

Regular Session of the Board of County Commissioners for the County of St. Joseph, State of Michigan, was held via Zoom on March 16, 2021 at 5:00 p.m.

Chairman Dennis Allen called the meeting to order.

The Invocation was given by Commissioner Czajkowski.

County Clerk Lindsay Oswald called the roll and the following Commissioners were present:

Daniel R. Czajkowski	Ken Malone
Jared Hoffmaster	Kathy Pangle
	Dennis Allen

Also present: Teresa Doehring, County Administrator; Angie Steinman, Finance Director

AGENDA

It was moved by Commissioner Hoffmaster and seconded by Commissioner Malone that the agenda be approved as presented. Motion carried.

MINUTES APPROVED

It was moved by Commissioner Pangle and seconded by Commissioner Hoffmaster that the minutes for March 2, 2021 be approved as presented. Motion carried.

COMMUNICATIONS

Resolution from Berrien County, Re: Support of Senate Bill 207 for virtual meetings.

Resolution from Tuscola County, Re: Virtual participation in Board meetings.

Minutes of the Commission on Aging Advisory Board meeting of February 17, 2021.

It was moved by Commissioner Pangle and seconded by Commissioner Hoffmaster to place the communications on file.

CITIZENS' COMMENTS

There were none.

FRIEND OF THE COURT 2020 ANNUAL REPORT

Friend of the Court Bill Thistlethwaite presented the annual report and noted his upcoming retirement.

It was moved by Commissioner Malone and seconded by Commissioner Pangle to place the report on file. Motion carried.

ACCEPT DRAIN COMMISSION 2020 ANNUAL REPORT

It was moved by Commissioner Hoffmaster and seconded by Commissioner Czajkowski to place the report on file. Motion carried.

ACCEPT CENTRAL DISPATCH 2019/2020 ANNUAL REPORT

It was moved by Commissioner Hoffmaster and seconded by Commissioner Pangle to place the report on file. Motion carried.

LAW ENFORCEMENT SERVICES – VILLAGE OF BURR OAK

It was moved by Commissioner Pangle and seconded by Commissioner Malone to approve the agreement. Motion carried 5-0 upon roll call vote.

LAW ENFORCEMENT SERVICES – VILLAGE OF CENTREVILLE

It was moved by Commissioner Hoffmaster and seconded by Commissioner Malone to approve the agreement. Motion carried 5-0 upon roll call vote.

RESTRICTIVE COVENANTS FOR VILLAGE OF CENTREVILLE INDUSTRIAL PARK

It was moved by Commissioner Malone and seconded by Commissioner Pangle to approve the agreement and authorize Administrator Doehring to sign the paperwork. Motion carried 5-0 upon roll call vote.

REQUEST TO USE COUNTY PROPERTY

It was moved by Commissioner Hoffmaster and seconded by Commissioner Malone to approve the use of county property for Covered Bridge Days as presented. Motion carried.

WHITE PIGEON SANITARY SYSTEM ACT 185 BONDS

RESOLUTION 6-2021

WHEREAS, the Township of White Pigeon and the Village of White Pigeon, County of St. Joseph, State of Michigan (the “Local Units”), have presented to this Board of Public Works (the “Board”) a request that the County of St. Joseph (the “County”) issue bonds pursuant to Act 185, Public Acts of Michigan, 1957, as amended (the “Act”), in the aggregate principal amount of not to exceed \$3,100,000 (the “Project Bonds”) payable from contractual payments to be made by the Local Units to the County through the Board, said bonds to finance costs of acquiring, constructing, furnishing and equipping improvements, replacements and upgrades to the White Pigeon Sanitary System (the “System”), and all necessary appurtenances to service the Local Units or portions thereof (the “Project”); and

WHEREAS, this Board has reviewed said request and the financial and engineering aspects of the Project and has determined the same to be feasible if undertaken by the County and within the scope of the authority of the County; and

WHEREAS, it is not financially desirable for the Project to be undertaken by the Local Units alone; and

WHEREAS, the Project is necessary for the public health, safety and welfare of the Local Units and the inhabitants thereof and is conducive to the public health, safety and welfare of the County in general; and

WHEREAS, a contract (the “Contract”) providing for the acquisition, construction, operation and financing of the Project has been negotiated with the Local Units and presented to this Board for its approval, a copy of which Contract is attached to this resolution and made a part hereof; and

WHEREAS, the Contract shall be duly approved by resolution of the legislative bodies of the Local Units and duly executed on their behalf.

WHEREAS, the County has previously issued its St. Joseph County Wastewater System (White Pigeon Sanitary System) Bonds, Series 2012 (Limited Tax General Obligation), dated May 23, 2012 (the “Prior Bonds”) on behalf of the Local Units pursuant to the White Pigeon Sanitary System 2012 Act 185 Contract (the “2012 Contract”); and

WHEREAS, PFM Financial Advisors LLC, Registered Municipal Advisors with the Municipal Securities Rulemaking Board, has advised the Board of Public Works and the Local Units that the current conditions in the bond market could permit the Prior Bonds to be refunded at a significant savings; and

WHEREAS, a First Supplement to the 2012 Contract has been prepared for the issuance by the County of refunding bonds in the aggregate principal amount of not to exceed \$2,000,000 (the “Refunding Bonds”) a copy of which has been presented to the Board; and

WHEREAS, under the First Supplement to the 2012 Contract, in the event any Refunding Bonds are issued, the duties and obligations of the County and the Local Units, as expressed and set forth in the 2012 Contract shall be applicable to such Refunding Bonds as well as the Prior Bonds, it being at all times fully recognized and agreed that the payments to be paid by the Local Units shall be based upon its share of the total amount of bonds issued to finance or refinance the costs of the projects financed by the Prior Bonds; and

WHEREAS, the proposed resolution of the Board of Commissioners of the County (the “Bond Resolution”) providing for the issuance of the Refunding Bonds in the aggregate principal amount of not to exceed \$3,100,000 and the Project Bonds in the aggregate principal amount of not to exceed \$2,000,000, has been prepared and presented to the Board.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. This Board does hereby recommend to the Board of Commissioners of the County that said Board of Commissioners give its approval to the aforesaid Project and authorize this Board to undertake the financing and construction of the Project based upon its understanding that the Local Units each will pledge its limited tax full faith and credit to the payment of the Local Unit’s contractual obligations to the County, which pledge requires the Local Unit to levy taxes annually, subject to statutory and constitutional limitations, to the extent necessary to provide funds to meet its contractual obligations when due. This Board further recommends that the limited tax full faith and credit of the County be pledged as secondary security for the Project Bonds.

2. Upon approval of the County Board of Commissioners to proceed with the financing of the Project, the Board will cause the Local Units to assign to the Board such interest in the contracts for the necessary engineering services as may be required by the Act and shall enter into negotiations with the Local Units and other parties involved for the execution of contracts covering the acquisition, construction, financing and equipping of the Project; provided, however, that the Local Unit shall act as agent for the Board with respect to the necessary engineering services for, and the acquisition, construction and equipping of the Project to the extent permitted by the Act.

3. The Local Units and the Board recommend and hereby consent to the employment of the following consultants already working with the Local Units in connection with the completion of the Project:

As Engineers: Jones Petrie Rafinski, Inc.
Elkhart, Indiana

As Bond Counsel: Miller, Canfield, Paddock and Stone, P.L.C.
Detroit and Kalamazoo, Michigan

As Financial Consultants: PFM Financial Advisors LLC
Ann Arbor, Michigan

4. Based upon information from the Local Units, Jones Petrie Rafinski, Inc., and PFM Financial Advisors, LLC, the Board hereby estimates the total cost of constructing the Project to be not more than \$3,100,000 including all engineering fees, financing costs and contingencies, such estimate is subject, however, to revision upon receipt of bids for the Project.

5. This Board hereby approves the advancement of funds from the Local Units in order to commence promptly the Project necessary for the public health and later reimbursement to the Local Units from bond proceeds.

6. The Contract providing for the issuance of the Project Bonds, as described above and the First Supplement to the 2012 Contract providing for the issuance of Refunding Bonds, as described above are hereby approved; and the bond resolution in connection therewith is hereby approved, and the Chairman of this Board is authorized and directed to transmit such approval to the County Board of Commissioners with the recommendation of this Board that the Contract, the First Supplement to the 2012 Contract and the bond resolution be approved and adopted for and on behalf of the County.

7. The Chairman and Secretary of this Board are authorized and directed to execute the Contract and the First Supplement to the 2012 Contract for and on behalf of the County subject to approval and adoption thereof by the Board of Commissioners.

8. The Contract and the First Supplement to the 2012 Contract will become effective and binding in accordance with its terms upon execution and final approval and ratification thereof by the County Board of Commissioners, such final approval and ratification to be given by adoption by said Board of Commissioners of a resolution authorizing the issuance of bonds of the County pursuant to the Contract and the First Supplement to the 2012 Contract.

9. All agreements between this Board and the Local Units shall be subject to final approval and ratification by the Board of Commissioners of the County.

10. Each of the officers of the Board is hereby authorized to deliver such applications, documents, instruments and certificates with the Michigan Department of Treasury to obtain prior approval for the bonds from the Department of Treasury, if required.

11. All resolutions and parts of resolutions insofar as the same conflict with the provisions of this resolution be and the same hereby are rescinded.

It was moved by Commissioner Malone and seconded by Commissioner Czajkowski to adopt the resolution and waive second reading. Motion carried 5-0 upon a roll call vote.

NOMINATIONS/APPOINTMENTS

It was moved by Commissioner Hoffmaster and seconded by Commissioner Malone to reappoint Carol Naccarato, Kathy Pangle, Kay Decker, and Rick Shaffer to the Community Mental Health Board with terms expiring March 31, 2024. Motion carried.

It was moved by Commissioner Hoffmaster and seconded by Commissioner Pangle to reappoint Charles Thompson, Bruce Zakrzewski, Sarah Beckle, Didimo Arreola, Sarah Apwisch, and Jared Hoffmaster to the Transportation Authority Board with terms expiring April 1, 2023. Motion carried.

ADMINISTRATOR'S REPORT

Ms. Doehring noted the potential declare an emergency if the electronic meeting guidelines were not extended. She also thanked Bill Thistlethwaite for his service.

FINANCE DIRECTOR’S REPORTS

Budget Amendments

It was moved by Commissioner Malone and seconded by Commissioner Pangle to approve the budget amendments as presented. Motion carried.

Financial Statement

It was moved by Commissioner Malone and seconded by Commissioner Czajkowski to accept the financial statement ending February 28, 2021 as presented. Motion carried.

COMMITTEE REPORTS

Law Enforcement

Commissioner Hoffmaster stated that the committee had not met.

Judiciary

Commissioner Malone stated that the committee had not met.

Physical Resources

Commissioner Malone stated that the committee had not met.

Executive/Committee of the Whole

Chairman Allen stated that the Committee had met, and minutes were available.

Other Committees

Commissioner Pangle provided an update for Veterans’ Affairs Board and area covid-19 vaccinations.

CHAIRMAN’S REPORT

Chairman Allen thanked Director Summey for his leadership with veterans and IT Director Dustin Bainbridge for his technical assistance. He also thanked Bill Thistlethwaite for his service.

COMMISSIONERS’ COMMENTS

Commissioner Czajkowski thanked the board of public works and commission support of the White Pigeon upgrade project. He also thanked covid-19 vaccination clinic volunteers and staff.

Commissioner Hoffmaster thanked the prosecuting attorney’s office staff for their service.

Commissioner Pangle thanked Sherry Swartz in the VA Department for her assistance with veterans.

ADJOURNMENT

At 5:40 p.m., it was moved by Commissioner Malone and seconded by Commissioner Czajkowski that the St. Joseph County Board of Commissioners adjourn until April 6, 2021 at 5:00 p.m. Motion carried.

Lindsay Oswald, County Clerk

Dennis Allen, Chairman