

**APPROVED
PROCEEDINGS OF THE OTTAWA COUNTY
BOARD OF COMMISSIONERS
JANUARY SESSION – FIRST DAY**

The Ottawa County Board of Commissioners met on Tuesday, January 16, 2024, at 9:04 a.m. and was called to order by the Chairperson.

The prayer was pronounced by John Toby.

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

Present at roll call: Gretchen Cosby, Lucy Ebel, Doug Zylstra, Jacob Bonnema, Joe Moss, Kendra Wenzel, Rebekah Curran, Sylvia Rhodea, Roger Belknap, Roger Bergman, Allison Miedema. (11)

Public Comments

Public comments were made by the following:

1. Cindy Mushroe-Spring Lake Township
2. Marla Walters-Holland Township
3. Dan Zimmer-Port Sheldon Township
4. Sheila Dettloff-Holland Township
5. Harvey Nikkel-Georgetown Township
6. Karen Obits-Spring Lake Village
7. Monique Hanson-Spring Lake Village
8. Barbara Lee VanHorsen-Grand Haven City
9. Megan Ryan-Holland Township

Approval of Agenda

B/C 24-016 Rebekah Curran moved to approve the agenda.

The motion passed.

Consent Resolutions

B/C 24-017 Rebekah Curran moved to approve the following Consent Resolutions.

- A. To approve the minutes of the January 2, 2024 Board of Commissioners organizational meeting and the December 12, 2023 Board of Commissioners meeting.
- B. To ratify all contracts for the period of December 1, 2023 to December 31, 2023 currently pending on the post-execution ratification list as authorized under Section IV(D)(2) of the Ottawa County Contracting Authorization and Form Policy.

- C. To receive for information the 58th District Court 2023 Annual Report.
- D. To receive for information the Department of Strategic Impact 2023 Annual Report.
- E. To approve the general claims in the amount of \$12,014,246.38 as presented by the summary report for November 23, 2023 through December 31, 2023.
- F. To receive for information the detailed Financial Statements for the General Fund and Mental Health Fund, as well as a higher level summary for the Special Revenue Funds, through the end of the 4th quarter of Fiscal Year 2023.
- G. To approve and authorize the Board Chairperson and Clerk/Register to sign the FY2024 Agreement for Extension Services between Ottawa County and MSU Extension at a cost of \$272,572.00.
- H. To approve the FY2024 budget adjustments per the attached schedule.

The motion passed by the following votes: Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby, Jacob Bonnema, Sylvia Rhodea, Doug Zylstra, Kendra Wenzel, Allison Miedema, Lucy Ebel, Roger Bergman, Joe Moss. (11)

Agenda and Action Requests

- B/C 24-018 Roger Belknap moved to approve the contract with OpenGov, Inc. for the purchase of a budgeting and planning software.
- The motion passed by the following votes: Yeas: Gretchen Cosby, Roger Bergman, Doug Zylstra, Jacob Bonnema, Kendra Wenzel, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss. (11)
- B/C 24-019 Roger Bergman moved to approve the contract renewal for services provided by Sedgwick Claims Management Services, Inc. for a period of 3 years and total contract cost of \$77,974.00.
- The motion passed by the following votes: Yeas: Jacob Bonnema, Lucy Ebel, Roger Bergman, Allison Miedema, Kendra Wenzel, Gretchen Cosby, Sylvia Rhodea, Rebekah Curran, Doug Zylstra, Roger Belknap, Joe Moss. (11)
- B/C 24-020 Sylvia Rhodea moved to approve and authorize the Board Chair/Clerk/Register to sign a First Amendment to Demolition Services Contract.
- The motion passed by the following votes: Yeas: Roger Belknap, Rebekah Curran, Allison Miedema, Kendra Wenzel, Gretchen Cosby, Doug Zylstra, Roger Bergman, Jacob Bonnema, Sylvia Rhodea, Lucy Ebel, Joe Moss. (11)
- B/C 24-021 Sylvia Rhodea moved to remove Commissioner Wenzel from MACC and replace her with Commissioner Cosby.

The motion passed by the following votes: Yeas: Doug Zylstra, Roger Bergman, Lucy Ebel, Roger Belknap, Gretchen Cosby, Allison Miedema, Jacob Bonnema, Sylvia Rhodea, Rebekah Curran, Kendra Wenzel, Joe Moss. (11)

B/C 24-022 Doug Zylstra moved to amend the motion to remove Commissioner Wenzel from MACC and replace her with Commissioner Bonnema.

The motion failed by the following votes: Nays: Roger Belknap, Gretchen Cosby, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Kendra Wenzel, Joe Moss. (7)

Yeas: Roger Bergman, Doug Zylstra, Rebekah Curran, Jacob Bonnema. (4)

B/C 24-023 Sylvia Rhodea moved to nominate Commissioner Kendra Wenzel and Roger Bergman moved to nominate Commissioner Doug Zylstra to the Community Mental Health Board to fill a vacancy.

Roll Call Vote:

Wenzel-Wenzel	Belknap-Wenzel	Ebel-Wenzel	Cosby-Wenzel
Curran-Wenzel	Rhodea-Wenzel	Bergman-Zylstra	Moss-Wenzel
Zylstra- Zylstra	Miedema-Wenzel	Bonnema-Zylstra	

With 8 votes, Commissioner Kendra Wenzel is appointed to the Community Mental Health Board.

B/C 24-024 Doug Zylstra moved to amend the motion and send this item to the Talent and Recruitment Committee and have a resident fill the seat on the Community Mental Health Board.

The motion failed by the following votes: Nays: Lucy Ebel, Gretchen Cosby, Allison Miedema, Sylvia Rhodea, Kendra Wenzel, Roger Belknap, Joe Moss. (7).

Yeas: Rebekah Curran, Doug Zylstra, Jacob Bonnema, Roger Bergman. (4)

B/C 24-025 Kendra Wenzel moved to approve the hiring of outside legal counsel (Michael Homier) for Commissioner Bonnema for the limited purpose of representing him in the upcoming hearing currently scheduled on January 19, 2024, in the *Adeline Hambley v. Ottawa County* case.

The motion passed by the following votes: Yeas: Roger Belknap, Gretchen Cosby, Jacob Bonnema, Sylvia Rhodea, Doug Zylstra, Kendra Wenzel, Allison Miedema, Lucy Ebel, Roger Bergman, Joe Moss. (10)

Nays: Rebekah Curran. (1)

B/C 24-026 Roger Bergman moved to approve and advance to a second reading before the full Board of Commissioners the revised County Policies for review and comment.

The motion passed by the following votes: Yeas: Gretchen Cosby, Roger Bergman, Doug Zylstra, Jacob Bonnema, Kendra Wenzel, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss. (11)

Committee Reports

- A. 58th District Court 2023 Annual Report-Presented by Honorable Craig E. Bunce, Judge.
- B. Department of Strategic Impact 2023 Annual Report-Presented by Paul Sachs, Strategic Impact Director.

Public Comment

1. Cindy Mushroe-Spring Lake Township
2. Karen Obits-Spring Lake Village
3. Sheila Dettloff-Holland Township
4. Jim Kuiper-Holland Township
5. Luke Sanner-Park Township
6. Monique Hanson-Spring Lake Village
7. Bruce Greenlee-Park Township

Online Public Comment

1. Joe Spaulding-Holland Township

Additional Business

- A. Report from the County Administrator-Administrator Gibbs gave an update.
- B. Update to Strategic Planning Committee-Chairperson Moss gave an update.
- C. Closed Session to Discuss Ongoing Litigation

B/C 24-027 Sylvia Rhodea moved to go into closed session at 11:41 a.m. pursuant to MCL 15.268 (e) to consult with corporate counsel regarding trial or settlement strategy in connection with *Kimball v. County of Ottawa* because an open meeting would have a detrimental financial effect on the litigating or settlement position of the county.

The motion passed by the following votes: Yeas: Jacob Bonnema, Lucy Ebel, Roger Bergman, Allison Miedema, Kendra Wenzel, Gretchen Cosby, Sylvia Rhodea, Rebekah Curran, Doug Zylstra, Roger Belknap, Joe Moss. (11)

B/C 24-028 Roger Bergman moved to come out of closed session at 12:28 p.m. pursuant to MCL 15.268 (e) to consult with corporate counsel regarding trial or settlement strategy in connection with *Kimball v. County of Ottawa* because an open meeting would have a detrimental financial effect on the litigating or settlement position of the county.

The motion passed.

- B/C 24-029 Allison Miedema moved to authorize corporate counsel to arrange and participate in mediation in the Kimball v. Ottawa County matter upon the following terms:
- a. Corporate Counsel has the authority to coordinate with Mr. Kimball's attorney to select a mediator and the date and time of the mediation; and
 - b. Corporate Counsel has not been delegated any authority to make any binding offers or make a final decision in the Kimball v. Ottawa County matter.

The motion passed by the following votes: Yeas: Roger Belknap, Rebekah Curran, Allison Miedema, Kendra Wenzel, Gretchen Cosby, Douglas Zylstra, Roger Bergman, Jacob Bonnema, Sylvia Rhodea, Lucy Ebel, Joe Moss. (11)

- BC 24-030 Sylvia Rhodea moved that pursuant to Board Rule 5.2 that a special committee of three members be formed to participate in litigation discussions and mediation in the Kimball v. Ottawa County matter upon the following terms:
- a. The special committee is only advisory in nature and has no authority to effectuate or formulate public policy;
 - b. The special committee has not been delegated any decision-making authority;
 - c. The special committee may make recommendations for the full Board to review;
 - d. Any final decision relating to mediation, or the Kimball v. Ottawa County litigation shall be made by the full Board; and
 - e. The chairman hereby appoints, and the Board approves, the following commissioners to be members of the special committee:
 - i. Joe Moss, Chairman
 - ii. Sylvia Rhodea
 - iii. Gretchen Cosby

The motion passed by the following votes: Yeas: Roger Bergman, Douglas Zylstra, Roger Belknap, Gretchen Cosby, Rebekah Curran, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Jacob Bonnema, Kendra Wenzel, Joe Moss. (11)

Adjournment at Call of the Chairperson

The Chairperson adjourned the meeting at 12:34 p.m.

JUSTIN F. ROEBUCK, Clerk/Register
Of the Board of Commissioners

JOE MOSS, Chairperson
Of the Board of Commissioners