

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, September 11, 2023

4:00 PM

The regular meeting was called to order by Chairman Carr at 4:00 p.m.

The meeting opened with the Pledge of Allegiance. Pastor Dennis Ross from Nevins Lake Church in Stanton offered invocation.

Members present at roll call: Commissioners Baker, Johnston, Petersen, Painter, Mahar, Carr and Kohn. Members absent: None.

Others present: Kristen Millard, Brenda Taeter, Michelle Becker, Eric Smith, Bill Hendrian, Clay Thomas, Sandy Sheldon, Lisa Petersen, Doug Gietzen, Denise Jaglowski and Elisabeth Waldon.

Moved by Commissioner Johnston, supported by Commissioner Painter to approve the agenda as presented. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Mahar to approve the July 24, 2023, August 14, 2023, and August 28, 2023, regular meeting minutes as written and the Budget Work Session minutes from July 12, 2023, July 19, 2023, and July 31, 2023, as written. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Mahar to approve the minutes from the July 26, 2023, Budget Work Session as written. Motion carried.

Public comments were offered. Commissioner Baker requested a moment of silence in memory of those that lost their lives on September 11, 2001.

A FOIA (Freedom of Information Act) request appeal was received from Clay Thomas for 6 months of incoming, outgoing and deleted emails for Kristen Millard, County Clerk. Brenda Taeter, Controller/Administrator and the county's FOIA Officer, denied the original FOIA request as being too broad in nature and too large of a request. Ms. Taeter explained that the County's Attorney advised her that Mr. Thomas' request was unreasonable and fulfilling it would be too timely and too costly to fulfil.

Moved by Commissioner Petersen, supported by Commissioner Mahar to uphold the Controller and County Attorney's decision to deny Clay Thomas' FOIA request for 6 months of incoming/outgoing/deleted emails for County Clerk, Kristen Millard, and to deny his the FOIA appeal. Motion carried.

Eric Smith, Emergency Management, provided the Board with the EMPG Initial Agreement. Moved by Commissioner Petersen, supported by Commissioner Johnston to allow for signatures and submission of the initial EMPG Work Agreement. Motion carried.

Brenda Taeter, Controller/Administrator, informed the Board that the Community Corrections Grant funding should be in its own Special Revenue Fund, instead of lumping it into the General Fund funding. Moved by Commissioner Petersen, supported by Commissioner Kohn to authorize the Controller to establish Fund 259 – Community Corrections Fund as of 10/1/2023 and move the appropriate fund balance, once determined, out of the General Fund and into the new Community Corrections Fund. Motion carried.

Ms. Taeter informed the Board that Montcalm County has been awarded a \$100,000 Recycling Infrastructure Grant from EGLE, There is a match of at least 20%, and she informed the board that the Solid Waste Fund has a very healthy fund balance to pay that match. Moved by Commissioner Petersen, supported by Commissioner Johnston to authorize the acceptance of the Recycling Infrastructure Grant from EGLE and allow for the appropriate signatures. Motion carried.

Brenda Taeter, Controller/Administrator, presented the Board with the FY2024-FY2025 Jail Inmate Medical Contract with Dr. Gaffney in the amount of \$185,000. Moved by Commissioner Petersen, supported by Commissioner Mahar to approve the FY2024-FY2025 Jail Inmate Medical Contract for \$185,000 annually and authorize the Board Chair to sign it. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Painter to approve warrant report number 09112023 in the amount of \$273,093.36. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Painter to approve consent agenda items 7 through 11 and move stated action:

Controller	Resolution 2023-09, FY2024 Budget	Place on file
Controller	Montcalm County Planning Commission July Minutes	Place on file
Controller	Montcalm Soil Waste Management July Minutes	Place on file
Controller	FY2023 Budget Review	Place on file
Controller	Warrant Reports 08310223 & 09072023	Place on file

Motion carried.

At 4:22 p.m. Sandy Sheldon, Crystal, was in attendance with her builder, Chris Crater, to request a variance to the Construction Ordinance for property located at 2227 Cove Trail, Crystal, MI.

Moved by Commissioner Johnston, supported by Commissioner Petersen to enter into a Public Hearing for the purpose of an Appeal to the Construction Ordinance. Motion carried.

Ms. Sheldon explained that her current structure is 4' from the property line, instead of 6' as outlined in the Construction Ordinance, and she would like to be "grandfathered in" and be allowed to build her new structure on the same footprint as the current structure. She explained that by changing the footprint it would put the structure too close to a well head on the other side of the property.

Commissioner Petersen explained to Ms. Sheldon that he will be voting no on this request strictly out of principal because he does not feel the Board of Commissioners should be voting on these type of issues in Crystal Township. He does not have an issue with her request however.

Mike Kalka, Building Official, sent an email to the Board and stated he wasn't aware of the Public Hearing on the appeal, so he isn't able to be in attendance at tonight's meeting, however he does not have an issue with Ms. Sheldon's request for a variance.

Moved by Commissioner Johnston, supported by Commissioner Painter to close the Public Hearing at 4:32 p.m. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Mahar to approve the variance to the Construction Ordinance as requested by Sandy Sheldon for property located at 2227 Cove Trail, Crystal, MI. Motion carried with Commissioner Petersen voting no.

At 4:37 p.m. Bill Hendrian, MSU Extension, was in attendance to present the Board with the 2024 Memorandum of Agreement

Moved by Commissioner Petersen, supported by Commissioner Kohn to approve the MSU 2024 Memorandum of Agreement, authorize the appropriate signatures and return the Agreement to MSU Extension. Motion carried.

Ryan Dreyer, Commission on Aging Director, provided the Board with two requests. The first being a Contract Amendment with AAAWM allowing COA to continue to receive reimbursement for providing Homemaker, Respite, Transportation Congregate Meals and Home Delivered Meals. The second request was a Purchase of Service Agreement between Reliance Community Care Partners and Montcalm County Board of Commissioners allowing COA to provide Medicaid Funding services on behalf of Reliance Community Care Partners.

Moved by Commissioner Petersen, supported by Commissioner Johnston to approve for signature the Amendment to OAA (Older Americans Act) Contract No. 61.76-FY24.1. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Johnston to approve for signature the Purchase of Service Agreement between Reliance Community Care Partners and Montcalm County Board of Commissioners. Motion carried.

Brenda Taeter, Controller/Administrator, suggested the Board members do building tours of the Court Complex and the Sheriff Department on September 25th at 3:00 p.m.

Brenda Taeter, Controller/Administrator, informed the Board that Doug Gietzen, Maintenance Director, is in the process of getting the Disc Golf Course completed at McCarthy Park. She stated that the disc company is interested in donating 200 discs but the Disc Golf Course must be named first. She asked how the Board would like to go about naming the course. She suggested having a social media contest to name it. The consensus of the Board was to take a couple of weeks to think about different options for naming the course.

A brief update was given on the Clerk's Office move and the Imaging Project. Kristen Millard, County Clerk, informed the Board that the Clerk's Office is weeks ahead of schedule.

Public comments were offered. Clay Thomas, Montcalm Township, addressed the Board regarding the denial of his FOIA appeal. He stated that his request met all of the FOIA requirements, therefore he was wrongly denied and will be filing suit.

Denise Jaglowski, Reynolds Township Precinct Delegate, addressed the Board and requested they adopt a Resolution similar to the one Ottawa County adopted regarding vaccinations.

Moved by Commissioner Petersen, supported by Commissioner Johnston to adjourn at 5:02 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman