

Board Conference Room
September 10, 2020
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Powers in the Class Room at the Oceana County Services Building on Thursday, September 10, 2020, at 12:20 a.m.

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

Mr. Sobie, Oceana County Administrator; Ms. Amy L. Anderson, Oceana County Clerk; and Sheriff Craig Mast were also present.

Moved by Mr. Byl and seconded by Mr. Gustafson to approve the minutes of the August 27, 2020 Board of Commissioners regular minutes as presented.

Voice vote. Motion carried.

Public participation was provided via audio/videoconference using Zoom. The online meeting ID was 70 4758 6525.

Mr. Powers initiated a public hearing in order to complete the closeout of Peterson Farms business expansion project using funds from the Michigan Economic Development Corporation's Community Development Block Grant Program. Mr. Sobie commented that other than paperwork, this project is complete.

No public comment at this time.

RESOLUTION NO. 1 – SUPPORT FOR BALLOT PROPOSAL TO AMEND THE MICHIGAN NATURAL RESOURCES TRUST FUND

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

WHEREAS, the Michigan Natural Resources Trust Fund (MNRTF) has funded public land acquisition and recreation projects with royalties from oil, gas and minerals from public lands in all eighty-three counties in the state since its founding in 1976; and

WHEREAS, projects supported by the MNRTF help Michigan communities protect the state's lakes, streams, lands and wildlife habitats and build recreational facilities like parks, trails and river and beach access for the enjoyment of Michigan residents and visitors, with economic, quality-of-life and public health benefits; and

WHEREAS, every Michigan resident is within a one-hour drive of a state park or recreation area, which are critical contributors to Michigan's \$25.7 billion tourism industry that supports 237,733 direct jobs; and

WHEREAS, the Oceana County Parks & Recreation Commission has been fortunate to receive MNRTF grant funds to enhance and create park and recreation opportunities at Crystal Valley County Park, Gales Pond County Park and Mill Pond County Park that has provided a positive impact for our county Stakeholders and park users; and

WHEREAS, The Michigan Legislature unanimously voted to allow the MNRTF to again receive royalties from oil, gas and mining on public land to fund land conservation and recreation, to commit at least 25% of Trust Fund dollars to building and renovating public recreation facilities like trails, parks and rivers and lake access and at least 25% for land conservation, and requiring 20% of State Parks Endowment Fund expenditures be for improvements at state parks, without raising taxes; and

WHEREAS, Michigan voters will now have the opportunity to approve these changes in the 2020 general election, thus amending Article IX, Section 35 and 35a of the Michigan Constitution.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports the recommendation of the Oceana County Parks & Recreation Commission to further support the ballot question placed before voters in the 2020 general election to update and expand the MNRTF, guaranteeing investment in conservation and outdoor recreation for generations to come, protecting our natural resources and invigorating our local economies.

Roll call vote: Mr. Sebolt - yes; Mr. Byl – yes; Mr. Gustafson – yes; Mr. Walker – yes; Ms. Meyette – no; and Mr. Powers – yes. Absent: Mr. Brown.

Motion carried.

RESOLUTION NO. 2 – UPDATE TO COUNTY’S NO SMOKING POLICY

Moved by Ms. Meyette and seconded by Mr. Walker to approve the County Administrator’s recommended changes to Oceana County’s No Smoking Policy as presented. The changes shall take effect immediately.

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

Motion carried.

RESOLUTION NO. 3 – APPOINTMENT OF FIRE REPRESENTATIVES TO THE MASON-OCEANA 911 BOARD

Moved by Mr. Walker and seconded by Mr. Byl to appoint Mr. Brad Fritcher, Ferry Township Fire Department, to the Mason-Oceana 911 Board of Directors to serve as Oceana County’s local fire agency representative with the appointment taking effect immediately.

Furthermore, to appoint Mr. Jesse Bowman, Pentwater Township Fire Department, to serve as the primary appointee’s alternate on the Mason-Oceana 911 Board of Directors.

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

Motion carried.

RESOLUTION NO. 4 – CONSTITUTION DAY 2020 RECOGNITION

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

WHEREAS, the American Revolution created an independent nation, the United States, and secured the first system of self-government as a model for the world; and

WHEREAS, this system of self-government produced the tenets of equal justice, limited government and Rule of Law that exists in the United States today; and

WHEREAS, the 39 delegates who signed the United States Constitution at the Constitutional Convention forever changed the course of human history and established the essential guide of compromise; and

WHEREAS, the Constitution of the United States protects the unalienable rights of every citizen of the United States, secures “the Blessings of Liberty to ourselves and our Posterity,” and sets the standard of governance for the world; and

WHEREAS, September 17, 2020 marks the 233rd anniversary of the signing of the United States Constitution which is the supreme law of the land and the document by which We the People of this land self-govern.

NOW, THEREFORE, BE IT RESOLVED, that the Oceana County Board of Commissioners hereby commemorates the 233rd anniversary of the signing of the United States Constitution on September 17, 2020 and recognizes the sacrifices made by the people who made that signing possible.

Voice vote.

Motion carried.

RESOLUTION NO. 5 – ACCEPTANCE OF GRANT AWARD FROM MICHIGAN STATE POLICE

Moved by Mr. Walker and seconded by Mr. Sebolt to authorize the County Administrator to accept a grant award from the Michigan State Police’s (MSP) Coronavirus Emergency Supplemental Funding grant program for the Oceana County Sheriff’s Department in the amount of \$44,821.40. In accordance with MSP grant compliance requirements, grant funds shall only be used for the expenditures described in this resolution.

- (10) Panasonic FZ-55 laptop computers \$32,616.40
- (10) Microsoft Office Standard 2019 Licenses \$2,760.00
- (10) Adobe Acrobat Pro 2020 Licenses \$4,100.00
- (2) Epson DS-530 Document Scanner \$616.00
- (7) ViewSonic VX3276 Monitors \$2,534.00
- (1) Victory Innovations Electrostatic Sprayer \$1,295.00
- (50) Cases disposable surgical masks \$900.00

Furthermore, the County Administrator is authorized to administer the grant and to sign all necessary grant documents; and to amend the fiscal year 2020 General Fund budget to establish a revenue and expenditure budget and to process and record financial activity related to the grant award.

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

Motion carried.

RESOLUTION NO. 6 – AMENDMENT TO FY 2020 PUBLIC IMPROVEMENT FUND (#245) BUDGET

Moved by Mr. Gustafson and seconded by Mr. Byl to authorize the County Administrator to transfer \$350,000 from the General Fund's (#101) fund balance to the Public Improvement Fund (#245) for future facility improvements.

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

Motion carried.

RESOLUTION NO. 7 – AMENDMENT TO FY 2020 GENERAL FUND (101) REVENUE BUDGET

Moved by Ms. Meyette and seconded by Mr. Byl to amend the Fiscal Year 2020 General Fund revenue budget to reflect a decision by the State of Michigan to eliminate August 2020 revenue sharing to counties; in which Oceana County will not receive \$131,067, representing a decrease in budgeted revenue, thus saving the state's budget a projected \$97 million.

Furthermore, the State of Michigan authorized the use of Federal CARES Act funding to replace the elimination of revenue sharing to counties; in which Oceana County will receive \$203,730, but with the stipulation that replacement funding be tied to direct costs resulting from the COVID-19 pandemic.

This resolution amends the budget for the following revenue line-item accounts as described:

General Fund (#101)

- Decrease County Revenue Sharing (101-253-574.000) by \$131,067 from \$563,795 to \$432,728
- Increase Reimbursement - General (101-253-677.000) by \$203,730 from \$225,000 to \$428,730

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.

Motion carried.

RESOLUTION NO. 8 – ACCEPTANCE OF RECOMMENDATION FROM OCEANA COUNTY LAND BANK TO EXERCISE OCEANA COUNTY’S RIGHT OF REFUSAL FOR A SINGLE PARCEL OF REAL PROPERTY

Moved by Mr. Gustafson and seconded by Mr. Walker to accept the recommendation of the Oceana County Land Bank Authority for the Oceana County Board of Commissioners to exercise its right to purchase, prior to tax sale from the Oceana County Treasurer, one parcel of real property located in Ferry Township at 1992 E. Zimmer Road, Shelby, Michigan 49455; parcel ID 013-016-100-07; a parcel description of Ferry Township, Oceana County, SE ¼ of SE ¼ of SE ¼ of NW ¼ of Section 16 Township, 14N Range 16W, for a total purchase price of \$2,838.49. The purchase price includes \$2,600.00 for the parcel, \$208.49 for summer 2020 taxes, and a \$30.00 fee for recording the deed.

Funding shall come from the General Fund’s unrestricted fund balance. The County Administrator is authorized to process the required journal entries to properly account for purchase of the parcel.

Furthermore, following Oceana County’s purchase of the above described parcel, the Oceana County Board of Commissioners shall immediately sell the parcel to the Oceana County Land Bank Authority for the sum of \$2,838.49. The Oceana County Treasurer and Oceana County Board Chairperson are authorized to complete and sign all required documents to complete the sale.

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

Motion carried.

RESOLUTION NO. 9 – LOWER TAX LEVY FOR AMBULANCE MILLAGE

Moved by Mr. Walker and seconded by Ms. Meyette to approve the following Resolution:

WHEREAS, the Oceana County Board of Commissioners approved millage rates, as reduced by Headlee, as part of its annual budget hearing held October 24, 2019, and

WHEREAS, the Oceana County Board of Commissioners has considered the budgetary needs of the county for FY 2021, and

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

NOW THEREFORE BE IT RESOLVED that Oceana County’s 2020 Millage Levy shall be as follows:

<u>Source</u>	<u>Purpose</u>	<u>July 1, 2020 Millage Levy</u>	<u>December 1, 2020 Millage Levy</u>
Allocated	County Operating	5.7344	.0000
Voted	MCF Operating	.0000	2.0000
Voted	Ambulance Operating	.0000	.9000
Voted	Council on Aging Operating	.0000	.9973
Voted	9-1-1	.0000	.1394
Voted	Veterans	.0000	.1000
Voted Debt	MCF Building	.0000	.2000
2020 Oceana County Summer & Winter Millage Rates		5.7344	4.3367
2020 Oceana County Total Millage Rate		= 10.0711	

BE IT FURTHER RESOLVED, to authorize the Chairperson of the Board and the Oceana County Clerk to sign the 2020 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. Walker - yes; Ms. Meyette – yes; Mr. Gustafson - yes; Mr. Byl - yes; Mr. Sebolt - yes; and Mr. Powers - yes. Absent: Mr. Brown.

Motion carried.

RESOLUTION NO. 10 – RESOLUTION ACKNOWLEDGING THE IMPORTANCE OF IMMIGRANT WORKERS TO OUR LOCAL ECONOMY AND PROCLAIMING THE OCEANA COUNTY BOARD OF COMMISSIONERS’ COMMITMENT TO THE LAW

Moved by Mr. Sebolt and seconded by Mr. Walker to adopt the following resolution:

WHEREAS, the Oceana County Board of Commissioners recognizes the vital role that legal immigration plays in our community; and

WHEREAS, immigration law is recognized as the pathway for immigrants to obtain and enjoy the privileges and opportunities within the United States.

NOW THEREFORE BE IT RESOLVED, the Oceana County Board of Commissioners will continue to practice its commitment to the Constitutions and Laws of the United States of America, the State of Michigan, as well as local ordinances, and shall not take any action nor advocate for action, including the “Drive Safe” bills, that is contrary to, or circumvents, any of the aforementioned.

Roll call vote: Mr. Sebolt – yes; Mr. Walker – yes; Mr. Byl – no; Ms. Meyette – yes; Mr. Gustafson – yes; and Mr. Powers – yes. Absent: Mr. Brown.

Motion carried.

Mr. Walker noted that the Oceana County Board of Commissioners are not advocating either for or against this issue.

RESOLUTION NO. 11 – PAYMENT OF CLAIMS

Moved by Mr. Byl and seconded by Mr. Walker to approve the payment of claims for August 27, 2020 in the tentative amounts as follows:

AMBULANCE FUND	\$1,471.74
FRIEND OF THE COURT FUND	1,855.70
GIS FUND	-0-
PUBLIC IMPROVEMENT	-0-
BUILDING DEPARTMENT	13,131.36
CDBG	-0-
TECHNOLOGY	2,538.00
FORECLOSURE	16,168.56
K-9 UNIT	-0-
VETERANS AFFAIRS	4,308.09
MEDICAL RESERVE	-0-
AUTOMATION FUND – R.O.D.	-0-
INDIGENT DEFENSE FUND	3,147.95
LOCAL CORR OFFICERS TRNG FUND	-0-
CRIMINAL JUSTICE TRNG	-0-
VICTIMS SERVICES	-0-
CAP PROJ-EQUIP REPLACEMENT	72,498.00
GENERAL FUND	263,333.34
TOTAL	\$378,452.74

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

Motion carried.

Public Comment

COMMISSIONER’S REPORTS

Sheriff Mast reported that the jail population is at 40 inmates, which is higher than the average of 20 inmates for earlier in the summer. There was a long chase last night and methamphetamine was recovered. The Sheriff’s Department has been working with the Michigan State Police, and Muskegon County, on a child trafficking case; several arrests have been made. Mr. Walker inquired if any of the charges would turn this into a Federal case. Sheriff Mast believes that this case may end up being handed over to the Feds.

Mr. Powers mentioned that local businesses have been affected by the Agricultural Department. Ceres Solutions will be closing in Oceana County and the closest one would be

in Fremont. Also, Makkedah Processing is questioning recent inspection requirements that may impact their business operations.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:45 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Powers, Chairperson