

MONTCALM COUNTY BOARD OF COMMISSIONERS

Regular Meeting

Monday, January 24, 2022

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 offered invocation.

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

Others present: Brenda Taeter, Michelle Becker, Tammy Warner, Eric Smith, Helen Kennedy, Todd Sattler, John Hoppough and Elisabeth Waldon.

Moved by Commissioner Johnston supported by Commissioner Miller to approve the December 13, 2021, regular meeting minutes as written. Motion carried.

Moved by Commissioner Johnston supported by Commissioner Beach to approve the January 3, 2022, Organizational meeting minutes as written. Motion carried.

Commissioner Carr stated there was a change to the agenda with the 4:20 p.m. timed agenda item canceling and the 4:35 p.m. item would be moved up to that time slot. Moved by Commissioner Beach, supported by Commissioner Miller to approve the amended agenda. Motion carried.

Public comments were offered. None were given.

At 4:05 p.m. Tammy Warner, Montcalm Care Network, was in attendance to request a Resolution in Opposition of Senate Bills 597 and 598. Moved by Commissioner Petersen, supported by Commissioner Johnston to approve and adopt **RESOLUTION 2022-01**:

WHEREAS, the Montcalm County Commission having entered into an enabling resolution to create the Montcalm County Community Mental Health Authority, dba Montcalm Care Network, pursuant to Section 100 et seq. and Section 205 of the Mental Health Code, 1974 PA 258, as amended (MCL330.11 00 et seq; MCL330.1205); and

WHEREAS, Montcalm Care Network is a community mental health authority covering Montcalm County, organized under the terms of Section 204(a) of the Michigan Mental Health Code (the Code), (MCL330.1204[a]); and

WHEREAS, Section 116(b) of the Code (MCL330.11 16[b]) requires that the Department of Community Health shift primary responsibility for the direct delivery of public mental health services from the state to a community mental health services program whenever the community mental health services program has demonstrated a willingness and capacity to provide an adequate and appropriate system of mental health services for the citizens of that service area; and

WHEREAS, Montcalm Care Network has demonstrated such willingness and capacity to provide community mental health services for over the past 56 years and is properly certified as a community mental health services program under the terms of Section 232(a) of the Code (MCL330.1232[a]); and

WHEREAS, Section 202(1) of the Code (MCL330.1202[1]) requires that the state shall financially support, in accordance with chapter 3, community mental health services programs that

have been established and that are administered according to the provisions of this chapter;
and

WHEREAS, there are also established by the state entities known as Prepaid Inpatient Health Plans (PIHPs), created by the member CMHSPs and governed by representative Board members of the CMHSPs, which receive Medicaid funds and distribute them to Community Mental Health Services Programs.

NOW, THEREFORE, BE IT RESOLVED that the Montcalm County Board of Commissioners strongly opposes Senate Bills 597 and 598 to eliminate PIHPs and transfer Medicaid funding for specialty populations served by the PIHP/CMHSP system to private, for-profit Medicaid Health Plans and urges its State Senate and House of Representatives to oppose Senate Bills 597 and 598; and

BE IT FURTHER RESOLVED that the Montcalm County Board of Commissioners supports Montcalm Care Network as a public behavioral health system that provides necessary community safety net services and supports; and

BE IT FURTHER RESOLVED that copies of this resolution be provided to Governor Gretchen Whitmer, Senate Majority Leader Mike Shirkey, Speaker of the House Jason Wentworth, Senator Rick Outman, Representative Patrick Outman, Michigan Department of Health and Human Services Director Elizabeth Hertel, Behavioral Health and Developmental Disabilities Administration Senior Deputy Director Allen Jansen, and the Michigan Association of Counties.

Motion carried.

At 4:16 p.m., Todd Sattler, Drain Commissioner, was in attendance to request the Board pledge the Full Faith & Credit for finance of Rainbow Lake Drain and to discuss the option to prepay the apportionment of \$112,650.00 to avoid paying interest over a 5-year period.

Motioned by Commissioner Petersen, supported by Commissioner Beach, to pre-pay the amount of \$112,650.00 and to adopt **RESOLUTION 2022-02:**

WHEREAS pursuant to a petition filed with the Drain Commissioner of the County of Montcalm, State of Michigan (the "Drain Commissioner"), proceedings have been taken under the provisions of Act 40, Public Acts of Michigan, 1956, as amended (the "Act"), for the making of certain intra-county drain improvements referred to as the Rainbow Lake Drain Project (the "Project"), which is being undertaken by the Rainbow Lake Drain Drainage District (the "Drainage District") in a Special Assessment District (the "Special Assessment District") established by the Drainage District; and

WHEREAS, the Project is necessary for the protection of the public health, and in order to provide funds to pay the costs of the Project, the Drain Commissioner intends to issue the Drainage District's bonds or drain note (the "Bonds") in an amount not to exceed \$751,000 pursuant to the Act; and

WHEREAS, the principal of and interest on the Bonds will be payable from assessments to be made upon public corporations and/or benefited properties in the Special Assessment District (the "Special Assessments"); and

WHEREAS, the Montcalm County Board of Commissioners (the "Board") may, by resolution adopted by a majority of the members of the Board, pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Bonds (or Note) pursuant to Section 276 of the Act; and

WHEREAS, the pledge of the full faith and credit of the County to the Bonds (or Note) will reduce the cost of financing the Project and will be a benefit to the people of the County.

WHEREAS, if the County has advanced funds pursuant to its full faith and credit pledge and the Drainage District does not have funds to reimburse the County, the Act requires the Drain Commissioner to levy an additional assessment in such an amount as is required to reimburse the County for its advance; and

WHEREAS, the Drain Commissioner recommends that the Board adopt a resolution to pledge the full faith and credit of the County for the prompt payment of the principal of and interest on the Bonds; and

WHEREAS, based on the recommendation of the Drain Commissioner, the Board agrees to pledge the full faith and credit of the County to the Bonds.

WHEREAS, the Bonds (or Note) is not a private activity bond for purposes of Section 141 of the Internal Revenue Code of 1986 (the "Code");

NOW THEREFORE BE IT RESOLVED BY THE MONTCALM COUNTY BOARD OF COMMISSIONERS AS FOLLOWS:

1. The limited tax full faith and credit of the County of Montcalm is hereby pledged for the prompt payment of the principal of and interest on the Bonds (or Note) in a par amount not to exceed \$751,000. In case of any deficiency in the assessments to be made to pay the principal of and interest on the Bonds (or Note) as and when due, the County shall pay the amount of such deficiency out of its general funds as a first budget obligation and, if necessary, shall levy ad valorem taxes for such purpose against all taxable property within its limits, subject to constitutional and statutory limitations provided, however, that if it is necessary to reimburse the County for money, it is obligated to advance, it shall be the duty of the Drain Commissioner to at once levy an additional assessment as hereinbefore provided as such an amount as will make up the deficiency pursuant to Section 434 of the Drain Code.

2. Should the County advance County funds pursuant to the pledge made in this Resolution, the amounts shall be repaid to the County from assessments or reassessments made upon benefited properties in the Special Assessment District as provided in the Act.

3. The Chairperson of the Board, the County Administrator, the County Clerk, the County Treasurer and any other official of the County, or any one or more of them ("Authorized Officers"), are authorized and directed to take all actions necessary or desirable for the issuance of the Drain Bonds (or Note) and to execute any documents or certificates necessary to complete the issuance of the Bonds (or Note), including, but not limited to, any applications including the Michigan Department of Treasury, Application for State Treasurer's Approval to Issue Long-Term Securities, any certificates pursuant paragraph (b)(5) of SEC Rule 15c2-12 issued under the Securities Exchange Act of 1934, as amended, and amendments to such certificate from time to time in accordance with the terms of such certificate (the certificate and any amendments thereto are collectively referred to herein as the "Continuing Disclosure Certificate"), and any waivers, certificates, receipts, orders, agreements, instruments, and any certificates relating to federal or state securities laws, rules, or regulations and to participate in the preparation of a preliminary official statement and a final official statement for the Bonds (or Note) and to sign such documents and give any approvals necessary therefor. The County hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate.

4. All previous resolutions of the Board of Commissioners of the County, or parts thereof, that are inconsistent with this resolution, are hereby rescinded.

Motion carried.

Mr. Sattler stated he would be presenting a proposed fee increase for the Drain Office at the Committee of the Whole meeting in February. Mr. Sattler also gave a brief update on the proposed building project

and indicated the blue prints are 90% complete and he hoped to have the project out for bids by the end of February.

Moved by Commissioner Petersen, supported by Commissioner Miller to approve warrant report number 01242022 in the amount of \$393,660.93. Motion carried.

Moved by Commissioner Petersen, supported by Commissioner Miller to approve consent agenda items 2 through 13 and move stated action:

Controller	Resolution 2021-17, Relinquish of Drain to City of Greenville	Place on file
Controller	Resolution 2021-18, In Support of Rescue Plan Match Programs	Place on file
Controller	Resolution 2021-19, Allocation of Settlement Opioids Litigation	Place on file
Controller	Resolution 2021-20, Participation of Settlement in Opiate Litigation	Place on file
Controller	FY2021 EMPG Amended Grant Agreement	Place on file
Controller	FY2021 Remonumentation Completion Report	Place on file
Controller	FY2022 MDOT Project Authorization	Place on file
Controller	FY2022 Reynolds Twp. Police Protection Agreement	Place on file
Controller	Collective Bargaining Minutes, December 13, 2021	Place on file
Controller	December Dodge Report	Place on file
Controller	December Medical Examiner's Report	Place on file
Controller	Michigan County Clerk's Vital Record Fees	Place on file

Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Beach to allow EMS to post an opening for a Billing and Accounts Manager I. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Beach that the Commission on Aging Millage Renewal in the amount of .45 mills to fund Commission on Aging be placed on the August 2, 2022, ballot:

This millage will allow the County of Montcalm, Michigan to continue to levy the previous voted constitutional tax rate limitation on general ad valorem taxes of 0.45 mills to provide funds for the Montcalm County Commission on Aging for Senior Citizen Services.

Shall the Constitutional tax rate limitation on general ad valorem taxes within the County of Montcalm, Michigan, be 0.45 mills (\$0.45 per \$1,000.00) on the taxable value of such property, subject to reduction as provided by law, for a period of four (4) years, 2023 through 2026, both inclusive, to provide funds for the Commission on Aging for Senior Services within the County of Montcalm, Michigan (such levy is estimated to provide revenues of approximately \$931,910 in 2023 and is a renewal of a previously authorized millage in the amount of 0.45 mills)?

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

Moved by Commissioner Johnston, supported by Commissioner Beach to appoint Chuck Hazekamp to serve a 1-year term on the AAAM Board with the appointment to expire on December 31, 2022. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Petersen to approve the 2022 Camp Ford Lincoln and Krampe and McCarthy park rates as listed below:

Camp Ford Lincoln:

<u>Weekly Rate</u>	<u>Weekend Rate</u>	<u>Weekday Rate (Per Day)*</u>
Mon. 3 p.m. - Mon. 10 a.m.	Fri. 3 p.m. – Mon. 10 a.m.	1 st day 3 p.m. - 10 a.m. next day
\$1,500.00	\$825.00	\$300.00
\$1050.00 non-profit org.**	\$600.00 non-profit org.**	\$225.00 non-profit org.**

Krampe Park: Large Pavilion = \$150 per day w/ electricity

McCarthy Park: Large Pavilion = \$150 per day w/ electricity
Small Pavilion = \$75 per day (no electricity)

Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Beach to authorize the Maintenance Director to place the order for the Tremco roofing materials in the amount of \$231,713.27 to be paid from ARPA funds. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Petersen to approve warrant number 01102022 in the amount of \$788,281.93. Motion carried.

Moved by Commissioner Johnston, supported by Commissioner Beach to place the January 10, 2022, Committee of the Whole minutes on file. Under discussion Commissioner Baker requested a correction regarding the range stated for contracts that required review to being anything over \$25,000. Motion carried.

Brenda Taeter, Controller/Administrator, provided the board with a request from POAM and COAM Unions asking to donate time from several officer's sick time back to a fellow officer that has been out of work for several weeks due to an accident.

Moved by Commissioner Petersen, supported by Commissioner Miller to allow the specified Officers of POAM and COAM to donate sick time from their sick banks to Deputy Westra's sick bank as presented. Motion carried.

Commissioner Petersen stated these officers should be commended for the gracious donation to their fellow officer.

Ms. Taeter reminded Commissioners of the April 19, 2022 deadline to file if they intend to run again.

Public comments were offered. None were given.

Moved by Commissioner Petersen, supported by Commissioner Miller to adjourn at 4:41 p.m. Motion carried.

Kristen Millard, County Clerk

Patrick Q. Carr, Chairman