

Oceana County Board of Commissioners

May 12, 2022

Today's meetings
begin at **10:00 a.m.**

Committees and Board Meeting Packet



Board of Commissioners

Robert Walker, Chairperson
Paul Erickson, Vice-Chairperson
Ron Christians
Martha Meyette

Craig Hardy
Phil Morse
Tim Beggs

Prepared by:

Robert J. Sobie, Ph.D.
Oceana County Administrator



Oceana County, Michigan



PUBLIC NOTICE

OCEANA COUNTY BOARD OF COMMISSIONERS

100 State Street, Hart, MI 49420 – (231) 873-4835

The Oceana County Board of Commissioners **will hold** the following committee meetings and its regular board meeting on **Thursday, May 12, 2022** beginning at 10:00 a.m. and 11:30 a.m. respectively. The meetings will be held in the Oceana County Board of Commissioners Room located at 100 State Street, Hart, MI 49420.

- Health and Human Services & Parks and Recreation Committee
- Finance and Equalization Committee
- Regular Board of Commissioners Meeting

Detailed meeting agendas are available online at:

<https://oceana.mi.us/government/board-of-commissioners/schedule-of-meetings/>

or, by contacting the County Administrator's Office at the address shown above, by

telephone (231) 873-4835, or by email countyadmin@oceana.mi.us

The Oceana County Board of Commissioners has **cancelled** the following meetings by order of the committee/board chairperson due to a lack of business:

- Law and Safety Committee
- Buildings, Grounds, and Insurance Committee

All meetings are open to all members of the public. This notice is given pursuant to, and in accordance with, the provisions of the Open Meetings Act, Public Act 267 of 1976, as amended. Oceana County does not discriminate on the basis of race, color, national origin, religion, sex, disability, and age in the delivery of services.



Oceana County Board of Commissioners

County Building
100 State Street, Suite M-4, Hart, MI 49420

AGENDA

Health and Human Services & Parks and Recreation Committee

There will be a committee meeting on **Thursday, May 12, 2022 beginning at 10:00 a.m.**, or immediately following any preceding committee meetings, in the Oceana County Board of Commissioners Room, 100 State Street, Hart, MI 49420.

Committee Chair: Paul Erickson

Committee Vice-Chair: Tim Beggs

Presenter	Description	Item #
Mr. Erickson	Call to Order Roll Call Approval of Minutes from April 12 Changes to the Agenda Approval of the Agenda Public Comment (<i>state your name, current address, and agenda item or topic</i>)	
Ms. Tracy Blamer	Discussion and Consideration of a Proposed Resolution Approving Updated Standard Operating Procedures and Bylaws for the Department of Veterans' Affairs	#22-45
Dr. Sobie	Consideration of a Proposed Resolution Recognizing May as Mental Health Awareness Month	#22-46
Mr. Garry McKeen	Update from Parks and Recreation Commission	
	Public Comment (<i>state your name, current address, and agenda item or topic</i>)	
	Adjournment	

HEALTH & HUMAN SERVICES AND PARKS & RECREATION COMMITTEE MEETING

The Health & Human Services and Parks & Recreation Committee Meeting was called to order in the Board Conference Room at the Oceana County Building by Chairperson Erickson on Tuesday, April 12, 2022, at 10:00 a.m.

Present: Mr. Beggs, Mr. Christians, Mr. Morse, Mr. Walker, Mr. Hardy, Ms. Meyette and Mr. Erickson.

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

Moved by Mr. Walker and seconded by Mr. Christians to approve the minutes from the March 10, 2022 meeting as presented.

Voice Vote. Motion carried.

Mr. Erickson asked if there were any changes to be made to the agenda.

Moved by Mr. Morse and seconded by Mr. Hardy to approve the agenda as presented.

Voice vote. Motion carried.

Public comment

There were no public comments at this time.

Dr. Sobie requested consideration of a resolution recognizing April as National Child Abuse Prevention Month.

Public comment

There were no public comments at this time.

There being no further business to discuss, Chairman Erickson adjourned the Health & Human Services and Parks & Recreation Committee meeting at 10:02 a.m.

Respectfully submitted,

Amy L. Anderson
Oceana County Clerk

RESOLUTION APPROVING CHANGES TO THE STANDARD OPERATING PROCEDURES AND BYLAWS FOR THE OCEANA COUNTY DEPARTMENT OF VETERANS' AFFAIRS

WHEREAS, following establishment of the Oceana County Department of Veterans' Affairs ("DVA") in 2012, and the oversight committee responsible for management and operations of the DVA, developed standard operating procedures and bylaws to provide guidance regarding DVA operating practices; and

WHEREAS, the DVA's oversight committee has worked on a series of changes to the original standard operating procedures and bylaws and is submitting both documents to the Oceana County Board of Commissioners ("Board") for approval; and

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners has reviewed the documents and approves the changes to the DVA's standard operating procedures and bylaws and further authorizes the Oceana County Administrator to approve other "ministerial" changes to the documents that may be brought forward by the DVA that do not fundamentally alter the major provisions of the standard operating procedures and bylaws.

Roll call vote:

**RESOLUTION RECOGNIZING MAY AS MENTAL HEALTH AWARENESS
MONTH**

WHEREAS, May is Mental Health Awareness month; and

WHEREAS, mental health is important for our individual well-being and vitality, as well as that of our families, communities, and businesses; and

WHEREAS, the COVID-19 pandemic has been a reminder of the importance of integrating mental health into preparedness and response for public health emergencies; and

WHEREAS, younger adults, racial/ethnic minorities, essential workers, and adult caregivers reported having disproportionately worse mental health outcomes, increased substance use, and elevated suicidal ideation associated with COVID-19; and

WHEREAS, one out of every five adults in the U.S. will have a diagnosed mental health condition in any given year; and

WHEREAS, one in six U.S. children aged 2 to 8 years will have a diagnosed mental, behavioral, or developmental disorder; and

WHEREAS, mental illness is a biologically based brain disorder that cannot be overcome through “will power” and is not related to a defect in a person’s “character” or intelligence; and

WHEREAS, West Michigan Community Mental Health is a federally certified community behavioral health clinic, and

WHEREAS, West Michigan Community Mental Health serves as the public behavioral health care provider for people with mental health conditions, developmental disabilities, and/or substance use disorders in Mason, Lake and Oceana counties; and

WHEREAS, West Michigan Community Mental Health served 3,380 individuals during Fiscal Year 2021.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners hereby recognizes May 2022 as Mental Health Awareness Month and calls upon our citizens, government agencies, public and private institutions, businesses and schools to recommit our state to increasing awareness and understanding of mental illness, and the need for appropriate and accessible services for all people with mental illness to promote recovery.

Voice vote.

DRAFT



Oceana County Board of Commissioners

County Building
100 State Street, Suite M-4, Hart, MI 49420

AGENDA

Finance and Equalization Committee

There will be a committee meeting on **Thursday, May 12, 2022 beginning at 10:00 a.m.**, or immediately following any preceding committee meetings, in the Oceana County Board of Commissioners Room, 100 State Street, Hart, MI 49420.

Committee Chair: Craig Hardy

Committee Vice-Chair: Phil Morse

Presenter	Description	Item #
Mr. Hardy	Call to Order Roll Call Approval of Meeting Minutes from April 28 Changes to the Agenda Approval of the Agenda Public Comment(<i>state your name, current address, and agenda item or topic</i>)	
Mr. Joe Bizon	Consideration of a Proposed Resolution Amending the Fiscal Year 2022 Budget for the Prosecuting Attorney	#22-47
Dr. Sobie	Consideration of a Proposed Resolution to Renew a Contractual Services Agreement with V&V Assessing LLC for Equalization Services	#22-48
Dr. Sobie	Consideration of a Proposed Resolution to Renew a Contractual Services Agreement with MGT of America Consulting for the County's Annual Cost Allocation Plan	#22-49
Sheriff Mast / Dr. Sobie	Discussion and Consideration of a Proposed Resolution Authorizing a Contingent Purchase Agreement for Land Related to the Proposed New Jail Facility and Sheriff's Department Offices	#22-TBD
Dr. Sobie	Administrator's Review of Selected Claims for Payment Administrator's Report	
	Public Comment (<i>state your name, current address, and agenda item or topic</i>)	
	Adjournment	

FINANCE AND EQUALIZATION COMMITTEE MEETING

The Finance and Equalization Committee Meeting was called to order, in the Board Conference Room of the Oceana County Courthouse, by Chairperson Hardy on Thursday, April 28, 2022, at 9:55 a.m.

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

Dr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; Mr. Todd Butler, Granger Construction; Mr. Jim Escamilla, President of Byce and Associates; Mr. Joe Mrak, Securitecture; Mr. Craig Mast, Oceana County Sheriff; Ms. Peggy Wittman, City of Hart resident; Mr. Garry McKeen, Golden Township resident; Mr. Rob Splane, City of Hart Manager; Mr. Ron Maynard, Oceana County Economic Development Coordinator; Ms. Allison Scarbrough, Oceana County Press correspondent; and Mr. John Cavanagh, Oceana's Herald-Journal correspondent.

Moved by Mr. Morse and seconded by Mr. Christians to approve the minutes from the April 12, 2022 meeting as presented.

Voice vote. Motion carried.

Chairman Hardy asked if there were any additions to the agenda at this time.

Moved by Mr. Christians and seconded by Mr. Walker to approve the agenda as presented.

Voice vote. Motion carried.

Public Comment

There was no public comment at this time.

Dr. Sobie, Sheriff Mast, and Mr. Jim Escamilla, of Byce & Associates, Mr. Joe Mrak, Securitecture, began discussion regarding conceptual design and Mr. Todd Butler, Granger Construction explained the projected construction costs for a new Sheriff's Department building and Jail facility. Discussion was also facilitated to include a new additional millage to support the proposed project.

Ms. Peggy Wittman, City of Hart resident, requested to speak at this time and was informed that it was not the appropriate time and was directed that she could make her comments during the time allotted for public comment. Ms. Wittman persisted in making her comments heard.

Dr. Sobie requested consideration of a proposed resolution to approve the purchase of new computer network hardware. A proposal hasn't been selected yet, however it won't exceed the requested amount.

Dr. Sobie sought consideration of a resolution to approve an interfund transfer to the Public Improvement Fund.

Dr. Sobie solicited consideration of a resolution to approve a "Brand" Logo and/or tagline for use on the County Website and other appropriate uses in both digital and print

formats. Making the website look more like a community website than a government website through this logo.

Dr. Sobie facilitated consideration of a resolution to accept a bid for snow removal equipment for the Airport. Only one bid was received.

Dr. Sobie did not read the payment of claims, but the following was provided:

Oceana County Administrator				
REVIEW OF CLAIMS FOR PAYMENT (>= \$1,000 and Other Noteworthy Expenditures)				
Fund #	Dept. #	Dept. Name	Amount	Purpose
Special Revenue Funds				
210 - Ambulance Fund			\$ 3,740.00	to Ferry Township Area Fire for 1st quarter MFR fees.
			\$ 11,000.00	to Grant Township Area Fire for 1st quarter MFR fees.
			\$ 3,850.00	to Hesperia Area Fire for 1st quarter MFR fees.
			\$ 4,730.00	to Walkerville Area Fire for 1st quarter MFR fees.
215 - Friend of the Court Fund			\$ 2,194.08	to Image Soft for professional services.
256 - Automation Fund			\$ 5,520.05	to GovOS for software fees.
260 - Indigent Defense Fund			\$ 6,616.00	to Good Law for court appointed attorney fees.
			\$ 11,439.00	to Springstead Law Offices for court appointed attorney fees.
			\$ 1,273.00	to MKG Law Office, PLLC for court appointed attorney fees.
298 - Technology and Innovation Fund			\$ 3,416.29	to Huntington National Bank for equipment
			\$ 1,760.00	to VC3, Inc. for contractual services
405 - Capital Projects			\$ 2,953.06	to Haworth, Inc. for upcoming installation costs
549 - Building Department Fund			\$ 5,160.45	to Randy Miller for permits, residential plan reviews, and commercial plan reviews.
			\$ 3,830.20	to Richard Story for permits, residential plan reviews, and commercial plan reviews.
			\$ 2,901.70	to Randy Neuman for permits, residential plan reviews, and commercial plan reviews.
General Fund				
101 - Board of Commissioners			\$ 4,830.00	to Smith, Haughey, Rice and Roegge for legal services.
223 - County Auditing			\$ 2,400.00	to Gabridge & Company, PLC for 2021 financial statement audit report.
228 - Data Processing			\$ 23,434.00	to BS&A for software maintenance contract.

283 - Circuit Court	\$ 4,265.59	to Hayes Law Office for court appointed attorney fees.
	\$ 2,750.00	to Heacock Reporting for contracted court services.
	\$ 4,265.59	to Springstead Law Offices for court appointed attorney fees.
301 - Sheriff	\$ 7,442.85	to Wex Bank for fuel.
	\$ 1,057.58	to AT&T Mobility.
	\$ 10,854.91	to Enterprise for fleet vehicle management.
351 - Jail	\$ 5,125.38	to Gordon Food Service.
	\$ 1,850.00	to EPS for security system.
	\$ 1,843.00	to Correctional Recovery for medical billing services.
442 - Drain Commissioner	\$ 1,702.00	to BS&A for software maintenance contract.
528 - Transfer Station	\$ 13,235.66	to American Classic Dumpster for removal of trash and recycling material.
648 - Medical Examiner	\$ 2,362.89	to Robert Farber for mid Michigan MEI services.
	\$ 6,688.14	to Mid Michigan Medical Examiner Group for administrative services.
	\$ 3,085.25	to WMU Homer Stryker M.D. for autopsies.
~ Total	\$ 167,576.67	

Administrator's Report (as written by Dr. Sobie):

Administration

A department head meeting was held last week in which I briefly discussed the Board's strategic plan, the American Rescue Plan Act project funding program, the start date for the new administrator, and a final call for annual department reports.

Concerning the upcoming reduction in the number of commissioners that takes effect January 1, 2023, I would like to propose that commissioners form an ad hoc committee to begin researching overall commissioner compensation. Developing a plan that coincides with the Fiscal Year 2023 budget cycle (mid-July to October) would allow any recommended changes to be included in the proposed budget.

I received a notification from the U.S. Economic Development Agency that the county was awarded a grant in the amount of \$42,500 for completion of a workforce and economic diversity study. An equal amount of matching funds are available from the county and other community partners.

To-date, I've received nine project funding requests that will be submitted to, and reviewed by, the American Rescue Plan Act advisory committee.

The new board room technology is scheduled to be installed during the week of June 13. Earlier dates were not available from the vendor.

Regarding new hires, District Court has filled its probation officer position with Kaylin Brown (West Olive); Sheriff Mast has hired several positions including two seasonal marine deputies who are Brendan Nienhuis (Mears) and Gavin Porter (Hart), Travis Haner (Ludington) ORV deputy, and Dale Thompson (Mears) as a road deputy. Remaining vacancies in the county include a corrections officer, road deputy, part-time administrative assistant for Veterans Affairs, and Circuit Court's court recorder and collections position.

Courts

We received a quarterly payment from the state for the indigent defense program in the amount of \$119,567.45.

Public Comment

Mr. Garry McKeen, Golden Township resident, spoke about the boiler at the Sheriff's Department.

City of Hart Manager, Mr. Rob Splane, complimented the commissioners on the professional manner of their meetings. He also let the board know that his doors are always open if they need him.

The new Economic Development Coordinator for Oceana County, Mr. Ron Maynard, introduced himself and looks forward to working with everyone.

There being no further business to discuss, Chairperson Hardy adjourned the Finance and Equalization Committee meeting at 11:39 a.m.

Respectfully,

Amy L. Anderson
Oceana County Clerk

**RESOLUTION AUTHORIZING AN INCREASE IN THE HOURS WORKED FOR
CERTAIN EMPLOYEES IN THE PROSECUTING ATTORNEY'S OFFICE**

WHEREAS, the caseload in the Oceana County Prosecuting Attorney's Office ("Prosecutor") has risen in recent years, particularly in the areas of serious crimes, victim crimes, including juvenile victims; and

WHEREAS, the Prosecutor is requesting the option of scheduling the Office Manager and Victim Witness Coordinator and the Legal Secretary to work up to 40 hours per week, when necessary, from their base work schedule of 35 hours per week; and

WHEREAS, the projected additional annual cost is for both positions is \$4,089; and

WHEREAS, the Oceana County Administrator ("Administrator") is recommending an amendment to the Prosecutor's Fiscal Year 2022 department budget in the amount of \$4,089 for eight (8) months of funding with funding coming from the General Fund's contingency account 101-256-995.000.

NOW THEREFORE BE IT RESOLVED, that the Oceana County Board of Commissioners approves the supplemental budget request and authorizes the Administrator to transfer \$4,089 from the General Fund's contingency account 101-256-995.000 to the Prosecutor's department budget.

Roll call vote:

**RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT
FOR EQUALIZATION SERVICES**

WHEREAS, on July 14, 2016 the Oceana County Board of Commissioners (“Board”) entered into an agreement with Mr. Edward VanderVries to serve as the Equalization Director for Oceana County; and

WHEREAS, on February 28, 2019, a renewal agreement with Mr. VanderVries was approved by the Board that expires July 31, 2022; and

WHEREAS, the Oceana County Administrator (“Administrator”) desires to renew an equalization services agreement with Mr. VanderVries through his company V & V Assessing LLC and Mr. VanderVries has expressed mutual interest as well by submitting a renewal agreement to the county for consideration by the Board; and

WHEREAS, the proposed renewal agreement beginning August 1, 2022 and expiring July 31, 2025 states that the annual equalization services fee shall be fixed for each of the three (3) years at \$217,800 per year.

NOW THEREFORE BE IT RESOLVED that the Board approves a three (3) year renewal agreement with Mr. Edward VanderVries, through his company V & V Assessing LLC, and further authorizes the Chairperson of the Board of Commissioners and Oceana County Clerk to sign the agreement.

Roll call vote:

**RESOLUTION AUTHORIZING THE RENEWAL OF AN AGREEMENT
FOR SERVICES TO DEVELOP THE ANNUAL COST ALLOCATION PLAN**

WHEREAS, Oceana County is required under both federal and state mandates to prepare an annual cost allocation plan that has the primary purpose to identify the cost of services that one department provides to another such as the cost of technology, maintenance, and administrative services, to name just a few examples, that can be used for grant reimbursements such as federal cost reimbursement programs; and

WHEREAS, Oceana County's agreement with MGT of America Consulting expired following completion of the cost allocation plan for Fiscal Year 2020 that was completed in November 2021; and

WHEREAS, the Oceana County Administrator ("Administrator") desires to renew an agreement with MGT of America Consulting for three (3) years to prepare the annual cost allocation plan and MGT of America Consulting has expressed mutual interest as well by submitting a renewal agreement to the county for consideration by the Board; and

WHEREAS, the proposed renewal agreement will provide Oceana County with cost allocation plans for Fiscal Years 2021, 2022, and 2023 at an annual cost of \$8,000.

NOW THEREFORE BE IT RESOLVED that the Board approves a three (3) year renewal agreement with MGT of America and further authorizes the Administrator to sign the agreement.

Roll call vote:



Oceana County Board of Commissioners

County Building
100 State Street, Suite M-4, Hart, MI 49420

AGENDA

Regular Board Meeting

The Oceana County Board of Commissioners will hold its **Regular Meeting on Thursday, May 12, 2022 beginning at 11:30 a.m.** in the Oceana County Board of Commissioners Room, 100 State Street, Hart, MI 49420.

Board Chair: Robert Walker

Board Vice-Chair: Paul Erickson

Presenter	Description	Item #
Mr. Walker	Pledge of Allegiance Call to Order Roll Call Approval of minutes from April 28 and May 5 Conflict of Interest Disclosure Regarding Agenda Items Changes to the Agenda Approval of the Agenda Public Comment (<i>state your name, current address, and agenda item</i>)	
Ms. Meyette	Discussion and Consideration of a Proposed Resolution Approving Updated Standard Operating Procedures and Bylaws for the Department of Veterans' Affairs	#22-45
Mr. Erickson	Consideration of a Resolution Recognizing May as Mental Health Awareness Month	#22-46
Mr. Christians	Consideration of a Proposed Resolution Amending the Fiscal Year 2022 Budget for the Prosecuting Attorney	#22-47
Mr. Morse	Consideration of a Proposed Resolution to Renew a Contractual Services Agreement with V&V Assessing LLC for Equalization Services	#22-48
Mr. Hardy	Consideration of a Proposed Resolution to Renew a Contractual Services Agreement with MGT of America Consulting for the County's Annual Cost Allocation Plan	#22-49
Mr. Beggs	Consideration of a Proposed Resolution Authorizing a Contingent Purchase Agreement for Land Related to the Proposed New Jail Facility and Sheriff's Department Offices	#22-TBD
Mr. Hardy	Payment of Claims	

REPORTS FROM COMMISSIONERS AND DEPARTMENT HEADS

Presenter	Description	Item #
	Public Comment (<i>state name, current address, and agenda item</i>)	
	Adjournment	

Board Conference Room
April 28, 2022
Board of Commissioners Minutes

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Walker at 11:49 a.m.

The Pledge of Allegiance to the Flag of the United States of America was led by Chairperson Walker.

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

Dr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; Ms. Amy Trudell, City of Hart resident; Ms. Peggy Wittman, City of Hart resident; Mr. George Sadler, Weare Township resident; Ms. Allison Scarbrough, Oceana County Press correspondent; and Mr. John Cavanagh, Oceana's Herald-Journal correspondent, were also present.

Moved by Mr. Christians and seconded by Mr. Beggs to approve the April 12, 2022 regular board meeting minutes as presented.

Voice vote. Motion carried.

Moved by Mr. Erickson and supported by Mr. Morse the closed session board minutes from April 12, 2022 as presented.

Voice vote. Motion carried.

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

Chairman Walker asked if there were any additions to the agenda.

Mr. Morse requested to add a resolution for a special board meeting next Thursday, May 5. Ms. Meyette suggested the meeting to be held at 7:00 p.m. in the evening at the Oceana County Services Building.

Moved by Mr. Erickson and supported by Mr. Christians to approve the agenda as amended.

Voice vote. Motion carried.

Public comment

There were no public comments at this time.

RESOLUTION NO. 1 – AMENDMENT TO STORMWATER MANAGEMENT & SOIL EROSION CONTROL PERMIT FEE SCHEDULE

Moved by Mr. Morse and supported by Ms. Meyette to adopt the following resolution:

WHEREAS, the Oceana County Drain Commissioner has determined, through a time and materials cost analysis, that changes to the Stormwater Management & Soil Erosion Control Ordinance Permit Fee Schedule are necessary and is recommending two (2) changes; and

WHEREAS, the first change is to increase the permit fee for Seawalls from \$25.00 to \$50.00; and

WHEREAS, the second change is that for each additional acre, or fraction thereof, that exceeds five (5) acres of earth disturbance, shall incur a permit fee of \$10.00 for each additional acre, or fraction thereof.

NOW THEREFORE BE IT RESOLVED, that the Oceana County Board of Commissioners approves the proposed changes to the Stormwater Management & Soil Erosion Control Ordinance Permit Fee Schedule as presented and authorizes the changes to take effect immediately.

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

Motion carried.

RESOLUTION NO. 2 – MICHIGAN DEPARTMENT OF TRANSPORTATION PERMIT

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

WHEREAS, the County of Oceana, hereinafter referred to as the "**MUNICIPALITY**," periodically applies to the Michigan Department of Transportation, hereinafter referred to as the "**DEPARTMENT**," for permits, referred to as "**PERMIT**," to construct, operate, use and/or maintain utilities or other facilities, or to conduct other activities, on, over, and under State Highway Right of Way at various locations within and adjacent to its corporate limits;

NOW THEREFORE, in consideration of the **DEPARTMENT** granting such **PERMIT**, the **MUNICIPALITY** agrees that:

1. Each party to this *Resolution* shall remain responsible for any claims arising out of their own acts and/or omissions during the performance of this *Resolution*, as provided by law. This *Resolution* is not intended to increase either party's liability for, or immunity from, tort claims, nor shall it be interpreted, as giving either party hereto a right of indemnification, either by Agreement or at law, for claims arising out of the performance of this Agreement.
2. If any of the work performed for the **MUNICIPALITY** is performed by a contractor, the **MUNICIPALITY** shall require its contractor to hold harmless, indemnify and defend in litigation, the State of Michigan, the **DEPARTMENT** and their agents and employee's against any claims for damages to public or private property and for injuries to person arising out of the performance of the work, except for claims that

result from the sole negligence or willful acts of the **DEPARTMENT**, until the contractor achieves final acceptance of the **MUNICIPALITY**. Failure of the **MUNICIPALITY** to require its contractor to indemnify the **DEPARTMENT**, as set forth above, shall be considered a breach of its duties to the **DEPARTMENT**.

3. Any work performed for the **MUNICIPALITY** by a contractor or subcontractor will be solely as a contractor for the **MUNICIPALITY** and not as a contractor or agent of the **DEPARTMENT**. The **DEPARTMENT** shall not be subject to any obligations or liabilities by vendors and contractors of the **MUNICIPALITY**, or their subcontractors or any other person not a party to the **PERMIT** without the **DEPARTMENT'S** specific prior written consent and notwithstanding the issuance of the **PERMIT**. Any claims by any contractor or subcontractor will be the sole responsibility of the **MUNICIPALITY**.
4. The **MUNICIPALITY** shall take no unlawful action or conduct, which arises either directly or indirectly out of its obligations, responsibilities, and duties under the **PERMIT** which results in claims being asserted against or judgment being imposed against the State of Michigan, the Michigan Transportation Commission, the **DEPARTMENT**, and all officers, agents and employees thereof and those contracting governmental bodies performing permit activities for the **DEPARTMENT** and all officers, agents, and employees thereof, pursuant to a maintenance contract. In the event that the same occurs, for the purposes of the **PERMIT**, it will be considered as a breach of the **PERMIT** thereby giving the State of Michigan, the **DEPARTMENT**, and/or the Michigan Transportation Commission a right to seek and obtain any necessary relief or remedy including, but not by way of limitation, a judgement for money damages.
5. The **MUNICIPALITY** will, by its own violation and/or request by the **DEPARTMENT**, promptly restore and/or correct physical or operating damages to any State Highway Right of Way resulting from the installation construction, operation and/or maintenance of the **MUNICIPALITY'S** facilities according to a **PERMIT** issued by the **DEPARTMENT**.
6. With respect to any activities by a **PERMIT**, when the **MUNICIPALITY** requires insurance on its own or its contractor's behalf it shall also require that such policy include as named insured the State of Michigan, the Transportation Commission, the **DEPARTMENT**, and all officers, agents, and employees thereof and those governmental bodies performing permit activities for the **DEPARTMENT** and all officers, agents, and employees thereof, pursuant to a maintenance contract.
7. The incorporation by the **DEPARTMENT** of this *Resolution* as part of a **PERMIT** does not prevent the **DEPARTMENT** from requiring additional performance security or insurance before issuance of a **PERMIT**.
8. This Resolution shall continue in force from this date until cancelled by the **MUNICIPALITY** or the **DEPARTMENT** with no less than thirty (30) days prior written notice provided to the other party. It will not be cancelled or otherwise terminated by the **MUNICIPALITY** with regard to any **PERMIT** which has already been issued or activity which has already been undertaken.

BE IT FURTHER RESOLVED that the following position(s) are authorized to apply to the **DEPARTMENT** for the necessary permit to work within State Highway Right of Way on behalf of the **MUNICIPALITY**: Drain Commissioner and Deputy Drain Commissioner.

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

Motion carried.

RESOLUTION NO. 3 –INTERFUND TRANSFER TO THE PUBLIC IMPROVEMENT FUND

Moved by Mr. Beggs and supported by Mr. Christians to adopt the following resolution:

WHEREAS, following a historical review of changes in the General Fund’s unassigned fund balance by the Oceana County Administrator (“Administrator”), the review shows a stable and financially secure fund balance; and

WHEREAS, the Administrator recommends transferring a portion of the General Fund’s (#101) unassigned fund balance to the Public Improvement Fund (#405) to further increase the funding available for future projects that may be approved by the Oceana County Board of Commissioners (“Board”); and

WHEREAS, periodically enhancing the availability of funds in the Public Improvement Fund supports goals involving long-term financial planning and helps to ensure that the Board can meet the obligation to maintain, replace, and continually improve the use of long-term capital assets such as buildings.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes the Administrator to transfer \$300,000 from the General Fund (#101) to the Public Improvement Fund (#405).

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

Motion carried

RESOLUTION NO. 4 – APPROVING THE PURCHASE OF NEW COMPUTER NETWORK HARDWARE

Moved by Ms. Meyette and supported by Mr. Morse to the purchase of new computer network hardware.

WHEREAS, periodic updates to computer hardware and software helps to provide digital safety to stored records and strengthen cyber security and these updates also provide a measure of confidence to county employees when using their computer devices; and

WHEREAS, updates to computer hardware and software may repair security holes or deficiencies that could be exploited by hackers as well as adding new productivity features and removing outdated ones; and

WHEREAS, a recent review by the Oceana County IT Coordinator revealed that the primary computer hardware and software that makes up the critical systems of the county, known routinely as “network servers,” require replacement or updates as soon as possible; and

WHEREAS, following the Oceana County Administrator’s (“Administrator”) review of the proposed cost to replace or update network servers has determined that supplemental funding is needed in the Technology and Innovations Fund (#298) budget; and

WHEREAS, the estimated cost to replace or update network servers is \$74,309, in which \$47,000 is currently budgeted in Fiscal Year 2022 leaving a shortfall of up to \$27,309; and

WHEREAS, the Administrator recommends a supplemental budget appropriation be approved in an amount up to \$27,309 to the Technology and Innovation Fund (#298) budget by transferring the funds from the American Rescue Plan Act Fund (#286) to the Technology and Innovation Fund (#298).

NOW THEREFORE BE IT RESOLVED, that the Board approves the supplemental budget request and authorizes the Administrator to transfer up to \$27,309 from the American Rescue Plan Act Fund (#286) to the Technology and Innovation Fund (#298).

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

Motion carried.

RESOLUTION NO. 5 – APPROVING A “BRAND” LOGO AND/OR TAGLINE FOR USE ON THE COUNTY WEBSITE AND OTHER APPROPRIATE USES IN BOTH DIGITAL AND PRINT FORMS

Moved by Mr. Erickson, supported by Mr. Christians to approve the following resolution:

WHEREAS, in 2021, the Oceana County Administrator (“Administrator”) solicited bid proposals from several qualified companies to redesign the county’s web site; and

WHEREAS, Envigor, a West Michigan web design, print, and branding firm located in Shelby Michigan, was selected to complete the project; and

WHEREAS, the Administrator formed an ad hoc team to work with Envigor to identify design concepts for the new web site including creation of a “brand” logo that can be used to promote Oceana County online and for use in other digital and print material; and

WHEREAS, members of the ad hoc team reviewed a few logo designs and is recommending to the Oceana County Board of Commissioners (“Board”) that one of the designs be approved for use; and

WHEREAS, using a non-governmental “brand” logo that is visual and memorable, and represents key characteristics of Oceana County, may help to transition the county web site, as an example, to a more appealing online resource that invites residents and visitors to get to know the county better.

NOW THEREFORE BE IT RESOLVED, that the Board approves the selection of the “brand” logo recommended to the Board by the Administrator and members of the *ad hoc* team that is identified as Concept #2; and

BE IT FURTHER RESOLVED that the Board approves the use of tagline to be determined with, or independent of, the “brand” logo; and

BE IT FINALLY RESOLVED that the Board authorizes the use of the “brand” logo and tagline on the county web site, other digital platforms and file types, and in print material; including use by entities that promote and support Oceana County such as West Michigan Shoreline Regional Development Authority and Oceana County Economic Alliance.

Discussion began and Mr. Morse suggested the public be offered a chance to have input on this decision by placing a poll on the website for a period of time.

Mr. Erickson agreed that additional time is needed to come up with something more appropriate and would welcome public input.

After some discussion, it was moved by Mr. Erickson and supported by Mr. Christians to rescind this resolution until further notice.

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

Motion carried.

RESOLUTION NO. 6 – ACCEPTING A BID FOR AIRPORT SNOW REMOVAL EQUIPMENT

Moved by Ms. Meyette, supported by Mr. Hardy to approve the following resolution:

WHEREAS, in late March 2022, Prein & Newhof, Oceana County’s engineering and consulting firm of record, released a request for bids for snow removal equipment for use at the Oceana County Airport; and

WHEREAS, replacing the existing snow removal equipment is part of Oceana County’s Airport Improvement Plan, approved by the Michigan Department of Transportation’s Aeronautics Division (“MDOT”); and

WHEREAS, the deadline to submit a sealed bid to the Oceana County Administrator’s Office was April 22, 2022 no later than 2:00 p.m. and immediately following the deadline, all received bids were opened by the Oceana County Administrator and witnessed by a staff member of the Oceana County Clerk’s Office; and

WHEREAS, a single bid was received by the deadline from Bell Equipment in the amount of \$202,708 and this information was given to MDOT to develop the necessary grant agreement to provide 95% of the funding to cover all related costs.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners accepts the bid from Bell Equipment, following receipt of a grant agreement from MDOT, authorizes the Oceana County Administrator to sign all necessary documents to purchase the equipment.

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

Motion carried.

Summary of bid proposals:

	NAME OF BIDDER	ADDRESS OF BIDDER	AMOUNT OF BID
#1	Bell Equipment	78 North Pointe Dr. Lake Orion, MI 48359	\$202,708
#2			
#3			

RESOLUTION NO. 7 – APPROVAL OF SPECIAL BOARD MEETING

Moved by Mr. Morse and seconded by Ms. Meyette to hold a Oceana County Commissioners Special Board meeting on Thursday, May 5, 2022 at 7:00 p.m. at the Oceana County Services Building, 844 S. Griswold St., Hart, MI 49420 to discuss millage language for potential construction of a new County Jail and Sheriff’s Department facility to be placed on the August 2, 2022 Primary ballot.

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

Motion carried.

RESOLUTION NO. 8 – PAYMENT OF CLAIMS

Moved by Mr. Hardy and **seconded by** Mr. Morse to approve the accounts payable and release of funds for April 28, 2022 in the tentative amounts as follows:

AMBULANCE	\$24,118.52
GIS	-0-
FOC	4,074.02
PENTWATER-HART TRAIL	-0-
SHELBY TWP COMM PARK	3,200.00
AUTOMATION R.O.D.	5,520.05
INDIGENT DEFENSE	22,043.03
LCOT	-0-
K9	-0-
CDBG	-0-
ARPA	-0-
VETERAN AFFAIRS	4,892.81
TECHNOLOGY & INNOVATION	7,071.88
CAP PROJECT-EQUIP REP	3,009.44

FORECLOSURE	960.00
BUILDING DEPARTMENT	18,900.96
GENERAL FUND	331,710.91
GRAND TOTAL	\$ 422,301.62

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

Motion carried.

Commissioners Reports

Mr. Morse expressed his excitement regarding the EDA Grant.

Mr. Christians is very pleased that EMT training classes will be offered at the Oceana County Services Building. The classes will be sponsored by Life EMS and will be held between June 29 and August 26. The number of expected participants is 12-16 students. Mr. Christians also extended his congratulations to Ms. Lori Florshinger, Building Inspector Coordinator, who is retiring on April 29, after 39 years of service.

Mr. Erickson gave a brief report regarding Medical Care Facility and noted that the new administrator is settling in nicely. He also noted that he spoke with Mr. Mark Meijer, Life EMS and they are very happy to provide the EMT training classes this year.

Mr. Beggs reported that the Golden Township board voted against the helicopter tours in their township. The location for the tours to take off from will be the Oceana County Airport. Mr. Beggs stated that the Oceana County Road Commission held an evening meeting this week with good attendance.

Mr. Hardy reiterated that ARPA applications will be accepted through May 31. The forms are available on the County website. The advisory committee will review the applications and refer them to the Board of Commissioners for approval. He also reported that encryption compliance was discussed at the Mason Oceana 911 meeting last week.

Ms. Meyette reported that Christian Health Centers will have a ribbon cutting and open house at the Newaygo County office. The ribbon cutting will be at 10:00 a.m. and the open house will be from 4:00 p.m. to 7:00 p.m. The Christian Health Centers provide primary care at low cost for low income families. She noted that insurance is not accepted, but there is a monthly fee associated; more information can be found on their website: www.chcenters.org. She also announced that she has decided not to run for County Commission in the upcoming primary election, but is endorsing Mr. Walker.

Dr. Sobie noted that Mr. Ron Maynard, Oceana County Economic Alliance, is present in the audience today and encouraged him to start a conversation with this board as a possible development opportunity for Oceana County.

Dr. Sobie also noted that, recently, a frozen turkey was discovered buried in the flower boxes at the front entrance of the Courthouse.

Mr. Walker had a conversation with Mr. Jim Harriman, Northern Assistant Supervisor

of Life EMS, and he indicated that he will be contacting the area counseling offices of High Schools to encourage seniors to explore the EMS training opportunity that is available. He also reported that he attended the Northern County Alliance meeting each county reported on the status of ARPA funding. Oceana County is the only county that has an advisory committee. Another issue that was discussed was the placement of juvenile offenders. He reported that each county struggles with this issue.

Public Comment

Ms. Amy Trudell, City of Hart resident, commended the Board and thanked them for allowing the change in the available information, but would appreciate more information regarding what is available to the commissioners versus what is available to the public.

Ms. Peggy Wittman, City of Hart resident, stated that she is sad to hear that Ms. Meyette has decided not to run again. However, she indicated that there are those that will be running against several of the current commissioners.

Mr. George Sadler, Weare Township resident, stated that he believes that there are many issues that need to be addressed regarding the liability of the County.

Chairperson Walker asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:47 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Walker, Chairperson

Board Conference Room
May 5, 2022
Board of Commissioners Minutes

The special meeting of the Oceana County Board of Commissioners was called to order by Chairperson Walker at 7:00 p.m. at the Oceana County Services Building.

The Pledge of Allegiance to the Flag of the United States of America was led by Chairperson Walker.

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

Dr. Sobie, Oceana County Administrator; Ms. Anderson, Oceana County Clerk; Mr. Craig Mast, Oceana County Sheriff; Mr. Ryan Schiller, Oceana County Undersheriff; Mr. Todd Butler, Granger Construction; Ms. Sharon Hallack, Elbridge Township resident; Mr. Arko den Engelse, Shelby Township resident; Mr. Michael Cook, Golden Township resident; Ms. Erin MacGregor, Benona Township resident; Mr. Richard Rafaelli, Shelby Township resident; Ms. Marilyn Morse, Benona Township resident; Mr. Joshua Draper, Ferry Township resident; Mr. Jack Wittman, City of Hart resident; Mr. Garry McKeen, Benona Township resident; Ms. Gail Merten, Elbridge Township resident; Mr. Micah Johnson, Elbridge Township resident; Ms. Allison Scarbrough, Oceana County Press; and Mr. John Cavanagh, Oceana's Herald-Journal correspondent, were also present.

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

Chairman Walker asked if there were any additions to the agenda.

Moved by Mr. Morse and supported by Mr. Christians to approve the agenda as presented.

Voice vote. Motion carried.

Mr. Walker began discussion regarding the feasibility of constructing a new jail and Sheriff's Department facilities supported by a new additional millage. He then requested Sheriff Mast to proceed with his presentation.

Sheriff Mast stated that the Sheriff's office is a constitutional office and that there must be a jail located in the County Seat. He explained that an energy assessment was performed by Honeywell to determine the efficiency of the facility. The results found were that the facility would need a multitude of upgrades and improvements to continue to be operational. Sheriff Mast continued with the insufficiency of the design of the jail as well as the decline in the structural integrity.

Undersheriff Schiller then detailed the desired design of the proposed facility and construction timeline and costs. Undersheriff Schiller currently, Oceana County does not have the ability to properly detain dangerous juvenile offenders and stated that there is a definite need for this and noted that a new jail facility would provide this benefit. Also, he stated that with a larger facility, there is a possibility to house inmates from other counties for a contracted amount which could help to offset the cost of operation.

Public comment

Several citizens shared their viewpoints for and against the proposed facility as well as some possible options to consider.

RESOLUTION NO 1 – RESOLUTION TO APPROVE A BALLOT PROPOSAL FOR A NEW ADDITIONAL MILLAGE TO CONSTRUCT, EQUIP, FURNISH, FINANCE, AND OPERATE A NEW COUNTY JAIL AND SHERIFF’S DEPARTMENT OFFICES

The following preamble and resolution were offered by Mr. Erickson and seconded by Mr. Morse:

WHEREAS, the County of Oceana (the “County”) operates and maintains the County Sheriff’s Department and Jail Facility (collectively, the “Existing Facility”); and

WHEREAS, the County has identified, through the County’s Sheriff’s Office and Jail Master Plan, that it is necessary to replace the Existing Facility and construct a new County Jail and Sheriff’s Department offices to provide enhanced security and safety measures and systems; additional needed capacity; improved and updated HVAC and mechanical systems; improved space for inmate processing; accommodations for offices and space for information technology systems; and costs for design, engineering, financing, equipping, furnishing and operating the new County Jail and Sheriff’s Department offices (collectively, the “Project”); and

WHEREAS, the Property Tax Limitation Act, which is Act 62 of the Public Acts of Michigan of 1933, as amended (“Act 62”), authorizes the County to submit a ballot proposal to the County electors for authorization to increase the County’s total tax rate limitation as provided in Section 6 of Article IX of the State Constitution of 1963 in order to levy taxes for a specified purpose for a specified number of years; and

WHEREAS, Section 358a of the Michigan Election Law, which is Act 116 of the Public Acts of Michigan of 1954, as amended (“the Michigan Election Law”), authorizes the County to call a special election on a regular election date to be held in the County for the purpose of submitting one or more ballot propositions to the electors of the County; and

WHEREAS, the wording of the ballot proposal to be submitted to the electors is attached to this Resolution as Exhibit A.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

The wording of the ballot proposal to be submitted to the County electors for a 2.25 mill new additional millage for the purpose of constructing, equipping, furnishing, financing, and operating a new County Jail and Sheriff’s Department offices for a period of 20 years, 2022 through 2041 inclusive, shall be in the form attached hereto as Exhibit A and in such form is hereby approved and certified to the County Clerk as required by the Michigan Election Law.

The ballot proposal shall be submitted to the electors of the County at the August 2, 2022 election.

The County Clerk is hereby authorized and directed to provide all notices of the election as may be required by law, including the Michigan Election Law.

All resolutions and parts of resolutions in conflict herewith, shall be and the same are hereby rescinded.

Comments were made by several of the commissioners in favor of proceeding with placing this issue on the August primary to allow for a vote of the people to decide.

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

Motion carried.

Chairperson Walker asked if there was any further business to come before the Board. There being none, the meeting adjourned at 9:03 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Walker, Chairperson