

**Board Conference Room
September 28, 2023
Board of Commissioners Minutes**

The regular meeting of the Oceana County Board of Commissioners was called to order by Chairperson Walker, on Thursday, September 28, 2023, at 11:30 p.m.

Chairperson Walker led the Board in the Pledge of Allegiance to the Flag of the United States of America.

Roll was called by Clerk Anderson. Present: Mr. Erickson, Mr. Morse, Mr. Beggs, Mr. Hardy, and Mr. Walker.

Also Present: Ms. Byard, Oceana County Administrator; Mr. Stephen Carlson, West Michigan Shoreline Regional Development Commission (WMSRDC); Senator Jon Bumstead; Mr. John Cavanagh, Oceana's Herald-Journal correspondent; and Ms. Anderson, Oceana County Clerk.

Moved by Mr. Hardy and seconded by Mr. Morse to approve the minutes from the September 14, 2023 Regular Board Meeting as presented.

Voice vote. Motion carried.

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

Chairperson Walker asked if there were any additions to the agenda. Mr. Walker requested that Mr. Erickson present Motion #2023-98 that adopts Resolution #23-10 and Mr. Morse present Motion #2023-100 regarding the appointments to the Oceana County Canvass Board. Ms. Byard mentioned that the resolution listed on the agenda should be #2023-10 not #2023-09.

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

Voice vote. Motion carried.

Public Comment

Mr. Stephen Carlson, WMSRDC, was present to offer the public an opportunity to comment on information regarding Hazard Mitigation. This is an important step in Hazard Mitigation planning process. This was noticed in the newspaper, and all the communities were notified by email that this was happening. The email directed them to the WMSRDC website which has a number of items for review and comment for the Oceana County Hazard Mitigation Plan. The original plan was approved in 2005, updated in 2010 and in the process of updating now. The planning process increases coordination and overall community resistance to natural hazards. It also includes other types of technological and human hazards. This is done to facilitate a well-rounded emergency preparedness plan. Having this approved by FEMA allows the County and local communities that adopt and participate in the plan to be eligible to apply for certain types of FEMA mitigation funds both pre-disaster and post-disaster.

Senator Bumstead questioned why townships would not want to participate? Mr. Carlson responded that in the past a letter of interest in participation was the requirement, now, participation in the planning process is a requirement. Mr. Carlson stated that one reason may be that the entity is not familiar with WMSRDC and what they offer.

Senator Bumstead stated that today is normally a session day, however it was cancelled, so he has been in the area attending various meetings to encourage the lines of communication to be kept open.

He also commented that he and Rep. VanderWall do not believe in a statewide system for the permitting and inspections of septic systems, but, rather, it should be handled locally.

Agenda Items

MOTION #2023-98 – ADOPTION OF RESOLUTION #23-10 OPPOSITION OF STATEWIDE SEPTIC CODE

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

WHEREAS, the Board of Commissioners of the County of Oceana, Michigan, does hereby find as follows:

WHEREAS, House Bills 4479 and 4480 and Senate Bills 299 and 300 would amend section 12752 and add Part 128 to the Public Health Code and establish state and local standards for onsite wastewater treatment systems which would require the Michigan Department of Environmental Quality to develop a statewide code to govern the installation, operation, maintenance and inspection of septic systems;

WHEREAS, the amendatory Act restricts and removes local controls and changes existing regulations and guidelines that have been effectively enforced by counties and health departments across Michigan; and

WHEREAS, the Amendatory Act would add additional mandates that would increase the amount of personnel time and expenses that Health Departments would incur under the new Act without adequate funding from the state; and

WHEREAS, the Amendatory Act would gut existing regulations and grant the Michigan Department of Environmental Quality authority to approve local sanitary codes which, in effect, eliminates local control and undermines the duties of local health department to implement and enforce laws; and

WHEREAS, the Michigan Department of Environmental Quality lacks the necessary budget and staffing levels to meet the mandates of this Amendatory Act which will place additional financial burden on local authorities; and

WHEREAS, the creation of the State Technical Advisory Committee under the Act would take away and replace local control of the design, permitting, inspection and management of onsite wastewater treatment facilities and limit input into the rulemaking process to four local health department representatives; and

WHEREAS, the Amendatory Act fails to address funding for distressed homeowners and vacated properties with onsite wastewater treatment systems;

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the Board of Commissioners of the County of Oceana, Michigan, opposes House Bill 4479, House Bill 4480, Senate Bill 299, and Senate Bill 300 and requests State Legislators to oppose the legislation.

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

Motion carried.

MOTION #2023-99 – PROPOSED L-4029 SETTING THE 2023 MILLAGE RATE

Moved by Mr. Beggs and supported by Mr. Hardy to approve the L-4029 as prepared by the County’s Equalization Director setting the 2023 Tax Millage Rate.

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

Motion carried.

MOTION #2023-100 – APPOINTMENT TO CANVASS BOARD

Moved by Mr. Morse and supported by Mr. Beggs to appoint Ms. Erin MacGregor as the Republican Party representative and Mr. Bruce Vartian as the Democratic Party Representative to the Board of Canvassers Board for a four-year term to commence on November 1, 2023 and expire on October 31, 2027.

Voice vote. Motion carried.

MOTION #2023-101 – APPOINTMENT TO BROWNFIELD REDEVELOPMENT AUTHORITY

Moved by Mr. Hardy and supported by Mr. Beggs to reappoint Mr. Denny Powers and appoint Mr. Thomas Osborn to the Brownfield Redevelopment Authority for a three-year term to expire on September 30, 2026.

Voice vote. Motion carried.

MOTION #2023-103 – PAYMENT OF CLAIMS

Moved by Mr. Hardy and supported by Mr. Erickson, to adopt Motion #2023-103, approving the payment of accounts payable and release of funds for September 28, 2023.

AMBULANCE	\$52.37
GIS	-0-
FOC	-0-
PENTWATER-HART TRAIL	-0-
SHELBY TWP COMM PARK	174,977.92
BROWNFIELD	-0-
AUTOMATION R.O.D.	-0-
INDIGENT DEFENSE	40,737.77
LCOT	-0-
K9 UNIT	-0-
CJT	-0-
CDBG	-0-
ARPA	15,466.24
VETERANS AFFAIRS	8,998.90
TECH & INNOVATION	2,837.17
CAPITAL PROG/EQUIP REP	-0-
PUBLIC IMPROVEMENT	-0-
FORECLOSURE	-0-
BUILDING DEPARTMENT	17,008.77
GENERAL FUND	489,770.55
GRAND TOTAL	\$749,849.69

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

Motion carried.

Commissioner's Reports

Mr. Morse reported that there was a WMSRDC meeting where the budget for next year was approved. He noted that there is some frustration with the federal government guidelines regarding the Hazard Mitigation Plan.

Mr. Beggs interjected that the acceptance depended on the individual that reviewed the plan.

Mr. Erickson reported that he and Mr. Tiffany inspected the Crystal Valley Dam. Mr. Tiffany will return next week to do more studying and probing on the dam. He also mentioned that he attended the local MTA meeting that was very well attended.

Mr. Beggs stated that he attended the Housing Study Presentation yesterday. He believes this was a worthwhile study that was funded by this Board. There was a lot of useful information, stats and interesting facts that will be used by many.

Mr. Hardy reported that he attended the 911 meeting last week and indicated that the encryption is not complete, but is moving forward. He also stated that there was conversation regarding the issues with radio communication on the Lake Michigan shoreline.

Public Comment

There were no public comments at this time.

Chairperson Walker asked if there was any further business to come before the Board. There being none, the meeting adjourned at 12:08 p.m.

Amy L. Anderson, Oceana County Clerk

Date

Mr. Walker, Chairperson

Finance and Administration Committee

The Finance and Administration Committee Meeting was called to order by Chairperson Hardy on Thursday, September 28, 2023, at 9:34 a.m., in the Board Conference Room.

Present: Mr. Erickson, Mr. Morse, Mr. Beggs, Mr. Walker, and Mr. Hardy.

Also Present: Ms. Byard, Oceana County Administrator; Mr. John Cavanagh, Oceana's Herald-Journal correspondent; Mr. Ed VanderVries, CEO V&V Assessing; and Ms. Anderson, Oceana County Clerk.

Chairman Hardy asked for approval of the minutes of the September 14, 2023 meeting. Mr. Morse requested a correction be made.

Moved by Mr. Morse and supported by Mr. Beggs to approve the minutes of the September 14, 2023 Finance and Administration Committee meeting as amended.

Voice vote. Motion carried.

Chairperson Hardy asked if there were any additions to the agenda. No additions were mentioned.

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

Voice vote. Motion carried.

Public Comment

There were no public comments at this time.

Agenda Items

Ms. Byard, Oceana County Administrator distributed a Foreclosing Governmental Unit Report of Real Property Foreclosure Sales as provided by Ms. Phillips, Oceana County Treasurer. Mr. Walker commended the Treasurer and her staff for reaching out to the property owners to stop the foreclosures.

Mr. VanderVries, V&V Assessing, requested consideration of the proposed motion for the approval of the L-4029 setting the 2023 Tax Millage rate. He stated that once the L-4029 has been approved and signed, the Clerk is to send a copy to each of the townships. Mr. VanderVries indicated that he will be at the next board meeting to present the apportionment report.

Ms. Anderson, Oceana County Clerk, began discussion and explained the process for appointments to the Oceana County Canvass Board. She explained that the Canvass Board members serve a four-year term and that one Democrat & one Republican are appointed every two years that begins on November 1. She stated that the Democrat and Republican Party Chairs have been contacted to provide the names of three individuals that were interested in the appointment. Ms. Anderson indicated that her recommendation for the appointments were Mr. Bruce Vartian and Ms. Erin MacGregor. She also stated that this vote must be a public vote. The ballots were distributed, voted, and returned to Ms. Anderson. Ms. Anderson tallied the vote and announced the appointees. Ms. Anderson stated that she will inform the individuals of their appointment.

Ms. Byard began discussion regarding an appointment and a reappointment to the Brownfield Redevelopment Authority. She stated that Mr. Denny Powers is interested in the reappointment. She also stated that Mr. Thomas Osborn was interested in being appointed and would be a great asset due to his background.

Ms. Byard did not read the claims for payment, but the following was provided:

REVIEW OF CLAIMS FOR PAYMENT (>= \$1,000 and Other Noteworthy Expenditures)

Fund #	Dept. #	Dept. Name	Amount	Purpose
Special Revenue Funds				
239 - Shelby Twp Community Park			\$ 4,441.25	to Kennari Consulting for professional services. Fully reimbursed via private donations.
			\$ 49,852.00	to Landscape Architects & Planners for project services. Fully reimbursed via private donations.
			\$ 54,634.67	to Great Lake Pet Fencing for contractual services
			\$ 66,050.00	to Raymer Water Wells for contractual services.
260 - Indigent Defense			\$ 5,625.00	to Indigent Defense Consultants for managed assigned counsel services.
			\$ 14,115.00	to MKG Law Office, PLC for court appointed attorney fees.
			\$ 15,382.00	to Springstead Law Offices for court appointed attorney fees.
286 ARPA			\$ 15,113.67	To Martech for remaining balance for the work done on the health department.
293 - Veterans			\$ 2,757.89	To Huntington bank for credit card payment for postage, wheelchair and ramp.
298 - Technology and Innovation			\$ 1,641.08	to Well's Fargo for contractual services.
549 - Building Department Fund			\$ 4,670.60	to Randy Miller for permits, residential plan reviews, and commercial plan reviews.
			\$ 3,554.10	to Randy Neuman for permits, residential plan reviews, and commercial plan reviews.

	\$ 1,589.33	to Sonnie Smith for permits, residential plan reviews, and commercial plan reviews.
General Fund		
101 - BOC	\$ 6,310.61	to H Security & Investigation for courthouse security for Sept 2023 and August 2023 OT.
257 - Equalization	\$ 18,150.00	to V&V Assessing for equalization and assessing services.
265 - Courthouse & Grounds	\$ 4,730.17	to Walkerville well drilling for work done at the Health Department.
283 - Circuit Court	\$ 4,223.92	to Hayes Law Office for appropriations for October 2023.
	\$ 4,223.92	to Springstead Law Offices for appropriations for October 2023.
301 - Sheriff	\$ 28,901.46	to Enterprise for fleet vehicle management.
	\$ 1,365.15	to EPS for security system.
351 - Jail	\$ 3,234.80	to Gordon Food Service.
426 - Emergency Management	\$ 1,353.22	To Huntington bank for Credit Card payment for travel, lodging and equipment.
~ Total	\$ 311,919.84	

Administrator's Report *(as provided by Ms. Byard):*

HEALTH DEPARTMENT BUILDING INFORMATION

Information has been gathered as it relates to the Health Department Building. We are working to get an end date to the current mortgage. The initial mortgage was taken out in 2002 and from what I have found was scheduled to end in 2018. However, there was a resolution

extending it due to errors in the financial documents for 60 months. I have forwarded this information on the Kevin Hughes and am awaiting a reply from the mortgage company. Update: Payments have been put on hold until we hear back from the bank. A reimbursement may be forthcoming.

BUDGET

We have been working diligently to get information prepared for the Budget meeting scheduled for Tuesday, September 26th.

Department Head Reports

Mr. Beggs recognized Mr. Troy Maloney as he is now a certified Professional Emergency Manager as he has completed all of the classes and received his certification.

Public Comment

There were no public comments at this time.

Chairperson Hardy asked if there was any further business to come before the Board. There being none, the meeting adjourned at 10:09 a.m.

Respectfully submitted,

Amy L. Anderson
Oceana County Clerk

Properties, Environment, and Economic Development Committee

The Properties, Environment, and Economic Development Committee Meeting was called to order by Chairperson Erickson, on Thursday, September 28, 2023, at 9:01 a.m. in the Board Conference Room.

Present: Mr. Morse, Mr. Beggs, Mr. Hardy, Mr. Walker, and Mr. Erickson.

Also Present: Ms. Byard, Oceana County Administrator, Ms. Suzie Knoll, Oceana County Soil Conservation District Executive Director; Ms. Sky Harsh, Oceana County Soil Conservation District Stewardship Coordinator; and Ms. Anderson, Oceana County Clerk.

Moved by Mr. Walker and seconded by Mr. Hardy to approve the minutes of the August 24, 2023 Properties, Environment, and Economic Development Committee as presented.

Voice vote. Motion carried.

Chairperson Erickson asked if there were any changes to the agenda. Resolution # 23-10 additions were mentioned.

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

Voice vote. Motion carried.

Public Comment

There were no public comments at this time.

Agenda Items

Ms. Knoll, Oceana County Soil Conservation Director was present to provide the annual report for the district. Ms. Knoll highlighted some of the successes and explained what will be coming this year. She also provided a brief overview of some services that are provided. Ms. Knoll stated that every five years it is a requirement of Oceana County Soil Conservation District (OCSCD) to survey the residents to determine what are the top concerns of the residents. She mentioned that water quality is consistently the highest concern that was reported.

Ms. Knoll announced that a new stewardship coordinator was hired and introduced Ms. Sky Harsh.

Ms. Harsh provided a brief overview of what her focus will be in the coming year. Ms. Harsh stated that one area that she will focus on is invasive species management. She noted that there are two targeted species in the county - they are Japanese Knotweed and Phragmites. Assistance was made available to the land owners and county entities to treat properties. She stated that they will also be working with Mason-Lake Conservation District, and Muskegon Conservation District to get more treatment in this area to protect our coastline and the Hemlocks. Another item she will be working on is the nature preserves.

Ms. Knoll closed with a budget request of \$25,000 which is an increase, however, she stated that the funds would be used to leverage and secure more funds through grants.

Ms. Byard requested consideration of Resolution #23-10 opposing the changes to the Statewide Septic Code, HB 4479/4480 and SB 299/300. Discussion continued.

Public Comment

There were no public comments at this time.

Chairperson Erickson asked if there was any further business to come before the Board. There being none, the meeting adjourned at 9:33 a.m.

Respectfully submitted,

Amy L. Anderson
Oceana County Clerk