons; and

WHEREAS, local funds and any other funds to be invested in the project have not been obligated or incurred and will not be obligated or incurred prior to 1) a formal grant award, 2) completion of environmental review procedures, and 3) a formal written authorization to obligate or incur costs from the Michigan Economic Development Corporation's CDBG Project Manager.

NOW THEREFORE BE IT RESOLVED that Robert J. Sobie, Oceana County Administrator, is authorized to sign and submit the CDBG Application including all required documents; and sign and submit the CDBG Grant Agreement and all amendments; and to sign and submit Payment Requests;

BE IT FURTHER RESOLVED that Robert J. Sobie, Oceana County Administrator, is hereby designated as the Environmental Review Certifying Officer for the National Environmental Policy Act (NEPA; PA 190 of 1970) review. The purpose of NEPA is to protect and enhance our environment by mitigating the environmental impacts of federally assisted projects.

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

Motion carried.

Mr. Walker wanted to acknowledge that this is one of the best things he has seen come before the board in all the time that he has served on it.

RESOLUTION NO. 2- APPOINTMENTS TO BOARDS AND COMMISSIONS

Moved by Ms. Meyette and seconded by Mr. Walker to approve the following appointments to county boards and commissions as described:

Board of Public Works

- Ms. Michelle Martin for a term of January 1, 2020 to December 31, 2022
- Mr. Denny Powers for a term of January 1, 2020 to December 31, 2022

Housing Commission

- Mr. Robert Blackmer for a term of June 1, 2019 to May 31, 2022

West Michigan Shoreline Regional Development Corporation

- Mr. Jim Brown for a term of January 1, 2020 to December 31, 2020 as a primary appointee
- Mr. Dean Gustafson for a term of January 1, 2020 to December 31, 2020 as a primary appointee
Ms. Martha Meyette for a term of January 2020 to December 31, 2020 as an alternate appointee

Parks and Recreation Commission

- Mr. John Wilson for a term of January 1, 2020 to December 31, 2020
- Mr. Connelly Bowling for a term of January 1, 2020 to December 31, 2022
- Mr. Jeff Hiddema for a term of January 1, 2020 to December 31, 2022

Lakeshore Regional Entity - OPB

- Mr. Andy Sebolt for a term of January 1, 2020 to December 31, 2022

Voice vote.

Motion carried.

Note: Mr. John Wilson, a Pentwater resident, has a 40 year plus record of working in the management of several large metropolitan city parks and trail systems. Since his retirement in 2016, he has written grants and Master Plans for the Village of Shelby Parks and the Hart Pentwater Trail.

RESOLUTION NO. 3- HIRING A TEMPORARY PART-TIME EMPLOYEE FOR ANIMAL CONTROL

Moved by Mr. Gustafson and seconded by Mr. Walker to approve establishing a temporary part-time Animal Control position beginning Fiscal Year 2020 to clean kennels and perform periodic office coverage during times in which both Animal Control Officers must be out of the office. The temporary position is for a maximum of 18 months only, unless otherwise extended by the Board of Commissioners.

The temporary position may work up to 10 hours per week unless additional hours are authorized by the County Administrator. The estimated annual cost of the position is \$7,000, in which a portion of the cost will be offset by a reduction of \$2,000 in the department's overtime budget. The annual net impact on the budget is estimated to be \$5,000.

Furthermore, approval of the temporary position will increase the Fiscal Year 2020 General Fund expenditure budget by \$5,000 from \$10,677,648 to \$10,682,648; and a commitment of fund balance to retain a balanced budget shall increase by \$5,000 from \$315,197 to \$320,197.

Mr. Sebolt mentioned that he believes a part time employee would be better in the long run.

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

Motion carried.

RESOLUTION NO. 4 - AMENDING THE DISPOSAL OF THE SURPLUS PROPERTY POLICY

Moved by Mr. Brown and seconded by Mr. Byl to approve the amended Disposal of Surplus Property Policy as presented. The amended policy shall take effect immediately.

Voice vote.

Motion carried.

RESOLUTION NO. 5- ADOPTION OF THE 2020 MEETING SCHEDULE

Moved by Mr. Sebolt and seconded by Mr. Gustafson to adopt the following 2020 Meeting Structure and Schedule for the Oceana County Board of Commissioners:

Structure

All **Regular Meetings** of the Oceana County Board of Commissioners for 2020 will be held in Hart, Michigan at 11:30 a.m. (unless otherwise noted) on the second and fourth Thursdays of each month on the dates listed on the attachment with the following exception:

- The first meeting in April will be held on Tuesday, April 7 to comply with the State Tax Commission's 2020 Property Tax, Collections and Equalization Calendar,
- No meeting will be held on the fourth Thursday of November due to the Thanksgiving Holiday,
- December meetings will be held on the first and third Thursdays of the month.

The following standing committees shall meet on the first Regular Board Meeting of each month (if needed) beginning at 9:00 a.m. and in the order listed unless otherwise stated in the required public notice:

- **Health and Human Services and Parks and Recreation Committee**
- **Buildings, Grounds and Insurance Committee**
- **Law and Safety Committee**
- **Finance and Equalization Committee**

The following committees shall meet on the second Regular Board Meeting of each month (if needed) beginning at 9:00 a.m. and in the order listed unless otherwise stated in the required public notice:

- **Planning and Environmental Services Committee**
- **Personnel and Licensing and Inspection Services Committee**
- **Finance and Equalization Committee**

Voice vote.

Motion carried.

RESOLUTION NO. 6- DESIGNATING FINANCIAL DEPOSITORIES FOR 2020

Moved by Mr. Byl and seconded by Ms. Meyette to designate the following financial institutions for the deposit and investment of Oceana County funds to be utilized at the discretion of the Oceana County Treasurer during fiscal year 2020.

Shelby State Bank
Fifth Third Bank
West Shore Bank
Huntington Bank
Flagstar Bank
Lake Osceola Bank
Lyon Capital Advisors
Multibank Securities
Michigan CLASS Investments
Michigan Municipal Risk Management Authority (MMRMA)
CDARS – Government authorized investment group
CIBC (formerly known as Private Bank)

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

Motion carried.

RESOLUTION NO. 7- APPROVING A REIMBURSEMENT TO THE GENERAL FUND

Moved by Mr. Walker and seconded by Mr. Brown to authorize the County Administrator to reimburse the General Fund (#101) \$69,971 from the Indigent Defense Fund (#260) which represents an adjustment to the county’s local share funding requirement for the indigent defense program. The reimbursement was previously approved by the Michigan Indigent Defense Commission (MIDC) but the county was required to wait to apply the reimbursement following the MIDC’s closeout of the fiscal year 2018-2019 indigent defense grant contract and approval of the fiscal year 2019-2020 grant contract.

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

Motion carried.

RESOLUTION NO. 8 – APPROVAL OF MDOT’S TRANSIT AGENCY PROCUREMENT POLICY

Moved by Mr. Sebolt and seconded by Mr. Gustafson that the Michigan Department of Transportation (MDOT) requires agencies to follow MDOT’s Transit Agency Procurement Policy because the Oceana County Council on Aging receives funding from the Federal Transit Administration (FTA). Adoption of the Transit Agency Procurement Policy and

applying it to the Oceana County Council on Aging, by the Oceana County Board of Commissioners, is required when purchases are made using FTA funds.

Therefore, the Oceana County Board of Commissioners approves MDOT's Transit Agency Procurement Policy and its application to Oceana County Council on Aging purchases when using FTA funds. Furthermore, the Chairperson of the Oceana County Board of Commissioners is authorized to sign the required policy.

Voice vote.

Motion carried.

RESOLUTION NO. 9 – COMMITMENT OF FUND BALANCE

Moved by Mr. Byl and seconded by Mr. Brown to approve the following fund balance policy based on guidelines developed by the Governmental Accounting Standards Board (GASB) and published in Statement No. 54 in February 2009. The objective of Statement No. 54 is to enhance the usefulness of fund balance information by providing clearer fund balance classifications.

Upon adoption of this resolution, the Fund Balance Policy is as follows:

Fund balances of Oceana County may only be committed by the Board of Commissioners and may be committed for a specific purpose by resolution. Amendments, modifications, or the discontinuance of the committed fund balance must also be approved by resolution.

Referring to the General Fund, commitment of fund balance supports the Board of Commissioners' financial goal to have sufficient fund balance and working capital for clearly designated purposes, and as a safety of margin to avoid future borrowing. The Board of Commissioners shall strive to maintain a yearly ending fund balance in the General Fund of not less than 17 percent of the total operating expenditures for the most current fiscal year. The target of 17 percent is derived from the Government Finance Officers Association's guidance on establishing a fund balance target.

In accordance with this resolution, the Board of Commissioners commits \$800,000 of the General Fund's fund balance for the purpose of meeting future funding requirements for pension and other post-employment benefit (OPEB) liabilities.

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

Motion carried.

RESOLUTION NO. 10 – TRANSFER OF FUNDS

Moved by Ms. Meyette and seconded by Mr. Byl to transfer \$105,000 from the General Fund 101-970-999.292 Transfers Out to the Child Care Fund 292-000-699.998

Transfers In. The request is a portion of the total appropriation of \$208,300 included in the FY 2019 budget.

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

Motion carried.

RESOLUTION NO. 11 – SUPPORT FOR SENATE BILL 585 TO DESIGNATE A SECTION OF U.S. 31 AS PFC. BRETT WITTEVEEN MEMORIAL HIGHWAY

Moved by Mr. Sebolt and seconded by Ms. Meyette to approve the following resolution:

WHEREAS, 34th District State Senator Jon Bumstead introduced Senate Bill 585 to the Michigan Senate Committee on Transportation and Infrastructure to name a portion of U.S. 31 after Pfc. Brett Witteveen who was from Shelby and graduated from Hart High School in 2005; and

WHEREAS, Pfc. Brett Witteveen served in the U.S. Marine Corps and was killed in February 2007 during a combat operation in Iraq; and

WHEREAS, if Senate Bill 585 is approved, a section of U.S. 31 will be named the Pfc. Brett Witteveen Memorial Highway that will be from Shelby Road, Exit 144 in Shelby to Polk Road, Exit 149 in Hart.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports Senate Bill 585 to further honor the bravery and sacrifice of Pfc. Brett Witteveen, U.S. Marine Corps.

Voice vote.

Motion carried.

RESOLUTION NO. 12 – PAYMENT OF CLAIMS

Moved by Mr. Byl and seconded by Mr. Brown to approve the payment of claims for December 19, 2019 in the tentative amounts as follows:

AMBULANCE FUND	2423.20
FRIEND OF THE COURT FUND	5004.44
GIS FUND	74.96
PUBLIC IMPROVEMENT	-0-
BUILDING DEPARTMENT	20,399.36
TECHNOLOGY	14,060.58
FORECLOSURE	6,077.49
K-9 UNIT	-0-
VETERANS AFFAIRS	14,330.21
MEDICAL RESERVE	-0-
AUTOMATION FUND – R.O.D.	2,413.45
INDIGENT DEFENSE FUND	11,312.69
LOCAL CORR OFFICERS TRNG FUND	-0-
CRIMINAL JUSTICE TRNG	-0-
VICTIMS SERVICES	-0-
CAP PROJ-EQUIP REPLACEMENT	-0-
GENERAL FUND	714,920.11
TOTAL	791,016.49

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

Motion carried.

Chairperson Powers requested nominations for the position of Board Vice-Chairperson for a one-year term effective January 1, 2020.

Mr. Byl nominated Mr. Walker for Vice-Chairperson of the Board.

RESOLUTION NO. 13 – ELECTION OF THE VICE-CHAIRPERSON OF THE BOARD OF COMMISSIONERS

Moved by Mr. Gustafson and seconded by Mr. Brown to close the nominations and to direct the County Clerk to cast a unanimous ballot for Mr. Walker as Vice-Chairperson of the Board.

Voice vote.

Motion carried.

Commissioners’ Reports:

Mr. Gustafson mentioned a very nice article that he found in the *Grand Rapids Press* about Ms. Nichols and The Right Place in Oceana County. He also spoke about how Pentwater Township passed a resolution in support of the County Commissioners terms becoming four-year terms.

Mr. Sebolt gave an update on a few of the House Bills that could impact everyone. He feels that HB 4963 and HB 4964 were written because of lack of leadership in Lansing.

HB 4963 would allow the Oceana County Board of Commissioners to tell their constituents to tax themselves on fuel to fix the roads. Michigan is between 8-12 highest fuel prices nationwide.

HB 4964 would allow the Oceana County Board of Commissioners to tell their constituents to tax themselves on vehicle registration to fix the roads. In every other state, there are set prices for vehicle registration. In Michigan, registration prices are computed from the Manufactured Suggested Retail Price (MSRP), along with an equation and only up to 4 years of depreciation. Regardless of how old your vehicle is, or the number of miles on your vehicle, the lowest your registration can be is $\frac{1}{4}$ of your price.

Mr. Sebolt feels that economically if the county levied a 20-cent tax on fuel or a bump in vehicle registration fees, it would cause commuters and tourists to fill their gas tanks in another county.

Mr. Powers inquired as to what Senator Bumstead's thoughts were about these bills. Mr. Sebolt assured him that Senator Bumstead is dead set against HB 4963 and HB 4964. Mr. Walker pointed out that local townships already do pass tax millages to help with road repair. Mr. Sebolt agreed that the tax millages help tax dollars stay in the community, but fuel and registration taxes end up at the state level and then get cost allocated back to counties.

Mr. Walker spoke briefly about Mason-Oceana Central Dispatch and how they will be brought up to compliance standards for public audits. He also mentioned that the IT person for Central Dispatch has been filling in for Newaygo County for the last 4-6 months and will be billed for all expenses, travel time, and hours that have accrued.

Mr. Byl mentioned that not only would Peterson Farms be providing employment opportunities within the county, but would be paying a large amount of property taxes as well. For just the freezer building they would be paying \$525,000 this year alone to Shelby Township in property taxes.

Public Comment:

No public comment at this time.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:42 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Powers, Chairperson