

Board Conference Room  
December 16, 2021  
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Vice-Chairperson Erickson at 11:30 a.m.

The Pledge of Allegiance to the Flag of the United States of America was led by Vice-Chairperson Erickson.

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

Also present: Dr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; Mr. John Cavanagh, Oceana's Herald-Journal correspondent; Mr. Don Richards, New Era Village President; and Ms. Peggy Wittman, City of Hart resident.

Moved by Mr. Hardy and seconded by Mr. Walker to approve the minutes from the December 2, 2021 meeting as presented.

Voice vote. Motion carried.

Vice-Chairperson Erickson asked if any commissioners wished to declare a conflict of interest on the agenda items. No conflicts were declared.

Mr. Walker requested a closed session to consider material exempt from discussion or disclosure by state or federal statute (MCL 15.268(h)) be added to the agenda and include a possible resolution (#21-139) as a result of the discussion as well as resolution #21-138 regarding the purchase of a snowmobile for the Sheriff Department. Mr. Morse also requested to present the resolution of honor to Mr. Don Richards upon his arrival.

Mr. Morse requested to present the resolution of honor to Mr. Don Richards, Retiring Village of New Era president upon his arrival.

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

Voice vote. Motion carried.

### **Public Comment**

Ms. Peggy Wittman, City of Hart resident, recited the words to "Angels We Have Heard on High". Ms. Wittman stated that she still is not able to see her mother at the Medical Care Facility because of the protocols that are in place. She provided statistics regarding the number of cases and number of deaths due to Covid-19. She also mentioned that she will continue to come to these meetings until she is allowed to visit her mother.

### **RESOLUTION NO. 1 – RESOLUTION OF HONOR**

**Moved by** Mr. Morse and **seconded by** Mr. Hardy to adopt the following resolution:

**WHEREAS, Don** has served the Village of New Era as a member of the village council for 48

years, with 37 years serving as president; and

**WHEREAS, Don** will retire from the Village of New Era on December 31, 2022 following his long and dedicated service to the people and businesses of the Village of New Era; and

**WHEREAS,** some of **Don's** accomplishments include installation of a new waste water treatment system in 1988, the installation of new streetscapes in the early 2000s, and renovation of the police station and village hall in the late 2000s; and

**WHEREAS,** more recently **Don** oversaw renovation of the village park including replacement of softball field fencing, new bleachers, new pickleball and basketball courts.

**NOW THEREFORE BE IT RESOLVED;** that the Oceana County Board of Commissioners expresses its most sincere appreciation to Don for his nearly five decades of service to the Village of New Era and it extends, upon the occasion of his retirement, the Board's gratitude and best wishes for good health, success, and prosperity for many years to come; and

**BE IT FURTHER RESOLVED** that this Resolution bear the seal of Oceana County and the signatures of each member of the Oceana County Board of Commissioners; and a copy of this Resolution shall become part of the permanent records of Oceana County.

Voice vote. Motion carried.

**RESOLUTION NO. 2 – APPROVAL OF BROWNFIELD REDEVELOPMENT AUTHORITY'S BYLAWS**

**Moved by** Mr. Morse and **supported by** Mr. Walker to adopt the following Resolution on this 16<sup>th</sup> day of December, 2021:

**WHEREAS,** on October 19, 2021 an organizational meeting of the Oceana County Brownfield Authority Board of Directors (the "Authority") was held to address such matters as approving bylaws for the Authority; and

**WHEREAS,** the Oceana County Board of Commissioners (the "Board") requested amendments to the original draft of the Authority's bylaws; and

**WHEREAS,** on November 16, 2021, the Authority held its regular meeting and considered the requested amendments and incorporated appropriate changes into the bylaws for further consideration by the Board and has returned the bylaws to the Board for its approval.

**NOW THEREFORE BE IT RESOLVED,** the Oceana County Board of Commissioners approves the Authority's bylaws as presented contingent upon inclusion of suitable language to ensure that the Brownfield Authority Board does not have the authority to seize private property by any means.

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

Motion carried.

**RESOLUTION NO. 3 – POST-APPROVAL OF BROWNFIELD ASSESSMENT GRANT APPLICATION**

**Moved by** Mr. Morse and **supported by** Mr. Walker to adopt the following resolution on this 16<sup>th</sup> day of December, 2021:

**WHEREAS**, on November 11, 2021, the Oceana County Administrator authorized the Oceana County Brownfield Redevelopment Authority to apply for a \$300,000 grant from the Michigan Department of Environment, Great Lakes, and Energy (“EGLE”) for a community-wide brownfield assessment grant; and

**WHEREAS**, if awarded, the grant will allow Oceana County to conduct environmental investigations and promote economic development at brownfield sites; and

**WHEREAS**, the grant submission deadline was December 1, 2021, which occurred prior to the regularly scheduled meetings of the Oceana County Board of Commissioners in the month of December.

**NOW THEREFORE BE IT RESOLVED**, the Oceana County Board of Commissioners approves the grant application and further authorizes the Oceana County Administrator to accept the grant if it’s awarded; and

**BE IT FINALLY RESOLVED**, that upon receiving notice of an award, the Oceana County Administrator is authorized to establish the necessary revenue and expenditure accounts to record financial activity either in the General Fund or a special revenue fund, to be determined upon notification of the award.

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

Motion carried.

**RESOLUTION NO. 4 – APPROVAL OF GRANT SUBMISSION TO U.S. ECONOMIC DEVELOPMENT ADMINISTRATION**

**Moved by** Mr. Morse and **supported by** Mr. Walker to adopt the following resolution on this 16<sup>th</sup> day of December, 2021:

**WHEREAS**, a stakeholder group, consisting of Oceana County, Oceana County Economic Alliance, West Michigan Shoreline Regional Development Commission, Oceana College Access Network, Mercy Health, and members of Oceana County’s business community, desires to apply to the U.S. Economic Development Administration (“U.S. EDA”) for a grant that will provide partial funding towards the cost to hire a consultant to conduct a Workforce Development and Economic Diversity Feasibility Study in Oceana County; and

**WHEREAS**, the total costs to conduct the study is projected to be \$70,000 with up to \$35,000 supported by the U.S. EDA grant; and

**WHEREAS**, Mercy Health supports the grant application and has committed \$15,000 towards the cost of the study; and

**WHEREAS**, the Oceana County Board of Commissioners included \$20,000 in the Fiscal Year 2022 general fund budget to be committed towards the cost of the study in the event a U.S. EDA grant application was submitted and an award received; and

**WHEREAS**, all funds are derived from non-federal funds and are available as needed, and not conditioned or encumbered in any way that would preclude their use consistent with the purpose of the project.

**NOW THEREFORE BE IT RESOLVED**, the Oceana County Board of Commissioners approves the submission of a grant application to the U.S. EDA and further authorizes the Oceana County Administrator to accept the grant if it's awarded; and

**BE IT FURTHER RESOLVED**, the Oceana County Administrator is directed to prepare a funding commitment letter, on behalf of the Oceana County Board of Commissioners, to be submitted with the grant application; and

**BE IT FINALLY RESOLVED**, that upon receiving notice of an award, the Oceana County Administrator is authorized to establish the necessary revenue and expenditure accounts to record financial activity either in the General Fund or a special revenue fund, to be determined upon notification of the award.

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

Motion carried.

**RESOLUTION NO. 5 – APPROVAL OF SUPPLEMENTAL PAYMENT TO MICHIGAN EMPLOYEES RETIREMENT SYSTEM FOR UNFUNDED PENSION LIABILITY**

Moved by Mr. Christians and seconded by Mr. Morse to authorize the Oceana County Administrator to submit a supplemental pension payment to MERS for \$200,000 that will be applied equally to the unfunded pension liability for defined benefit pension plans for general county employees and Sheriff employees. The source of funds shall be a portion of the General Fund's \$800,000 committed fund balance that was established in accordance with a resolution adopted by the Oceana County Board of Commissioners on December 19, 2019. The purpose of the 2019 resolution was to earmark funds to be used to meet future funding requirements for pension liabilities. Upon approval of this resolution, the remaining General Fund committed fund balance will be \$600,000.

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

Motion carried.

**RESOLUTION NO. 6 – APPROVAL OF MEETING SCHEDULE FOR 2022**

**Moved by** Mr. Erickson and **seconded by** Mr. Walker to adopt the following 2022 Meeting Structure and Schedule for the Oceana County Board of Commissioners:

All Regular Meetings of the Oceana County Board of Commissioners for 2022 will be held in Hart, Michigan at 11:30 a.m., on the second and fourth Thursdays of each month on the dates listed on the attachment with the following exceptions:

- The first meeting in April will be held on Tuesday, April 12 to comply with the State Tax Commission's 2022 Property Tax, Collections and Equalization Calendar,
- Confirmation that the first, and only, meeting held in November will be held on Thursday, November 10; and the date does not conflict with the Veterans Day holiday,
- December meetings will be held on the first and third Thursdays of the month due to the holiday season.

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

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

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

Motion carried.

**RESOLUTION NO. 7 – AUTHORIZATION A TRANSFER OF FUNDS TO PUBLIC IMPROVEMENT FUND**

**Moved by** Ms. Meyette and **seconded by** Mr. Hardy to authorize the Oceana County Administrator to transfer \$200,000 from the General Fund's unassigned fund balance to the Public Improvement Fund (#445) to support future facility improvements that may be authorized by the Oceana County Board of Commissioners.

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

Motion carried.

**RESOLUTION NO. 8 – EXEMPTING COUNTY AD VALOREM PROPERTY TAXES FROM CAPTURE BY LOCAL TAXING AUTHORITY**

**Moved by** Mr. Beggs and **supported by** Ms. Meyette to adopt the following resolution on this 16<sup>th</sup> day of December, 2021:

**WHEREAS**, the City of Hart established a Tax Increment Financing Authority in 1983 and approved a "*Development and Tax Increment Financing Plan*" that same year; and

**WHEREAS**, the City of Hart adopted a resolution on October 28, 1997 to extend the duration of the city's Tax Increment Financing Authority for 15 years; and

**WHEREAS**, the City of Hart adopted a resolution on September 25, 2012 to extend the duration of the city's Tax Increment Financing Authority for 15 years; and

**WHEREAS**, the City of Hart, Michigan held a public hearing on November 9, 2021 for the purpose of receiving comments following proposed amendments to the city's "*Tax Increment Financing Development Plan and Tax Increment Financing Plan*;" and

**WHEREAS**, following the November 9, 2021 public hearing, and in accordance with MCL 125.4814(5), the Oceana County Board of Commissioners has the authority to, not more than 60 days after the city's public hearing, exempt county ad valorem property taxes from capture by adopting a resolution to that effect and filing a copy with the clerk of the City of Hart.

**NOW THEREFORE BE IT RESOLVED**, the Oceana County Board of Commissioners hereby exempts all county ad valorem property taxes captured pursuant to the Tax Increment Financing Authority of the City of Hart's proposed amendments to the city's "*Tax Increment Financing Authority Development Plan and Tax Increment Financing Plan*;" and further directs the Oceana County Administrator to notify the City of Hart of the exemption in accordance with the noticing requirements pursuant to MCL 125.4814(5).

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

Motion carried.

**RESOLUTION NO. 9 – ADDITIONAL APPROPRIATION TO OCEANA COUNTY ECONOMIC ALLIANCE**

**Moved by** Mr. Erickson and **supported by** Mr. Walker to approve a recommendation from the Oceana County American Rescue Plan Act Funding Advisory Committee to appropriate an additional \$40,000 to the Oceana County Economic Alliance in Fiscal Year 2022; bringing the total appropriation for the year to \$85,000. The additional funding will allow the agency to implement a new partnership agreement with The Right Place (Grand Rapids, MI) to assist the agency with achieving its economic development goals as pertains to Oceana County.

Furthermore, the additional funding shall come from American Rescue Plan Act funds. The Oceana County Administrator is directed to make the full appropriation of \$85,000 to the agency any time after January 1, 2022.

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

Motion carried.

#### **RESOLUTION NO. 10 – PAYMENT OF CLAIMS**

**Moved by** Mr. Hardy and **seconded by** Mr. Walker to approve the accounts payable and release of funds for December 16, 2021 in the tentative amounts as follows:

<b>AMBULANCE FUND</b>	<b>\$1,727.12</b>
<b>FRIEND OF THE COURT FUND</b>	<b>5,076.26</b>
<b>GIS FUND</b>	<b>-0-</b>
<b>PUBLIC IMPROVEMENT</b>	<b>-0-</b>
<b>BUILDING DEPARTMENT</b>	<b>23,684.26</b>
<b>TECHNOLOGY</b>	<b>2,379.72</b>
<b>FORECLOSURE</b>	<b>3,426.11</b>
<b>K-9 UNIT</b>	<b>121.96</b>
<b>VETERANS AFFAIRS</b>	<b>11,280.54</b>
<b>MEDICAL RESERVE</b>	<b>-0-</b>
<b>AUTOMATION FUND – R.O.D.</b>	<b>6,388.85</b>
<b>PENTWATER HART TRAIL</b>	<b>-0-</b>
<b>SHELBY TWP COMMUNITY PARK</b>	<b>-0-</b>
<b>CDBG</b>	<b>-0-</b>
<b>ARPA</b>	<b>-0-</b>
<b>INDIGENT DEFENSE FUND</b>	<b>28,183.71</b>
<b>LOCAL CORR OFFICERS TRNG FUND</b>	<b>-0-</b>
<b>CRIMINAL JUSTICE TRNG</b>	<b>4,495.82</b>
<b>VICTIMS SERVICES</b>	<b>-0-</b>
<b>CAP PROJ-EQUIP REPLACEMENT</b>	<b>-0-</b>
<b>GENERAL FUND</b>	<b>620,704.04</b>
<b>TOTAL</b>	<b>\$707,468.39</b>

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

Motion carried.

Chairperson Walker requested nominations for the position of Board Vice-Chairperson for a one-year term effective January 1, 2022.

Mr. Christians nominated Mr. Erickson for Vice-Chairperson of the Board.

Mr. Walker asked if there were any other nominations for Vice-Chairperson, there being none, Mr. Walker declared the nominations closed and directed the clerk to cast a unanimous vote for Mr. Erickson for the Vice-Chairperson for 2022.

**RESOLUTION NO. 11 – ELECTING THE VICE-CHAIRPERSON FOR 2022**

Moved by Mr. Walker and seconded by Mr. Hardy to close the nominations and to direct the Oceana County Clerk to cast a unanimous ballot for Mr. Erickson as Vice-Chairperson of the Oceana County Board of Commissioners effective January 1, 2022 and expiring December 31, 2022.

Voice vote. Motion carried.

**RESOLUTION NO. 12 – AUTHORIZATION TO PURCHASE SNOWMOBILE**

Moved by Mr. Beggs and seconded by Mr. Morse to authorize the Sheriff’s Department to purchase a 2021 Ski Doo Renegade 850 E-Tech snowmobile from David Allen Racing Motorsports in the amount of \$13,443.80. The initial source of funding will be the fund balance of the Capital Projects Budget (Fund #405). Following the purchase, a reimbursement grant from the Michigan Department of Natural Resources will cover up to \$10,000 of the cost. The remaining balance of \$3,443.80 will either be covered by the sale of old snowmobiles, to be removed from service, or the Capital Projects Fund.

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

Motion carried.

Moved by Mr. Walker and seconded by Mr. Christians to enter into a closed session for the purpose of considering material exempt from disclosure or discussion by the state and federal statutes and in accordance with the open meetings act MCL 15.268(h).

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

Motion carried.

The meeting recessed at 12:14 p.m.

The meeting reconvened at 12:42 p.m.

**RESOLUTION NO. 13 – IT INCIDENT CLOSEOUT RECOMMENDATION**

Moved by Mr. Walker and seconded by Mr. Morse to accept the recommendation of the Oceana County Administrator regarding the closeout procedures for a recent IT incident involving the unauthorized access to the county’s computer network.

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

Motion carried.

**Public Comment**

Ms. Wittman reported that she is still on suspension at the Oceana County Medical Care Facility as her request for an exemption from the mask mandate for religious reasons has not been honored. She also asked if the closed session was on the agenda and if a formal action needs to take place when there is a change in who is acting as Board Chairperson. It was stated that the closed session was an addition to the agenda that was discussed at the beginning of this meeting and it was also explained that the Board Chairperson has the authority to designate the person to act as Chairperson under the Commissioners statute.

**Commissioner’s Reports**

Mr. Christians and Mr. Hardy attended the Mason-Oceana 911 meeting. Mr. Christians noted that a cost-study to re-program the encryption of the radios will take approximately two years.

Mr. Morse attended an economic outlook webinar that was very informational. Mr. Morse will forward the information to each of the commissioners for their review.

Mr. Hardy indicated that at the Mason-Oceana 911 meeting bond money was transferred to MERS.

Ms. Meyette informed the commissioners of a growing trend towards nullification of unconstitutional mandates. She encouraged her fellow commissioners to join in this trend.

Vice-Chairperson Erickson asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:50 p.m.

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Amy L. Anderson, Oceana County Clerk

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Date

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Mr. Erickson, Vice-Chairperson