

Board Conference Room
November 12, 2020
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 at the Oceana County Courthouse on Thursday, November 12, 2020, at 11:30 a.m.

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

Mr. Sobie, Oceana County Administrator, and Ms. Amy L. Anderson, Oceana County Clerk, Commissioner elect Mr. Paul Erickson, District #4, Mr. Ron Christians, District #1, and Mr. Phil Morse, District #6, were also present.

Moved by Mr. Byl and seconded by Mr. Gustafson to approve the minutes of the October 22, 2020 Board of Commissioners regular minutes.

Voice vote. Motion carried.

Public participation was provided via audio/videoconference using Zoom. The online meeting ID was 814 4979 5100.

No public comment at this time.

RESOLUTION NO. 1 – SUPPORT FOR PROPOSED SHELBY TWP RECREATIONAL PARK

Moved by Mr. Brown and seconded by Mr. Byl to approve the following resolution:

WHEREAS, the Oceana County Board of Commissioners encourages development of new parks and recreational opportunities through the efforts of our Oceana County Parks and Recreation Commission, as well as through local community and business organizations; and

WHEREAS, the Oceana County Parks and Recreation Master Plan historically references goals and objectives targeting increased parks and recreational opportunities for county residents and visitors alike; and

WHEREAS, Shelby Township desires to develop a recreational park in the township and on November 2, 2020 adopted a resolution to take title to land for a recreational park to be acquired and developed through government grants and private donations; and for the park to be maintained by Shelby Public Schools at no cost to the township; and

WHEREAS, the proposed recreational park will be a benefit to the community at large and serve as a true gem of a place right here in Shelby Township in Oceana County.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports development of a recreational park in Shelby Township and further encourages all people to Get Outside and enjoy local, state, and national outdoor recreational activities; and

BE IT FURTHER RESOLVED in cooperation with the Oceana County Parks and Recreation

Commission, Shelby Township officials, and other stakeholders, that the Oceana County Administrator is authorized to assist with applying for and accepting government grants, such as those available through the Michigan Department of Natural Resources, the Michigan Natural Resources Trust Fund, and other suitable grantors; and for Oceana County to serve as a fiduciary for any and all grant awards; and

BE IT FINALLY RESOLVED that the Oceana County Administrator is authorized to establish a fiduciary agreement between Oceana County and the Community Foundation for Oceana County ("Foundation"), a nonprofit 501(c)(3) organization, for the sole purpose of committing private donated funds received by the Foundation, that are earmarked for the recreational park, to further cover project costs that are not fully covered by any and all government grant awards that Oceana County may receive.

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

Motion carried.

Mr. Sebolt explained that he voted no because if this is done for one entity, whether it be township, school, etc. then you cannot turn other ones away if asked to do the same.

RESOLUTION NO. 2 – APPOINTING MEMBERS TO VETERAN’S AFFAIRS COMMITTEE

Moved by Mr. Sebolt and seconded by Mr. Walker to accept the recommendation of the Oceana County Veterans’ Affairs Coalition to appoint the following individuals to the Oceana County Department of Veterans’ Affairs Committee:

- Mr. Terry Dykema for a four year term beginning January 1, 2021 and expiring December 31, 2024;
- Mr. Paul Dees, Jr. for a four year term beginning January 1, 2021 and expiring December 31, 2024;
- Ms. Tracy Blamer to fill a vacancy created when Mr. Dan Mannor resigned from the committee; and with a term effective immediately and expiring December 31, 2022.

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

Motion carried.

RESOLUTION NO. 3 – ENTERING INTO THREE YEAR INTERLOCAL AGREEMENT WITH LAKESHORE REGIONAL ENTITY

Moved by Mr. Sebolt and seconded by Ms. Meyette to authorize the County

Administrator to enter into a new three year agreement between Oceana County and Lakeshore Regional Entity with an effective date of January 1, 2021 and expiring December 31, 2023. Lakeshore Regional Entity is a community mental health regional entity formed under the Mental Health Code, MCL 330.1204b, that serves as a prepaid inpatient health plan under 42 CFR Part 438. Under MCL 330.1287(5), Lakeshore Regional Entity, is required to establish a Substance Use Disorder Oversight Policy Board through a contractual agreement with each county in its region.

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

Motion carried.

RESOLUTION NO. 4 – REVISED ANNUAL APPORTIONMENT REPORT

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

WHEREAS, the Oceana County Board of Commissioners has examined a summary of all millages to be spread in the City of Hart, townships and school districts for the 2020 tax year; and

WHEREAS, the Oceana County Equalization Department has determined that all of the applicable compiled laws; that is, Headlee, Truth-in-Assessing; Truth-in-Taxation and Truth-in-Equalization have been followed by all of the governmental units levying property taxes with Oceana County and documentation of compliance, as required by law, is on file in the Equalization Department.

WHEREAS, copies of the aforementioned revised documents are also on file with the County Clerk.

NOW THEREFORE BE IT RESOLVED: That the revised 2020 Apportionment Report of Oceana County millage rates, as calculated and compiled by the Oceana County Equalization Department, is approved and that the Oceana County Equalization Director is authorized to complete and sign Michigan Department of Treasury Form L-4402 to be submitted to the Michigan Department of Treasury in a timely fashion.

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

Motion carried.

RESOLUTION NO. 5 – REQUIREMENT FROM MERS TO HAVE ALL DEFINED BENEFITS AND DEFINED CONTRIBUTION PLAN AGREEMENTS REAFFIRMED

Moved by Mr. Gustafson and seconded by Mr. Byl to authorize the County

Administrator to sign and submit updated plan adoption agreement addendums to the Michigan Employees Retirement System (MERS) for each of Oceana County's division's defined benefit and defined contribution plans currently in effect for both open and closed plans.

Effective January 1, 2021, MERS is implementing several modifications to the way in which defined benefit, defined contribution, and hybrid plans are administered. Specific items being reviewed by MERS and Oceana County include plan eligibility criteria, service credit qualifications, and definitions of compensation.

Furthermore, MERS states that these items have been identified in the last year or so by MERS and participating municipalities as creating confusion when periodic reports are submitted to MERS, including pay cycle wage information. An agreement addendum is required for each division's defined benefit or defined contribution plans for participating municipalities to confirm how the plans will be administered beginning in 2021.

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

Motion carried.

RESOLUTION NO. 6 – REQUIREMENT FROM MERS TO HAVE ALL DEFINED BENEFITS AND DEFINED CONTRIBUTION PLAN AGREEMENTS REAFFIRMED

Moved by Mr. Gustafson and seconded by Mr. Byl to authorize Ms. Brenda Jones, Human Resources Director, Oceana County Medical Care Facility to sign and submit updated plan adoption agreement addendums to the Michigan Employees Retirement System (MERS) for each of Oceana County Medical Care Facility's divisions for defined benefit and defined contribution plans currently in effect for both open and closed plans.

Effective January 1, 2021, MERS is implementing several modifications to the way in which defined benefit, defined contribution, and hybrid plans are administered. Specific items being reviewed by MERS, Oceana County, and Oceana County Medical Care Facility include plan eligibility criteria, service credit qualifications, and definitions of compensation.

Furthermore, MERS states that these items have been identified in the last year or so by MERS and participating municipalities as creating confusion when periodic reports are submitted to MERS, including pay cycle wage information. An agreement addendum is required for each division's defined benefit or defined contribution plans for participating municipalities to confirm how the plans will be administered beginning in 2021.

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

Motion carried.

RESOLUTION NO. 7 – RATIFICATION AND CONFIRMATION OF ACTIONS APPROVED BY THE BOARD OF COMMISSIONERS DURING REMOTE MEETINGS

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

WHEREAS, in response to the COVID-19 pandemic, the Governor declared a State of Emergency by Executive Order 2020-4 on March 10, 2020 and extended the State of Emergency by subsequent Executive Orders; and

WHEREAS, in conjunction with the State of Emergency, on March 18, 2020 the Governor issued Executive Order 2020-15 which authorized remote participation in public meetings and specifically allowed public bodies to hold meetings electronically, either by telephonic or video conferencing; and

WHEREAS, subsequent Executive Orders extended the authorization to hold remote meetings and ultimately, on July 17, 2020, through Executive Order 2020-154, extended the authority to hold remote meetings through the remainder of the State of Emergency; and

WHEREAS, in reliance on the Executive Orders authorizing remote meetings, the Oceana County Board of Commissioners, has conducted some or all meetings electronically since April 14, 2020; and

WHEREAS, on October 2, the Michigan Supreme Court issued an opinion in which a majority of the Justices agreed that Executive Orders issued after April 30, 2020 are invalid as the law under which they were issued allowed an unconstitutional delegation of authority to the Governor; and

WHEREAS, in response to the October 2, 2020 Michigan Supreme Court Opinion, Public Act 228 of 2020 was adopted by the state legislature and signed by the Governor. This Act is effective immediately and retroactively, and modifies the Open Meetings Act authorizing remote meetings through the December 31, 2020 for any circumstance and through December 31, 2021 for certain qualifying reasons.

NOW THEREFORE BE IT RESOLVED, and in consideration of the October 2, 2020 Michigan Supreme Court Opinion and Public Act 228 of 2020 amending the Open Meetings Act, the Oceana County Board of Commissioners affirms and ratifies all actions approved by the Oceana County Board of Commissioners from April 14, 2020 through October 2, 2020, inclusive of all committee and board meetings.

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

Motion carried.

RESOLUTION NO. 8 – APPROVING A SUPPLEMENTAL PAYMENT TO MERS FOR UNFUNDED PENSION LIABILITY

Moved by Mr. Gustafson and seconded by Mr. Byl to authorize the County Administrator to submit a supplemental pension payment to MERS for \$500,000 to be applied to the general employee division's unfunded pension liability. The source of funds shall be the General Fund's unassigned fund balance.

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

Motion carried.

RESOLUTION NO. 9 – AMENDING THE FY 2020 BUDGET FOR PROBATE COURT

Moved by Mr. Brown and seconded by Mr. Walker to post-approve an amendment to the Fiscal Year 2020 General Fund budget for Probate Court by \$3,500 to cover costs that exceed the original or amended budget appropriation for the court's service contracts account (101-148-813.000).

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

Motion carried.

RESOLUTION NO. 10 – AMENDING THE FY 2020 FOR THE SHERIFF'S DEPARTMENT

Moved by Mr. Brown and seconded by Mr. Gustafson to amend the Fiscal Year 2020 General Fund budget for the Sheriff's Department by \$5,760 to cover costs that exceed the original or amended budget appropriation for each of the following accounts:

General Fund

Sheriff

- Increase Salaries & Wages – Overtime (101-301-707.000) by \$2,325 from \$50,000 to \$52,325
- Increase Vehicle Repair & Maintenance (101-301-932.000) by \$1,850 from \$50,700 to \$52,550

Marine

- Increase Salaries & Wages – Temporary (101-331-706.000) by \$222 from \$17,300 to \$17,522
- Increase Gasoline (101-331-747.000) by \$269 from \$1,500 to \$1,769
- Secondary Road Patrol
- Increase Salaries & Wages – Holiday (101-333-709.000) by \$328 from \$1,282 to \$1,610

Jail

- Increase Salaries & Wages – Temporary (101-351-706.000) by \$43 from \$12,020 to \$12,063
- Increase Janitorial Supplies (101-351-775.000) by \$723 from \$10,000 to \$10,723

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

Motion carried.

RESOLUTION NO. 11 – CONTRACT FOR SNOWPLOWING SERVICES

Moved by Mr. Walker and seconded by Mr. Byl to accept the following bid proposals for snowplowing and snow removal services for the 2020/2021 winter season:

BIDDER NAME	LOCATION/GROUP#	SNOW-PLOWING	SNOW REMOVAL	SALTING
Beckman Bros., INC. PO Box 268 Shelby, MI 49455 (231)861-2031	L#3: Oceana County Animal Shelter	\$21.00	No Snow Removal Necessary	No Salting Necessary
Pete Roskam PO Box 125 Shelby, MI 49455 (231)861-2285	L#4: Oceana Conty Emergency Animal Service	\$39.00	No Snow Removal Necessary	No Salting Necessary
Hallack Contracting, INC. 4223 W. Polk Rd Hart, MI 49420	L#1: County Bldg Parking Lot; Sheriff's Dpt. Parking Lot; Driveway entrance to Sheriff's Office; County Services Building L#2: District Health Department; Oceana County Emergency Ambulance Service; Storage Building	\$144.00 \$85.00	\$90/hr Trucking; \$110/hr Loader \$90/hr Trucking; \$110/hr Loader	\$80.00 \$50.00

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

Motion carried.

RESOLUTION NO 13 – APPROVAL OF CRITICAL WATER INFRASTRUCTURE PROJECT

Moved by Mr. Byl and seconded by Mr. Gustafson to approve the following resolution:

WHEREAS, the Oceana County Board of Commissioners encourages development of critical infrastructure opportunities such as a proposed expansion of municipal water service from the Village of Shelby to workforce housing rentals located on Peterson Farms property in Shelby and Hart Townships; and

WHEREAS, the Oceana County Economic Alliance intends to apply for a rural development grant from the Michigan Department of Agriculture in the amount of \$100,000 to assist in funding the \$2,687,000 project; and

WHEREAS, the Oceana County Economic Alliance is requesting a resolution of support from the Oceana County Board of Commissioners to be submitted with the grant application; and

WHEREAS, the deadline for the grant application is November 19, 2020 by 3:00 p.m.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports the Oceana County Economic Alliance’s application for a rural development grant from the Michigan Department of Agriculture to expand critical water infrastructure to housing units at Peterson Farms that also removes barriers for further housing and business development along the Oceana Drive corridor.

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

Motion carried.

RESOLUTION NO. 13 – PAYMENT OF CLAIMS

Moved by Mr. Byl and seconded by Mr. Walker to approve the payment of claims for November 12, 2020 in the tentative amounts as follows:

AMBULANCE FUND	\$6,470.01
FRIEND OF THE COURT FUND	3,034.51
GIS FUND	-0-
PUBLIC IMPROVEMENT	-0-
BUILDING DEPARTMENT	31,372.70
CDBG	-0-
TECHNOLOGY	13,126.99
FORECLOSURE	3,058.56
K-9 UNIT	112.61
VETERANS AFFAIRS	7,166.13
MEDICAL RESERVE	-0-
AUTOMATION FUND – R.O.D.	124.98
INDIGENT DEFENSE FUND	21,260.85
LOCAL CORR OFFICERS TRNG FUND	1,500.00
CRIMINAL JUSTICE TRNG	72.00
VICTIMS SERVICES	-0-
CAP PROJ-EQUIP REPLACEMENT	15,908.75
GENERAL FUND	485,076.14
TOTAL	\$586,784.23

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

Motion carried.

Commissioner Reports

Clerk Anderson remarked upon how smoothly the recent election went.

Ms. Meyette mentioned that there have been fish jumping at the dam.

Mr. Sebolt commented about Veteran’s Day.

Mr. Walker is excited to have the agendas available on tablets and cut down paper usage.

Mr. Byl wished everyone a Happy Thanksgiving and successful deer hunting.

Mr. Brown also wish a Happy Thanksgiving to all.

Mr. Powers is tired of meetings being held online.

Mr. Sobie is looking forward to meeting with the new commissioners. The new tablets are Windows based and will be configured for the new commissioners.

Public Comment

Mr. Paul Erickson, District 4 Commissioner Elect, thanked everyone and acknowledged that he fully understands challenges with Zoom and the Open Meetings Act. Mr. Erickson also hopes to have a better meeting platform in the future.

Mr. Phil Morse, District 6 Commissioner Elect, is looking forward to serving on this board.

Chairperson Powers asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:09 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Powers, Chairperson