

**Van Buren County Building Authority
Agenda for Organizational Meeting**

**January 11, 2022, at 10:00 am, in the
3rd Floor Conference Room, County Administration Building,
219 E Paw Paw Street, Paw Paw MI 49079**

(moved from the Board of Commissioners Room due to scheduling conflict).

1. Notes for the Record

- a. This meeting is held under the Open Meetings Act as an entirely physical meeting with no remote component.
- b. This annual organizational meeting is required to be held in the first three weeks of January of each year pursuant to Article V, Section 5, of the Articles of Incorporation as adopted by the Van Buren County Board of Commissioners on July 12, 2016, for the purpose of selecting its officers for the year and any other organizational business. The exact date and time for this meeting was established at the January 12, 2021, organizational meeting.
- c. The official public notice for this meeting specifies that any normal non-organizational business may also be considered at this meeting.
- d. Notes on Building Authority Commissioners and Secretary:
 - i. The term of Commissioner Robert Linderman, reappointed by the Van Buren County Board of Commissioners on November 10, 2020, for a new three-year term commencing on January 1, 2021, and ending December 21, 2023, or until a successor is appointed. He has taken the required Oath of Office and thus remains a Commissioner for 2022.
 - ii. The term of Commissioner Wayne D. Nelson, reappointed by the Van Buren County Board of Commissioners on December 10, 2019, for a new three-year term commencing on January 1, 2020, and ending on December 31, 2022, or until a successor is appointed. He has taken the required Oath of Office and thus remains a Commissioner for 2022.
 - iii. The term of Commissioner Paul DeYoung, reappointed by the Van Buren County Board of Commissioners on November 13, 2018, for a new three-year term that commencing on January 1, 2019, and ending on December 31, 2021, or until a successor is appointed. The Board of Commissioners has his reappointment on its agenda for later today, but he remains in office by holding over until such reappointment. He has taken the required Oath of Office and thus remains a Commissioner for this meeting 2022.
 - iv. Trisha Nesbitt remains a Commissioner as the incumbent County Treasurer.
 - v. Ryan J. Post remain a Commissioner as the incumbent Chief Financial Officer of the County.
 - vi. County Clerk Suzie Roehm, as the incumbent in that office, remains automatically the Secretary and Official Filing Officer of the Building Authority.

2. Call to Order and Determination of Quorum With Nelson in the Chair, carrying-over as Chairperson from 2021, as provided by Article V, Section 5, of the Articles of Incorporation.

3. Approval of Agenda By consent if no objection.

4. Selection of Officers for 2022 May be done by a single combined motion, by separate motions or by nomination process at the pleasure of the Commissioners.

- a. Select Chairperson who then assumes the Chair
- b. Select Vice-Chairperson
- c. Select Treasurer

5. Other Organizational Items

- a. Rules of Procedure review and alter if desired

Note: Action is not required. The Rules of Procedure were adopted on January 10, 2017, and amended on January 8, 2019, and will remain fully effective unless altered.

- b. Establishment of the dates of 2022 Regular Meetings and the 2023 Organizational Meeting.
- c. Any other organizational business

6. Approval of Minutes of Regular Meeting held January 10, 2021.

7. Public Comment

8. Items pertaining to Jail Addition & Renovation Project

- a. General review of project status
- b. Project budget review
- c. Any other project items

9. Invoices for Approval none when agenda prepared.

10. Debt Service Payment

For the \$5,150,000 Van Buren County Building Authority, Building Authority Bonds, Series 2017, authorize Treasurer to pay the issue as follows:

- a. Interest of \$64,266.25 due April 1, 2022.
- b. Interest of \$64,266.25, and principal of \$230,000.00, due October 1, 2022.
- c. Any corresponding agent fees.

11. Any other business

12. Adjournment

Suggested motions:

Item 4a--I move to select _____ as Chairperson for 2022, and thereafter until a successor is selected.

Item 4b--I move to select _____ as Vice-Chairperson for 2022, and thereafter until a successor is selected.

Item 4c--I move to select County Treasurer Trisha Nesbitt as Treasurer for 2022, and thereafter until a successor is selected. *Note: The above motions may be combined into a single motion if the mover so desires.*

Item 5b--I move to establish the 2022 Regular Meeting Schedule and the 2023 Organizational Meeting

Item 6--I move to approve the minutes of the January 12, 2021, organizational and regular meeting.

Item 10-- For the \$5,150,000 Van Buren County Building Authority, Building Authority Bonds, Series 2017, I move authorize Treasurer to pay the issue as follows:

- a. Interest of \$64,266.25 due April 1, 2022.
- b. Interest of \$64,266.25, and principal of \$230,000.00, due October 1, 2022.
- c. Any corresponding agent fees.

Van Buren County Building Authority Organizational Meeting Minutes January 12, 2021

Board of Commissioners Room, 2nd Floor Administration & Land Services Building

1. Notes for Record

- a.** This meeting is held under the Open Meetings Act as an entirely physical meeting with no remote component.
- b.** This annual organizational meeting is required to be held in the first three weeks of January of each year pursuant to Article V, Section 5, of the Articles of Incorporation as adopted by the Van Buren County Board of Commissioners on July 12, 2016, for the purpose of selecting its officers for the year and any other organizational business. The exact date and time for this meeting was established at the September 8, 2020 regular meeting.
- c.** The official public notice for this meeting specifies that any normal non-organizational business may also be considered at this meeting.
- d.** Notes on Building Authority Commissioners and Secretary:
 - i. The term of Commissioner Robert Linderman, reappointed by the Van Buren County Board of Commissioners on December 12, 2017, for a new three-year term that commenced January 1, 2018, through December 31, 2020, has ended, and he was reappointed by the Van Buren County Board of Commissioners on November 10, 2020, for a new three-year term ending December 31, 2023. He has taken the required Oath of Office and thus remains a Commissioner for 2021.
 - ii. The term of Commissioner Wayne D. Nelson, reappointed by the Van Buren County Board of Commissioners on December 10, 2019, for a new three-year term that commenced on January 1, 2020, and ends December 31, 2022. He has taken the required Oath of Office and thus remains a Commissioner for 2021.
 - iii. The term of Commissioner Paul DeYoung, reappointed by the Van Buren County Board of Commissioners on November 13, 2018, for a new three-year term that commenced January 1, 2019, and ends December 31, 2021. He has taken the required Oath of Office and thus remains a Commissioner for 2021.
 - iv. Trisha Nesbitt remains a Commissioner as the incumbent County Treasurer.
 - v. Ryan J. Post remain a Commissioner as the incumbent Chief Financial Officer of the County.
 - vi. County Clerk Suzie Roehm, as the incumbent in that office, remains automatically the Secretary and Official Filing Officer of the Building Authority.

2. Call to Order and Determination of Quorum

The meeting was called to order at 10:00 a.m. by Wayne D. Nelson, Chairperson from 2020, as provided by Article V, Section 5, of the Articles of Incorporation. Present: Robert Linderman, Wayne D. Nelson, Paul DeYoung, Trisha Nesbitt and Ryan Post. A quorum (5 of 5) is present.

3. Approval of Agenda

Chairperson Nelson asked for unanimous consent to approve the agenda, and with no objections, the agenda was approved.

4. Selection of Officers for 2021

Motion by DeYoung, support by Linderman to select Wayne Nelson as Chairperson for 2021, Paul DeYoung as Vice-Chairperson for 2021, and Trisha Nesbitt as Treasurer for 2021 and thereafter until a successor is selected. Motion carried unanimously. Nelson remains in Chair.

5. Organizational Items

- a.** Rules of Procedure were reviewed, and no changes were offered.

- b. Confirmation of the previously approved 2021 meeting schedule. Motion by DeYoung, support by Linderman, to confirm the 2021 Regular Meeting Schedule and the 2022 Organizational Meeting as established at the September 8, 2020 regular meeting. Motion carried unanimously.
- c. There was no other organizational business.

6. Approval of Minutes of Regular Meeting held September 8, 2020

Motion by Nesbitt, support by Linderman, to approve the minutes of the regular meeting held September 8, 2020 as presented. Motion carried unanimously.

7. Public Comment

There was no public comment.

8. Items pertaining to Jail Addition & Renovation Project

- a. A general review of project status had no new items to address.
- b. A Project Cost & Budget Sheet was reviewed by the Board showing the amount remaining in the budget.
- c. Undersheriff Conklin confirmed that the storm drain repair project has resolved that issue.

9. Debt Service Payment

Motion by DeYoung, support by Linderman, to authorize payment of bond interest of \$66,301.25 due April 1, 2021, and any corresponding agent fees. Motion carried unanimously.

10. Other business

None.

11. Adjournment

There being no other business, the Chair adjourned the meeting at 10:14 a.m.

[s]

Suzie Roehm
Building Authority Secretary/County Clerk



Van Buren County Building Authority

Office of the County Administrator

219 E. Paw Paw Street, Suite 201
Paw Paw, MI 49079

Phone 269-657-8253 Fax 269-657-8252
Email: ElmoreC@vanburencountymi.gov



Building Authority Commissioners:

Wayne D. Nelson, Chairperson
Ryan Post, Accounting Officer
Trisha Nesbitt, Treasurer
Paul DeYoung, Vice-Chairperson
Robert Linderman, Member

Administrative Staff:

Suzie Roehm, Building Authority Secretary,
Official Filing Officer and County Clerk
Frank Hardester, Building Authority Executive
Director and County Administrator
Cari Elmore, Clerical/Communications Support

2022 Regular Meeting and 2023 Organizational Meeting Schedule

2022 Regular Meetings and the 2023 Organizational Meeting of the Van Buren County Building Authority Commission will be held as follows:

Dates/times of meetings:	Tuesday	January 11, 2022	10:00 am
	Tuesday	August 9, 2022	10:00 am
	Tuesday	January 10, 2023	10:00 am

The January meetings also include annual organizational items.

Place of all meetings: 3rd Floor Conference Room
County Administrative and Land Services Building
219 E Paw Paw St
Paw Paw, MI 49079

Meetings during Emergencies: All public health and safety rules will be enforced. Any meeting may be held online using remote software if the meeting occurs during a declared emergency and such remote meetings are allowed.

The Building Authority reserves the rights to relocate a meeting to a different room in the same building with notice posted at both rooms, and to cancel any of these meetings if there would not be any items of business to consider, if a quorum would not be present, or due to an emergency. Please call Cari Elmore at 269-657-8253 or check the County's website at <https://www.vanburencountymi.gov/610/Documents-and-Meetings> to check on meeting cancellations or relocations.



If you want to attend a meeting and require a special accommodation due to impairment or disability, please contact Cari Elmore by phone at 269-657-8253 or email at <mailto:ElmoreC@vanburencountymi.gov> so that we may do our best to arrange such accommodation.

Schedule adopted at meeting held January 11, 2022, and posted physically and on county website on that date.

Rules of Procedure of the Van Buren County Building Authority, Effective January 10, 2017

Pursuant to Article V, Section 8, of the Amended and Restated Articles of Incorporation of the Van Buren County Building Authority (“the Articles”), as adopted July 12, 2016, the Commission of the Authority may adopt rules governing its procedure, and may alter those rules from time to time as its deems appropriate. The following therefore constitute the Rules of Procedure of the Authority, effective January 10, 2017.

1. **Regular Meetings.** Regular meetings of the Commission shall be held, at least twice in each calendar year, on a schedule established at the first meeting of each calendar year, as the Commission deems necessary to conduct business, in a public place appropriate for the meetings to be held established at the time, which said meetings may be adjourned by action of the Commission from time-to-time a definitely fixed place, date and time. The Chairperson may cancel a scheduled regular meeting when circumstances indicate that either there would be no business to conduct other than approval of minutes or other non-essential business, or when it appears that a quorum would not be available.
2. **Remote Participation.** A Commission member unable to attend a meeting due to medical reasons shall be permitted to participate in the discussion and votes of meeting by telephone or internet provided that the requirements of the Open Meetings Act are met and that a quorum is physically present.
3. **GASB and Other Pronouncements.** The Building Authority recognizes that, under authoritative pronouncements of the governmental Accounting Standards Board (“ASB”) and the Michigan Department of Treasury, the Authority is considered to be a “blended component unit” of Van Buren County government and, as such, the financial statements and the financial transactions of the Authority are included in the records of the County. Therefore, pursuant to those authoritative pronouncements and notwithstanding any contrary provisions of the Articles, the following shall apply:
 - 3.1. **Fiscal Year.** The fiscal year of the Authority shall be the same as the County, namely commencing on October 1 of each year, and ending on the following September 30.
 - 3.2. **Transactions.** Financial transactions shall be processed in the manner of general financial transactions of the county, under practices established by the Chief Financial Officer.
 - 3.3. **Receipt, Custody and Management of Funds.** The County Treasurer shall have custody of Authority funds and may receive, manage and invest those funds in accordance with applicable law. All financial receipts of the Authority shall be properly entered into the County’s cash receipting software or otherwise properly credited to the Authority.
 - 3.4. **Procurement of Goods and Services.** Any purchase orders and/or invoices for goods and services shall be entered into the County’s purchase order and/or accounts payable systems, and paid out only upon approval of the Building Authority Commission.

- 3.5. **Disbursement of Funds.** Disbursement of Authority funds by check, wire transfer, electronic means and otherwise shall be in the same manner as general County disbursements.
- 3.6. **Financial Statements.** The County's Chief Financial Officer shall make available periodic and annual financial statements to Authority Commission.
4. **Recording Secretary.** The Van Buren County Clerk, as Secretary of the Building Authority, may designate a substitute to act as the recording secretary for a Commission meeting. In the absence of the Secretary or designee, the Commission shall appoint an available person to act as recording secretary.
5. **Executive Director and Clerical Support.** The incumbent County Administrator of Van Buren County is hereby designated as the Executive Director of the Authority, and, as such shall provide the necessary administrative support and guidance for the various projects of the Authority, including designating a clerical support person for the Authority. If the office of County Administrator is vacant, then the Finance Director of Van Buren County, even though a Commission member, shall then also act as Executive Director of the Authority.
6. **Advisory Committees.** The Building Authority, by resolution acting along or jointly with other entities, may establish advisory committees for the purpose of assisting the Building Authority in the discharge of its duties. The resolution establishing an advisory committee shall state the names of the committee members, their terms of office and the committee's function.
7. **Rules of Order.** All actions of the Commission shall be governed by Roberts Rules of Order Newly Revised, if not inconsistent with law, the Articles or these rules, and with the following exceptions:
- 7.1. The Commission shall adopt an agenda for each meeting, which shall be the order of business;
 - 7.2. The Chairperson shall vote on all motions and resolutions;
 - 7.3. Motions to approve resolutions shall be by roll call vote;
 - 7.4. The Chair may ask for unanimous consent in lieu of a motion for routine procedural items;
 - 7.5. The Chair may adjourn the meeting without a motion if all items on the approved agenda and any items of business added after approval have been completed.
8. **Public Participation.** Any member of the general public may comment upon agenda items prior to the taking of a vote thereon. Speakers other than Commission members, after being recognized, shall identify themselves by name and address and shall limit their presentation to four (4) minutes, unless the time is extended by the Chairperson or by vote of the Commission.
9. **General Conduct.** No Commission member nor other person shall speak until duly recognized by the Chairperson; if a Commission member or other person speaks without being recognized by the Chair, he/she shall immediately cease speaking if ruled out of order.
10. **Effectiveness.** These Rules of Procedure are effective upon adoption by resolution of the Commission. Any and all prior versions of Rules of Procedure, Rules of Order or By-Laws of the Authority are hereby rescinded in their entireties. All other resolutions and parts of resolutions, insofar as they conflict with the provisions of these rules, are hereby superseded by these rules.

Van Buren County Building Authority
Jail Additional & Renovation Project Costs
As of January 11, 2022

	Spent or Transferred to Date	Budget to Date
Miller Davis--General Construction Contract		\$ 4,877,000.00
Change Orders		-
Final Contract Budget		<u>\$ 4,877,000.00</u>
FY 2016-17 Total less retainage	\$ 2,209,127.48	
Pay App 8	442,349.58	
Pay App 9	721,829.80	
Pay App 10	274,234.54	
Pay App 11	320,922.74	
Pay App 12	293,063.32	
Pay App 13	81,781.75	
Pay App 14	168,005.30	
Pay App 15	291,592.91	
Pay App 16	17,280.49	
Pay App 17	44,059.67	
Pay App 18	10,717.67	
Pay App 19	<u>2,034.75</u>	<u>4,877,000.00</u>
Remaining Budget		<u>\$ -</u>

EPS Contracts--Airphones & Related		\$ 242,000.00
FY 2016-17 Total	\$ 88,225.00	
FY 2017-18 Total	<u>153,775.00</u>	<u>242,000.00</u>
Remaining Budget		<u>\$ -</u>

IT Components--Arranged by County		\$ 56,000.00
FY 2016-17 Total	\$ 23,484.05	
MNJ - 2018 Switch	13,220.06	
Kendall Electric Sheathing	291.50	
MNJ Face Plates	303.25	
Transferred to Reserve 1/9/2019	<u>18,701.14</u>	<u>56,000.00</u>
Remaining Budget		<u>\$ -</u>

DLZ Inc.--Architect Services		\$ 483,000.00
FY 2015-16 Total	\$ 188,214.08	
FY 2016-17 Total	268,761.30	
FY 2017-18	<u>26,024.62</u>	<u>483,000.00</u>
Remaining Budget		<u>\$ -</u>

Other--Bonds, off-contract items, BA Board, etc.		\$	142,000.00
FY 2015-16 Total	\$	1,297.21	
FY 2016-17 Total		45,437.24	
Bouma Betten - EIFS repair		6,747.00	
PMV - Floor Coatings		29,034.00	
EPS-remove Aiphone		582.00	
EPS - Front Door Wiring		106.50	
EPS - Remove Cameras		132.75	
Roe Comm-Extension		6,341.00	
Norrix-Tables		7,392.75	
Village of Paw Paw-Water/Sewer Connect		8,000.00	
SA Morman - Door Cutting		1,354.58	
Aleksich Excavating-Restore Stating Area		3,000.00	
Per Diems FY 2018		1,320.00	
Travel FY 2018		413.67	
Transfer to Reserve 1/9/2019		29,298.86	
Per Diems FY 2019		440.00	
Travel FY 2019		147.11	
Per Diems FY 2020		330.00	
Travel FY 2020		128.36	
Per Diems FY 2021		110.00	
Travel FY 2021		41.55	
Per Diems FY 2022 to date including today		110.00	
Travel FY 2022 to date including today		42.66	141,807.24
Remaining Budget			\$ 192.76

Reserve for Additional Project Capital Items			
Transfer from IT Components 1/9/2019		\$	18,701.14
Transfer from Other 1/9/2019			29,298.86
Total of Reserve Established		\$	48,000.00
Aleksich Excavating-Storm Drain Repair	\$	8,780.00	8,780.00
Remaining Reserve			\$ 39,220.00

Totals			
Total Budget		\$	5,800,000.00
Total Spent			5,760,587.24
Remaining Reserve			39,220.00
Total Remaining Uncommitted Budget		\$	192.76