

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, November 13, 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, Mahar, Carr and Kohn. Members absent: Commissioner Painter.

Others present: Kristen Millard, Brenda Taeter, Michelle Becker, Armon Withey, Mike Williams, Ryan Dreyer, Trevor Wright, Michelle Jorgensen, Lisa Petersen and Elisabeth Waldon.

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

Moved by Commissioner Johnston, supported by Commissioner Mahar to approve the October 23, 2023, regular meeting minutes as written. Motion carried.

Public comments were offered. None were given.

At 4:03 p.m. Trevor Wright was in attendance and gave the Board an update on the services that the Veterans Affairs office has provided. Mr. Wright highlighted that transportation has nearly tripled to 286 trips in FY2023, or 3,320 hours on the road.

Mr. Wright requested that the Board place the Veteran's millage on the August 2024 Primary Election ballot. Commissioner Petersen asked if there is a need for expansion in the Veterans Affairs office has any need for expansion. Mr. Wright stated that there may be the need for a part-time driver.

Moved by Commissioner Petersen, supported by Commissioner Mahar to approve and adopt **RESOLUTION 2023-13, MONTCALM COUNTY DEPARTMENT OF VETERANS AFFAIRS RENEWAL PROPOSAL:**

WHEREAS, Montcalm County voters previously approved a millage to support and assistance services to Veterans in the County; and

WHEREAS, the Department of Veterans Affairs has been successful in providing services and financial assistance to many Montcalm County residents; and

WHEREAS, the existing Veterans Affairs millage will expire with the last levy in 2024; and

WHEREAS, it is necessary and in the best interest of the County to seek to renew the Department of Veterans Affairs millage to provide funding for the Veterans Affairs Office, to equip and operate the Department of Veterans Affairs.

NOW, AND THEREFORE BE IT RESOLVED, that:

1. The Montcalm County Board of Commissioners hereby approves the ballot proposal below and authorizes and directs that the ballot proposal for the renewal of the Montcalm County Department of Veteran's Affairs be included on the August 6, 2024, Primary Election ballot:

**Montcalm County
Department of Veteran's Affairs
Renewal Proposal**

Shall the tax rate limitation on all taxable property within the County of Montcalm, Michigan, be renewed and the County be authorized to levy a millage up to the amount of 0.25 of 1 mill (\$0.25 per \$1,000 of taxable value) for four (4) years, 2025 through 2028, both inclusive, to equip and operate the County Department of Veterans Affairs to provide support and assistance services to Veterans, raising an estimated revenue of \$587,042.20 in the first year the millage is levied?

To the extent the law requires, a small portion of the Veterans millage can be captured and retained by the Village of Howard City Downtown Development Authority, the Village of Edmore Downtown Development Authority, the Village of Lakeview Downtown Development Authority, the Crystal Township Downtown Development Authority, the City of Greenville Downtown Development Authority, and the City of Stanton Downtown Development Authority.

YES _____

NO _____

2. The wording of the ballot proposal set forth above is hereby certified to the County Clerk as required by the Michigan Election Law, Act 116 of the Public Acts of Michigan of 1954, as amended (the "Michigan Election Law").
3. 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.
4. All resolutions and parts of resolutions in conflict herewith, shall be and the same are hereby rescinded.

Motion carried.

At 4:10 p.m. Sheriff Mike Williams was in attendance to request the Board of Commissioners place the Sheriff Law Enforcement Millage renewal on the February 27, 2024, Presidential Primary Election ballot. During his presentation of the millage renewal resolution and ballot wording, Sheriff Williams brought up the option of adding a "For Informational Purposes Only" section on the ballot language, similar to what school bonds have placed on the ballot in the past.

Commissioner Petersen asked what the difference between this millage language and the millage language that was approved and placed on the ballot in 2020 is. Sheriff Williams stated that he didn't bring the previous wording with him so he can't compare the two at this moment. Sheriff Williams stated that this wording was prepared by the attorney and the purpose is to reinstate 24-hour road patrol.

Commissioner Petersen stated that it was his understanding that the millage renewal wording would be changed so it explicitly stated what it could be used for so there is no confusion as to what the funds generated would be used for in the future. Commissioner Petersen would like the wording changed to be the "Sheriff's Office" millage and then that money could be used for anything that falls under the Sheriff purview, including the Jail.

Sheriff Williams stated that there was a meeting between himself, Chairman Carr, Commissioner Mahar and Controller Taeter earlier this year and feels that all of the issues that surfaced on the Board level were ironed out at that meeting. He stated that the purpose of the millage was to reinstate 24-hour road patrol. Sheriff Williams stated that one of his major concerns on changing the wording would be

that a future Board would be able to use the millage funds to fund anything that does fall under the Sheriff and fund the jail from the millage instead of the General Fund and then there would be no money to fund road patrol.

Chairman Carr stated that he agrees with Sheriff Williams that the wording shouldn't be changed to Sheriff's Office because it could be used by a future board to fund the jail and that goes against the nature of the millage.

Moved by Commissioner Johnston, supported by Commissioner Mahar to approve and adopt **RESOLUTION 2023-14, MILLAGE RENEWAL PROPOSITION FOR SHERIFF LAW ENFORCEMENT SERVICES:**

WHEREAS, Montcalm County voters previously approved a millage to support increased Sheriff law enforcement services in the County, and

WHEREAS, there have been increasing demands on law enforcement services to help keep residents safe, and

WHEREAS, the existing law enforcement millage will expire with the last levy in 2024; and

WHEREAS, it is necessary and in the best interest of the County to seek to renew the law enforcement millage to provide funding of the Sheriff's Law Enforcement function, providing personnel and equipment, conducting road patrol, and any other public safety purpose authorized by law.

NOW, AND THEREFORE BE IT RESOLVED, that:

5. The Montcalm County Board of Commissioners hereby approves the ballot proposal below and authorizes and directs that the ballot proposal for the renewal of the Montcalm County Sheriff Law Enforcement Millage be included on the ballot on whichever date is designated by law as the date for the 2024 Michigan Presidential Primary.

**County of Montcalm
Renewal of Sheriff Law Enforcement Millage**

Shall the constitutional tax rate limitation on general ad valorem taxes within the County of Montcalm, Michigan, be renewed by 0.9799 mill (\$0.9799 per \$1,000 of taxable value) on the taxable value of such property, subject to reduction as provided by law, for a period of four (4) years, 2025 through 2028, both inclusive, to provide funds for the purpose of funding the Sheriff's Law Enforcement function, providing personnel and equipment, conducting road patrol and criminal investigations, and any other public safety purpose authorized by law?

If approved, it is estimated that the levy of 0.9799 mill would provide revenue of approximately \$2,339,335 in the first calendar year of the levy (less Headlee rollback). The revenue from this millage will be disbursed to Montcalm County.

To the extent required by law, a portion of this millage may be captured and retained by the Village of Edmore Downtown Development Authority, the Crystal Township Downtown Development Authority, the Village of Howard City Downtown Development Authority, the Village of Lakeview Downtown Development Authority, the City of Stanton Downtown Development Authority, and the City of Greenville Downtown Development Authority.

YES _____

NO _____

6. The wording of the ballot proposal set forth above is hereby certified to the County Clerk as required by the Michigan Election Law, Act 116 of the Public Acts of Michigan of 1954, as amended (the "Michigan Election Law").
7. 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.
8. All resolutions and parts of resolutions in conflict herewith, shall be and the same are hereby rescinded.

Motion carried.

Kristen Millard, County Clerk, provided the Board with a notice from Trileaf, Environmental Architecture Engineering firm, regarding a Horvath Communications, 255-foot self-support telecommunications tower on Church Road in Six Lakes. Comments from concerned parties are due by November 24, 2024. Moved by Commissioner Petersen, supported by Commissioner Kohn to place the communication from Trileaf on file as presented. Motion carried.

Ryan Dreyer, Commission on Aging Director, provided the Board with the annual contract with AAAM for the Commission on Aging to provide Medicaid Waiver eligible services to receive reimbursement. He is also asking for authorization to enter into the agreement regarding respite certificates with an increased reimbursement rate for FY24. Moved by Commissioner Petersen, supported by Commissioner Baker to approve and authorize for signature the AAAM Purchase of Service Agreement and the AAAM Respite Certificate Agreement. Motion carried.

Brenda Taeter, Controller/Administrator, provided the Board with a request to appoint the Board of Commissioners as the County Approval Agency and the County Controller as the Designated Planning Agency for EGLE's new Materials Management Plan and Materials Management Planning Committee. Moved by Commissioner Petersen, supported by Commissioner Johnston to appoint the Board of Commissioners as the County Approval Agency and the County Controller as the Designated Planning Agency for EGLE's new Materials Management Plan and Materials Management Planning Committee. Motion carried.

Ms. Taeter also provided the Board with the Contracted Police Services Agreements that will expire over the next 3 months and asked that the Board determine the rate per full-time Deputy to be used in the agreements. Commissioner Petersen stated that he does not feel comfortable setting the rate of the contracts, he feels this is something that the Sheriff should be doing and bringing the suggested rate to the Board for approval.

Sheriff Williams stated that he felt uncomfortable bringing a suggested rate to the Board given previous conversations with the Board and stated that this is a financial decision therefore the Board should be setting the fee.

Chairman Carr stated that while he understands Sheriff William's position due to discussions that happened in the past, in the spirit of moving forward, Chairman Carr feels the Sheriff should be bringing the recommended contract amount to the Board as he is more familiar with the c.

Commissioner Mahar stated that the deputies that are assigned to a contracted township or village, are actually taking away from the Sheriff's goal of 24-hour road patrol. He stated that the local units with the contracts have been getting a really good deal for a really long time and they need to pay the going pay rate for a deputy. Unfortunately that means the rates should be raised substantially, and if the local

units feel the fees of the new contracts are too high then they will reject the contract and the Sheriff will get to the 24-hour patrol faster.

Discussion took place on each Board member's thoughts regarding what the new contract amount should be.

Commissioner Baker stated that it is important to remember that there was a time when these contracts helped the county out substantially and it's been a great collaboration over the years. Commissioner Mahar agreed that this has been a great collaboration, however the county has to be careful to not be too charitable and charge what the actual costs are.

Sheriff Williams stated that when you look at putting someone in a car, software, equipment, subscription fees, liability insurance, training, etc. it is very expensive for these local units to run their own police department. When asked what his suggested number is, Sheriff Williams declined to provide a number but did offer to put numbers together tomorrow morning if the Board would like.

Moved by Commissioner Baker, supported by Commissioner Mahar to allow the County Controller and Sheriff to construct agreement in the amount of \$90,000 for the first year, \$95,000 for the second year and \$100,000 for the third year, per full-time Deputy, and present to the Village of Edmore, Crystal Township, Eureka Township and Reynolds Township for consideration. Motion carried with Commissioner Petersen voting no.

Moved by Commissioner Petersen, supported by Commissioner Kohn to approve the following warrant reports:

- 10262023 in the amount of \$338,784.08
- 11022023 in the amount of \$1,276,928.26
- 11092023 in the amount of \$134,991.55
- 11132023 in the amount of \$509,157.76

Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Johnston to approve consent agenda items 9 through 13 and move stated action:

Controller	Resolution 2023-11, Village of Lakeview Annexation	Place on file
Controller	Resolution 2023-12, Local Control of Solar & Wind Development	Place on file
Controller	Community Hope Outpatient Services Agreement	Place on file
Controller	Montcalm Solid Waste Management September Minutes	Place on file
Controller	FY2024 Budget Review	Place on file

Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Petersen that the County of Montcalm do a stand-alone Materials Management Plan and be willing to assist other Counties as needed. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Petersen to place the October 26, 2023, Solid Waste Management Committee minutes on file. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Petersen to place the November 2, 2023, Collective Bargaining Committee minutes for FOP on file. Motion carried.

Moved by Commissioner Baker, supported by Commissioner Petersen to place the November 8, 2023, Collective Bargaining Minutes for IAEP on file. Motion carried.

Brenda Taeter, Controller/Administrator, stated that Verizon has contacted her office regarding placing a cell tower in McCarthy Park. There was not any interest.

Ms. Taeter stated that snowplowing bid requests were sent out but no bids were received. She stated that Doug Gietzen and the Maintenance staff is willing to do the plowing but they will need to purchase another truck and a plow. Ms. Taeter stated that Mr. Gietzen would like a V-plow. Chairman Carr stated that he feels if we have a maintenance department willing to do the plowing then that is probably the best option. He stated that he would be comfortable investing two-years worth of what was spent on snow plowing services on a new truck and plow.

Commissioner Baker stated that he would like to ask one other contact if he would be interested in bidding on the snow plowing. It was decided that during the next two weeks Mr. Gietzen will be asked to obtain costs for the truck and plow and Commissioner Baker will explore the interest from one of his contacts.

Brenda Taeter, Controller/Administrator, provided the Board with an Ordinance that repeals the 2009 ordinance that created the Planning Commission. The adoption of this ordinance would dissolve the Montcalm County Planning Commission as of November 13, 2023.

Moved by Commissioner Petersen, supported by Commissioner Mahar to adopt the **ORDINANCE TO REPEAL THE MONTCALM COUNTY PLANNING COMMISSION ORDINANCE:**

THE BOARD OF COMMISSIONERS OF THE COUNTY OF MONTCALM ORDAINS:

Section 1. Repeal of Ordinance. The Montcalm County Planning Commission Ordinance, adopted by the County Board of Commissioners on September 28, 2009, is hereby repealed.

Section 2. Publication and Effective Date. This Ordinance shall become effective thirty (30) days after its publication or upon the publication of a summary of its provisions in a local newspaper of general circulation in the County of Montcalm, Michigan. Within 14 days of adoption, notice of adoption of this Ordinance shall also be provided to a regional planning commission engaged in planning for the region within which the County is located, if any.

Motion carried.

Brenda Taeter, Controller/Administrator, informed the Board of the suggested names for the disc golf course at McCarthy Park. It was decided to wait a couple more weeks and encourage more suggestions in the meantime.

Public comments were offered. None were given.

Moved by Commissioner Petersen, supported by Commissioner Johnston to adjourn at 5:26 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman