

August 24, 2021

The regular meeting of the Otsego County Board of Commissioners was held at the Otsego County Library located at 700 S. Otsego Ave, second floor conference room, Gaylord, Michigan 49735. Due to the novel Coronavirus pandemic, this meeting was held remotely for the public as permitted by the Open Meetings Act. The meeting was called to order at 9:30 a.m. by Chairman Ken Glasser. Invocation by Chairman Ken Glasser, followed by the Pledge of Allegiance led by Fran Ommani.

Roll Call:

Present: Julie Powers, Henry Mason, Paul Liss, Brett McVannel, Rob Pallarito,
Ken Glasser, Doug Johnson, Jason Caverson.

Excused: Bruce Brown.

Consent Agenda:

Motion to approve the Regular minutes of August 10, 2021 with attachments.

Motion to approve OCR 21-23 Discharge of Mortgage of Alvin F. Jozwiak and Joan M. Jozwiak. (see attached)

Consent agenda approved unanimously.

Chairman Ken Glasser opened the meeting for public comment for agenda items only. Karen Howell asked when the County audit would be on the website, proposed resolution OCR-21-23 money does not add up.

Chairman Ken Glasser honored Major Jon Turbull who was attendance at the meeting.

Special Presentations:

Douglas Welton presented the Commissioner's with the County's audit.

Frances Ommani presented NEMCSA's annual report; provides over 30 programs, 96% of funding goes back into the programs and into our communities; cares relief and recovery services available to residents, 64 requests were made through September 30, 2020, with over \$36,000 of assistance provided in NE Michigan; NEMCSA is implementing our CERA, COVID Emergency Rental Assistance Services Program, offers help with past due rent, utilities, internet stipend.

Lisa Peacock presented the Health Department's 2020 Annual report to the Commissioners, serves Antrim, Charlevoix, Emmet and Otsego Counties; adding school nurses this year, hiring 5 for the jurisdiction; behavior health summit will be in November; annual financial report showed overall ended up in a positive position.

Department Head Report: None.

Committee Reports:

Motion by Commissioner Paul Liss, seconded by Commissioner Rob Pallarito, to approve the reallocation of \$8,000.00 from within various departments of the General Fund to the repairs and maintenance supplies budget. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Julie Powers, to approve the reallocation of \$20,000 from the General Fund to the jail budget. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Doug Johnson, to approve additional assistance for the Register of Deeds office in the amount of \$3,840.00. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Jason Caverson, to approve the Court budget amendment for the Friend of the Court's MERS division in the amount of \$17,500.00. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Brett McVannel, to approve the budget amendment within the 9-1-1 fund of \$5,000.00. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Henry Mason, to approve the scrapping of the two vehicles identified in the vehicle turn in form. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Jason Caverson, to approve the FTA procurement policy. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Doug Johnson, to approve the updated Title VI Anti-Discrimination Policy. Ayes: Unanimous. Motion carried. (see attached)

Motion by Commissioner Paul Liss, seconded by Commissioner Julie Powers, to approve OCR 21-24 Supporting American Rescue Plan State Match Programs.

Roll Call Vote:

Ayes: Julie Powers, Paul Liss, Brett McVannel, Rob Pallarito, Ken Glasser, Doug Johnson, Jason Caverson.

Nays: Henry Mason.

Excused: Bruce Brown. Motion carried/Resolution adopted. (see attached)

Administrator's Report: None.

City Liaison, Township & Village Representative:

Michelle Noirod attended the City Council meeting; the City approved the RV Park and annexation.

Correspondence: None.

New Business:

Motion by Commissioner Julie Powers, seconded by Commissioner Rob Pallarito, to approve the August 17, 2021 Warrant in the amount of \$840,485.64 and two voided checks. Ayes: Unanimous. Motion carried.

Motion by Commissioner Brett McVannel, seconded by Commissioner Doug Johnson, to approve the August 24, 2021 Warrant in the amount of \$400,589.94. Ayes: Unanimous. Motion carried.

Chairman Ken Glasser opened up the meeting for public comment. Bill Blaker received his answers to his questions he previously submitted; Questions on MERS to the auditor; going to submit more questions regarding MERS and the Commission on Aging Lease. Marcy Beauchesne asked when the Bylaws Committee meetings are; reported there are some events taking place on 9-11-21, a parade, memorial service, freedom fest. Karen Howell thanked the Board for adding detailed comments to the minutes.

Board Remarks:

Commissioner Jason Caverson reported the Vanderbilt library is still closed, trying to find the leak.

Commissioner Doug Johnson had no report.

Commissioner Brett McVannel had no report.

Commissioner Paul Liss had no report.

Commissioner Julie Powers had no report.

Commissioner Henry Mason requested to revisit the Commission on Aging Lease.

Commissioner Rob Pallarito attended the Otsego Lake Township meeting, Bradford Lake waiting on treatment for invasive species, dam south end of the Lake having issues with the gate that controls the lake level; Marlette road starting at Old 27 to Sherman road due for repaving next year; Thunder Over Waters is scheduled for September 5th, games, parade and fireworks at dusk.

Chairman Ken Glasser attended the Road Commission meeting, rebuilding some roads; received two cards for Kirkland College ribbon cutting ceremony 9-10-21 and open house 9-11-21; Bylaws committee to meet 9-8-21 at 10:00 a.m.

Meeting adjourned at 11:13 a.m.

Kenneth R. Glasser, Chairman

Susan I. DeFeyter, Otsego County Clerk

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 24th, day of August, 2021, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2021



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: General Fund - Sheriff

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

DESCRIPTION Sheriff Department Repairs and Maintenance Supplies

REVENUE

Account Number	Decrease	Increase
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
101-301-726.050 Repairs & Maintenance Supplies	\$ 8,000	\$
101-261-703.060 Part Time Wages	\$	\$ 2,500
101-648-930.920 Medical Examiner Autopsies	\$	\$ 2,000
101-941-999.010 Contingency	\$	\$ 3,500
	\$	\$
	\$	\$
Total	\$ 8,000	\$ 8,000

Department Head Signature Date

Administrator's Signature Date

Finance Department
Entered:
By:

Board Approval Date (if necessary)

Budget Adjustment #

Posting Number



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: General Fund - Jail

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

DESCRIPTION Inmate Health Care

REVENUE

Account Number	Decrease	Increase
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total	\$	\$

EXPENDITURE

Account Number	Increase	Decrease
101-351-930.470 Inmate Health	\$ 20,000	\$
101-941-999.010 Contingency	\$	\$ 20,000
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total	\$ 20,000	\$ 20,000

Department Head Signature Date

Administrator's Signature Date

Finance Department
Entered:
By:

Board Approval Date (if necessary) Budget Adjustment # Posting Number



OTSEGO COUNTY BUDGET AMENDMENT

FUND/DEPARTMENT: General Fund/Register of Deeds

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

DESCRIPTION Part-time wages in ROD

REVENUE

Account Number	Decrease	Increase
101-215-607.200 Transfer Tax	\$	\$ 3,840
	\$	\$
	\$	\$
	\$	\$
Total	\$	\$ 3,840

EXPENDITURE

Account Number	Increase	Decrease
101-215-703.060 Part-Time/Temporary	\$ 3,500	\$
101-215-704.200 Social Security Contributions	\$ 270	\$
101-215-704.500 Unemployment Compensation	\$ 55	\$
101-215-704.600 Workers Comp	\$ 15	\$
	\$	\$
	\$	\$
Total	\$ 3,840	\$

Department Head Signature Date

Administrator's Signature Date

Finance Department
Entered:
By:

Board Approval Date (if necessary) Budget Adjustment # Posting Number



**OTSEGO COUNTY
BUDGET AMENDMENT**

FUND/DEPARTMENT: 911 Fund

As provided for in the Uniform Budget and Accounting Act of 1978, as amended, and consistent with Otsego County Policy, the Administrator and Finance Director are hereby authorized to record the following adjustments to the budget.

Fund Type: General Special Revenue Debt Service Capital Project Business-Type (Enterprise or Internal Svc)

DESCRIPTION Equipment

REVENUE

Account Number	Decrease	Increase
261-050-400.001 Budgeted Use of Fund Balance	\$	\$ 5,000
	\$	\$
	\$	\$
	\$	\$
Total	\$	\$ 5,000

EXPENDITURE

Account Number	Increase	Decrease
261-901-970.435 Property - Machinery & Equipment	\$ 5,000	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
	\$	\$
Total	\$ 5,000	\$

Department Head Signature _____ Date _____

Administrator's Signature _____ Date _____

Finance Department
Entered:
By:

Board Approval Date (if necessary) _____ Budget Adjustment # _____ Posting Number _____



Otsego
COUNTY
ESTABLISHED 1825 MICHIGAN

VEHICLE TURN IN FORM

DESCRIPTION OF ITEM TURNED IN TO THE OTSEGO COUNTY BUS SYSTEM (OCBS)
(Include make, model, year of the vehicle, odometer reading and any other features)

2011 ELDOURADO BUS #2, VIN# 5WEASSK1M5BJ389691 214647 MILES

DEPARTMENT TURNING IN THE VEHICLE AND DIRECTOR/ELECTED OFFICIAL (Printed name, signature, and date)

OTSEGO COUNTY BUS
TIM CHERNIEWSKI TCCO - 8/16/2021

OCBS MANAGER (Printed name, signature, and date)

TIM CHERNIEWSKI TCCO - 8/16/2021

REASON FOR TURNING IN VEHICLE

VEHICLE HAS MET USEFUL LIFE AND HAS BEEN REPLACED

DESCRIPTION OF ALL KNOWN ISSUES AND ANY OTHER CONCERNS

DETERIORATING FRAME, FUEL TANK HOLE, NEEDS BATTERIES

DEPARTMENT DIRECTOR PREFERRED DISPOSAL METHOD FOR THE VEHICLE (circle one)

SELL AT AUCTION SELL THROUGH ADVERTISED BIDS SCRAP
TRADE IN TRANSFER TO ANOTHER DEPARTMENT OTHER

OCBS MANAGER RECOMMENDED DISPOSAL METHOD FOR THE VEHICLE (circle one)

SELL AT AUCTION SELL THROUGH ADVERTISED BIDS SCRAP
TRADE IN TRANSFER TO ANOTHER DEPARTMENT OTHER

If OCBS Manager disposal method and Department Director disposal method differ, the reasoning must be explained:



VEHICLE TURN IN FORM

DESCRIPTION OF ITEM TURNED IN TO THE OTSEGO COUNTY BUS SYSTEM (OCBS)
(Include make, model, year of the vehicle, odometer reading and any other features)

2011 ELDERADO BUS # 3, VIN # 5WEASS KMXCJ616519, 179,177 MILES

DEPARTMENT TURNING IN THE VEHICLE AND DIRECTOR/ELECTED OFFICIAL (Printed name, signature, and date)

OTSEGO COUNTY BUS
TIM CHERWINSKI T C C I 8/16/2021

OCBS MANAGER (Printed name, signature, and date)

TIM CHERWINSKI T C C I 8/16/2021

REASON FOR TURNING IN VEHICLE

VEHICLE HAS MET ITS USEFUL LIFE AND HAS BEEN REPLACED

DESCRIPTION OF ALL KNOWN ISSUES AND ANY OTHER CONCERNS

DETERIORATING FRAME, FUEL TANK HOLE, NEEDS BATTERIES

DEPARTMENT DIRECTOR PREFERRED DISPOSAL METHOD FOR THE VEHICLE (circle one)

SELL AT AUCTION SELL THROUGH ADVERTISED BIDS SCRAP
TRADE IN TRANSFER TO ANOTHER DEPARTMENT OTHER

OCBS MANAGER RECOMMENDED DISPOSAL METHOD FOR THE VEHICLE (circle one)

SELL AT AUCTION SELL THROUGH ADVERTISED BIDS SCRAP
TRADE IN TRANSFER TO ANOTHER DEPARTMENT OTHER

If OCBS Manager disposal method and Department Director disposal method differ, the reasoning must be explained:

TRANSIT AGENCY PROCUREMENT POLICY

The Otsego County BOC, through the Otsego County Bus System 1254 Energy Drive, Gaylord, MI. 49735, provides demand response public transportation in Otsego County Michigan. The transit system operates 16 transit vehicles and transports about 65,000 passengers per year. Otsego County Bus System is committed to full and open competition in its procurements. The goal is to obtain the lowest price or the best value for the agency, and the citizens and units of government who support it.

The Otsego County Bus System follows the Michigan Department of Transportation's (MDOT) *Procurement Guidelines for Grantees Receiving Federal Transit Administration (FTA) Funds via MDOT, Revised September 2018*, and all subsequent editions, in its procurements.

GENERAL RESPONSIBILITIES

The Otsego County Bus System Manager is responsible for administering procurements and ensuring compliance with MDOT guidance documents. The Otsego County Bus System Manager or her/his designee is also responsible for maintaining written selection procedures, all required procurement records, and avoiding unnecessary purchases.

PROCUREMENT METHODS

Micro-purchases are purchases of up to \$10,000 and require a fair and reasonable price determination.

Small purchases are relatively simple and informal purchases of more than \$10,000, but less than \$250,000. Small purchases are not advertised and are a direct solicitation to an adequate number of qualified vendors.

Invitations for Bids (IFB) are sealed bid procurements for any dollar amount.

Request for Proposals (RFP) are competitive proposal procurements for any dollar amount.

Sole source procurements may only be used when other types of procurements are inappropriate and only in the certain circumstances outlined in the guidance documents.

SPECIAL PROVISIONS

Architectural and Engineering (A&E) Services must be qualifications-based procurements consistent with the "Brooks Act". Geographic location may be a selection criterion in procurements for architectural and engineering services provided an adequate number of qualified firms are available to compete for the contract. Geographic preferences are prohibited in all other procurements.

Davis-Bacon Act prevailing wage protections apply to construction projects of more than \$2,000. Construction is defined as the construction, renovation or repair of real property. The Davis-Bacon Act does not apply to maintenance or installation.

Brand name specifications are unacceptable and must always be used with the words "or equal". An independent cost estimate is required for every purchase of more than \$10,000. Splitting a procurement to avoid a more stringent procurement method is prohibited.

The appropriate Federal Contract Clauses apply to all procurements as required by FTA and MDOT guidelines and can be accessed on the MDOT Office of Passenger Transportation website.

COST ANALYSIS OR PRICE ANALYSIS

A cost analysis or price analysis is required for every procurement. A price analysis is required to determine the reasonableness of a proposed price when competition is adequate. A cost analysis is required when a price analysis is inadequate, such as when competition is inadequate to determine price reasonableness or in qualifications-based procurements.

AWARD OF CONTRACTS AND PURCHASES

Contracts and purchases shall be awarded when prices are determined to be fair and reasonable in a micro purchase, to the lowest quote in a small purchase, to the lowest bid in an IFB solicitation and to the highest scored proposal in an RFP solicitation. Award will only be made to "responsive" and "responsible" vendors consistent with the criteria in guidance documents.

The Otsego County Bus System reserves the right to reject any and all price quotes, bids or proposals submitted in response to a solicitation for sound, documentable, business reasons. The Otsego County Bus System reserves the right to award to other than the lowest priced proposal in an RFP solicitation.

WRITTEN PROTEST PROCEDURES

Contractors wishing to protest procurement decisions or processes must submit the protest in writing to the Otsego County Bus System Manager at the Otsego County Bus System, 1254 Energy Drive, Gaylord, MI. 49735. Protests about solicitation specifications or processes must be received 10 business days before the solicitation due date. Protests received after the due date, but before award must be received before 5 business days after the due date. Post award protests must be received by the Otsego County Bus System no later than 5 business days after the award decision.

The protester must qualify as an "interested party" in the procurement. An "interested party" is an actual or prospective bidder or offeror whose direct economic interest would be affected by the award or failure to award the procurement at issue.

The written protest must identify the protesting party, clearly define the decision or process being protested and the reason(s) for the protest, and the relief desired of the Otsego County Bus System's procurement award.

The Otsego County Bus System reserves the right to not accept solicitations, postpone or extend the solicitation due date, cancel any award or re-solicit based on the protest received.

The Otsego County Bus System Otsego County Bus System Manager or her/his designee will review the written protest and provide a written decision to the protestor within 10 business days of receiving the protest.

The protestor can appeal the Otsego County Bus System Otsego County Bus System Manager's or her/his designee's decision to Otsego County Board of Commissioners. That appeal must be filed with the Otsego County Bus System Otsego County Bus System Manager's or her/his designee within 5 business days of the Otsego County Bus System Manager's or her/his designee's decision. The Otsego County Board of Commissioners's decision on the appeal will be final.

Protestors can appeal the Otsego County Board of Commissioners 's decision to the FTA Region V Office, 200 West Adams Street, Suite 320, Chicago, Illinois 60606; Phone: (312) 353-2789; FAX (312) 886-0351.
(Local oversight entity)

CONTRACT ADMINISTRATION

The Otsego County Bus System will maintain a contract administration system to ensure it and its third-party contractors comply with the terms, conditions and specifications of their contracts and purchase orders.
(Agency name)

The Otsego County Bus System Manager or her/his designee is responsible for keeping a procurement's documentation in a centralized contract administration file, for responding to requests for contract interpretation, and for modifying or terminating the contract. The Otsego County Bus System Manager or her/his designee must also monitor and ensure compliance with contract terms such as Davis-Bacon, Buy America, prompt payment to subcontractors and Disadvantaged Business Enterprises (DBE).
(Title)

The Otsego County Bus System Manager or her/his designee must also inspect and test supplies or services to determine if they conform to contract requirements, provide an authorized representative to approve the supplies or services, and maintain procedures to close a contract.
(Title)

FIELD(S) FOR ADDITIONAL SECTIONS

This policy only applies to the Otsego County's transit department, the Otsego County Bus System. Because Otsego County's transit department, the Otsego County Bus System, receives funding from the Federal Transit Administration (FTA) it is required to comply with all FTA procurement regulations and guidelines. This policy in no way restricts, supersedes or replaces any other Otsego County procurement policy but is solely intended for the purpose of procurements made by the Otsego County Bus System with FTA funding.

WRITTEN STANDARDS OF CONDUCT

No _____ Otsego County Bus System _____ employee, officer, agent, Board member or their immediate family member, partner or organization will participate in the selection, award, or administration of a contract if a conflict of interest, real or apparent, is involved.
(Agency name)

No _____ Otsego County Bus System _____ employee, officer, agent, Board member or their immediate family member, partner or organization will solicit or accept substantial gifts, gratuities, favors or anything of monetary value from contractors or potential contractors.
(Agency name)

FIELD(S) FOR ADDITIONAL SECTIONS

OTHER LOCAL PROCUREMENT POLICIES

Other local procurement policies in effect for a transit agency may be more stringent than FTA and MDOT guidelines but cannot be less stringent. In any inconsistency between a local procurement policy and FTA and MDOT guidelines, the FTA and MDOT guidelines prevail. FTA and MDOT guidelines only apply to procurements made with FTA and MDOT funding.

INTERPRETATIONS OR CLARIFICATIONS

Any interpretations or clarifications in this policy will be based on the Michigan Department of Transportation's (MDOT) *Procurement Guidelines for Grantees Receiving Federal Transit Administration (FTA) Funds via MDOT, Revised September 2018*, the *Federal Transit Administration Circular FTA C 4220.1F Third Party Contracting Guidance, Rev. 4, March 18, 2013*, and FTA's *Best Practices Procurement & Lessons Learned Manual, October 2016*, and all subsequent editions, as available on the internet, and the _____ Otsego County Bus System _____'s decision will be final.
(Agency name)

ADOPTED BY <i>(Adopting body)</i>	
PRINT NAME AND TITLE <i>(Authorized signatory)</i>	
SIGNATURE	DATE ADOPTED



ESTABLISHED 1875

Otsego
COUNTY
M I C H I G A N

Agency Name: Otsego County Bus System

Date Adopted:

I. Program Statement

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Otsego County Bus System is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B.

This program was developed in accordance with FTA C 4702.1B to guide the Otsego County Bus System in its administration and management of Title VI-related activities.

Title VI Coordinator Contact information

Tim Cherwinski, Transportation Manager
Otsego County Bus System
1254 Energy Drive, Gaylord MI 49735
989 731-1204 Fax# 989 731-9924
tcherwinski@otsegocountymi.gov

II. Title VI Information Dissemination

Title VI information posters shall be prominently and publicly displayed in the Otsego County Bus System facility and on the inside of their revenue vehicles (see Appendix G). The name of the Title VI coordinator is available on the Otsego County Bus Systems website, at www.otsegocountymi.gov; go to the 'County Government' tab and click on 'Otsego County Bus System', Title VI information can be located at the bottom of the page. Additional information relating to nondiscrimination obligation can also be obtained from the Otsego County Bus System's Title VI Coordinator.

Title VI information shall be disseminated to Otsego County Bus System employees annually via the Employee Education form (see Appendix A) in payroll envelopes. This form reminds employees of the Otsego County Bus System policy statement, and of their Title VI responsibilities in their daily work and duties.

During New Employee Orientation, new employees shall be informed of the provisions of Title VI, and the Otsego County Bus Systems expectations to perform their duties accordingly.

All employees shall be provided a copy of the Title VI Program and are required to sign the Acknowledgement of Receipt (see Appendix B).

III. Subcontracts and Vendors

All subcontractors and vendors who receive payments from the Otsego County Bus System where funding originates from any federal assistance are subject to the provisions of Title VI of the Civil Rights Act of 1964 as amended.

Written contracts shall contain non-discrimination language, either directly or through the bid specification package which becomes an associated component of the contract.

IV. Record Keeping

The Title VI Coordinator will maintain permanent records, which include, but are not limited to, signed acknowledgements of receipt from the employees indicating the receipt of the of Otsego County Bus Systems Title VI Program, copies of Title VI complaints or lawsuits and related documentation, and records of correspondence to and from complainants, and Title VI investigations.

V. Title VI Complaint Procedures

1. How to file a Title VI Complaint?

The complainant may file a signed, written complaint up to one hundred and eighty (180) days from the date of the alleged discrimination. The complaint should include the following information:

- Your name, mailing address, and how to contact you (i.e., telephone number, email address, etc.)
- How, when, where and why you believe you were discriminated against. Include the location, names and contact information of any witnesses.
- Other information that you deem significant

The Title VI Complaint Form (see Appendix C) may be used to submit the complaint information. The complaint may be filed in writing with the Otsego County Bus System at the following address:

*Otsego County Bus System
1254 Energy Drive
Gaylord MI, 49735*

NOTE: The Otsego County Bus System encourages all complainants to certify all mail that is sent through the U.S. Postal Service and/or ensure that all written correspondence can be tracked easily. For complaints originally submitted by facsimile, an original, signed copy of the complaint must be mailed to the Title VI Coordinator as soon as possible, but no later than 180 days from the alleged date of discrimination.

2. What happens to the complaint after it is submitted?

All complaints alleging discrimination based on race, color or national origin in a service or benefit provided by the Otsego County Bus System will be directly addressed by the Otsego County Bus System. The Otsego County Bus System shall also provide appropriate assistance to complainants, including those persons with disabilities, or who are limited in their ability to communicate in English. Additionally, the Otsego County Bus System shall make every effort to address all complaints in an expeditious and thorough manner.

A letter of acknowledging receipt of complaint will be mailed within seven days (see Appendix D). Please note that in responding to any requests for additional information, a complainant's failure to provide the requested information may result in the administrative closure of the complaint.

3. How will the complainant be notified of the outcome of the complaint?

Otsego County Bus System will send a final written response letter (see Appendix E or F) to the complainant. In the letter notifying complainant that the complaint is not substantiated (Appendix F), the complainant is also advised of his or her right to 1) appeal within seven calendar days of receipt of the final written decision from the Otsego County Bus System, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the FTA. Every effort will be made to respond to Title VI complaints within 60 working days of receipt of such complaints, if not sooner.

Once sufficient information for investigating the complaint is received by the Otsego County Bus System, a written response will be drafted subject to review by the transit's attorney. If appropriate, the Otsego County Bus System attorney may administratively close the complaint. In this case, the Otsego County Bus System will notify the complainant of the action as soon as possible.

In addition to the complaint process described above, a complainant may file a Title VI complaint with the following offices:

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor – TCR
1200 New Jersey Ave., SE
Washington, DC 20590

VI. Limited English Proficiency (LEP) Program

A four factor analysis was performed by the Otsego County Bus System in accordance with MDOT/FTA guidelines to determine the need and or the type of LEP program which might be needed in our service area. The four factor analysis is as follows:

- 1. The number or proportion of LEP persons eligible in the OCBS service area who may be served or likely to encounter an OCBS program, activity, or service:**

OCBS has reviewed the current data from the U.S Census report of 2016 covering our geographic area of service. OCBS has determined that only 2.4% of the county population of 24,470 speak a language other than English at home.

- 2. The Frequency with which LEP individuals come in contact with an OCBS program, activity, or service:**

Since the inception of OCBS in 1980, the agency has continually assessed the frequency with which LEP individuals come into contact with an OCBS program, activity or service. The Majority of our drivers and dispatchers have worked an average of 18 years for the OCBS and have never experienced a situation or come into contact with an individual who did not speak well enough to get a ride scheduled, or take advantage of our programs/and or our service.. The dispatchers and drivers of the OCBS have not encountered any individual who did not read, speak, write, or understand the English language less than “well.”

- 3. The nature and importance of the program, activity, or service provided by the OCBS to LEP community:**

In our service area within our county, we have no concentration of any one type of LEP individuals. The Majority of our county speak English “very well” or “well”. We have contacted many local agencies, DHHS, chamber of commerce, CHS and the university center in an attempt to find an outreach, membership or leadership function that assist LEP individuals and none exists due to the very low number of people who speak other than English but still speak English “very well” or “well”. Should anyone within our community with LEP become known in the future, the OCBS will take the necessary measures to provide them with assistance; however, at this time the need for LEP services is very low.

- 4. The resources available to the OCBS and overall costs:**

OCBS has assessed available resources that could be used for LEP assistance, in conjunction with using the “Google Translate” website, if needed to assist with

any non-English speaking community members whom might request service. We have determined that when or if that situation arises, we will use either the services of our local State Trooper post that has retain a Spanish Speaking translator on call, or we will use the language instructors at the M-TEC/University Center in Gaylord. The Cost incurred to provide this invaluable service to any non-English speaking patrons would be very minimal, based on no past contact with passengers whom didn't speak well enough English to schedule a ride.

VII. Language Assistance Program (LAP)

OCBS will take reasonable steps to ensure any individual identified as needing language assistance will receive that assistance with one of the following methods:

- Ongoing assistance will be provided by Dispatcher through the use of Google Translate upon request if and when the need arises.
- I Speak cards will be available in the dispatch and carried by all drivers on all buses at all times.
- OCBS will coordinate with the County DHHS, Health Dept, Commission on Aging, Crawford County Transit, and Thunder Bay Transportation Authority on language resources.
- The LAP will be monitored through dispatch and drivers receiving requests; If and when the need arises, additional resources will be sought out and implemented.

VIII. Community Outreach

As an agency receiving federal financial assistance, we have made the following community outreach efforts since our initial Title VI submission:

1. Board Meetings.

The Otsego County Bus System holds monthly meetings coordinated under the "Transportation and Airport Committee", Comprised of 3 County Commissioners, County Administrator and the Airport and Transportation Directors and the public is invited to attend and they do occasionally. Many outstanding ideas and inputs are received and incorporated as part of our service or operations based on the public's inputs at our Monthly Committee Meetings.

2. Local Advisory Council.

The Otsego County Bus system has the opportunity to incorporate many great ideas, pass on any new information or service ideas and get much needed feedback from our very active Local Advisory Council. This council is made up with a wide array of representation from different demographics, and many agencies are invited to attend. Local human service agencies, commission on aging, CMH, DHS, HeadStart, Veterans Affairs and Veterans Homeless shelter,

school district, adult special needs workshops, disabled passengers, Senior passengers, and advocates from all local agencies.

3. Public Advertising.

Weekly bus system advertising is coordinated with the local radio stations, The Gaylord Herald Times Newspaper and other free publications in our community. Television and Radio notifications are done with all broadcasting agencies for Bus System Closure due to severe weather. These notifications happen before 6am to limit the impact on the community and to get the word out quickly if a closure occurs.

4. Customer Complaint Process.

Citizens may call our Dispatch Center at 989 732-6224 x1 to lodge a complaint or comment. All complaints/comments are distributed to the Department Manager who researches the complaint and responds back to the citizen in a timely manner.

5. General Awareness and Phone Surveys.

We conduct general awareness surveys through our dispatch center and take inputs from the public. Surveys are passed out by drivers and gathered for analysis and to determine routing needs or changes.

NOTE: The Otsego County Bus System has engaged the public in its planning and decision-making processes, as well as its marketing and outreach activities.

We submit to the Michigan Department of Transportation annually an application for funding. The application requests funding for both capital and operating assistance. Part of the annual application is a public notice, which includes a 30-day public comment period.

IX. Title VI Equity Analysis

In the event that the Otsego County Bus System remodels or builds a new facility we will follow NEPA process as indicated in FTA C 4702.1B in the entire programming of such a facility. The location will be selected without regard to race, color, or national origin. Further if a facility is built, census tracts will be used to determine no negative impact is made on potential Title VI individuals. If it is determined that an impact may occur there needs to be legitimate justification for the location with no alternate site available to meet the needs of the transit system. Before the programming process is completed Otsego County Bus must consider alternatives to determine any site that would lessen the potential impact. At that point, we must follow the least discriminatory alternative.

X. Membership of Non-Elected Committees:

During the process of attracting new LAC members, Otsego County Bus and the Otsego County Commission (OCCOA) on Aging will post notices for the LAC committee at the OCCOA stating that we are looking for members and we do not discriminate based on race, color, or national origin. Further the OCCOA senior center is one of the places in the County of Otsego that has a diverse ethnic population and comes in contact with a diverse ethnic population on a daily basis.

Body	Caucasian	African American	Asian	Native American	Pacific Islander
Population	95.9%	0.6%	0.8%	0.7%	0.0%
LAC Committee	100%	0%	0%	0%	0%

XI. Transit related Title VI investigations, complaints and lawsuits.

Otsego County Bus System has had no Title VI complaints, investigations, or lawsuits since the inception of the Transit System or prior to a written Title VI program.

Appendix A Employee Annual Education Form

Title VI Policy

No person shall, on the grounds of race, color or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

All employees of the Otsego County Bus System are expected to consider, respect, and observe this policy in their daily work and duties. If a citizen approaches you with a question or complaint, direct him or her to Otsego County Bus System, Transportation Director.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to address them without regard to race, color or national origin.

Appendix B Acknowledgement of Receipt of Title VI Program

I hereby acknowledge the receipt of the Otsego County Bus System's Title VI Program. I have read the program and am committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular C 4702.1B.

Your signature

Print your name

Date

Appendix C TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.” If you feel you have been discriminated against in transit services, please provide the following information in order to assist us in processing your complaint and sent it to:

Otségo County Bus System
1254 Energy Drive
Gaylord MI, 49735

Please print clearly:

Name: _____

Address: _____

City, State, Zip Code: _____

Telephone Number: _____ (home) _____ (cell) _____ (message)

Person discriminated against: _____

Address of person discriminated against: _____

City, State, Zip Code: _____

Please indicate why you believe the discrimination occurred:

- _____ race or color
- _____ national origin
- _____ income
- _____ other

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

Please describe the circumstances as you saw it: _____

Please list any and all witnesses' names and phone numbers:

What type of corrective action would you like to see taken?

Please attach any documents you have which support the allegation. Then date and sign this form and send to the Title VI Coordinator at:

Tim Cherwinski, Transportation Manager
Otsego County Bus System
1254 Energy Drive
Gaylord MI, 49735

Your signature

Print your name

Date

APPENDIX D Letter Acknowledging Receipt of Complaint

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

This letter is to acknowledge receipt of your complaint against the Otsego County Bus System alleging _____.

An investigation will begin shortly. If you have additional information you wish to convey or questions concerning this matter, please feel free to contact this office by telephoning 989 731-1204 x2, or write to me at this address.

Sincerely,

Tim Cherwinski, Transportation Manager
Otsego County Bus System

APPENDIX E Letter Notifying Complainant that the Complaint Is Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your letter of _____ (date) against the Otsego County Bus System alleging Title VI violation has been investigated.

(An/Several) apparent violation(s) of Title VI of the Civil Rights Act of 1964, including those mentioned in your letter (was/were) identified. Efforts are underway to correct these deficiencies.

Thank you for calling this important matter to our attention. You were extremely helpful during our review of the program. *(If a hearing is requested, the following sentence may be appropriate.)* You may be hearing from this office, or from federal authorities, if your services should be needed during the administrative hearing process.

Sincerely,

Tim Cherwinski, Transportation Manager
Otsego County Bus System

APPENDIX F Letter Notifying Complainant that the Complaint Is Not Substantiated

Today's Date

Ms. Jo Doe
1234 Main St.
Clarksville, Tennessee 37040

Dear Ms. Doe:

The matter referenced in your complaint of _____ (date) against the Otsego County Bus System alleging _____ has been investigated.

The results of the investigation did not indicate that the provisions of Title VI of the Civil Rights Act of 1964, had in fact been violated. As you know, Title VI prohibits discrimination based on race, color, or national origin in any program receiving federal financial assistance.

The Otsego County Bus System has analyzed the materials and facts pertaining to your case for evidence of the city's failure to comply with any of the civil rights laws. There was no evidence found that any of these laws have been violated.

I therefore advise you that your complaint has not been substantiated, and that I am closing this matter in our files.

You have the right to 1) appeal within seven calendar days of receipt of this final written decision from Otsego County Bus System, and/or 2) file a complaint externally with the U.S. Department of Transportation and/or the Federal Transit Administration at

Federal Transit Administration Office of Civil Rights
Attention: Title VI Program Coordinator
East Building, 5th Floor - TCR
1200 New Jersey Ave., SE
Washington, DC 20590

Thank you for taking the time to contact us. If I can be of assistance to you in the future, do not hesitate to call me.

Sincerely,

Tim Cherwinski, Transportation Manager
Otsego County Bus System

APPENDIX G Samples of Narrative to be included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that "no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance" (42 U.S.C. Section 2000d).

Otsego County Bus System is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by Title VI in Federal Transit Administration (FTA) Circular 4702.1B. **If you feel you are being denied participation in or being denied benefits of the transit services provided by Otsego County Bus System, or otherwise being discriminated against because of your race, color, national origin, gender, age, or disability, you may contact our office at 989 731-1204 or by Mail at:**

**Otsego County Bus System
Transportation Manager /Title VI Coordinator
1254 Energy Drive, Gaylord MI, 49735**

For more information, go to 'Otsego County Bus System' under the 'County Government' on the Otsego County website at www.otsegocountymi.gov

Minutes of a regular meeting of the Otsego County Board of Commissioners, held in the second-floor conference room at the Otsego County Library located at 700 S. Otsego Ave, Gaylord, Michigan 49735 on the 24th, day of August, 2021 beginning at 9:30a.m.

PRESENT: _____

ABSENT: _____

The following preamble and resolution was offered by Commissioner: _____.

RESOLUTION NO. OCR 21-24
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS

WHEREAS, the state of Michigan has faced tremendous challenges as it dealt with a deadly pandemic for nearly a year and a half and is now presented with an opportunity to strategically invest in our residents, entrepreneurs, businesses and communities; and

WHEREAS, Michigan will receive more than \$10 billion in fiscal recovery aid, with 83 counties slated to get \$1.9 billion directly in American Rescue Plan (ARP) funds; and

WHEREAS, cities and larger townships will receive a total of \$1.8 billion and non-entitlement communities (smaller units) approximately \$644 million, with the state of Michigan itself receiving more than \$6.5 billion; and

WHEREAS, eligible expenditures include revenue reimbursements, savings and growing interest on the funds, broadband infrastructure, economic development and individual assistance programs; and

WHEREAS, county leaders are already under pressure to announce spending decisions and elected officials at all levels of government will have to make decisions on where and how they will use the dollars within federal guidelines; and

WHEREAS, the Michigan Association of Counties is working on a match program to earmark close to \$4 billion in state ARP funds to leverage all levels of government to strategically invest the one-time dollars in areas of greatest need for improvement; and

WHEREAS, the Michigan Association of Counties has received positive feedback on the ideas put forth for match programs within the state; and

WHEREAS, Michigan has a chance to amplify investments with the influx of federal funding and a collaborative effort by all levels of government that will allow the dollars to be stretched to invest in common goals; and

WHEREAS, the comprehensive approach to leverage ARP dollars will provide Michigan the ability to amplify investment for our future by focusing resources in five key areas — water infrastructure and broadband, local capacity and fiscal stability, housing and community development, comprehensive economic development and public health and safety; and

WHEREAS, our future success is inextricably linked, and strategic investment of our available resources needs to support and strengthen these connections;

THEREFORE, be it resolved that Otsego County supports American Rescue Plan State Match Programs.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES:

NO:

ABSTAIN:

THE RESOLUTION WAS DECLARED ADOPTED.

Kenneth R. Glasser, Chairman

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN)
 §
COUNTY OF OTSEGO)

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 24th, day of August, 2021, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: _____, 2021