

Board Conference Room
June 10, 2021
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Walker, in the Board Room of the County Building, on Thursday, June 10, 2021, at 11:44 a.m.

Roll was called by the Clerk. Present: Mr. Hardy, Mr. Morse, Ms. Meyette, Mr. Erickson, Mr. Beggs, Mr. Christians, and Mr. Walker.

Also present: Dr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; Mr. Cavanaugh, Oceana's Herald Journal, Ms. Jodi Nichols, Economic Alliance for Oceana County; Mr. Larry Byl, Shelby resident; Mr. Arko den Engelse, Shelby resident; Mr. Jim Draper, Hesperia resident; Mr. Dave Spitler, Pentwater resident; Ms. Lori Green, Weare resident; Mr. Andrew Wright, Elbridge resident; Ms. Emma Kirwin, Leavitt Township Supervisor; and Mr. Jeff Swanson, Shelby resident.

Moved by Mr. Christians and seconded by Mr. Hardy to approve the minutes from the May 27, 2021 meeting as presented.

Voice vote. Motion carried.

Dr. Sobie requested that the Administrator's Report be moved to the end of this meeting.

Moved by Mr. Morse and seconded by Mr. Beggs to approve the agenda items as amended.

Voice vote. Motion carried.

Chairman Walker asked if there was any public comment. Ms. Lori Green, Weare Township resident expressed that the minutes are not current on the website and stated that she has not been receiving the minutes via email. Clerk Anderson responded that the minutes will be sent to her and the website will be updated.

Chairman Walker asked if any commissioners wished to declare a conflict of interest on the agenda items. No conflict of interest was declared.

Chairman Walker opened the Public Hearing on establishing an Oceana County Brownfield Redevelopment Authority at 11:53 a.m.

Dr. Sobie stated that previously, there was a resolution of intent to establish a Brownfield Redevelopment Authority for Oceana County that was approved. Today, there will be public hearing for community members to present their view regarding the establishment of a Brownfield Redevelopment Authority. He noted that Mr. VanderVries was present to answer questions based on his knowledge and previous experience. He also stated that he received a letter from Mr. Richard Raffaelli, Shelby Township Supervisor, offering support and cooperation for the adoption of a Brownfield Redevelopment Authority.

There were several community members present to express their opinion on the establishment of a Brownfield Redevelopment Authority for Oceana County.

Mr. Larry Byl, Shelby resident, stated that he is supportive of the Brownfield Development Authority for Oceana County and believes that a program such as this would be very beneficial to the community.

Ms. Jodi Nichols, Economic Alliance for Oceana County, explained that a Brownfield Redevelopment Authority is a tool to be used on qualified properties that may attract business to local communities.

Mr. Arko denEngelse, Shelby resident, questioned the need for a Brownfield Redevelopment Authority.

Mr. Jim Draper, Hesperia resident, wondered why the county would take on this responsibility.

Mr. Spitler, Pentwater resident, pointed out that a Brownfield Redevelopment Authority is a critical part of the process to ease cleanup of properties.

Ms. Green, Weare resident, stated that she felt that a Brownfield Redevelopment Authority is unnecessary and wondered if a Brownfield were established, could a member of the farming community be a member of the board. Ms. Green also inquired if there were projects already in mind.

Mr. Beggs asked if the property owner was the party that initiates the request to be considered by the Brownfield Redevelopment Authority.

Mr. VanderVries, Oceana County Equalization Director, responded that typically the initiator is a new purchaser.

Ms. Emma Kirwin, Leavitt Township Supervisor, noted that it may have been beneficial for the County Commissioners to have communicated with the township boards with details on how a Brownfield Redevelopment Authority works.

Mr. Jeff Swanson, Shelby resident, urged the Commissioners to take no action today and become more aware of the Brownfield Redevelopment Authority Act.

Ms. Green asked what a developer would be reimbursed for. Mr. VanderVries responded that the developer may be reimbursed for specific qualified items associated with the cleanup of the property.

Ms. Meyette inquired if there were bylaws and, if so, who would establish them. Dr. Sobie replied that the bylaws are established by the board members of the Brownfield Redevelopment Authority with guidance provided by the State.

Chairman Walker declared the public hearing on the Brownfield Redevelopment Authority closed at 1:21 p.m.

RESOLUTION NO. 1 – APPROVAL OF FISCAL YEAR 2022 SENIOR RESOURCES’ AREA IMPLEMENTATION PLAN

Moved by Mr. Erickson and seconded by Mr. Hardy 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 Fiscal Year 2022 Area Implementation Plan 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 Fiscal Year 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. Erickson - yes; Mr. Hardy - yes; Mr. Beggs - yes; Ms. Meyette - yes; Mr. Morse - yes; Mr. Christians - yes; and Mr. Walker - yes.

Motion carried.

RESOLUTION NO. 2 – RESOLUTION OPPOSING VACCINE PASSPORTS

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

WHEREAS, medical records and information are private and fall under protection provided by the Health Insurance Portability and Accountability Act of 1996; and

WHEREAS, individual COVID-19 vaccination records are private health information which should not be shared by mandate; and

WHEREAS, so-called COVID-19 vaccine passports reduce individual freedom and will harm patient privacy; and

WHEREAS, the Food and Drug Administration has authorized the use of the COVID-19 vaccines under the "Emergency Use Authorization" (EAU), Section 564 of the Federal Food, Drug, and Cosmetic Act, and under this act the federal government cannot mandate (require) vaccination for people.

WHEREAS, the Michigan Department of Health and Human Services (MDHHS) seeks to ensure that every resident in Oceana County who desires a COVID-19 vaccine can obtain one, but such vaccines are not mandated(required); and

WHEREAS, MDHHS acknowledges there are instances where an individual, along with their doctor, decide that being vaccinated may be unsafe; and

WHEREAS, the State of Michigan allows for medical, religious, and philosophical exemptions from vaccines; and

WHEREAS, it is necessary to protect the fundamental rights and privacies of the residents of Oceana County.

NOW THEREFORE BE IT RESOLVED THAT the Oceana County Board of Commissioners does not support or endorse COVID-19 vaccine passports.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Governor Whitmer, Senator Jon Bumstead, Representative Scott VanSingel, the Michigan Senate, the Michigan House of Representatives, Michigan Association of Counties and to the Clerk of each County in the State of Michigan.

Roll call vote: Mr. Beggs - yes; Ms. Meyette - yes; Mr. Christians - yes; Mr. Morse - yes; Mr. Hardy - yes; Mr. Erickson - yes; and Mr. Walker - yes.

Motion carried.

Ms. Meyette stated that it is not yet known the totality of what is occurring at the CDC with this pandemic. She stated that it would be very remiss given the potential for backlash and be at risk for not making people have a vaccine. She also stated that she desired that it be on record that we (the Board of Commissioners) do not endorse or prohibit a vaccine mandate.

Mr. Morse noted that he had concerns of political undertones of the original resolution wording and is in support of the rewording of resolution.

Mr. Beggs mentioned that Muskegon and Newaygo Counties have passed similar resolutions.

Mr. Erickson also supported the rewording of the resolution as well and felt that a mandate is not necessary.

RESOLUTION NO. 3 – RESOLUTION ACCEPTING BID FOR PROPANE

Moved by Ms. Meyette and seconded by Mr. Hardy to accept a bid proposal from Crystal Flash, 1754 Alpine Ave, NW Grand Rapids, MI, for the provision of propane fuel during the period from September 1, 2021 through August 31, 2023; for the District Health Department #10 Building, Oceana County EMS Facility, Oceana County Airport Terminal Building, and Oceana County Animal Control.

Roll call vote: Ms. Meyette – yes; Mr. Hardy - yes; Mr. Christians - yes; Mr. Morse – yes; Mr. Erickson - yes; Mr. Beggs - yes; and Mr. Walker - yes.

Motion carried.

Summary of bid proposals:

	NAME OF BIDDER	ADDRESS OF BIDDER	AMOUNT OF BID
#1	Crystal Flash	1754 Alpine Ave, NW Grand Rapids, MI 49504	\$1.22 per gallon (24 months)
#2	Blarney Castle	578 West U.S. 10 Scottville, MI 49454	\$1.339 per gallon (24 months)
#3	AmeriGas	3400 S. Oceana Drive New Era, MI 49446	\$1.45 per gallon (12 months)
#4	WESCO	1460 Whitehall Road Muskegon, MI 49455	\$1.399 per gallon (24 months)
#5	Van Andel Propane	3805 S. Ravenna Road P.O. Box 201 Ravenna, MI 49451	No bid received.
#6	Shell Gas (LPG)	5857 S. Warner Avenue	No bid received.

	Bulk, LLC	Fremont, MI 49412	
#7	Excel Propane	4168 W. Polk Road Hart, MI 49420	No bid received.
#8	TLP Energy	1751 56TH Street Fennville, MI 49408	No bid received.

RESOLUTION NO. 4 – APPROVAL OF 2021 SUMMER PROPERTY TAX LEVY

Moved by Mr. Christians and seconded by Mr. Morse 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, 2021, at the full amount allocated after application of the "Headlee" millage reduction fraction, in the amount of 5.6999 mils.

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 2021 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, 2021, at the full amount allocated after application of the "Headlee" millage reduction fraction, in the amount of 5.6999 mils.

BE IT FURTHER RESOLVED: That the Chairperson of the Oceana County Board of Commissioners and the Oceana County Clerk are authorized to sign the 2021 L-4029 Tax Rate Request certifying compliance with Section 31 of Article 9 of the State Constitution of 1963, and that the requested levy rate has been reduced, if necessary, to comply with MCL Section 211.24e, and 211.34; and

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

Roll call vote: Mr. Christians - yes; Mr. Morse - yes; Mr. Erickson - yes; Mr. Beggs - yes; Mr. Hardy - yes; Ms. Meyette - yes; and Mr. Walker - yes.

Motion carried.

Chairman Walker asked if Mr. Morse would like to make a statement regarding the

establishment of a Brownfield Redevelopment Authority.

RESOLUTION NO. 5 - ESTABLISHMENT OF BROWNFIELD REDEVELOPMENT AUTHORITY

Moved by Mr. Morse and seconded by Mr. Beggs to take no action on the resolution for establishment of a Brownfield Redevelopment Authority at this time.

Roll call vote: Mr. Morse – yes; Mr. Beggs - yes; Mr. Erickson – yes; Ms. Meyette – yes; Mr. Christians – yes; Mr. Hardy – yes; and Mr. Walker – yes.

Motion carried.

RESOLUTION NO. 6 – AUTHORIZATION TO APPLY FOR GRANT

Moved by Mr. Erickson and seconded by Ms. Meyette to authorize the Oceana County Parks and Recreation Commission to apply for, and accept if it's awarded, a \$3,000 grant from the Community Foundation for Oceana County for the purchase of cooking grills to be installed and used in county parks.

Roll call vote: Mr. Erickson - yes; Ms. Meyette - yes; Mr. Christians - yes; Mr. Beggs yes; Mr. Morse - yes; Mr. Hardy - yes; and Mr. Walker - yes.

Motion carried.

RESOLUTION NO. 7 – BUDGET AMENDMENT

Moved by Mr. Hardy and seconded by Mr. Morse to authorize the County Administrator to amend the Fiscal Year 2021 General Fund budget for the Board of Commissioners' legal services line-item by \$20,000 from \$25,000 to \$45,000. The additional funding shall come from the General Fund's unassigned fund balance.

Roll call vote: Mr. Hardy – yes; Mr. Morse - yes; Mr. Beggs - yes; Mr. Christians – yes; Mr. Erickson - yes; Ms. Meyette - yes; and Mr. Walker - yes.

Motion carried.

RESOLUTION NO. 8 – RELEASE OF FUNDS

Moved by Mr. Hardy and seconded by Mr. Erickson to approve the accounts payable and release of funds for June 10, 2021 in the tentative amounts as follows:

AMBULANCE FUND	\$1,265.93
FRIEND OF THE COURT FUND	1,849.87
GIS FUND	-0-

PUBLIC IMPROVEMENT	-0-
BUILDING DEPARTMENT	13,226.53
CDBG	-0-
TECHNOLOGY	315.00
FORECLOSURE	1,992.54
K-9 UNIT	41.39
VETERANS AFFAIRS	2,670.46
MEDICAL RESERVE	-0-
AUTOMATION FUND – R.O.D.	-0-
INDIGENT DEFENSE FUND	2,764.19
LOCAL CORR OFFICERS TRNG FUND	-0-
CRIMINAL JUSTICE TRNG	-0-
VICTIMS SERVICES	-0-
CAP PROJ-EQUIP REPLACEMENT	-0-
GENERAL FUND	272,247.81
TOTAL	\$296,373.72

Roll call vote: Mr. Hardy – yes; Mr. Erickson – yes; Mr. Beggs - yes; Mr. Christians – yes; Ms. Meyette - yes; Mr. Morse - yes; and Mr. Walker – yes.

Motion carried.

Administrator’s Report

Administration

I received our 2020 MERS Annual Actuarial Valuation Report and I’ve just started reviewing the data presented in the report. I’ll be prepared to discuss the report with commissioners at the next Finance Committee meeting.

One of our part-time custodians has resigned and my staff will advertise the position this week in order to start the recruitment process.

Parks & Recreation Commission

From Mr. Garry McKeen, he learned this week from Ms. Kira Davis, Conservation Resource Alliance, that the Marshville Dam project has received funding grants from the following sources so far:

- U.S. Fish and Wildlife Service \$77,700
- Michigan DNR Fisheries \$ 100,000
- Great Lakes Fisheries Trust \$50,000

The commission is still waiting to hear from WMSRDC with final approval from NOAA on \$1.3 million of grant funding in order to start the project that involves the removal of the failed dam and related infrastructure.

Courts

Chief Judge Robert Springstead sent a communication recently stating that court realignment is proceeding and a resolution will be prepared that will require approval by the Board of Commissioners. Realignment would pair Oceana County with Mason County, rather than Newaygo County. Newaygo County would be paired with Lake County.

Michigan Economic Development Corporation

I requested an extension from the MEDC to continue using program income for the emergency home repair program activated in 2020 because of difficulties getting projects reviewed/approved and contractor cost estimates. The MEDC granted the request with an extension to August 31, 2021. The original expiration date was June 30, 2021.

Security staff

I have chosen the date of Monday, July 12, 2021 for the security staff to return to the pre-pandemic work schedule which was two security officers on Monday and Tuesday and one security officer on Wednesday, Thursday and Friday. The Sheriff's Department has agreed to provide an officer to cover scheduled breaks and lunch hours when needed.

Dr. Sobie distributed the annual performance review form and explained to the new commissioners what this entails. He requested that these be returned to either Mr. Christians or Stacey in the Administrator's office by June 23. Included in the packet is the performance review form to complete, the performance review from last year and a copy of the employment contract for your reference.

Commissioner's Reports

Mr. Christians noted that Pentwater will host an event with West Michigan Shoreline Regional Development Commission on July 26.

Mr. Beggs mentioned that Deputy Kevin Repo has retired. Deputy Repo was employed 21 years with Oceana County Sheriff's office. He stated that he had a conversation with the Sheriff and he indicated that they are fully staffed at this point. He also reported that the Golden Township ORV Ordinance for road use was voted down.

Mr. Walker commented that he is opposed to a county wide ORV ordinance and feels that each township should make the decision individually.

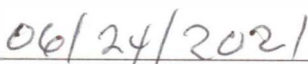
Mr. Morse asked if there was a county strategic plan. Dr. Sobie replied that there was an attempt in 2018 to establish a plan, however, it was abandoned.

There was no public comment at this time.

Chairperson Walker asked if there was any further business to come before the Board. There being none, the meeting adjourned at 2:29 p.m.



Amy L. Anderson, Oceana County Clerk



Date



Mr. Walker, Chairperson