**STATE OF MICHIGAN**
**IN THE CIRCUIT COURT FOR THE COUNTY OF OTTAWA**

**PETER ARMSTRONG, SR., SUSAN HOEKEMA, JASON HUNTER,** and **JEFFREY PADNOS**,

Plaintiffs,

v

**OTTAWA COUNTY BOARD OF COMMISSIONERS**,

Defendant.
_____/

Case No. _____-CZ
Hon.

MARK BREWER (P35661)
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**COMPLAINT FOR VIOLATIONS OF THE OPEN MEETINGS ACT AND MICHIGAN CONSTITUTION**

A civil action between other parties arising out of the transaction or occurrence alleged in the Complaint has been previously filed in this Court where it was given case number 23-7180-CZ, *Hambley v Ottawa County*, and was assigned to Muskegon County Circuit Judge Jenny McNeil. The action remains pending.

/s/ Mark Brewer
Mark Brewer (P35661)

NOW COME Plaintiffs, by and through their attorneys, Goodman Acker, P.C., and for their Complaint for violations of the Open Meetings Act ("OMA") and the Michigan Constitution state as follows:

## INTRODUCTION

The OMA's Purpose

> [T]he OMA's legislative purposes were to . . . promote a new era in governmental accountability. Legislators hailed the act as "a major step forward in opening the political process to public scrutiny." . . . [L]awmakers perceived openness in government as a means of promoting responsible decision making. Moreover, it also provided a way to educate the general public about policy decisions and issues. It fostered belief in the efficacy of the system. Legal commentators noted that "open government is believed to serve as both a light and disinfectant in exposing potential abuse and misuse of power. The deliberation of public policy in the public forum is an important check and balance on self-government."
>
> – *Booth Newspapers v Univ of Mich Bd of Regents*, 444 Mich 211, 222–23; 507 NW2d 422 (1993) (citations omitted).

1. This is an action to vindicate the right of the people of Ottawa County to the open and transparent county government provided for under the Michigan Constitution and Open Meetings Act.

## PARTIES

2. Plaintiff Peter Armstrong, Sr. is a resident of Ottawa County.
3. Plaintiff Susan Hoekema is a resident of Ottawa County.
4. Plaintiff Jason Hunter is a resident of Ottawa County.
5. Plaintiff Jeffrey Padnos is a resident of Ottawa County.

6. Defendant Ottawa County Board of Commissioners ("Commission") is the county commission for Ottawa County, a "public body" under the Open Meetings Act.

**JURISDICTION AND VENUE**

7. The acts which are the subject of this Complaint occurred in Ottawa County, Michigan. This Court has jurisdiction under, *inter alia*, MCL 15.270(1), MCL 15.271(2), and MCL 600.605. Venue is proper under, *inter alia*, MCL 15.270(4) and MCL 15.271(2).

**FACTUAL ALLEGATIONS**

*Ottawa Impact*

8. Ottawa Impact ("OI") was founded by Joe Moss and Sylvia Rhodea in Spring 2021. *See* Leach, *Newly Obtained Texts Show Ottawa Impact Officials Orchestrated Law Firm Change Before Taking Office*, Holland Sentinel (January 16, 2023), https://www.hollandsentinel.com/story/news/education/2023/01/16/newly-obtained-texts-show-ottawa-impact-officials-orchestrated-law-firm-change-before-taking-office/69811071007/. The organization was originally built upon resistance and resentment to mask mandates during the COVID-19 pandemic, particularly those in schools. *Id*.

9. In May 2021, OI circulated a petition "encouraging the Ottawa County Board of Commissioners to sign the *Resolution to End Enforcement of Covid-19 Orders and Restore Constitutional Freedoms to Ottawa County*." Ottawa Impact, *The Ottawa Resolution* (May 25, 2021), https://ottawaresolution.com/.

10. In May 2021, OI members began attending Ottawa County Board of Commissioners meetings. *See* Ottawa Impact, *Ottawa County Commissioners' Record of Milquetoastery* (September 12, 2021), https://ottawaimpact.com/ottawa-county-commissioners-record-of-milquetoastery. This

culminated in an August 2021 meeting that attracted over 1,000 attendees. Ottawa Impact, *1,000 People at the Board of Commissioners Meeting?!* (August 24, 2021), https://ottawaimpact.com/1000-people-at-the-board-of-commissioners-meeting.

11. That same month, OI started posting about recalling Ottawa County Commissioners. Ottawa Impact PAC, *Ottawa Precall*, https://ottawaimpactpac.com/ottawaprecall (accessed March 6, 2023).

12. In September 2021, OI launched the Ottawa Impact Legal Fund to fund and support FOIA requests and legal action. Ottawa Impact, *Ottawa Impact Legal Fund*, https://ottawaimpactlegalfund.com/ (accessed March 6, 2023).

*Ottawa Impact Files Nine Candidates for County Commission in 2022*

13. The Ottawa County Board of Commissioners is an eleven-member public body, with six members constituting a majority and a quorum. MCL 46.3(1).

14. In April 2022, OI unveiled a slate of nine new candidates it had recruited, vetted, and endorsed for the Commission, aiming to take majority control of the Commission. Ottawa Impact, Facebook (April 19, 2022), https://www.facebook.com/ottawaimpact/. All of those candidates filed to run for the Commission.

15. OI required all of its endorsed candidates to sign its "Contract with Ottawa" which included a specific pledge of transparency and other public policy positions. Ottawa Impact, *Contract with Ottawa: Republican Candidate for County Commissioner*, https://ottawaimpact.com/download/OI_Contract_with_Ottawa_Commissioner_2022Mar17.pdf (accessed March 6, 2023). The contract read:

***GOVERNING PRINCIPLES***

We recognize our nation's Judeo-Christian heritage and celebrate America as an exceptional nation blessed by God. We stand united to restore and amplify the principles of American exceptionalism:

- Limited government
- Individual responsibility
- Self-determination
- Freedom of speech
- Freedom of association
- Religious liberty
- Sanctity of life and conscience
- Due process
- Justice governed by grace, mercy, love, and compassion
- The right of parents to direct the care and upbringing of their children

***CONTRACT AGREEMENT***

As an elected official in Ottawa County, I will:

**1. Promote and protect liberty** and freedom by valuing the People of Ottawa County above the interests of government, corporations, or special interests. I will boldly take action to thwart tyranny, government overreach, and injustice in Ottawa County.

**2. Govern with the least force** and least authority required, allowing citizens maximum opportunity to make their own decisions for their families, businesses, employees, churches, and schools.

**3. Promote due process** and defend the rights and liberties of the People of Ottawa County, so the People may live without fear of reprisal or intimidation from local elected officials and staff.

**4. Defend the moral responsibility of parents** and legal guardians to maintain control of the care and upbringing of their children, which must not be usurped by local government or the government school system. The government's moral responsibility for children must remain subservient to parents' rights.

**5. Honor all people equally** due to their individual intrinsic value and worth; reject ideology that segregates people into groups to justify treating them differently.

**6. Use common sense**, courage, and the Constitution when making decisions in my elected role.

***PUBLIC POLICY AGENDA***

If elected to the Ottawa County Board of Commissioners, I will support the following items listed below:

**Civil Liberties**

I will support a county resolution that recognizes civil liberties are not reduced or suspended in times of crisis. Unconstitutional orders imposed in such times by a Governor, state agency, or local agency will be actively opposed and not enforced.

**Parental Rights**

I will support a county resolution recognizing each parent's right to guide their child's care, education, and curriculum. Evaluate how the county interacts with OAISD and local school districts. Create mechanisms to promote accountability and transparency to ensure the county's actions with schools are limited and appropriate.

***Transparency***

*I will support a county resolution that instructs the county administrator and corporate legal counsel to take steps to make county information "public by default" to increase transparency and accountability. Private information should be the exception for public servants.*

**Removing GARE Membership and Divisive Teachings**

I will support removing Ottawa County from the Government Alliance on Race and Equity ("GARE") membership, and discontinuing Ottawa County's promotion of divisive teachings aligned with Critical Race Theory such as[:] racial equity, privilege vs oppression based on skin color, intersectionality, implicit bias, systemic racism, and revisionist history.

**Removing Planned Parenthood-Aligned Resources**

I will support ending the county's promotion and use of Planned Parenthood-aligned resources, especially to schools and universities in Ottawa County.

**Changing Scheduled Time for Board Meetings**

> I will support changing the scheduled time for board meetings to a time after normal business hours to make it easier for people to attend and participate.
>
> **Changing Rules of the Ottawa County BOC**
>
> I will support changing the Rules of the Ottawa County Board of Commissioners, which allow Commissioners to punish, remove, restrict, or censure a commissioner who breaches the overly broad rules, including the rule to "advance the county's corporate, legal, and financial interests," which may conflict with the interests of the People and a commissioner's right to free speech.
>
> ***Respecting the judgment of citizens, I seek their mandate to restore trust and freedom by signing the Contract with Ottawa.***
>
> ***Soli Deo gloria.***

*Id* (emphasis added.)

16. When vetting candidates for endorsement, OI also created a *Position Statement: Vetting Standard for Local Candidates*, which mirrored the Contract. *See* Ottawa Impact, *Position Statement: Vetting Standards for Local Candidates*, https://ottawaimpact.com/download/Ottawa_Impact_Position_Statement.pdf (accessed March 6, 2023).

*Eight Ottawa Impact Candidates Are Elected to the Commission, Taking Majority Control*

17. Ottawa Impact PAC supported the OI-endorsed slate. Eight of the nine endorsed candidates were elected to the Commission on November 8, 2022, and the OI slate took control of the Commission. Boatman, *Ottawa Impact Officially Wins County Board Majority, But Sees Mixed Results in Schools*, Holland Sentinel (November 9, 2022), https://www.hollandsentinel.com/story/news/politics/elections/local/2022/11/09/ottawa-impact-wins-county-board-majority-but-sees-mixed-results-in-schools/69633041007/.

18. OI's post-election press release read as follows:

> **Ottawa Impact is thankful for the trust of the community in electing Ottawa Impact PAC candidates and Education PAC candidates to represent and serve the people of Ottawa County!**
>
> Ottawa Impact candidates signed the Contract with Ottawa, committing to defend American values, individual freedoms, and parental rights. We welcome the people who hold newly elected candidates accountable to the Contract.
>
> Ottawa Impact is excited for the future. Since May of 2021, Ottawa Impact has informed the people of the growing misalignment of government and political entities with freedom and all we hold dear. The people of Ottawa County responded by actively advocating with elected officials and school boards to defend our county, and have now spoken with their vote. . . .
>
> ***We look forward to restoring Ottawa County to Constitutional governance, protecting American values, individual freedoms, and parental rights.***
>
> We encourage the citizens of Ottawa County to remain engaged on the local level to defend these priorities into the future.
>
> Ottawa Impact will continue its work in thought leadership and truthful journalism, educating and training our people in advocacy for the preservation of all we hold dear.
>
> Ottawa County is filled with beautiful people. They are not deplorable, they are not extreme. Our people are hardworking Americans who love God, their families, and their children. We are honored to serve and lead this amazing county.

Ottawa Impact, *Press Release: 2022 General Election Results* (November 9, 2022), https://ottawaimpact.com/press-release-2022-general-election-results.

19. The eight OI-endorsed candidates who were elected were:

District 1: Gretchen Cosby
District 2: Lucy Ebel
District 4: Jacob Bonnema
District 5: Joe Moss
District 7: Rebekah Curran
District 8: Sylvia Rhodea

District 9: Roger Belknap
District 11: Allison Miedema

20. District 6 incumbent Commissioner Kyle Terpstra had previously announced his support for OI. *See* Muyskens, *Ottawa County Board Members Ousted Over Handling of COVID-19 Pandemic*, Holland Sentinel (August 3, 2022), https://www.hollandsentinel.com/story/news/politics/elections/local/2022/08/03/ottawa-county-board-members-ousted-over-handling-covid-19-pandemic/10222947002/. After his reelection on November 8, 2022, he joined with the eight winning OI-endorsed candidates to form a majority bloc of nine of the eleven commissioners-elect (the "Ottawa 9").

21. The Ottawa 9 are all current members of the Defendant Ottawa County Board of Commissioners.

22. A majority of the members of a county board of commissioners is a quorum for the transaction of business. MCL 46.3(1). In Ottawa County, a majority is six. Thus, the Ottawa 9 can conduct the business of the Board of Commissioners.

*Prior to Taking Office, the Ottawa 9 Meet, Deliberate, Make Public Policy Decisions, and Give Orders to County Government Workers Which Are Carried Out*

23. Immediately after their election but prior to taking office, the Ottawa 9 began meeting, deliberating over public policy, making public policy decisions, and issuing orders to Ottawa County employees and agents to implement those decisions—orders which were obeyed.

*Selecting a Chair*

24. At a private meeting—with no notice to the public—the Ottawa 9 decided to elect Ottawa Impact leader Joe Moss as Commission Chairman:

> *Two months before officially taking office, Ottawa Impact electees have made their first decision.* Incoming commissioners announced they plan to elect Joe Moss chairman of the Ottawa County Board of Commissioners. . . .
>
> The eight soon-to-be commissioners elected in November won't take office until the board's first meeting in January 2023—yet, because Ottawa Impact electees know they'll have a majority once seated, *they've begun making decisions*.

Boatman, *Ottawa Impact Electees Choose Board Chair Before Taking Office*, Holland Sentinel (November 17, 2022), https://www.hollandsentinel.com/story/news/politics/county/2022/11/17/ottawa-impact-electees-choose-board-chair-before-taking-office/69651529007/ (emphasis added); *see also* Ottawa Impact, *Letter Regarding Leadership of 2023 Ottawa County Board of Commissioners* (November 10, 2022), https://ottawaimpact.com/letter-regarding-leadership-of-2023-ottawa-county-board-of-commissioners ("As we prepare for a new year and a new County Board of Commissioners, we wish to communicate our intention to elect Joe Moss as Chair of the Ottawa County Board of Commissioners. Joe has led the people of Ottawa County in defending against government overreach over the past year, and will continue to be a strong leader of and for The People. We have confidence in Joe's leadership abilities, and *wish to communicate our intention to elect him as Chair of the Ottawa County Board of Commissioners in January of 2023*.") (emphasis added).

25. Being Board Chair is not a mere honorific but carries with it real public authority. The Chair not only runs the Commission meetings but also drafts the Commission's rules, recommends committee assignments, preserves order, and decides all questions of order. *See* Ottawa County Board of Commissioners, Rule 2.3.

26. Moss did not wait for his predetermined election as Chair to occur before exercising public authority. On December 28, 2022, prior to any commissioner taking office, he distributed his Commission rules, his committee assignments, and his Commission meeting schedule. *See* Email from Joe Moss to Commissioners-Elect (December 28, 2022) (Exhibit 1).[1]

27. Commissioners-Elect Zylstra and Bergman, the only commissioners not affiliated with Ottawa Impact, were not consulted on the new rules, and saw them for the first time on December 29, 2022. *See* Boatman, *Ottawa Impact Campaigned on Transparency. In Their First Meeting, They Blindsided the County*, Holland Sentinel (January 4, 2023), https://www.hollandsentinel.com/story/news/politics/county/2023/01/04/ottawa-impact-campaigned-on-transparency-in-their-first-meeting-they-blindsided-the-community/69775298007/.

*Firing County Administrator John Shay*

28. Prior to taking office, the Ottawa 9 decided to fire County Administrator John Shay.

29. When he learned of this decision, County Corporation Counsel Doug Van Essen contacted eight of the Ottawa 9 on December 22, 2022, to attempt to change their decision. *See* Email from Doug Van Essen to Commissioners-Elect (December 22, 2022) (Exhibit 2).

30. Van Essen's effort failed. No member of the Ottawa 9 responded to the Van Essen email, including denying that the Ottawa 9 had already decided to fire Shay.

*Hiring John Gibbs as County Administrator*

[1] The exhibits were lawfully obtained through a FOIA request made by Progress Michigan.

31. Prior to taking office, the Ottawa 9 decided to hire John Gibbs as County Administrator, replacing John Shay, without public notice or a public interview.

*Firing County Corporation Counsel Doug Van Essen*

32. Prior to taking office, the Ottawa 9 decided to fire County Corporation Counsel Doug Van Essen.

33. When Van Essen learned of this decision, he emailed eight of the Ottawa 9 volunteering to sacrifice himself in the hope of preventing County Administrator Shay from being fired. *See* Exhibit 2.

34. Van Essen's effort failed. No member of the Ottawa 9 responded to the Van Essen email, including denying that they had already decided to fire him.

*Hiring the Kallman Legal Group as Corporation Counsel*

35. Prior to taking office, the Ottawa 9 decided to hire the Kallman Legal Group as corporation counsel.

*Firing Director Robyn Afrik of the Diversity, Equity, and Inclusion Office*

36. Prior to taking office, the Ottawa 9 decided to fire Director Robyn Afrik of the Diversity, Equity, and Inclusion Office.

37. To implement this decision prior to taking office, the Ottawa 9 directed County Administrator Shay to prepare and execute a severance agreement for Afrik. *See* Email from Sylvia Rhodea to John Shay (November 30, 2022) (inquiring whether Afrik's severance agreement "has been fully executed by all parties at this time") (Exhibit 3). On December 1, 2022, Shay indicated that the agreement had been executed. *See* Email from John Shay to Sylvia Rhodea (December 1, 2022) (Exhibit 4).

*Abolishing the Office of Diversity, Equity, and Inclusion.*

38. Prior to taking office, the Ottawa 9 decided to abolish the office of Diversity, Equity, and Inclusion.

*Firing County Health Officer Lisa Stefanovsky and Her Successor Adeline Hambley*

39. County Health Officer Lisa Stefanovsky, the target of months of OI vitriol, had previously announced her retirement effective March 31, 2023. *See* Boatman, *Ottawa County Health Officer Lisa Stefanovsky Announces Retirement Just Weeks After Fateful Primary*, Holland Sentinel (August 18, 2022), https://www.hollandsentinel.com/story/news/local/2022/08/18/ottawa-county-health-officer-lisa-stefanovsky-announces-retirement-just-weeks-after-fateful-primary/65408903007/.

40. At its December 13, 2022 meeting, the Commission voted to appoint Adeline Hambley as County Health Officer to succeed Stefanovsky. *See* Ottawa County Board of Commissioners, Meeting Minutes (December 13, 2022) (Exhibit 5).

41. Prior to taking office, the Ottawa 9 decided to fire Stefanovsky and Hambley. *See* Exhibit 3 (November 30, 2022 email from Rhodea inquiring about the severance agreement for the Health Officer); Exhibit 4 (confirming that the Health Officer severance agreement had been executed); Exhibit 2 (December 22, 2022 email discussing the termination of Stefanovsky).

*Hiring Nathaniel Kelly as County Health Officer*

42. Prior to taking office, the Ottawa 9 decided to hire Nathaniel Kelly as County Health Officer.

*At the First Commission Meeting on January 3, 2023, the*

*Ottawa 9 Implemented Their Previously Made Decisions*

43. At the new Commission's first meeting on January 3, the OI-backed commissioners implemented the secret decisions they had made at secret meetings before taking office:

> After being sworn in Tuesday, Jan. 3, the Ottawa County Board of Commissioners, including eight new commissioners backed by Ottawa Impact during the election cycle, made a slew of changes. They [elected Joe Moss as Chair], fired administrator John Shay and replaced him with former GOP candidate John Gibbs without conducting a public interview; eliminated the county's Diversity, Equity and Inclusion Office [and fired its director]; chose a new health director [Nathaniel Kelly] to replace the successor to Lisa Stefanovsky who'd already been approved by the state; replaced the county's counsel [with the Kallman Legal Group] and changed the county's vision statement—costing taxpayers what's expected to be in excess of $300,000.
>
> All of those decisions were missing from the initial agenda posted for the meeting, denying community members the opportunity to speak on the issues, and instead were added, one-by-one, by several of the new commissioners in a meeting that was clearly orchestrated ahead of time.

Boatman, *Ottawa Impact Campaigned on Transparency*; *see also* Ottawa County Board of Commissioners, Meeting Minutes (January 3, 2023) (Exhibit 6). Gibbs was present at the meeting, thus further evidencing his predetermined hiring.

44. Other press reports confirmed that the Commission was implementing decisions the Ottawa 9 had made before taking office:

> When the new board took office, everyone knew the fates of the heads of the county Department of Public Health and county Office of Diversity, Equity and Inclusion. . . .
>
> [A]fter taking their oaths of office, the new commissioners introduced the firings during the proceedings. The public had no advanced warning of them or a flurry of other decisions by the board.
>
> There was little discussion among the commissioners as they took the actions. It wasn't clear whether the board had interviewed other candidates, or even the appointees, themselves. . . .

> "People were hired with no interviews, community notice or advanced notice," said Ruth Stegeman . . . of Holland. "Everything was done behind closed doors and then presented fait accompli. No respectable business would hire top personnel in this way."
>
> The board didn't give a reason for the jettisoning of the county administrator and county attorney last week, but their replacements and other appointees shared certain qualities.

Donnelly, *Political Revolution Sweeps Conservative Ottawa County, But Complaints Continue*, Detroit News (January 10, 2023), https://www.detroitnews.com/story/news/politics/michigan/2023/01/11/ottawa-county-board-of-commissioners-revolution-voters-debate/69782470007/.

**COUNT I – VIOLATIONS OF THE OPEN MEETINGS ACT**

45. Plaintiffs adopt and incorporate by reference each and every allegation in the foregoing paragraphs as if fully set forth herein.

46. The Open Meetings Act applies to county boards of commissioners. MCL 46.1(2).

47. The Open Meetings Act requires that all deliberations and decisions of a public body must take place at a public meeting in an accessible place open to the general public at which a person can address the meeting:

> (1) All meetings of a public body must be open to the public and must be held in a place available to the general public. All persons must be permitted to attend any meeting except as otherwise provided in this act. The right of a person to attend a meeting of a public body includes the right to tape-record, to videotape, to broadcast live on radio, and to telecast live on television the proceedings of a public body at a public meeting.
> . . .
> (2) All decisions of a public body must be made at a meeting open to the public.
> . . .
> (3) All deliberations of a public body constituting a quorum of its members must take place at a meeting open to the public . . . .

. . .

(5) A person must be permitted to address a meeting of a public body under rules established and recorded by the public body.

. . .

(6) A person must not be excluded from a meeting otherwise open to the public except for a breach of the peace actually committed at the meeting.

MCL 15.263(1), (2), (3), (5), and (6).

48. The Open Meetings Act also has specific requirements for the public notice of meetings:

> (1) A meeting of a public body shall not be held unless public notice is given as provided in this section by a person designated by the public body.
> (2) For regular meetings of a public body, there shall be posted within 10 days after the first meeting of the public body in each calendar or fiscal year a public notice stating the dates, times, and places of its regular meetings.
> (3) If there is a change in the schedule of regular meetings of a public body, there shall be posted within 3 days after the meeting at which the change is made, a public notice stating the new dates, times, and places of its regular meetings.
> (4) Except as provided in this subsection or in subsection (6), for a rescheduled regular or a special meeting of a public body, a public notice stating the date, time, and place of the meeting shall be posted at least 18 hours before the meeting in a prominent and conspicuous place at both the public body's principal office and, if the public body directly or indirectly maintains an official internet presence that includes monthly or more frequent updates of public meeting agendas or minutes, on a portion of the website that is fully accessible to the public. The public notice on the website shall be included on either the homepage or on a separate webpage dedicated to public notices for nonregularly scheduled public meetings and accessible via a prominent and conspicuous link on the website's homepage that clearly describes its purpose for public notification of those nonregularly scheduled public meetings. . . .

MCL 15.265(1)–(4).

49. The Open Meetings Act also has specific requirements for the contents of the notice of meetings:

> (a) A public notice shall always contain the name of the public body to which the notice applies, its telephone number if one exists, and its address.
> (b) A public notice for a public body shall always be posted at its principal office and any other locations considered appropriate by the public body. Cable television may also be utilized for purposes of posting public notice.
> (c) If a public body is a part of a state department, part of the legislative or judicial branch of state government, part of an institution of higher education, or part of a political subdivision or school district, a public notice shall also be posted in the respective principal office of the state department, the institution of higher education, clerk of the house of representatives, secretary of the state senate, clerk of the supreme court, or political subdivision or school district.

MCL 15.264(a)–(c).

50. The Open Meetings Act requires that minutes be kept of public meetings. MCL 15.269(1).

51. The Open Meetings Act defines a "public body" as:

> any state or local legislative or governing body, including a board, commission, committee, subcommittee, authority, or council, that is empowered by state constitution, statute, charter, ordinance, resolution, or rule to exercise governmental or proprietary authority or perform a governmental or proprietary function; a lessee of such a body performing an essential public purpose and function pursuant to the lease agreement; or the board of a nonprofit corporation formed by a city under section 4o of the home rule city act, 1909 PA 279, MCL 117.4o.

MCL 15.262(a).

52. The Open Meetings Act should be liberally construed to achieve its purposes. *See, e g, Wexford Co Prosecutor v Pranger*, 83 Mich App 197, 201; 268 NW2d 344 (1978); *Esperance v Chesterfield Twp*, 89 Mich App 456, 463; 280 NW2d 559 (1979).

53. The Open Meetings Act should also be construed to preclude evasion of its requirements. *See, e g, Herald Co v Bay City*, 463 Mich 111, 134–35; 614 NW2d 873 (2000).

54. The law has long recognized *de facto* legal status, *de facto* government actions, *de facto* government organizations, and *de facto* government authority. *See, e g, Duray Dev, LLC v Perrin*, 288 Mich App 143, 152; 792 NW2d 749 (2010) (*per curiam*), *lv denied*, 488 Mich 994; 791 NW2d 438 (2010) (*de facto* corporation); *People v Kaplan*, 256 Mich 36, 38–39; 239 NW 349 (1931) (*de facto* grand jury); *Merkur Steel Supply, Inc v Detroit*, 261 Mich App 116, 125; 680 NW2d 485 (2004), *lv denied*, 471 Mich 884; 688 NW2d 502 (2004) (*de facto* taking of private property); *De Hoop v Peninsular Life Ins Co*, 193 Mich 380, 390; 159 NW 500 (1916) (*de facto* agent); *Killingbeck v Killingbeck*, 269 Mich App 132, 158–59; 711 NW2d 759 (2005) (COOPER, J., concurring in part and dissenting in part) (*de facto* parent); *Smith v Cameron*, 158 Mich 174, 176; 122 NW 564 (1909) (*de facto* guardian); *In re Andrews*, 265 Mich 661, 666; 252 NW 482 (1934) (*de facto* corporate director); *Farm Bureau Ins Co v Pedlow*, 3 Mich App 478, 484; 142 NW2d 877 (1966), *lv denied*, 378 Mich 727; ___ NW2d ___ (1966) (*de facto* employee); *Auto Electric & Serv Corp v Rockwell Int'l Corp*, 111 Mich App 292, 296–97; 314 NW2d 592 (1981) (*de facto* termination of contract); *Flemming v Heffner & Flemming*, 263 Mich 561, 567–68; 248 NW 900 (1933) (*de facto* corporate dissolution); *Turner v Bituminous Cas Co*, 397 Mich 406, 419–20; 244 NW2d 873 (1976) (*de facto* corporate merger).

55. In government transparency law, courts have also recognized the principle of *de facto* public bodies. *See, e g, Breighner v Mich High Sch Athletic Ass'n*, 471 Mich 217, 230; 683 NW2d 639 (2004) (recognizing that a *de facto* "public body" can exist under the Freedom of Information Act but declining to declare the MHSAA a *de facto* public body); *News Journal Co v Del Solid Waste*, unreported opinion of the Superior Court of

Delaware, issued February 8, 1982 (Docket No. 81C-JN-17), p 6 (under Delaware FOIA, entities exercising *de facto* authority may be "public bodies").

56. The Ottawa 9 constituted a *de facto* public body subject to the Open Meetings Act from November 8, 2022, until January 3, 2023, because during that period they (1) constituted a majority and a quorum of the incoming Ottawa County Commission; (2) performed government functions by meeting and communicating in person or electronically to deliberate and make decisions on public policy; (3) exercised government authority by directing Ottawa County employees and agents to carry out their decisions; and (4) Ottawa County employees and agents obeyed their orders.

57. As a *de facto* public body during the period of November 8, 2022, until January 3, 2023, the Ottawa 9 violated the Open Meetings Act, specifically MCL 15.263(1), (2), (3), and (5); MCL 15.265(1)–(4); MCL 15.264(a)–(c); and MCL 15.269(1) as set forth in ℙℙ 23– 42.

58. The failure of the Ottawa 9 to give public notice of their meetings between November 8, 2022, and January 3, 2023, in accordance with MCL 15.265 interfered with substantial compliance of MCL 15.263(1)–(3).

59. Noncompliance with MCL 15.263(1)–(3) and MCL 15.265 by the Ottawa 9 has impaired the rights of the public under the Open Meetings Act.

**COUNT II – VIOLATION OF THE PUBLIC'S CONSTITUTIONAL RIGHT TO INFORMATION ABOUT GOVERNMENT ACTIVITIES**

> A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or Tragedy; or, perhaps both.
>
> – 9 The Writings of James Madison (Hunt ed, 1910), p 103.

60. Plaintiffs adopt and incorporate by reference each and every allegation in the foregoing paragraphs as if fully set forth herein.

61. Article 1, §§ 3 and 5 of the Michigan Constitution collectively protect, *inter alia*, freedom of speech, instruction, and to petition:

> The people have the right peaceably to assemble, to consult for the common good, to instruct their representatives and to petition the government for redress of grievances.
> . . .
> Every person may freely speak, write, express and publish his views on all subjects, being responsible for the abuse of such right; and no law shall be enacted to restrain or abridge the liberty of speech or of the press.

62. The rights of speech, association, and to petition under Michigan's Constitution are coextensive with those under the First Amendment to the U.S. Constitution. *Woodland v Mich Citizens Lobby*, 423 Mich 188, 208; 378 NW2d 337 (1985) ("'[The] same liberty of speech . . . is secured by the Constitution of the State of Michigan' as is guaranteed by the First Amendment."), *quoting Book Tower Garage, Inc v UAW Local No 415*, 295 Mich 580, 587; 295 NW 320 (1940); *Mich Up & Out of Poverty Now Coalition v Michigan*, 210 Mich App 162, 168–69; 533 NW2d 339 (1995) ("We thus review plaintiff's challenges to the new procedures in accordance with federal authority construing the First Amendment.") (citing Michigan Supreme Court authority).

63. Under the First Amendment, not only are the rights of speakers protected but

> [i]t is now well established that the Constitution *protects the right to receive information and ideas*. "This freedom [of speech and press] . . . necessarily protects the right to receive . . . ." This right to receive information and ideas, regardless of their social worth, is fundamental to our free society.

*Stanley v Georgia*, 394 US 557, 564; 89 S Ct 1243; 22 L Ed 2d 542 (1969) (citations omitted) (emphasis added).

64. Under these authorities, the people of Ottawa County had the state constitutional right to be timely informed of the governmental decisions being made by the Ottawa 9 between November 8, 2022, and January 3, 2023.

65. When the Ottawa 9 failed to timely inform the people of Ottawa County of the governmental decisions being made, the Ottawa 9 violated Article 1, §§ 3 and 5 of the Michigan Constitution.

66. When the Ottawa 9 failed to inform the people of Ottawa County of the governmental decisions being made by the Ottawa 9 between November 8, 2022, and January 3, 2023, the people of Ottawa County were denied their right to instruct their representatives under Article 1, § 3.

67. When the Ottawa 9 failed to inform the people of Ottawa County of the governmental decisions being made by the Ottawa 9 between November 8, 2022, and January 3, 2023, the people of Ottawa County were denied their right to petition the government under Article 1, § 3.

**RELIEF SOUGHT**

WHEREFORE, Plaintiffs pray that the Court:

1. Declare that the Ottawa 9 were a *de facto* public body under the Open Meetings Act and State Constitution from November 8, 2022, until January 3, 2023;
2. Declare that all decisions made by the Ottawa County Commission on January 3, 2023, violated the Open Meetings Act and the State Constitution;
3. Invalidate all decisions made by the Ottawa County Commission on January 3, 2023;
4. Compel the Ottawa County Commission to comply with the Open Meetings Act and State Constitution;

5. Enjoin further noncompliance by the Ottawa County Commission with the Open Meetings Act and State Constitution;
6. Award actual attorneys' fees and court costs to Plaintiffs pursuant to MCL 15.271(4); and
7. Award such other relief as is appropriate and just.

Respectfully submitted,

/s/ Mark Brewer

By: Mark Brewer (P35661)
Goodman Acker, P.C.
Attorneys for Plaintiffs
17000 W. Ten Mile Road
Southfield, MI 48075
(248) 483-5000
mbrewer@goodmanacker.com

Dated: March 8, 2023

**STATE OF MICHIGAN**
**IN THE CIRCUIT COURT FOR THE COUNTY OF OTTAWA**

**PETER ARMSTRONG, SR., SUSAN HOEKEMA, JASON HUNTER,** and **JEFFREY PADNOS**,

Plaintiffs,

v

**OTTAWA COUNTY BOARD OF COMMISSIONERS**,

Defendant.
_____/

Case No. _____-CZ
Hon.

MARK BREWER (P35661)
ROWAN E. CONYBEARE (P86571)
Goodman Acker, P.C.
Attorneys for Plaintiffs
17000 W. Ten Mile Road
Southfield, MI 48075
(248) 483-5000
mbrewer@goodmanacker.com
_____/

**COMPLAINT FOR VIOLATIONS OF THE OPEN MEETINGS ACT AND MICHIGAN CONSTITUTION**

**EXHIBITS**

# EXHIBIT 1

**FOIA Mailbox**

**From:** Joe Moss <joe@joemoss.com>
**Sent:** Wednesday, December 28, 2022 4:11 PM
**To:** Joe Moss
**Cc:** Gretchen Cosby;Jacob Bonnema;Doug Zylstra;lucy@lucyebel.com;Kyle Terpstra;Rebekah Curran;Sylvia Rhodea;Roger Belknap;Roger Bergman;Allison Miedema
**Subject:** Items for Organizational Meeting 1/3
**Attachments:** 2023 Board Meeting Schedule.xlsx; 2023 Committee Assignments.xlsx; Rules of the Ottawa County Board of Commissioners - 2023.pdf

Hello Everyone,

I hope you are having a great holiday season! I look forward to serving The People of Ottawa County with you next year.

I attached the following documents for you to review so you can be ready for the meeting on January 3: 2023 Board Rules, Standing Committee assignments, Board Meeting Schedule.

Thanks,

Joe Moss
616.402.7751

# EXHIBIT 2

## FOIA Mailbox

**From:** Jacob Bonnema <jacob@jacobbonnema.com>
**Sent:** Thursday, December 22, 2022 6:35 PM
**To:** Doug Zylstra
**Subject:** Fwd: Rumor Mill

Sent from my iPhone

Begin forwarded message:

> **From:** Douglas Van Essen <dvanessen@miottawa.org>
> **Date:** December 22, 2022 at 4:08:32 PM EST
> **To:** allison@allisonmiedema.com, gretchen@gretchencosby.com, jacob@jacobbonnema.com, joe@joemoss.com, ebellu1981@gmail.com, Rebekah Curran <rebekahacurran@gmail.com>, roger@rogerbelknap.com, sylvia@sylviarhodea.com
> **Subject: Rumor Mill**
>
> Dear new Commissioners:
>
> John Shay has no idea I am sending this message and would not approve of it.
> John has left for Ohio for Christmas and I have not talked to him about what my connections in other parts of the State are advising me. Let me summarize the rumor. You have decided to fire John and fire me at the start of the year.
>
> In the event that this is a rumor, largely ignore the following. In the event that it is true, let me say this:
>
> 1. I was planning on retiring from my corporation counsel job January 1st anyway and was only sticking around until a full time replacement could be found to sit every day in my office and perform the work every day that is required in an operation that has 1800 employees and a quarter of a billion dollar budget. I actually only took the position in 2017 as a favor to Al Vanderberg, so, I am not writing this about me. You can do whatever you want for whatever reason to my position as corporation counsel. Although for the past 30 years, the person holding this position has ALWAYS been a daily (necessary) presence in West Olive. It cannot be done from afar.
> 2. I am writing about John Shay and the good of Ottawa County whose interests you will soon be sworn to uphold. First, John is not a friend. We only work together. I am not personally close to John, but I have watched him in operation since he came as deputy administrator.
> 3. John had absolutely no role in COVID, on the mask mandate or any of the Health Department issues that are so important to you. John had absolutely no role in DEI. It was here when he came and he has had no role with it while he has been here.
> 4. John ONLY took the administrator's job because literally the County had no one remotely capable who applied. All good candidates were worried about the politics in Ottawa County.
> 5. John has worked tirelessly since he started in the County and redoubled his efforts as Administrator. He literally gets up at 5 in the morning to be here by 8 and he is often here when I leave at 6 pm, meaning he has yet to drive home to Ludington and repeat his daily cycle.

6. John is doing that because his wife has friends in Ludington and they are active in their church up there. That is that kind of selfless Christian husband. Ask Kyle!!! In short, John has done nothing to deserve any retaliation; he is a very good administrator and an even better human being.
7. There are 1800 employees who work at Ottawa that have been scared (some have already left) about the political turnover and John has worked tireless to calm matters down, restoring brown bag lunches with all departments to spread the news that County is functioning and services will not suffer on January 1, 2023 and that the new Board members undoubtedly has the best interests of the County in mind and while stamping their own views on some issues there isn't going to be huge dysfunction at the County. By the way, of the millions of things that happen in a year in County government, the now dead mask mandate and DEI are not even blips on the day to day functioning of Ottawa County Government.
8. You can fire me and you can fire the DEI Director and serve whatever base you think you have to serve and do minimal damage. But if you fire the Corporation Counsel and Administrator you will send shock waves, not just throughout the County but at Wall Street where we have ended up with one of the few AAA bond ratings in Michigan, in part due to Ottawa County's perceived stability. Stable counties don't fire their corporation counsel and administrator. It either means there is mass corruption or that the commissioners are inexperienced and on some witch hunt. Either way, that bond rating which affects the ability of the County and townships to save thousands of dollars in rates will be rattled and at risk because the intangibles are as important in the rating as the financial fundamentals.
9. Turnover is already an issue at the County; you will immediately cause some of Ottawa's most talented employees to look for other employment.
10. The elected officials will immediately put up barriers that have taken 25 years to break down. Each elected official has co-employer status and can operate independently on personnel issues. The Courts are sole employers and don't have to use any County human resources or fiscal services. In the 1980's, each elected official demanded a lump sum budget and then administered it independently of the BOC. That can and will likely happen again.
11. Ottawa County will immediately lose its standing across the State as one of the best run counties.
12. You will likely cause the RHINOs and big business in the County to support a charter and county executive form of government that will eliminate the kind of rapid political instability that will have occurred by reducing the BOC to approving a budget and some bills during the course of the year. You think I am exaggerating? This is exactly what the elected officials did in the late 1980's after a County Administrator was appointed and while the voters defeated it that time, business was against it then. It won't be now.

All of this for what? Again, if you need to show blood, sacrifice Robyn and me. Don't sacrifice an administrator who did nothing to deserve it and is very good at what he does. Ask anyone in local government in Ottawa County.

Are you mad because the old Board gave Lisa S a 3 month severance "OPTION" if you terminate her before her retirement? First of all, that was my doing to PROTECT the General Fund from a potential million dollar action she would have because some of you continue to defame her. The Sixth Circuit (Libertas case) held that she did not violate the Michigan or State Constitutions in enforcing the Governor's mask mandate; The Michigan Court of Appeals—thanks to the case some of you were involved with—has now held that she did not abuse her power in issuing the temporary, partial mask mandate under Michigan law. That is not my opinion; Thanks to Libertas and those behind the Flynn case—that is the law in the State of Michigan. Had you fired her for abuse of power or fire her now, Ottawa County would have and is still exposed to an expensive litigation that it will invariably lose and

be exposed to millions of dollars in defamatory damages. If you fire her when you take office, because of my work, she will have to decide whether to sue or take the 3 months severance which also includes a waiver. If she sues, Ottawa County will lose and whatever lawyer has been giving some of you bad advice will only hand you a multimillion dollar loss. Knowing Lisa, she will probably take the severance and sign the complete waiver I have prepared in the employment agreement to protect the Ottawa County General Fund. Why? Because she is a quality person and a dedicated Ottawa County officer. You can disagree with her all you want on the mask mandate—I personally didn't like it either—but she did that in good faith and well within her powers, and she did it to protect the vulnerable.

Are you mad because Addie was hired and you didn't get to pick that position or because most of the ARPA money has been spent? John had no defining role on either of those issues. Those were following the old Board's edicts. They mandated that they pick the new Public Health Officer and they would have spent ALL ARPA money if John did not slow some of that down on that front. And, both were their rights as Commissioners until December 31, 2022.

In short, things are not always what they seem and everything you do will now have significant collateral consequences. You have to be crafty or you wouldn't have been elected. But you are not experienced in government nor certainly in municipal government. Whomever you are consulting with obviously has NO experience in county law or they wouldn't have lost so badly in the Court of Appeals or frankly, in Libertas. Worse, that person is now creating rumors in the State that are damaging the County.

Again, if my contacts are wrong, ignore this message. But, I suspect that they are not wrong. I suspect that I have sealed my fate with you, but I won't regret it. My loyalty is to Ottawa County the Corporation and always has been. I have served those interest for over 40 years. Believe it or not, that is what I am doing now.

This is a confidential communication so I cannot use it against you, nor can I use any response you might give while I am Corporation Counsel. I will protect you and my charge until the end of my service.

--Doug

Ottawa County
Where You Belong.
Douglas W. Van Essen
Ottawa County Corporation Counsel
12220 Fillmore Street
West Olive, Michigan 49460
(616) 738-4861



**From:** Douglas Van Essen
**Sent:** Tuesday, December 20, 2022 5:53 PM
**To:** 'allison@allisonmiedema.com' <allison@allisonmiedema.com>; 'gretchen@gretchencosby.com' <gretchen@gretchencosby.com>; jacob@jacobbonnema.com; 'joe@joemoss.com' <joe@joemoss.com>; 'ebellu1981@gmail.com' <ebellu1981@gmail.com>; Rebekah Curran <rebekahacurran@gmail.com>; 'roger@rogerbelknap.com' <roger@rogerbelknap.com>; 'sylvia@sylviarhodea.com' <sylvia@sylviarhodea.com>
**Cc:** John Shay <jshay@miottawa.org>; Patrick Waterman <pwaterman@miottawa.org>; Danielle Galla

<dgalla@silvervanessen.com>; Doug Zylstra <dzylstra@miottawa.org>; Roger Bergman <rbergman@miottawa.org>; Kyle Terpstra <kterpstra@miottawa.org>
**Subject:** Looking towards 2023

To all new Ottawa County Commissioners:

As you prepare to take the mantle of commissioner leaders in Ottawa County, we wanted to make sure that you hit the ground on a positive note, and are not subject to external criticism on a couple of key areas—election of officers and social media. To that end, with John's and Patrick's input and authorization, I have put together an opinion on these subjects and some advice to neutralize any concerns that might be raised.

The duties of this office are to the corporation, including its elected and appointed officials and other personnel. Since you are all commissioners elect, the attorney/client privilege between this office and you on BOC or other County related issues is in existence and I welcome any questions or concerns you have regarding this memorandum.

I have met some of you and look forward to meeting the rest of you on January 3, 2023.

--Doug

Ottawa County
Where You Belong.
Douglas W. Van Essen
Ottawa County Corporation Counsel
12220 Fillmore Street
West Olive, Michigan 49460
(616) 738-4861

# EXHIBIT 3

**FOIA Mailbox**

**From:** Sylvia Rhodea <sylvia@sylviarhodea.com>
**Sent:** Wednesday, November 30, 2022 3:39 PM
**To:** John Shay
**Cc:** Regina MacMillan;Patrick Waterman;Joe Moss;Gretchen Cosby;Kyle Terpstra
**Subject:** Re: Meeting request December 15



John,

10:30 sounds great. We'd like to meet with you one-on-one and schedule a meeting with Patrick afterwards. Will you please confirm.

Have the severance agreements for the Health Officer and the DEI Director been fully executed by all parties at this time?

Thank you for help.

For Freedom and Family,

Sylvia Rhodea

On Nov 30, 2022, at 1:30 PM, John Shay <jshay@miottawa.org> wrote:

Hi, Sylvia:

I hope you had a great Thanksgiving, too.

Patrick and I will meet with Joe Moss and you on Thursday, December 15 at 10:30 a.m. We look forward to getting to know each other. Thanks.

**John Shay | *County Administrator***

12220 Fillmore St. | West Olive, Michigan 49460 | 616-738-4642
jshay@miOttawa.org | www.miOttawa.org

Ottawa County
Where You Belong

**From:** CAMPAIGN <sylvia@sylviarhodea.com>
**Sent:** Tuesday, November 29, 2022 10:24 AM

**To:** John Shay <jshay@miottawa.org>; Regina MacMillan <rmacmillan@miottawa.org>
**Subject:** Meeting request December 15

Hi John,

I hope you had a great Thanksgiving.

Joe and I would like schedule a meeting for the three of us at 9:30 am on Thursday, December 15, at your office. Are you available to meet at that time? If not, we could also schedule time to meet on the morning of December 13 or 14.

Whichever day works best for you, could you please also schedule a meeting for Joe and I with Patrick Waterman at 10:30 am?

For Freedom and Family,

Sylvia Rhodea

# EXHIBIT 4

## FOIA Mailbox

**From:** Sylvia Rhodea <sylvia@sylviarhodea.com>
**Sent:** Thursday, December 1, 2022 4:51 PM
**To:** John Shay
**Cc:** Patrick Waterman;Regina MacMillan;Joe Moss;Gretchen Cosby;Kyle Terpstra
**Subject:** Re: Meeting request December 15



John,

Sounds good. Thank you for confirming.

We're not looking for anything specific from Patrick, just looking forward to connecting.

Thanks for the update on the agreements. Will you please send copies at your next convenience.

We look forward to our conversation.

For Freedom and Family,

Sylvia Rhodea

On Dec 1, 2022, at 9:39 AM, John Shay <jshay@miottawa.org> wrote:

Hi, Sylvia:

Let's have Joe, you and me meet on Tuesday, December 13th at 9:30 a.m. The two of you can then meet with Patrick on that same date after our meeting has concluded. As you are probably aware, I have made the department heads available to meet with the incoming commissioners in order for them to learn more about the individual departments and the services that they provide. Being that Patrick is so new to the organization, he may not be the best resource for you yet. Is there any specific information you are seeking from him, so he can better prepare for this meeting?

The severance agreements for the Health Officer and the DE&I Director have been fully executed.

I look forward to meeting with the two of you and hearing what your vision and goals for the County will be going forward. Please contact me if you have any questions. Thanks.

**John Shay | *County Administrator***

12220 Fillmore St. | West Olive, Michigan 49460 | 616-738-4642
jshay@miOttawa.org | www.miOttawa.org

# EXHIBIT 5

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

The Ottawa County Board of Commissioners met on December 13, 2022, at 1:32 p.m. and was called to order by the Chair.

Commissioner Matt Fenske pronounced the invocation.

The Chief Deputy Register led in the Pledge of Allegiance to the Flag of the United States of America.

Present at roll call: Francisco Garcia, Joseph Baumann, Douglas Zylstra, Allen Dannenberg, Randall Meppelink, Kyle Terpstra, James Holtvluwer, Gregory DeJong, Philip Kuyers, Roger Bergman, Matthew Fenske. (11)

Presentation of Petitions and Communications

A. GCSI Update-Bob DeVries gave a legislative update.

B. Robyn Afrik-Read a letter from Grand Valley State University in recognition of Chairperson Matt Fenske.

Board Chair Comments

Chairman Fenske spoke on several topics, including, thanking all the local businesses for reaching out and thanking the Board for the hard work on the ARPA funding distribution and he spoke on several transformational areas that the ARPA money will help make possible that are already in motion.

Public Comments

1. John Nash-Spring Lake Township
2. Patricia Kingsley-Georgetown Township
3. Jeremy Bosch-Holland
4. Jeff Anderson-Works in Ottawa County

B/C 22-276 Joseph Baumann moved to approve the agenda with the following amendments: add Action Item #2 under "From Administration: to include a Resolution to appoint a new Administrative Health Offices, remove Action Item #12 under "From Finance and Administration Committee", and under "Board Appointments" #27, add the names *Dave Ziegler and *Nick Knebl. The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Francisco Garcia, Allen Dannenberg, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Randall Meppelink, Joseph Baumann, Roger Bergman, Matthew Fenske. (11)

B/C 22-277 Allen Dannenberg moved to approve the following Consent Resolutions.

1. To approve the minutes of the November 22, 2022, Board of Commissioners meeting.

2. To approve the general claims in the amount of $6,624,087.59 as presented by the summary report for November 13,2022 through November 25, 2022.

3. To ratify all contracts currently pending on the post-execution ratification list as authorized under Section IV (D)(2) of the Ottawa County Contracting Authorization and Form Policy.

The motion passed as shown by the following votes: Yeas: Francisco Garcia, Roger Bergman, Douglas Zylstra, Allen Dannenberg, Kyle Terpstra, Randall Meppelink, James Holtvluwer, Joseph Baumann, Philip Kuyers, Gregory DeJong, Matthew Fenske. (11)

B/C 22-278 Roger Bergman moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Resolution of Support for the establishment of a Commercial Rehabilitation Districts (PA 210 of 2005) in the City of Grand Haven.

The motion passed as shown by the following votes: Yeas: Allen Dannenberg, Joseph Baumann, Roger Bergman, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Gregory DeJong, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Matthew Fenske. (11)

B/C 22-279 Philip Kuyers moved to approve and authorize the Board Chairperson and Clerk/Register to sign a resolution to appoint Adeline Hambley as Ottawa County Administrative Health Officer contingent upon 1) approval by the Board of Commissioners; 2) confirmation by the Michigan Department of Health and Human Services that she has the required educational certifications and work background; and 3) successfully passing the County's background check process.

The motion passed as shown by the following votes: Yeas: Kyle Terpstra, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Gregory DeJong, Randall Meppelink, Joseph Baumann, Roger Bergman, Allen Dannenberg, Francisco Garcia, Matthew Fenske. (11)

B/C 22-280 Gregory DeJong moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Grant Agreement with the Ottawa County Parks Foundation for Parks staff support

The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Douglas Zylstra, Roger Bergman, Allen Dannenberg, Gregory DeJong, Joseph Baumann, Matthew Fenske. (11)

B/C 22-281 Gregory DeJong moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Resolution approving the grant application to the Michigan Spark Grant Program for $674,000 in funding assistance for the Kirk Park Renovation project.

The motion passed as shown by the following votes: Yeas: Roger Bergman, Douglas Zylstra, Philip Kuyers, Francisco Garcia, James Holtvluwer, Joseph Baumann, Gregory DeJong, Randall Meppelink, Allen Dannenberg, Kyle Terpstra, Matthew Fenske. (11)

B/C 22-282 Gregory DeJong moved to approve and authorize the Board Chairperson and Clerk/Register to sign the agreement, or one substantially similar as determined by the Parks Director, with the Michigan Department of Natural Resources to construct, operate, and maintain portions of the Idema Explorers Trail through the Bass River State Recreation Area.

The motion passed as shown by the following votes: Yeas: Douglas Zylstra, Roger Bergman, Joseph Baumann, Philip Kuyers, Francisco Garcia, Randall Meppelink, Allen Dannenberg, Gregory DeJong, James Holtvluwer, Kyle Terpstra, Matthew Fenske. (11)

B/C 22-283 Gregory DeJong moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Settlement Agreement in the Wayside Class Action Case on Rafaeli Claims.

The motion passed as shown by the following votes: Yeas: Joseph Baumann, Francisco Garcia, Randall Meppelink, James Holtvluwer, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Philip Kuyers, Allen Dannenberg, Roger Bergman, Matthew Fenske. (11)

B/C 22-284 Gregory DeJong moved to approve the revised Purchasing Card Policy for review and comment.

The motion passed as shown by the following votes: Yeas: Kyle Terpstra, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Gregory DeJong, Randall Meppelink, Joseph Baumann, Roger Bergman, Allen Dannenberg, Francisco Garcia, Matthew Fenske. (11)

B/C 22-285 Gregory DeJong moved to approve the revised Travel and Meal Policy for review and comment.

The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Francisco Garcia, Allen Dannenberg, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Randall Meppelink, Joseph Baumann, Roger Bergman, Matthew Fenske. (11)

B/C 22-286 Gregory DeJong moved to approve the proposed Change Orders for the Family Justice Center Policy for review and comment.

The motion passed as shown by the following votes: Yeas: Francisco Garcia, Roger Bergman, Douglas Zylstra, Allen Dannenberg, Kyle Terpstra, Randall Meppelink, James Holtvluwer, Joseph Baumann, Philip Kuyers, Gregory DeJong, Matthew Fenske. (11)

B/C 22-287 Gregory DeJong moved to approve and authorize the Board Chairperson and Clerk/Register to sign the contract with Denny's Excavating in the amount of $279,895.00 for construction of the Grand Ravines Treehouse.

The motion passed as shown by the following votes: Yeas: Allen Dannenberg, Joseph Baumann, Roger Bergman, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Gregory DeJong, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Matthew Fenske. (11)

B/C 22-288 Joseph Baumann moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Amended Agreement for Funding Assistance between Ottawa County and the Ottawa Conservation District.

The motion failed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Douglas Zylstra, Roger Bergman, Allen Dannenberg, Gregory DeJong, Joseph Baumann, Matthew Fenske. (11)

B/C 22-289 Joseph Baumann moved to approve and authorize the Board Chairperson and Clerk/Register to sign the interlocal agreement with the Road Commission regarding the Treasurer's Custody of Road Commission funds and coordination of Audit requirements.

The motion passed as shown by the following votes: Yeas: Roger Bergman, Douglas Zylstra, Philip Kuyers, Francisco Garcia, James Holtvluwer, Joseph Baumann, Gregory DeJong, Randall Meppelink, Allen Dannenberg, Kyle Terpstra, Matthew Fenske. (11)

B/C 22-290 Joseph Baumann moved to approve and authorize the Board Chairperson and Clerk/Register to sign the OPEB Advisory Services Agreement with CapTrust.

The motion passed as shown by the following votes: Yeas: Joseph Baumann, Francisco Garcia, Randall Meppelink, James Holtvluwer, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Philip Kuyers, Allen Dannenberg, Roger Bergman, Matthew Fenske. (11)

B/C 22-291 Joseph Baumann moved to approve and authorize the Board Chairperson and Clerk/Register to sign the contract for Credit Card Processing with Huntington/FiServe for equipment in the amount of $4,000, and software in the amount of $100 plus associated annual transaction fees as outlined in the Request for Proposal Response and the Merchant Agreement which is estimated to be $150,000 subject to Corporate Counsel and the Treasurer's final approval.

The motion passed as shown by the following votes: Yeas: Kyle Terpstra, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Gregory DeJong, Randall Meppelink, Joseph Baumann, Roger Bergman, Allen Dannenberg, Francisco Garcia, Matthew Fenske. (11)

B/C 22-292 Joseph Baumann moved to approve and authorize the Board Chairperson and Clerk/Register to sign the 3-year licensing agreement, server replacement, and 1-year extension of the Master Services Agreement with Sentinel Technologies at a total cost of $311,049.01.

The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Francisco Garcia, Allen Dannenberg, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Randall Meppelink, Joseph Baumann, Roger Bergman, Matthew Fenske. (11)

B/C 22-293 Joseph Baumann moved to approve the request from Community Mental Health to add one, 1.0 FTE full-time, benefited Nurse Practitioner positions at paygrade 16 at a total cost of $137,690 paid for with CCBHC grant funds and Medicaid.

The motion passed as shown by the following votes: Yeas: Francisco Garcia, Roger Bergman, Douglas Zylstra, Allen Dannenberg, Kyle Terpstra, Randall Meppelink, James Holtvluwer, Joseph Baumann, Philip Kuyers, Gregory DeJong, Matthew Fenske. (11)

B/C 22-294 Joseph Baumann moved to approve the request from Community Mental Health to add temporary, non-benefited Crisis Support pooled positions at a not-to-exceed cost of $40,000 annually.

The motion passed as shown by the following votes: Yeas: Allen Dannenberg, Joseph Baumann, Roger Bergman, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Gregory DeJong, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Matthew Fenske. (11)

B/C 22-295 Joseph Baumann moved to approve the FY22 and FY23 budget adjustments per the attached schedule.

The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Douglas Zylstra, Roger Bergman, Allen Dannenberg, Gregory DeJong, Joseph Baumann, Matthew Fenske. (11)

B/C 22-296 Doug Zylstra moved to place into nomination all the names that are asterisked (*) that have an equal number of applicants as there are seats on that Board. That bundle would correspond to the following Appointments: 1, 2, 3, 6, 7, 9, 11, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, and 26.

The motion passed as shown by the following votes: Yeas: Douglas Zylstra, Roger Bergman, Joseph Baumann, Philip Kuyers, Francisco Garcia, Randall Meppelink, Allen Dannenberg, Gregory DeJong, James Holtvluwer, Kyle Terpstra, Matthew Fenske. (11)

B/C 22-297 Francisco Garcia moved to approve all the applicants that are asterisked (*) associated with the bundling in motion B/C 22-296.

The motion passed as shown by the following votes: Yeas: Roger Bergman, Douglas Zylstra, Philip Kuyers, Francisco Garcia, James Holtvluwer, Joseph Baumann, Gregory DeJong, Randall Meppelink, Allen Dannenberg, Kyle Terpstra, Matthew Fenske. (11)

*Paul Windemuller
and to select one (1) to fill one (1) Agricultural vacancy to the Agricultural Preservation Board beginning January 1, 2023 and ending December 31, 2025.

*Josh Hucul
and to select one (1) to fill one (1) Real Estate vacancy to the Agricultural Preservation Board beginning January 1, 2023 and ending December 31, 2025.

*Lukas E. Hill
and to select one (1) to fill one (1) Township Government vacancy to the Agricultural Preservation Board beginning January 1, 2023 and ending December 31, 2025.

*Paula Jean Creswell
and to select one (1) to fill one (1) Business Community vacancy to the Community Corrections Advisory Board beginning January 1, 2023 and ending December 31, 2024.

*Nichole Derks
and to select one (1) to fill one (1) Defense Attorney vacancy to the Community Corrections Advisory Board beginning January 1, 2023 and ending December 31, 2024

*Matthew Lowe
*Tim Piers
*Heather Toppen
and to select three (3) to fill three (3) Service Areas vacancies to the Community Corrections Advisory Board beginning January 1, 2023 and ending December 31, 2024.

*Rebekah Bakker
and to select one (1) to fill one (1) Private Sector vacancy to the Comprehensive Economic Development Strategy Committee beginning January 1, 2023 and ending December 31, 2023.

*Jordan Jorritsma
and to select one (1) to fill one (1) County Resident vacancy to the Land Bank Authority beginning January 1, 2023 and ending December 31, 2028.

*Daniel Strikwerda
*Timothy Maday
and to select two (2) to fill two (2) City/Village Representative vacancies to the Land Bank Authority beginning January 1, 2023 and ending December 31, 2028.

*Kenneth Brune
and to select one (1) to fill one (1) Director vacancy to the Ottawa County Economic Development Corp/Brownfield Redevelopment Authority beginning January 1, 2023 and ending December 31, 2028.

*Beth Durkee
*Larry Jackson
*Tracey Nauta
and to select three (3) to fill three (3) Member vacancies to the Officers Compensation Commission beginning immediately and ending December 31, 2025.

*Joseph Alfonso
and to select one (1) to fill one (1) Member vacancy to the Officers Compensation Commission beginning immediately and ending December 31, 2023.

*Dan Broersma
and to select one (1) to fill one (1) City Government vacancy to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

*Benjamin Jordan
*Kelly Goward
and to select two (2) to fill two (2) Environmental Interest Group vacancies to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

*Becky Huttenga
*Randy Kortering
*Kenneth Freestone
and to select three (3) to fill three (3) General Public vacancies to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

*Stewart Whitney
and to select one (1) to fill one (1) Regional or County Solid Waste Planning Agency vacancy to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

*Russ Boersma
*Kari Bliss
*Justin Obermeyer
*Matt Rosser
and to select four (4) to fill four (4) Solid Waste Industry vacancies to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

*Thomas Oonk
and to select one (1) to fill one (1) Township Government vacancy to the Solid Waste Planning Committee beginning January 1, 2023 and ending December 31, 2024.

B/C 22-298 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Belma Rosa Hernandez
Tracey Nauta
and to select one (1) to fill one (1) Private Sector vacancy to the Community Action Agency Advisory Board beginning January 1, 2023 and ending December 31, 2025.

Roll Call Votes:

| | |
|---|---|
| Kyle Terpstra-Hernandez | James Holtvluwer-Hernandez |
| Douglas Zylstra- Hernandez | Philip Kuyers-Hernandez |
| Gregory DeJong-Hernandez | Randall Meppelink-Hernandez |
| Joseph Baumann-Hernandez | Roger Bergman-Hernandez |
| Allen Dannenberg-Hernandez | Francisco Garcia-Hernandez |
| Matthew Fenske-Hernandez | |

Total votes received: Hernandez-11 Nauta-0

The Chair declared Belma Rosa Hernandez appointed to the Community Action Agency Advisory Board.

B/C 22-299 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Danielle Weeks
Beth Durkee
and to select one (1) to fill one (1) Public Sector vacancy to the Community Action Agency Advisory Board beginning January 1, 2023 and ending December 31, 2025.

Roll Call Votes:

| | |
|---|---|
| Philip Kuyers-Weeks | James Holtvluwer-Weeks |
| Francisco Garcia-Weeks | Allen Dannenberg-Weeks |
| Gregory DeJong-Weeks | Douglas Zylstra-Weeks |
| Kyle Terpstra-Weeks | Randall Meppelink-Weeks |
| Joseph Baumann-Weeks | Roger Bergman-Weeks |
| Matthew Fenske-Weeks | |

Total votes received: Weeks-11 Durkee-0

The Chair declared Danielle Weeks appointed to the Community Action Agency Advisory Board.

B/C 22-300 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Linda Haveman
Susan Doughty
and to select one (1) to fill one (1) General Public vacancy to the Community Corrections Advisory Board beginning January 1, 2023 and ending December 31, 2024.

Roll Call Votes:

| | |
|---|---|
| Francisco Garcia-Haveman | Roger Bergman-Haveman |
| Douglas Zylstra-Haveman | Allen Dannenberg-Haveman |
| Kyle Terpstra-Haveman | Randall Meppelink-Haveman |
| James Holtvluwer-Haveman | Joseph Baumann-Haveman |
| Philip Kuyers-Haveman | Gregory DeJong-Haveman |
| Matthew Fenske-Haveman | |

Total votes received: Haveman-11 Doughty-0

The Chair declared Linda Haveman appointed to the Community Corrections Advisory Board.

B/C 22-301 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Christian Kleinjans
Julie Tulloch
Heather Toppen
Stephen Rockman
Kyle Parcher
and to select one (1) to fill one (1) General Public vacancy to the Community Mental Health Board beginning immediately and ending March 31, 2025.

Roll Call Votes:

Allen Dannenberg-Kleinjans
Roger Bergman-Kleinjans
Kyle Terpstra-Kleinjans
Gregory DeJong-Kleinjans
Douglas Zylstra-Kleinjans
Matthew Fenske-Kleinjans
Joseph Baumann-Kleinjans
Randall Meppelink-Kleinjans
Francisco Garcia-Kleinjans
James Holtvluwer-Kleinjans
Philip Kuyers-Kleinjans

Total votes received: Kleinjans-11 Tulloch-0 Toppen-0 Rockman-0 Parcher-0

The Chair declared Christian Kleinjans appointed to the Community Mental Health Board.

B/C 22-302 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Barbara VanHorssen
Belma Rosa Hernandez
Caden Hembrough
Julie Tulloch
Heather Toppen
Heidi Parcher
Tracey Nauta
and to select one (1) to fill one (1) County Resident vacancy to the Department of Health and Human Services Board beginning January 1, 2023 and ending December 31, 2025.

Roll Call Votes:

Philip Kuyers-VanHorssen
Randall Meppelink-VanHorssen
Francisco Garcia-VanHorssen
Roger Bergman-VanHorssen
Gregory DeJong-VanHorssen
Matthew Fenske-VanHorssen
James Holtvluwer-VanHorssen
Kyle Terpstra-VanHorssen
Douglas Zylstra-VanHorssen
Allen Dannenberg-VanHorssen
Joseph Baumann-VanHorssen

Total votes received: VanHorssen-11 Hernandez-0 Hembrough-0 Tulloch-0 Toppen-0 Parcher-0 Nauta-0

The Chair declared Barbara VanHorssen appointed to the Department of Health and Human Services Board.

B/C 22-303 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Thomas Reinsma
Joseph Alfonso
Caden Hembrough
Randy Kortering
Larry Jackson
Steven Johnson
Tracey Nauta
Jordan Jorritsma
and to select one (1) to fill one (1) Member vacancy to the Ottawa County Housing Commission beginning January 1, 2023 and ending December 31, 2027.

Roll Call Votes:

Douglas Zylstra-Reinsma
Joseph Baumann-Reinsma
Francisco Garcia-Reinsma
Allen Dannenberg-Reinsma
James Holtvluwer-Reinsma
Matthew Fenske-Reinsma
Roger Bergman-Reinsma
Philip Kuyers-Reinsma
Randall Meppelink-Reinsma
Gregory DeJong-Reinsma
Kyle Terpstra-Reinsma

Total votes received: Reinsma-11 Alfonso-0 Hembrough-0 Kortering-0 Jackson-0 Johnson-0 Nauta-0 Jorritsma-0

The Chair declared Thomas Reinsma appointed to the Ottawa County Housing Commission.

B/C 22-304 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Linda McAffrey
*Jane Longstreet
Caden Hembrough
Joseph Sierawski
Nathan Hoekstra
Michael Cramer
Jeffrey Westendorp
Jordan Jorritsma
Matthew VandeWater
James Kober

and to select two (2) to fill two (2) Public vacancies to the Parks and Recreation Commission beginning January 1, 2023 and ending December 31, 2025.

Roll Call Votes:

Joseph Baumann-McAffrey & Longstreet
Francisco Garcia-McAffrey & Longstreet
Randall Meppelink- McAffrey & Longstreet
James Holtvluwer- McAffrey & Longstreet
Gregory DeJong- McAffrey & Longstreet
Douglas Zylstra- McAffrey & Longstreet
Kyle Terpstra- McAffrey & Longstreet
Philip Kuyers- McAffrey & Longstreet
Allen Dannenberg- McAffrey & Longstreet
Roger Bergman- McAffrey & Longstreet
Matthew Fenske- McAffrey & Longstreet

Total votes received: McAffrey-11 Longstreet-11 Hembrough-0 Sierawski-0 Hoekstra-0 Cramer-0 Westendorp-0 Jorritsma-0 VandeWater-0 Kober-0

The Chair declared Linda McAffrey and Jane Longstreet appointed to the Parks and Recreation Commission.

B/C 22-305 Randall Meppelink moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*John Schwalm
*John Field Reichardt
*Francisco Garcia
*Arlan Meekhof
Mark Gleason
Caden Hembrough
Kevin Priddy
David Morren
Robert Machiela
Rebekah Bakker
Jon Rice

and to select two (2) to fill two (2) Member vacancies to the Road Commission beginning January 1, 2023 and ending December 31, 2028.

Roll Call Votes:

Kyle Terpstra- Schwalm & Meekhof
James Holtvluwer-Schwalm & Reichardt
Douglas Zylstra-Schwalm & Reichadt
Philip Kuyers-Reichardt & Garcia
Gregory DeJong-Reichardt & Garcia
Randall Meppelink-Reichard & Garcia
Joseph Baumann-Reichardt & Garcia
Roger Bergman-Reichardt & Garcia
Allen Dannenberg-Reichardt & Garcia
Francisco Garcia-Abstain
Matthew Fenske-Reichardt & Garcia

Total votes received: Schwalm-3 Reichardt-9 Garcia-6 Meekhof-2 Gleason-0 Hembrough-0 Priddy-0 Morren-0 Machiela-0 Bakker-0 Rice-0

The Chair declared John Field Reichardt and Francisco Garcia appointed to the Road Commission.

B/C 22-306 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Dave Ziegler
*Nick Knebl
*Joseph Alfonso
*Larry Jackson
and to select two (2) to fill two (2) War Veteran vacancies to the Veteran's Affairs Committee beginning January 1, 2023 and ending December 31, 2025.

B/C 22-307 Douglas Zylstra moved to amend motion B/C 22-306 to increase the size of the Veteran's Affairs Committee from 5 people to 7 people, to change the commission ending date for Joseph Alfonso and Larry Jackson to December 31, 2023, and to approve all four candidates.

The motion passed as shown by the following votes: Yeas: Kyle Terpstra, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Gregory DeJong, Randall Meppelink, Joseph Baumann, Roger Bergman, Allen Dannenberg, Francisco Garcia, Matthew Fenske. (11)

B/C 22-308 Francisco Garcia moved to place into nomination the name of (*indicates recommendation from the Interview Subcommittee):

*Rebecca Hopp
Mark Southwell
Jared Schuitema
Caden Hembrough
Rebekah Bakker
Kevin Priddy
Joseph Pierce
Gregory Bales
Kenneth Brune
and to select one (1) to fill one (1) Private Sector vacancy to the West Michigan Regional Planning Commission beginning January 1, 2023 and ending December 31, 2023.

Roll Call Votes:

| | |
|---|---|
| Kyle Terpstra-Hopp | James Holtvluwer-Hopp |
| Douglas Zylstra- Hopp | Philip Kuyers-Hopp |
| Gregory DeJong-Hopp | Randall Meppelink-Hopp |
| Joseph Baumann-Hopp | Roger Bergman-Hopp |
| Allen Dannenberg-Hopp | Francisco Garcia-Hopp |
| Matthew Fenske-Hopp | |

Total votes received: Hopp-11 Southwell-0 Schuitema-0 Hembrough-0 Bakker-0 Priddy-0 Pierce-0 Bales-0 Brune-0

The Chair declared Rebecca Hop appointed to the West Michigan Regional Planning Commission.

B/C 22-309 Philip Kuyers moved at 3:00 p.m. to go into Closed Session for the purpose of strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement pursuant to OMA Section 8c.

The motion passed as shown by the following votes: Yeas: Philip Kuyers, James Holtvluwer, Francisco Garcia, Allen Dannenberg, Gregory DeJong, Douglas Zylstra, Kyle Terpstra, Randall Meppelink, Joseph Baumann, Roger Bergman, Matthew Fenske. (11)

B/C 22-310 Roger Bergman moved at 3:11 p.m. to come out of Closed Session for the purpose of strategy and negotiation sessions connected with the negotiation of a collective bargaining agreement pursuant to OMA Section 8c.

B/C 22-311 Joseph Baumann moved to ratify the contract with the Juvenile Courts Association.

The motion passed as shown by the following votes: Yeas: Allen Dannenberg, Joseph Baumann, Roger Bergman, Randall Meppelink, Kyle Terpstra, Francisco Garcia, Gregory DeJong, James Holtvluwer, Douglas Zylstra, Philip Kuyers, Matthew Fenske. (11)

The County Administrator's report was presented.

Several Commissioners commented on meetings attended and future meetings to be held.

A. Commissioners Parting Remarks-The following gave parting remarks: Commissioner Vice Chairperson Dannenberg, Commissioner DeJong, Commissioner Meppelink, Commissioner Garcia, Commissioner Kuyers, Commissioner Baumann, Commissioner Bergman, Commissioner Chairperson Fenske.

Public Comments

1. Daniela Garcia-Holland
2. Kevin Bowling-Grand Haven
3. Pam DeJong-Allendale
4. David Barnosky-Port Sheldon Township
5. Lanae Monera-Allendale

Online Public Comments

1. Margarete Fochtman-Robinson Township
2. Nichole Derks-Park Township

Chair Fenske adjourned the meeting at 3:56 p.m.

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

MATTHEW R. FENSKE, Chairman
Of the Board of Commissioners

# EXHIBIT 6

**APPROVED**
**PROCEEDINGS OF THE OTTAWA COUNTY**
**BOARD OF COMMISSIONERS**
**JANUARY SESSION – ORGANIZATIONAL MEETING**

The Ottawa County Board of Commissioners met on Tuesday, January 3, 2023, at 8:30 a.m. and was called to order by the Clerk/Register.

Pastor Ray Paget pronounced the invocation.

The Clerk/Register led in the Pledge of Allegiance to the Flag of the United States of America.

Present at roll call: Gretchen Cosby, Lucy Ebel, Douglas Zylstra, Joe Moss, Kyle Terpstra, Rebekah Curran, Sylvia Rhodea, Roger Belknap, Roger Bergman, Allison Miedema. (10)

Absent: Jacob Bonnema (1)

Public Comments

Public comments were made by the following:

1. Walter (Mac) Davis-Grand Haven
2. Stephen Rockman-Grand Haven Township
3. Joel Studebaker-Jamestown Township
4. Larry Johnson-Holland
5. Jeff Moss-Georgetown Township
6. Michael Bosch-Georgetown Township
7. Steve Redmond-Park Township
8. David Morren-Allendale Township
9. Barbara VanHorssen-Grand Haven
10. Harvey Nikkel-Georgetown Township
11. Joe Spaulding-Holland Township
12. Matthew VanZetten-Holland City
13. Kristen Meghan Kelly-Jamestown Township
14. Emily Underhill-Allendale Township
15. Donna Mooney-Georgetown Township
16. Malinda Pego-Muskegon County
17. Joshua Vanderklok-Georgetown Township

The Clerk/Register of Deeds, Justin Roebuck, administered the Oath of Office to the Commissioners.

B/C 23-001 Roger Bergman moved to approve and authorize the Board Chairperson and Clerk/Register to sign the Resolution setting a one (1) year term for the position of Ottawa County Board Chairperson. The motion passes as shown by the following votes:

Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby, Sylvia Rhodea, Douglas Zylstra, Kyle Terpstra, Allison Miedema, Lucy Ebel, Roger Bergman, Joe Moss. (10)

The Clerk/Register opened the floor for nominations for Temporary Chairperson.

B/C 23-002 Allison Miedema nominated Gretchen Cosby as Temporary Chairperson. The motion passed.

Gretchen Cosby, as Temporary Chairperson, opened the floor for nominations for the Chairperson of the Board of Commissioners.

B/C 23-003 Gretchen Cosby moved to nominate Joe Moss as Chairperson of the Board of Commissioners.

B/C 23-004 Douglas Zylstra moved to nominate Roger Bergman as Chairperson of the Board of Commissioners.

Roll Call Vote:

| | |
|---|---|
| Lucy Ebel-Joe Moss | Roger Bergman-Abstained |
| Allison Miedema-Joe Moss | Kyle Terpstra-Joe Moss |
| Gretchen Cosby-Joe Moss | Sylvia Rhodea-Joe Moss |
| Rebekah Curran-Joe Moss | Douglas Zylstra-Roger Bergman |
| Roger Belknap-Joe Moss | Joe Moss-Joe Moss |

Joe Moss was declared Chairperson of the Ottawa County Board of Commissioners.

Chairperson Moss opened the floor for nominations for the office of Vice-Chairperson of the Board of Commissioners.

B/C 23-005 Roger Bergman moved to nominate Doug Zylstra as Vice-Chairperson of the Board of Commissioners.

B/C 23-006 Roger Belknap moved to nominate Sylvia Rhodea as Vice-Chairperson of the Board of Commissioners.

Roll Call Vote:

| | |
|---|---|
| Gretchen Cosby-Sylvia Rhodea | Roger Bergman-Douglas Zylstra |
| Douglas Zylstra-Douglas Zylstra | Kyle Terpstra-Douglas Zylstra |
| Allison Miedma-Sylvia Rhodea | Rebekah Curran-Sylvia Rhodea |
| Lucy Ebel-Sylvia Rhodea | Roger Belknap-Sylvia Rhodea |
| Sylvia Rhodea-Sylvia Rhodea | Joe Moss-Sylvia Rhodea |

Sylvia Rhodea was declared Vice-Chairperson of the Ottawa County Board of Commissioners.

The Clerk/Register of Deeds, Justin Roebuck, administered the Oath of Office to Chairperson Moss and Vice-Chairperson Rhodea.

B/C 23-007 Sylvia Rhodea moved to establish the Rules of the Ottawa County Board of Commissioners as amended. The motion passed as shown by the following votes: Yeas: Kyle Terpstra, Rebekah Curran, Roger Belknap, Sylvia Rhodea, Allison Miedema, Lucy Ebel, Gretchen Cosby, Joe Moss. (8)

Nays: Douglas Zylstra and Roger Bergman. (2)

B/C 23-008 Douglas Zylstra moved to amend the Board Rules by removing paragraph 4 of Article III Rule 3.1. Motion failed by the following votes: Nays: Roger Belknap, Rebekah Curran, Allison Miedema, Kyle Terpstra, Gretchen Cosby, Sylvia Rhodea, Lucy Ebel, Joe Moss. (8)

Yeas: Douglas Zylstra and Roger Bergman. (2)

B/C 23-009 Douglas Zylstra moved to amend the Board Rules to remove the last sentence of paragraph 4 of Rule 6.7. The motion passed as shown by the following votes: Yeas: Roger Bergman, Douglas Zylstra, Roger Belknap, Gretchen Cosby, Rebekah Curran, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Kyle Terpstra, Joe Moss. (10)

B/C 23-010 Sylvia Rhodea moved amend the Amendment to remove just the last sentence of paragraph 4 of Rule 6.7. The motion passed as shown by the following votes: Yeas: Douglas Zylstra, Roger Bergman, Lucy Ebel, Roger Belknap, Gretchen Cosby, Allison Miedema, Sylvia Rhodea, Rebekah Curran, Kyle Terpstra, Joe Moss. (10)

B/C 23-011 Douglas Zylstra moved to include Ottawa County "Where you Belong" to the front page of the Board Rules. The motion failed as shown by the following votes: Nays: Lucy Ebel, Gretchen Cosby, Allison Miedema, Rebekah Curran, Sylvia Rhodea, Roger Belknap, Joe Moss. (7)

Yeas: Douglas Zylstra, Kyle Terpstra, Roger Bergman. (3)

B/C 23-012 Sylvia Rhodea moved to approve the Amended Standing Committee meeting times. The motion passed as shown by the following votes: Yeas: Gretchen Cosby, Roger Bergman, Douglas Zylstra, Kyle Terpstra, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss. (10)

**2023 Board Meeting Schedule**

| | |
|---|---|
| Board of Commissioner Meetings | 2nd Tuesday of each month at 9AM, 4th Tuesday of each month at 6:30 PM |
| Finance & Administration | 1st Tuesday of each month at 10AM (directly after Planning & Policy) |
| Planning & Policy | 1st Tuesday of each month at 9AM |
| Health & Human Services | 3rd Tuesday of each month at 9AM |
| Talent & Recruitment | 3rd Tuesday of each month at 10AM (directly after Health & Human Services) |
| Board Rules | 3rd Tuesday of March 2023 |

B/C 23-013 Douglas Zylstra moved to amend the Standing Committee meeting schedule to add a Rules Committee meeting to the 3rd Tuesday of March 2023. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby,

Sylvia Rhodea, Douglas Zylstra, Kyle Terpstra, Allison Miedema, Lucy Ebel, Roger Bergman, Joe Moss. (10)

B/C 23-014 Gretchen Cosby moved to amend the agenda after Action Item B as Item C to discuss the need for Corporation Counsel. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Allison Miedema, Gretchen Cosby, Sylvia Rhodea, Lucy Ebel, Joe Moss. (7)
Nays: Kyle Terpstra, Douglas Zylstra, Roger Bergman. (3)

B/C 23-015 Gretchen Cosby moved to approve the several times over Amended Resolution to accept the intended resignation of Doug Van Essen given on 12/22/22 and approve and authorize the Board Chairperson and Clerk/Register to sign the Resolution to appoint Kallman Legal Group PLLC as interim Corporate Counsel. The motion passed as shown by the following votes: Yeas: Roger Belknap, Gretchen Cosby, Rebekah Curran, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Joe Moss. (7)

Nays: Roger Bergman and Douglas Zylstra. (2)

Jack Jordan, from Kallman Legal Group, addressed the Board.

B/C 23-016 Roger Bergman moved to amend the Resolution to update the language of the 2nd and 3rd "WHEREAS" to include "Employee Doug Van Essen" and remove "Silver & Van Essen" from WHEREAS number 2 and to add the sentence "will transition the role of Corporation Counsel to Kallman Legal Group on February 28, 2023" from WHEREAS number 3,"WHEREAS" statements from this document. The motion passed as shown by the following votes: Yeas: Douglas Zylstra, Roger Bergman, Roger Belknap, Gretchen Cosby, Rebekah Curran, Kyle Terpstra. (6)

Nays: Lucy Ebel, Allison Miedema, Sylvia Rhodea, Joe Moss. (4)

B/C 23-017 Rebekah Curran moved to amend the amendment to the Resolution to update the language of the 2nd and 3rd "WHEREAS" to include "Employee Doug Van Essen" and remove "Silver & Van Essen" from WHEREAS number 2 and to add the sentence "will transition the role of Corporation Counsel to Kallman Legal Group on February 28, 2023" from WHEREAS number 3. The motion passed as shown by the following votes: Yeas: Lucy Ebel, Gretchen Cosby, Allison Miedema, Rebekah Curran, Douglas Zylstra, Kyle Terpstra, Roger Belknap, Roger Bergman. (8)

Nays: Sylvia Rhodea and Joe Moss. (2)

B/C 23-018 Roger Belknap moved to amend the amended amendment to include that Kallman Legal Group will be paid their standard rate of $225 per hour. The motion failed for lack of second.

B/C 23-019 Allison Miedema moved to amend the amended amended amendment to the Resolution to include "no later than February 28, 2023". The motion failed by a tie vote as shown by the following votes: Yeas: Kyle Terpstra, Rebekah Curran, Roger Belknap, Allison Miedema, Gretchen Cosby. (5)

Nays: Douglas Zylstra, Sylvia Rhodea, Lucy Ebel, Roger Bergman, Joe Moss. (5)

B/C 23-020 Lucy Ebel moved to amend the amended amended amended amendment to the Resolution to include "on or before February 28, 2023. The motion failed for lack of a second.

B/C 23-021 Gretchen Cosby moved to amend the amended amended amended amended amendment to the Resolution to change "legal counsel" to "corporation counsel". The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby, Sylvia Rhodea, Kyle Terpstra, Allison Miedema, Lucy Ebel, Joe Moss. (8)

Nays: Douglas Zylstra and Roger Bergman. (2)

B/C 23-022 Sylvia Rhodea moved to amend the amended amended amended amended amended amendment to the Resolution to change the wording of WHEREAS number 3 to read WHEREAS, Doug Van Essen has filled the role of "Corporation Counsel" for the County of Ottawa, at the pleasure of the Board of Commissioners; and, will transition the role of Corporation Counsel and work at the pleasure and under the direction of the Kallman Legal Group as the Corporation Counsel to Kallman Legal Group over the next 2 months, on February 28, 2023.
This motion was withdrawn.

The Board took a short break.

Chair Moss called back to order at 11:41 a.m. Mr. Terpstra had to leave at 11:41 a.m.

B/C 23-023 Sylvia Rhodea moved to amend the amended amended amended amended amended amended amendment to the Resolution to change the wording of WHEREAS number 3 to read WHEREAS, Doug Van Essen has filled the role of "Corporation Counsel" for the County of Ottawa, at the pleasure of the Board of Commissioners; and, will transition Corporate Counsel in cooperation with and under the lead of Kallman Legal Group in fully transitioning Corporate Counsel to Kallman Legal Group, on or before February 28, 2023. The motion passed as shown by the following votes: Yeas: Lucy Ebel, Allison Miedema, Gretchen Cosby, Sylvia Rhodea, Rebekah Curran, Roger Belknap, Joe Moss. (7)

Nays: Roger Bergman and Douglas Zylstra. (2)

B/C 23-024 Sylvia Rhodea moved to approve the amended amended amended amended amended amendment to the Resolution to change the wording of WHEREAS number 3 to read WHEREAS, Doug Van Essen has filled the role of "Corporation Counsel" for the County of Ottawa, at the pleasure of the Board of Commissioners; and, will transition Corporate Counsel in cooperation with and under the lead of Kallman Legal Group in fully transitioning Corporate Counsel to Kallman Legal Group, on or before February 28, 2023. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Allison Miedema, Gretchen Cosby, Sylvia Rhodea, Lucy Ebel, Joe Moss. (7)

Nays: Douglas Zylstra and Roger Bergman. (2)

B/C 23-025 Gretchen Cosby moved to approve the amendment to the original motion to accept the intended resignation of Doug Van Essen given on 12/22/22 and approve and authorize the Board Chairperson and Clerk/Register to sign the Resolution to appoint Kallman Legal Group PLLC as interim Corporate Counsel.
Roger Bergman "Called to Question".

The motion passed as shown by the following votes: Yeas: Roger Belknap, Grechen Cosby, Rebekah Curran, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Joe Moss. (7)

Nays: Roger Bergman and Douglas Zylstra. (2)

B/C 23-026 Sylvia Rhodea moved to amend the agenda after Action Item C as Item D to address hiring a new County Administrator. The motion passed as shown by the following votes: Yeas: Lucy Ebel, Roger Belknap, Gretchen Cosby, Allison Miedema, Sylvia Rhodea, Joe Moss. (6)

Nays: Douglas Zylstra, Roger Bergman, Rebekah Curran. (3)

B/C 23-027 Sylvia Rhodea moved to terminate the employment of the current County Administrator and to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution to appoint John Gibbs as County Administrator effective immediately. The motion passed as shown by the following votes: Yeas: Gretchen Cosby, Lucy Ebel, Joe Moss, Sylvia Rhodea, Roger Belknap, Allison Miedema. (6)

Nays: Douglas Zylstra, Rebekah Curran, Roger Bergman. (3)

B/C 23-028 Rebekah Curran moved to postpone this decision for 30 days. The motion failed as shown by the following votes: Nays: Lucy Ebel, Gretchen Cosby, Allison Miedema, Sylvia Rhodea, Roger Belknap, Joe Moss. (6)

Yeas: Rebekah Curran, Douglas Zylstra, Roger Bergman. (3)

B/C 23-029 Douglas Zylstra moved to amend the first NOW THEREFORE of the Resolution to add "to retain the services of current County Administrator John Shay until February 28, 2023". The motion failed as shown by the following votes: Nays: Roger Belknap, Sylvia Rhodea, Allison Miedema, Lucy Ebel, Gretchen Cosby, Joe Moss. (6)

Yeas: Rebekah Curran, Douglas Zylstra, Roger Bergman. (3)

B/C 23-030 Allison Miedema moved to end discussion and go to vote. The motion passed.

Roger Bergman left the meeting at 12:18 p.m.

B/C 23-031 Sylvia Rhodea moved to amend the agenda after Item D as Item E to change the County Vision Statement. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby, Sylvia Rhodea, Allison Miedema, Lucy Ebel, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-032 Sylvia Rhodea moved to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution to update the County Mission Statement from "Where you Belong" to "Where Freedom Rings". The motion passed as shown by the following votes: Yeas: Gretchen Cosby, Allison Miedema, Rebekah Curran, Lucy Ebel, Roger Belknap, Sylvia Rhodea, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-033 Lucy Ebel moved to amend the agenda after Item E as Item F to close the Diversity, Equity, and Inclusion Department. The motion passed as shown by the following votes: Yeas: Lucy Ebel, Allison Miedema, Gretchen Cosby, Sylvia Rhodea, Rebekah Curran, Roger Belknap, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-034 Lucy Ebel moved to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution to close the Diversity, Equity, and Inclusion Department. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Allison Miedema, Gretchen Cosby, Sylvia Rhodea, Lucy Ebel, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-035 Douglas Zylstra moved to amend the motion to return the money that was donated to the County to help create the DEI Department to the investors. Motion fails for lack of a second.

B/C 23-036 Allison Miedema moved to amend the agenda after Item F as Item G to change the Ottawa County Administrative Health Officer. The motion passed as shown by the following votes: Yeas: Roger Belknap, Gretchen Cosby, Rebekah Curran, Lucy Ebel, Sylvia Rhodea, Allison Miedema, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-037 Allison Miedema moved to appoint Adeline Hambley as Interim Administrative Health Officer until a new Administrative Health Officer is hired and to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution to appoint Nathaniel Kelly as Administrative Health Officer of Ottawa County contingent upon (1) the approval of the Board of Commissioners and (2) confirmation by the Michigan Department of Health and Human Services. The motion passed as shown by the following votes: Yeas: Lucy Ebel, Roger Belknap, Gretchen Cosby, Allison Miedema, Sylvia Rhodea, Rebekah Curran, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-038 Gretchen Cosby moved to amend the agenda after Item G as Item H to hire an Administrative Director to the Board of Commissioners. The motion passed as shown by

the following votes: Yeas: Lucy Ebel, Gretchen Cosby, Allison Miedema, Rebekah Curran, Sylvia Rhodea, Roger Belknap, Joe Moss. (7)

Nays: Douglas Zylstra. (1)

B/C 23-039 Gretchen Cosby moved to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution to hire Cindy Driesenga as Administrative Director to the Board of Commissioners. The motion passed as shown by the following votes: Yeas: Rebekah Curran, Douglas Zylstra, Roger Belknap, Sylvia Rhodea, Allison Miedema, Lucy Ebel, Gretchen Cosby, Joe Moss. (8)

B/C 23-040 Roger Belknap moved to approve the amended Board of Commissioners Committee appointments for 2023. The motion passed as shown by the following votes: Yeas: Roger Belknap, Rebekah Curran, Gretchen Cosby, Sylvia Rhodea, Douglas Zylstra, Allison Miedema, Lucy Ebel, Joe Moss. (8)

## 2023 Standing Committee Assignments

**Finance & Administration**
Gretchen Cosby *
Lucy Ebel
Doug Zylstra
Jacob Bonnema
Joe Moss
Rebekah Curran
Sylvia Rhodea
Roger Belknap
Roger Bergman
Allison Miedema

**Planning & Policy**
Gretchen Cosby
Lucy Ebel
Doug Zylstra
Jacob Bonnema
Joe Moss
Rebekah Curran
Sylvia Rhodea
Roger Belknap *
Roger Bergman
Allison Miedema

**Board Rules**
Gretchen Cosby
Lucy Ebel
Doug Zylstra
Jacob Bonnema
Joe Moss *
Kyle Terpstra
Rebekah Curran
Sylvia Rhodea
Roger Belknap
Allison Miedema

**Health & Human Services**
Gretchen Cosby
Lucy Ebel
Doug Zylstra
Jacob Bonnema
Joe Moss
Rebekah Curran
Sylvia Rhodea *
Roger Belknap
Allison Miedema

**Talent & Recruitment**
Gretchen Cosby
Lucy Ebel
Doug Zylstra
Jacob Bonnema
Joe Moss
Kyle Terpstra
Rebekah Curran
Sylvia Rhodea
Roger Belknap
Allison Miedema *

** Denotes Chair*

**2023 Boards and Commissions**

| | | | |
|---|---|---|---|
| Agricultural Preservation Board | Allison Miedema | | |
| Area Community Services Employment & Training Council (ACSET) * | Joe Moss * | Rebekah Curran | |
| Central Dispatch Authority Policy Board | Roger Belknap | | |
| Community Corrections Advisory Board | Roger Bergman | | |
| Community Mental Health Board | Gretchen Cosby | Lucy Ebel | Sylvia Rhodea |
| Comprehensive Economic Development Strategy Committee (CEDS) | Joe Moss | | |
| Drain Board* ** | Joe Moss * | Gretchen Cosby ** | |
| Economic Development Corp / Brownfield Redevelopment | Roger Belknap | | |
| Food Services Appeals Board | Gretchen Cosby | | |
| Grand Valley Metro Council (GVMC) | Lucy Ebel | | |
| Groundwater Board | Roger Belknap | Sylvia Rhodea | |
| Holland SmartZone Local Development Finance Authority (LDFA) | Doug Zylstra | | |
| Insurance Authority* ** | Joe Moss * | Gretchen Cosby ** | Roger Bergman |
| Kent, Ottawa, Muskegon, (K.O.M.) Foreign Trade Zone Authority | Rebekah Curran | | |
| Land Bank Authority | Joe Moss | | |
| Lloyd's Bayou Lake Board | Roger Bergman | | |
| Local Emergency Planning Committee (LEPC) | Gretchen Cosby | | |
| Macatawa Area Coordinating Council (MACC) | Jacob Bonnema | | |
| MSU Extension Advisory Council | Kyle Terpstra | Allison Miedema | |
| Parks and Recreation Commission | Allison Miedema | Kyle Terpstra | Doug Zylstra |
| Plat Board* | Joe Moss * | | |
| Solid Waste Planning Committee | Jacob Bonnema | | |
| Spring Lake Lake Board | Roger Bergman | | |
| Veteran's Affairs Committee | Doug Zylstra | | |
| West Michigan Airport Authority (Tulip City Airport) | Lucy Ebel | | |
| West Michigan Enforcement Team (WEMET) | Joe Moss | | |
| West Michigan Regional Planning Commission | Roger Belknap | | |
| West Michigan Shoreline Regional Development Commission | Roger Belknap | Gretchen Cosby | |

** Denotes Chair Requirement*

*** Denotes other requirement*

B/C 23-041 Roger Belknap moved to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution enabling the Ottawa County Treasurer to deposit all public funds in approved financial institutions, and execute any necessary contracts for the same, for the benefit of Ottawa County. The motion passed.

B/C 23-042 Roger Belknap moved to approve and authorize the Board Chairperson and Clerk/Register to sign a Resolution authorizing the Ottawa County Treasurer to deposit and invest drain funds in identified financial institutions and execute necessary related contracts for the benefit of the Ottawa County Water Resources Commissioner. The motion passed.

B/C 23-043 Roger Belknap moved to approved and authorize the Board Chairperson and Clerk/Register to sign a Resolution authorizing the Ottawa County Treasurer to deposit and invest Road Commission funds in identified financial institutions and execute related necessary contracts for the benefit of the Ottawa County Road Commission. The motion passed.

B/C 23-044 Roger Belknap moved to approve and authorize the Board Chairperson and the Clerk/Register to sign a Resolution authorizing the Ottawa County Treasurer to waive administration fees and interest for real property taxes paid prior to May 1 by qualified persons, as set forth in the Resolution. The motion passed.

Public Comment

1. David Morren-Allendale Township
2. Joan Bailey-Grand Haven Township
3. Kristen Meghan Kelly-Jamestown Township
4. Michael Farash-Kent County
5. Cheryl DeVries-Holland Township
6. Nathaniel Kelly-Jamestown Township
7. Jeff Moss-Georgetown Township

Zoom Public Comment

1. Ronnie Allen-Allendale Township
2. Keith Wichman
3. Kristen Hintz
4. Sandy Betten
5. Paul Windemuller

Chairperson Moss read a short statement.

B/C 23-045 Roger Belknap moved to adjourn the meeting at 1:39 p.m. The motion passed.

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

JOE MOSS, Chairperson
Of the Board of Commissioners