



To All Ottawa County Commissioners:

The Ottawa County Board of Commissioners will meet on **Tuesday, October 24, 2023 at 8:00 AM** for a special meeting of the Board at the Ottawa County Fillmore Street Complex in West Olive, Michigan and via Zoom and YouTube.

The Agenda is as follows:

1. Call to Order by the Chairperson
2. Prayer and Pledge of Allegiance
3. Roll Call
4. Correspondence
5. Approval of Agenda
6. Consent Resolutions
7. Special Hearings:

A. [Hearing for Removal of Health Officer](#)

Suggested Motion:

To begin the hearing under MCL 46.11(n) to consider charges justifying the removal of Adeline Hambley from her position as Administrative Health Officer.

B. Board Discussion and Deliberations

8. Agenda and Action Requests:

From the County Clerk

A. [Appointment to Board of County Canvassers](#)

Suggested Motion:

To place into nomination the name(s) of (*Indicates recommendation from the County Clerk/Register):

*Chris Kostamo

Thomas Parker

Alex Abramajtys

and to select one (1) to fill (1) Democratic Party Appointment vacancy on the Board of County Canvassers beginning November 1, 2023 and ending October 31, 2027. (four (4) year term).

B. [Appointment to Board of County Canvassers](#)

Suggested Motion:

To place into nomination the name(s) of (*indicates recommendation from the County Clerk/Register):

*Chari Brink

Lloyd Ver Duin

Cindy Lhorke

and to select one (1) to fill (1) Republican Party Appointment vacancy on the Board of County Canvassers beginning November 1, 2023 and ending October 31, 2027. (four (4) year term).

From Administration

C. [Resolution Opposing State Control of Solar Siting](#)

Suggested Motion:

To approve a resolution opposing state control over solar siting.

- 9. Public Comment
- 10. Committee Reports
- 11. Additional Business

From the County Administrator

A. Administrator's Report

- 12. Decision Regarding Removal of Health Officer
- 13. Public Comment
- 14. Adjournment at Call of the Chairperson

NOTICE OF HEARING FOR REMOVAL OF OFFICER

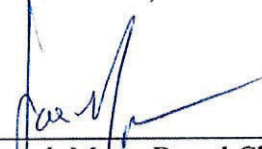
JUSTIN F. ROEBUCK
OTTAWA COUNTY CLERK/REGISTER

PLEASE TAKE NOTICE that the Ottawa County Board of Commissioners shall hold a hearing under MCL 46.11(n) to consider, and render a decision regarding, charges justifying the removal of Adeline Hambley from her position as interim Administrative Health Officer¹ for the reasons stated in the previously issued charges attached below. MCL 46.11(n) states that the Board may:

“remove an officer or agent appointed by the board if, in the board's opinion, the officer or agent is incompetent to execute properly the duties of the office or if, on charges and evidence, the board is satisfied that the officer or agent is guilty of official misconduct, or habitual or willful neglect of duty, and if the misconduct or neglect is a sufficient cause for removal. However, an officer or agent shall not be removed for that misconduct or neglect unless charges of misconduct or neglect are presented to the county board of commissioners or the chairperson of the county board of commissioners, notice of the hearing, with a copy of the charges, is delivered to the officer or agent, and a full opportunity is given the officer or agent to be heard, either in person or by counsel.”

The previous Notice of Hearing issued on October 23, 2023 is rescheduled because of a scheduling conflict with Ms. Hambley’s counsel. The removal hearing shall be held at a special meeting of the Board of Commissioners on the 24th day of October, 2023, at 8:00 a.m., in the County Commissioner Board Room, located at the Administration Building, 12220 Fillmore Street, West Olive, Michigan, 49460. Please note you will be given a full opportunity to be heard, either in person or by your agent. You may be represented by an attorney at your own expense. The hearing will be presided over by retired Judge Thomas E. Brennan, Jr.

Dated: October 11, 2023.



Joseph Moss, Board Chair
Ottawa County Board of Commissioners

Dated: October 11, 2023.



Justin Roebuck, County Clerk
Ottawa County

¹ Ms. Hambley is contesting whether she is the interim Administrative Health Officer or the permanent Administrative Health Officer through litigation currently pending in the Court of Appeals; however, that litigation is irrelevant to the charges raised in this matter as these charges occurred after Ms. Hambley filed suit. The Board of Commissioners will consider her removal regardless of the outcome of that litigation and regardless of whether she is the interim or permanent Administrative Health Officer. Nevertheless, Ms. Hambley will be referred to as the interim Health Officer in this Notice.

CHARGES JUSTIFYING REMOVAL OF OFFICER HAMBLEY

These charges are brought pursuant to all three applicable grounds under MCL 46.11(n) (incompetence, misconduct, and neglect of duty), with the latter two grounds requiring notice and the holding of a hearing before the Board of Commissioners (BOC) to determine:

1. Whether if, in the Board's opinion, officer Hambley is incompetent to execute properly the duties of her office.

2. Whether if, on charges and evidence, in the Board's opinion, the Board is satisfied that officer Hambley is guilty of official misconduct, and that her misconduct is sufficient cause for her removal.

3. Whether if, on charges and evidence, in the Board's opinion, the Board is satisfied that officer Hambley is guilty of habitual or willful neglect of duty and that neglect of duty is sufficient cause for her removal.

Because MCL 46.11(n) does not define what constitutes “incompetence,” “misconduct,” or “neglect of duty,” the following definitions from Black’s Law Dictionary (11th Edition) shall be used:

Incompetence: “The quality, state, or condition of being unable or unqualified to do something.”

Misconduct: “A dereliction of duty; unlawful, dishonest, or improper behavior, especially by someone in a position of authority or trust.”

Neglect of Duty: “A public officer’s failure to perform one or more duties imposed by law.”

BACKGROUND

Ottawa County’s fiscal year begins on October 1 of every year. Prior to the BOC approving the final budget, the County Administrator gathers information and presents different budget scenarios to the Finance Committee. The Finance Committee then finalizes a recommended budget and sends it to the full BOC for review and approval. The full BOC conducts a final review of the budget, makes any final changes, and votes on its approval.

Ms. Hambley has been actively involved in the budgetary process as evidenced by more than a dozen emails concerning the budget from August 16th through the present date. The following is a timeline and summary of Ms. Hambley’s involvement in the budgetary process:

- **August 16, 2023:** Prior to the first Finance Committee meeting regarding the Health Department Budget on August 21, 2023, County Administrator John Gibbs requested information from Ms. Hambley regarding unfilled positions in the Health Department for upcoming budgetary discussions (Exhibit A). Ms. Hambley responded later that day (Exhibit A).
- **August 17, 2023:** Administrator Gibbs sent the following email to Ms. Hambley (Exhibit B, emphasis added):

Hi Addie!

Good morning and I hope all is well!

As you know, budget is in full swing. As part of that process, there's some information I'd like to have available in the likely event it comes up during budget deliberations at next Monday's Finance Committee Special Work Session.

Please provide me with a budget scenario that includes both of the following components:

1. **General fund expenditures for Public Health set at pre-COVID levels, adjusted for inflation.** For reference, in FY2019 – the last pre-COVID year – general fund expenditures for Public Health were approximately \$4.5 million, and in FY2023 general fund expenditures were approximately \$6.7 million; and,
2. The exclusion of all FY24 COVID-related grants. Please have this info ready by close of business Friday August 18th.

Thank you!

Ms. Hambley responded on August 18, 2023 (Exhibit B). Ms. Hambley included a written memo to Administrator Gibbs, dated August 18, 2023, responding to his budgetary questions (Exhibit C).

- **August 21, 2023:** The Finance Committee held a public meeting to discuss the budget, where Commissioner Moss stated (emphasis added):²

“Taking a historical perspective on public health budgets, and if you look back towards 2009 through 2019, that kind of area, you see public health, at least general fund allocations, **much closer to 2.5 to 3 million dollars, somewhere in that range, maybe a little more than that.**”

“What I think would be a wise use of taxpayer funds is to look at bringing the general fund allocations for public health back towards kind of its historical standard over the last 10 or so years.”

“I'd love to see that budget go back to kind of what it has been historically. Maybe put it down towards 2.5 in the general fund allocation?”

“We could kind of dig into it a little bit more, but **I think that would be a very wise use of taxpayer funds and still allow all of the essential services to function just fine like they have since 2009.**”

² Video of Finance Committee Meeting, August 21, 2023, at 44:40.
<https://www.youtube.com/watch?v=bQgys1649iE>

- **August 22, 2023:** Administrator Gibbs sent the following email to Ms. Hambley at 12:20 p.m. (Exhibit D):

Hi Addie,

Good afternoon!

As discussed yesterday, the Finance & Administration Committee would like to see the Public Health budget in line with historical levels before COVID. Please work with Fiscal Services to work out the details of a budget using \$2.5 million general fund contribution and also discontinuing all COVID-related grants.

Please send this to me by Thursday August 23 close of business.

Thank you!

Ms. Hambley responded later that day at 4:58 p.m. that it would be difficult to produce a budget at 2.5 million (Exhibit D).

One minute later, at 4:59 p.m., Ms. Hambley publicly posted her August 18, 2023 memo on the Ottawa County Health Department Facebook page and stated in her post (emphasis added):

“[Moss’] proposal would slash Health Department funding from a \$6.4 million total general fund contribution to a total of \$2.5 million, a reduction of over 60%. This action brings the total operating budget for 2024 to \$500,000 less than the 2009 budget, which was during the worst economic conditions the United States has experienced since The Great Depression.”

“Proposed budget reductions of this size will significantly impair, and likely eliminate, various public health services and the Health Department’s ability to maintain public health and safety.”

“These actions may necessitate large increases in fees for services that our businesses and citizens depend upon, and/or long delays for completion of services.”

- **August 23, 2023:** Administrator Gibbs responded at 8:32 a.m. (Exhibit E, emphasis added):

Hi Addie,

Good morning!

Thank you for sharing the information below.

Please proceed with producing a budget with a general fund contribution as close to the below-directed level as possible, which discontinues all COVID-related grants.

Thank you!

This demonstrates that Administrator Gibbs left it up to Ms. Hambley to propose a budget amount that was as close to \$2.5 million as possible while still addressing Ms. Hambley’s concerns.

- **August 24, 2023:** Ms. Hambley ignored Administrator Gibbs request to produce a budget at a point higher than 2.5 million (Exhibit E), and instead reiterates that she cannot create a budget at exactly 2.5 million, a request that was no longer in effect. Again, the last communication from Administrator Gibbs at this point was for Ms. Hambley to select a recommended amount for the budget. Ms. Hambley responded to Administrator Gibbs’ email on August 24, 2023 at 5:08 p.m. (Exhibit E).

Ms. Hambley also prepared a second memo regarding the budget, dated August 24, 2023 (Exhibit F), and she posted it publicly on Ottawa County Health Department Facebook page at the same minute that she sent her response to Administrator Gibbs.

In the memo, Ms. Hambley provided the following chart:

PUBLIC HEALTH GENERAL FUND BUDGETED AMOUNTS 2009 - 2020

	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
TOTAL GENERAL FUND	\$4,298,869	\$4,055,311	\$3,992,341	\$3,761,261	\$3,648,130	\$3,382,719	\$3,379,710	\$3,379,710	\$4,489,636	\$4,309,423	\$4,360,714	\$3,727,297
General Fund												
County Admin. Overhead	\$510,853	\$449,944	\$540,854	\$557,624	\$616,091	\$624,159	\$655,857	\$514,114	\$544,793	\$741,755	\$944,201	\$1,108,682
GENERAL FUND PUBLIC HEALTH OPERATIONS	\$3,788,016	\$3,605,367	\$3,451,487	\$3,203,637	\$3,032,039	\$2,758,560	\$2,723,853	\$2,865,596	\$3,944,843	\$3,567,668	\$3,416,513	\$2,618,615

Using the information provided by Ms. Hambley, the average amount provided for General Fund Public Health Operations was \$3,158,281.10 per year (using the previous 10 years of budgets Pre-COVID (2011-2020)).

In either case, the budgeted amount for Public Health Operations coincided with Commissioner Moss’ estimate at the Finance Committee Meeting on August 21, 2023 that the historical average was “maybe a little more” than \$3 million per year.

It is important to note that there is an amount budgeted for the Health Department that has not yet accounted for county administrative costs and overhead (gross), and there is an amount budgeted for the Health Department after those costs are deducted (net).

Ms. Hambley created a budget using \$2.5 million as the gross amount for the Health Department (Exhibit F, page 2). Even if this was a miscommunication between Administrator Gibbs and Ms. Hambley, she never asked any questions or asked for clarification as to whether the County Administrator or the Finance Committee was referring to the gross or net amount. Further, after Ms. Hambley made it clear on August 22, 2023 at 4:58 p.m. that a \$2.5 million budget for the gross amount was unworkable, Administrator Gibbs responded on August 23, 2023 at 8:32 a.m. that he understood her concerns and left it up to her to find a budget number “as close to” \$2.5 million as possible.

Instead, Ms. Hambley created a net budget for \$585,011 (Exhibit F, page 2). Again, Ms. Hambley ignored Administrator Gibbs' August 23, 2023 request that she prepare a budget "as close to the below-directed level as possible" where she could have recommended a minimum budget level. Ms. Hambley also ignored Commissioner Moss' clear request that any new budget still "allow all of the essential services to function just fine like they have since 2009."

- **August 25, 2023:** Despite Ms. Hambley continually publicly stating that entire programs within the Health Department would be shutting down, she sent an internal email to all Public Health Department employees at 11:24 a.m. (Exhibit G, emphasis added):

"At this time, **budgets are still being discussed** by the Board of Commissioners in the Finance Committee Workgroup. If you have clients contacting you with concerns, please let them know that **services are continuing as usual and budgets have not yet been finalized** so we are unable to give definitive answers as to what will happen after October 1, 2024."

- **August 25, 2023:** Commissioner Gretchen Cosby, chair of the Finance Committee, sent the following email to Ms. Hambley at 3:24 p.m. (Exhibit H):

Good afternoon Adeline,

During the Budget Work Session on Monday, I requested the following information to help with budget decisions for FY2024:

Number of current health department programs.

1. Descriptions of the programs and services.
2. Number of residents served by the individual program.
3. Resources required- human/FTE's and supplies to provide the program.
4. Intended outcomes and current outcomes.

I am interested in learning more about your business and believe that my background as a nurse will be helpful as we plan for a healthier Ottawa County in 2024.

Thank you for your assistance.

Gretchen

Ms. Hambley responded later on August 25, 2023 at 7:01 p.m. (Exhibit H).

- **August 25, 2023:** Administrator Gibbs next proposed a new scenario for the Health Department Budget at \$3.8 million and requested that Ms. Hambley and Karen Karasinski (head of the Finance Department) work together on such a scenario.

Administrator Gibbs sent the following email to Ms. Hambley and Ms. Karasinski (Exhibit I):

Hi Karen,

Good afternoon.

Please take the following action to draft Public Health's budget:

1. Set the Public Health general fund contribution to \$2.5 million, and then have Public Health use a portion (\$1.3 million) of their \$3 million fund balance to reach \$3.8 million, the average general fund contribution from 2009 to 2019. Please transfer \$1.5 million of the remaining Public Health fund balance to the County's contingency fund (unless specific parameters prevent it).
2. Eliminate all COVID positions approved at the August 24, 2021 Full Board of Commissioners meeting, totaling \$2,179,153. (See the attached for more info)
3. Eliminate the following COVID-19 related grants, and any general fund contribution to programs funded by these grants
 - o PHEP 9 Month Grant
 - o PHEP 3 Month Grant
 - o PHEP to provide training for a new Public Health Emergency Preparedness Manager
 - o Immunization Action Plan (Note: keep grant, remove general fund contribution)
 - o Immunization ELPHS (Note: keep grant, remove general fund contribution)
 - o COVID-19 SUD
 - o GCD ELPHS - Disease Control
 - o Contact Tracing
 - o COVID Immunization
 - o Reopening Schools HRA
 - o NNICE Vaccine COVID-19
 - o COVID Workforce Development to expand

For any additional details, please work with Nina and Kris to set the exact budget numbers within the above parameters.

Thank you,

- **August 28, 2023:** Commissioner Cosby sent the following email to Ms. Hambley at 12:19 p.m. (Exhibit J):

Good Afternoon,

Thank you for sending me the online link for the Ottawa County Health Department programs, I am interested in setting the Health Department up for success, regardless of what has been reported in the media.

If you could provide the other data points I requested by program, I would be willing to meet with you to see if there is an advocacy opportunity for specific programs and program requirements.

Thank you for your assistance.

Gretchen Cosby

Ms. Hambley responded to Commissioner Cosby on August 28th (Exhibit J, emphasis added):

Thank you for your email. I appreciate your communication, and I am working on gathering the requested information. I wanted to let you know that it may be a few days before I can provide some of it, **as much of my weekend and today have been spent helping provide answers for Karen from Fiscal Services, so that she can assist Administrator Gibbs with his various requests for different possible budget decrease scenarios, and the ramifications of each. This work is ongoing**, and I didn't want you to think that I don't consider your message important. As you know, I have welcomed discussions with you and your colleagues in my various communications, offering to meet since December prior to when the Commission took office in January. Please know that I am working to provide the information in Friday's request as soon as possible.

This demonstrates that Ms. Hambley was actively involved in budget negotiations. Further, she admits that she was still gathering information and working with Fiscal Services on different budget scenarios.

- **August 28, 2023:** Ms. Hambley responded to Administrator Gibbs' August 25, 2023 email (Exhibit K, emphasis added):

Hi John,

Thank you for cc'ing me on the request you sent Friday afternoon to Karen for changes to the Public Health FY 2024 budget. It is important for both Fiscal Services and Public Health to work together on your new request for budget amendments, since there are program details that Karen will need from Public Health to attempt to do what you have asked: **suggest configurations of the Health Department budget which could still comply with the Public Health Code and with state and federal funding requirements.**

Unfortunately, in my view, your request to Karen on Friday afternoon is still asking her to do the impossible. **I have been working this weekend and so far today to answer Karen's questions while she is on her vacation.** My

understanding is that you have now asked her for different information, and so we are now pivoting to help her with those new requests. **We will continue to try our best to help Karen with these new requests as of today at 5pm.**

However, as a general matter, the information attached will be useful to you to keep in the background.

Ms. Hambley attached a third memo, dated August 28, 2023 (Exhibit L).

- **August 29, 2023:** Commissioner Cosby sent the following email to Ms. Hambley (Exhibit M):

Good evening Adeline,

Thank you for capturing the information that I have requested. I am asking for the information so I can be helpful, point to successes of the Health Department and seek solutions.

I need to give context or background to the statement you made about, “welcoming discussions since December.” During my meeting with John Shay and Patrick Waterman in late November, John shared constructive steps Lisa was taking to transition the OCPHD from her leadership and preparing for the next leader. I recognized that she cared about the department and people that she led and asked to meet with her. John said he would arrange a meeting.

After not hearing back from John, approximately 2 weeks later, I called and asked John about meeting with Lisa. It was during this phone call he told me that you were training with Lisa and would be filling in as interim Administrative Health Director, I asked to meet with both of you. He gave me Lisa’s office number, I called and left a message, it may have been the Monday before the December 13, 2022 BOC meeting.

I had hoped as a nurse, to be bridge between parents and the OCPHD. Had I known you were interested in in the role of Administrative Health Director, I certainly would have considered you for the role.

Sincerely,

Gretchen Cosby

- **August 30, 2023:** Ms. Hambley sent the following email to Commissioner Cosby (Exhibit N):

Commissioner Cosby,

I wanted to share some information to get you started. Attached is a pdf of communication reaching out and various information shared in the past. This might be helpful to find past documents shared.

The following links also provide some great info on program performance highlights:

<https://www.miottawa.org/Health/OCHD/admin.htm#ARPT>

Bottom of the page are the annual reports, these reports provide an excellent highlight of services and outcomes

<https://www.miottawa.org/Health/OCHD/data.htm#CommunicableDisease>

The communicable disease reports will provide a nice summary of annual reportable diseases in Ottawa County, which, as you know, all require work on behalf of public health.

I will also forward you some email threads that have been sent to Administrator Gibbs regarding the Public Health budget. It appears that the information may not be being shared with the full Committee. Those emails/reports have information that provides some context to funding mechanisms and limitations. There are also some statistics in the attached documents.

If you have specific questions as you review this information, please let me know. Moving forward, I will share any budget communication to Administrator Gibbs to ensure, as chair of the Finance Committee Workgroup, that you receive the information.

Thank you

- **August 30, 2023:** Ms. Hambley issued a Health Department press release regarding the budget, which included the following false statements (Exhibit O, emphasis added):

“As of today, Ottawa County Fiscal Services is creating a new Public Health budget at the direction of Administrator John Gibbs, without input from leadership at the health department.”

“Public Health has not been consulted about this budget, or provided with any information on the proposed budget or suggested cuts.”

“Despite Hambley’s best efforts to inform and educate County Administration on the complexity of funding mechanisms and statutory program requirements of a local health department in Michigan, and her offers to discuss public health programs, funding, and legal requirements on numerous occasions, the Health Officer was not included in this process.”

“The Ottawa County general fund contribution to Public Health will be \$3.8 million (of which \$1.3 million is from Public Health Fund Balance).”

“At this time, Hambley has met all requests by County Administration to the best of her ability, including providing four budget scenarios which outline the consequences of not meeting the State’s minimum requirements for all essential local public health services, such as food inspections; drinking water and sewage disposal permitting and inspecting; hearing and vision services for children, and communicable disease surveillance;”

- **August 30, 2023:** Ms. Hambley was interviewed by Fox 17 and made the following statements:³

“I have not been involved in any of the conversations about public health programming and potential cuts.”

“I’ve reached out numerous times to ask to be at the table or to say this is complex and we should meet and discuss with fiscal. I have not received anything.”

“[T]his would force the department to close within a matter of weeks.”

“If they're proposing a cut, and every single line item for public health, you would be looking at significant time increases, or turning away of people for programs, or you look at significant time increases for inspections, permit issuance, or things like that. . .”

- **August 30, 2023:** Ms. Hambley was interviewed by the Holland Sentinel, and the article stated:⁴

“Hambley told The Sentinel and other media outlets last week that Moss' demands to slash her budget next year by nearly \$4 million could violate her state-mandated duties to protect public health, and **potentially close the health department altogether.**”

“And to me, this is a threat to the foundations of the public health and the health and safety of the community.”

“Hambley said she's made efforts to ‘inform and educate county administration on the complexity of funding mechanisms and statutory program requirements of a local health department in Michigan,’ and that she's offered to ‘discuss public health programs, funding and legal requirements on numerous occasions.’ She said those offers went unaccepted . . .”

³ Health Dept.: Ottawa Co. Administrator Handling Budget Cuts, Matt Witkos, Fox 17. <https://www.fox17online.com/news/local-news/lakeshore/ottawa/health-dept-ottawa-co-administrator-handling-budget-cuts#:~:text=%22I%20know%20Fiscal,community%2C%22%20Hambley%20said>

⁴ Hambley: State Consequences Loom as Gibbs Orders Cuts. <https://www.hollandsentinel.com/story/news/politics/county/2023/08/30/hambley-state-consequences-still-loom-as-gibbs-bypasses-her-with-cuts/70722648007/>

“. . . the county's fiscal services department is now creating a new budget for the health department — bypassing her and her staff altogether — and has been instructed to ‘reduce funding in every public health line item to meet this funding level.’”

- **September 1, 2023:** Fiscal Services provided Ms. Hambley with the first proposed budget at 12:45 p.m. The proposal had approximately \$5.7 million general fund contribution budgeted for the Health Department. Ms. Hambley sent the following email to Administrator Gibbs at 1:33 p.m. (Exhibit P):

John,

I received the proposed changes from Fiscal Services around 12:45 today, if there are any changes between now and 10am on Tuesday could you please notify me.

Thank you!

- **September 1, 2023:** At 3:58 p.m., Ms. Hambley filed an emergency motion in her Court of Appeals case and stated in part:⁵

“However, Administrator Gibbs made this request of Appellee Hambley despite entirely excluding Appellee Hambley since Monday, August 28, 2023, from any discussions or information about the frequent new iterations of how to achieve the Health Department budget cuts that he and Defendant County Commission Chairman Joe Moss want.”

“Instead, Mr. Gibbs has gone entirely to Fiscal Services for the County to run various budget scenarios this week, even though Appellee Hambley has repeatedly asked to and offered to be consulted in these talks.”

Ms. Hambley’s motion was denied by the Court of Appeals.

- **September 5, 2023:** At the Finance Committee meeting, Ms. Hambley made the following statements:

“As I have not been invited to any discussions in the past two weeks regarding the budget for the health department, I’m not sure I’ll be invited to speak later in this meeting.”

“After attempts to communicate these concerns to Administrator Gibbs went nowhere it was important that I be transparent with the rest of the commission and the public and communicate the risk to public health if funding went forward at 2.5 million.”

⁵ Ms. Hambley’s Motion for Emergency Relief, September 1, 2023, page 4.

“Administrator Gibbs moved forward **instructing that fiscal services draw up a budget without public health input.**”

“**In some instances you are literally taking services out of the mouths of children.**”

- **September 18, 2023:** The latest budget scenario was released. The following is a summary of the previous five budget years of Health Department Approved Budgets and the current FY 2024 proposal:

<i>FY 2019</i>	<i>FY 2020</i>	<i>FY 2021</i>	<i>FY 2022</i>	<i>FY 2023</i>	<i>FY 2024</i>
\$11,377,553	\$12,595,671	\$12,885,857	\$14,196,134	\$15,258,827	\$14,397,715

The latest budget is over three million dollars more than it was Pre-COVID in 2019. **It is more than 2019, 2020, 2021, and 2022’s budgets and is the second highest budget ever proposed for the Health Department.** The latest budget proposal is a 27% increase from 2019 and a mere 5.6% reduction from 2023’s approved budget.

The latest proposal is exactly in line with the BOC’s stated goal of returning the Health Department budget to Pre-COVID levels while accounting for inflation and population growth. Moreover, it is also consistent with Commissioner Moss’ stated goal from August 21, 2023, to reduce the budget “and still allow all of the essential services to function just fine like they have since 2009.”

CHARGES

I. MS. HAMBLEY DEMONSTRATED INCOMPETENCE, MISCONDUCT, AND NEGLECT OF DUTY BY MAKING FALSE PUBLIC REPRESENTATIONS ABOUT BUDGETARY SCENARIOS.

Ms. Hambley knew that the County Administrator cannot unilaterally adopt a budget, nor can he unilaterally increase or decrease any department’s budget. Ms. Hambley knew that any request for proposed budgetary scenarios were not final or binding on the Finance Committee or the Board of Commissioners.

Yet, instead of responding professionally and competently to the County Administrator’s requests for different budgetary scenarios, Ms. Hambley ran to the media claiming that the Health Department may be shut down. Her actions incited fear and panic in the community.

Administrator Gibbs presented a budgetary scenario using \$2.5 million from the general fund to Ms. Hambley on August 22, 2023 at 12:20 p.m. (Exhibit D). On August 22, 2023 at 4:59 p.m. Ms. Hambley responded to Administrator Gibbs’ proposal to use \$2.5 million from the general fund (Exhibit D). At the exact time she emailed her response to Administrator Gibbs, Ms. Hambley publicly posted on the Health Department Facebook page that the proposed budget “will significantly impair, and likely eliminate, various public health services and the Health Department’s ability to maintain public health and safety” and threatened that the State of Michigan may issue an administrative compliance order (Exhibit Q).

Rather than acting competently and in good faith by offering a reasoned response for why a \$2.5 million budget scenario would not work, Ms. Hambley unprofessionally resorted to extreme public hyperbole. Ms. Hambley knew that Administrator Gibbs could not unilaterally dictate a budget for the Health Department. She also knew that no formal budgetary proposals had even been submitted to the Finance Committee at that point.

On August 23, 2023 at 8:32 a.m., approximately five business hours after the initial \$2.5 million budget proposal and less than one business hour after Ms. Hambley's response, Administrator Gibbs responded to Ms. Hambley's concerns and asked her to "Please proceed with producing a budget with a general fund contribution as close to the below-directed level as possible." (Exhibit E). At that point, it became Ms. Hambley's duty to prepare a budget proposal and inform the County Administrator how close she could get to the proposal of \$2.5 million. In other words, Administrator Gibbs abandoned a strict \$2.5 million proposal and indicated that it would be up to Ms. Hambley to set a minimum budget amount. Ms. Hambley either ignored or refused Administrator Gibbs' request.

It is important to note that after Administrator Gibbs' August 23, 2023 email, a strict \$2.5 million proposal was never addressed or brought up again. Instead, the next budgetary scenario that was proposed to Ms. Hambley was for \$3.8 million on August 25, 2023 (Exhibit I). One week later, on September 1, 2023, the first actual budgetary proposal of \$5.7 million was formally submitted to the Finance Committee and it was also sent to Ms. Hambley (Exhibit P).

Yet, Ms. Hambley continued to parrot the \$2.5 million proposal and implied that it was the only amount being considered. For example, Ms. Hambley told the Holland Sentinel on August 24, 2023:⁶

"At \$2.5 million ... with again, \$1.7 million going back ... so essentially \$800,000? I ... I don't ... I don't know, I don't even know how to propose an operating budget for that"

Ms. Hambley also prepared a memo on August 24, 2023 (Exhibit F) and posted it on the Health Department's Facebook page. It provided a response to the \$2.5 million proposal and completely ignored Administrator Gibbs' response from August 23, 2023 that acknowledged Ms. Hambley's concerns and requested that she prepare a budget as close to \$2.5 million as possible.

Instead, Ms. Hambley presented to the public the \$2.5 million proposal as if it was the only amount being considered. She also failed to inform the public that she was requested to provide her own budgetary scenario that addressed all of her concerns while being as close to \$2.5 million as possible. Ms. Hambley then used this internal discussion to stoke fear and panic in the community. Again, at no point was \$2.5 million ever formally proposed to the Finance Committee or the BOC, yet Ms. Hambley stated in her report (Exhibit F):

- The proposed \$2.5 million in general fund contribution is an 88% reduction in general funds available to provide services to the community.

⁶ Hambley: Health Department Could Shut Down in Weeks Under Proposed Budget. Holland Sentinel. <https://www.hollandsentinel.com/story/news/politics/2023/08/24/hambley-health-department-could-shut-down-in-weeks-under-proposed-budget/70660296007/>

- No federal or state funding will be received due to local governing entity requirements not being met.
- 12 mandated or community need-based programs will be eliminated by October 1, 2023, such as: Children’s Special Health Care Services, Dental Sealant Program and Miles of Smiles Mobile Dental Office for school children, Maternal and Infant Health Program for pregnant moms and infants, Family Planning and Women’s Health Services, Ottawa Food, Suicide Prevention Coalition, Pathways to Better Health, and others.
- This does not meet the minimum maintenance of effort to provide mandated programs as is required by law.
- Actions may subject the County to legal consequences:
 - Issuance of an administrative compliance order to the local governing entity by the State of Michigan for failure to demonstrate adequate provision of required services to the community.
 - Unlaw (sic) retaliatory actions against the Health Officer will lead to additional claims being filed in court.
- Loss of public health knowledge and expertise through loss of staff and programs that will take many years and many dollars to rebuild.
- It strips citizens of the services they are guaranteed under the law and the rights they are granted under the Michigan Constitution. These actions are not fiscally conservative but fiscally, and legally, irresponsible.
- These actions may necessitate large increases in fees for services that our businesses and citizens depend upon, long delays for completion of services, or elimination of services.

Ms. Hambley concluded by promoting doomsday scenarios where the Health Department would close its doors in as little as four weeks and that this budget risks “the health of each person who lives or works in Ottawa County.”

Ms. Hambley misled the public on August 24, 2023, implying that \$2.5 million was the only budget amount being considered even though Administrator Gibbs, on August 23, 2023, had already abandoned that proposed amount and requested that Ms. Hambley provide a minimum amount.

Even if Ms. Hambley found Administrator Gibbs’ original \$2.5 million proposal to be unworkable, impossible, or even offensive, she had a professional duty to explain her concerns while working towards a solution that addressed those issues. Indeed, this was exactly what Administrator Gibbs’ did in response to her concerns by asking Ms. Hambley to prepare her own budget “as close to” \$2.5 million as possible.

Instead of responding to Administrator Gibbs’ updated request that acknowledged her concerns and working towards a solution, Ms. Hambley resorted to misleading the public and causing

panic that the Health Department was going to be imminently closed. Rather than working towards a solution, Ms. Hambley used the very first proposal from Administrator Gibbs to attack and impugn his and the BOC's motives.

Internal discussions continued and Administrator Gibbs requested on August 25, 2023, that Ms. Hambley prepare a budget scenario for \$3.8 million (Exhibit I). Again, rather than properly respond to Administrator Gibbs, Ms. Hambley prepared a memo on August 28, 2023 (Exhibit L), issued a press release on August 30, 2023 (Exhibit O), and included the August 28, 2023 memo with the press release.

In Ms. Hambley's press release, she falsely stated (Exhibit O, emphasis added):

“The Ottawa County general fund contribution to Public Health **will be** \$3.8 million (of which \$1.3 million is from Public Health Fund Balance).”

Ms. Hambley intentionally misled the public by stating that the funding for the Health Department “will be” \$3.8 million, even though she knew that no formal budget proposal had even been submitted to the Finance Committee at this point, or let alone voted upon the entire BOC.

Ms. Hambley's August 28, 2023 memo, that was attached to the August 30, 2023 press release, stated:

- “All items below the yellow highlight would need to be cut due to lack of funding” and “[a]s the programs below the highlighted yellow line are no longer funded, they would be eliminated . . .”
 - Dental Grants-Seal
 - Dental Services – Miles of Smiles
 - Children's Special Health Care
 - Maternal Infant Health Program
 - Medicaid Outreach
 - Ottawa Food
- “The initial request to create a budget of \$2.5 million total general fund would not meet this maintenance of effort as required . . .”
- “As explained in my response on August 24, 2023, that a total general fund contribution of \$2.5 million falls significantly short of the maintenance of effort (MOE) needed to operate all mandated essential public health services at a minimally serviceable level, let alone meet the general fund needs for other required or desirable services that Ottawa County residents have relied on and have contributed to a comparatively healthy, thriving community in the past.”

Finally, Ms. Hambley continued to report to the public about problems with the \$2.5 million proposal that had already been abandoned.

Once again, instead of acting in good faith, continuing internal discussions, explaining her concerns, and working towards a solution, Ms. Hambley resorted to lying to the public, causing fear and panic, and reiterating her claims that the shut down of Public Health programs was imminent. No formal proposal had been submitted to the Finance Committee or the BOC at this point, yet Ms. Hambley lied to the public that the Health Department’s funding “will be” \$3.8 million. At no point had the Finance Committee or BOC ever received or voted upon a proposal for \$3.8 million and Ms. Hambley knew this to be true when she lied to the public.

Ms. Hambley, by her own internal emails, knew that the budget had not been finalized and it was not set at \$3.8 million. This is demonstrated by the private email she sent internally to her staff on August 25, 2023 which stated that “**budgets are still being discussed** by the Board of Commissioners in the Finance Committee Workgroup” and “**services are continuing as usual and budgets have not yet been finalized**” (Exhibit G, emphasis added). This was further confirmed by the first formal proposal presented to the Finance Committee on September 1, 2023 for \$5.7 million (Exhibit P).

While Ms. Hambley was publicly proclaiming that the completed budget “will be” \$3.8 million and services “would be eliminated,” she was privately admitting to her staff that “services are continuing as usual” until “after October 1, 2024,” and “budgets are being discussed” and “have not been finalized” (Exhibits G, L, and O). These instances of duplicitousness and deceit warrant Ms. Hambley’s removal.

All of the above demonstrates Ms. Hambley is unfit to continue in her position because of her incompetence, misconduct, and/or neglect of duty.

II. MS. HAMBLEY DEMONSTRATED INCOMPETENCE, MISCONDUCT, AND NEGLECT OF DUTY BY FALSELY CLAIMING THAT SHE WAS NOT INCLUDED IN THE BUDGET PROCESS.

Ms. Hambley, in her official capacity as interim Health Officer, publicly made numerous false claims regarding the budgetary process that reflect incompetence, misconduct, willful neglect of duty, or a combination of all three. For example:

“As I have not been invited to any discussions in the past two weeks regarding the budget for the health department, I’m not sure I’ll be invited to speak later in this meeting.”⁷

“After attempts to communicate these concerns to Administrator Gibbs went nowhere it was important that I be transparent with the rest of the commission and the public and communicate the risk to public health if funding went forward at 2.5 million.”⁸

“Public Health has not been consulted about this budget, or provided with any information on the proposed budget or suggested cuts.”⁹

⁷ Finance Committee Meeting, September 5, 2023.

⁸ Finance Committee Meeting, September 5, 2023.

⁹ Health Department Press Release, August 30, 2023.

In addition, Ms. Hambley falsely represented to the Court of Appeals that she had been shut out of the budgetary process.¹⁰

Ms. Hambley made these public claims despite knowing they were false. All of the above emails and communications clearly show that Ms. Hambley and her department were in almost daily communication with Administrator Gibbs, Fiscal Services, or Finance Chair Cosby regarding the budget.

Fiscal Services

Specifically, Ms. Hambley falsely claimed that she had no contact with Fiscal Services and was completely shut out:

August 30, 2023 (Holland Sentinel): “. . . the county's fiscal services department is now creating a new budget for the health department — bypassing her and her staff altogether — and has been instructed to ‘reduce funding in every public health line item to meet this funding level.’”

August 30, 2023 (Press Release): “As of today, Ottawa County Fiscal Services is creating a new Public Health budget at the direction of Administrator John Gibbs, without input from leadership at the health department.”

August 30, 2023 (Fox 17): “I've reached out numerous times to ask to be at the table or to say this is complex and we should meet and discuss with fiscal. I have not received anything.”

September 5, 2023 (Finance Meeting): “Administrator Gibbs moved forward instructing that fiscal services draw up a budget without public health input.”

By her own admissions, Ms. Hambley knew her claims and official public representations on behalf of the Health Department were false. On August 25, 2023, Administrator Gibbs sent an email to Ms. Karasinski and Ms. Hambley with the latest budget scenarios and requested that Ms. Karasinski “please work with Nina and Kris to set the exact budget numbers within the above parameters.” Nina Baranowski is the Public Health Financial Manager and Kris Conrad is an Administrative Assistant in the Public Health Department. Clearly, the Health Department was not being bypassed when the County Administrator requested that the head of the Finance Department work with two high level employees in the Health Department.

In addition, Ms. Hambley’s emails prove her incompetence, misconduct, and neglect of duty:

August 25, 2023: “I wanted to let you know that it may be a few days before I can provide some of it, **as much of my weekend and today have been spent helping provide answers for Karen from Fiscal Services, so that she can assist Administrator Gibbs with his various requests for different possible budget decrease scenarios, and the ramifications of each. This work is ongoing. . .**”¹¹

¹⁰ Ms. Hambley’s Motion for Emergency Relief, September 1, 2023, page 4.

¹¹ Exhibit J.

August 28, 2023: “Thank you for cc’ing me on the request you sent Friday afternoon to Karen for changes to the Public Health FY 2024 budget.”¹²

August 28, 2023: “It is important for both Fiscal Services and Public Health to work together on your new request for budget amendments, since there are program details that Karen will need from Public Health to attempt to do what you have asked: **suggest configurations of the Health Department budget which could still comply with the Public Health Code and with state and federal funding requirements.**”¹³

August 28, 2023: “My understanding is that you have now asked her for different information, and so we are now pivoting to help her with those new requests. **We will continue to try our best to help Karen with these new requests as of today at 5pm.**”¹⁴

Ms. Hambley’s own emails undisputedly show that she was privately working with the county fiscal services department, the County Administrator, and/or the Commissioners. She was providing them with information and such work with Fiscal Services was “ongoing.” All the while, she was falsely claiming to the public to have been completely shut out of the budgetary process. Ms. Hambley was misleading the public and such conduct amounts to incompetence, misconduct, and/or neglect of duty.

Health Department Programming

Next, Ms. Hambley falsely claimed that there had been no discussions with her regarding Health Department programming:

August 30, 2023 (Fox 17): “I have not been involved in any of the conversations about public health programming and potential cuts.”

August 30, 2023 (Press Release): “Despite Hambley’s best efforts to inform and educate County Administration on the complexity of funding mechanisms and statutory program requirements of a local health department in Michigan, and **her offers to discuss public health programs, funding, and legal requirements on numerous occasions, the Health Officer was not included in this process.**”

Ms. Hambley knew her public claims, made on behalf of the Health Department, were false. Again, the Chair of the Finance Committee, Gretchen Cosby, requested from Ms. Hambley just days earlier, on August 25, 2023, the following (Exhibit H, emphasis added):

Good afternoon Adeline,

During the Budget Work Session on Monday, I requested the following information to help with budget decisions for FY2024:

1. Number of current health department **programs.**

¹² Exhibit K

¹³ Exhibit K

¹⁴ Exhibit K

2. Descriptions of the **programs** and services.
3. Number of residents served by the individual **program**.
4. Resources required- human/FTE's and supplies to provide the **program**.
5. Intended outcomes and current outcomes.

I am interested in learning more about your business and believe that my background as a nurse will be helpful as we plan for a healthier Ottawa County in 2024.

Thank you for your assistance.

Gretchen

Ms. Hambley responded on the same day, August 30, 2023, and provided links to Commissioner Cosby, which she claimed had “some great info on program performance highlights” from the Health Department (Exhibit H). However, on the same day, Ms. Hambley publicly told the media that she had no discussions regarding public health programming. Despite responding to Commissioner Cosby’s request, Ms. Hambley publicly stoked fear and panic in the community by lying that she had no discussions regarding health programs.

Further, Ms. Hambley admitted in her August 28, 2023 email that she was providing program information to Fiscal Services (Exhibit K, emphasis added):

“It is important for both Fiscal Services and Public Health to work together on your new request for budget amendments, **since there are program details that Karen will need from Public Health to attempt to do what you have asked:** suggest configurations of the Health Department budget which could still comply with the Public Health Code and with state and federal funding requirements.”

While Ms. Hambley publicly claimed that she was bypassed, excluded from the budget process, and had no discussions regarding public health programming, she was privately working with the Finance Department and the County Administrator (Exhibits A, B, D, E, I, K, and P), having discussions with Finance Chair Cosby (Exhibits H, J, M, and N), and being asked to prepare her own budget based upon different scenarios (Exhibits D, E, I, and P).

In summary, Ms. Hambley is either incompetent to hold the position of interim Health Officer because she is unable to properly engage in the budget preparation process, or she has engaged in misconduct or willful neglect of duty in the budgetary process as Interim Health Officer by actively misleading the public. In either case, she is not fit to continue in that position.

III. MS. HAMBLEY DEMONSTRATED INCOMPETENCE, MISCONDUCT, AND NEGLECT OF DUTY BY FAILING TO COOPERATE IN THE BUDGET PROCESS.

All of the above communications show Ms. Hambley’s involvement in the budgetary process and belie her false public claims on behalf of the Ottawa County Health Department.

Ms. Hambley was clearly involved in the budgetary process for weeks. Instead of acting in good faith by cooperating in the process, she falsely claimed that the Health Department could be

shut down well before a budget proposal had even been submitted to the Finance Committee. In reality, the various budget scenarios were still being prepared during the week of August 28, 2023. The first proposed Health Department Budget was sent to Ms. Hambley on September 1, 2023 (Exhibit P), before she filed her motion in the Court of Appeals case in which she falsely claimed that she had been cut out of the budget process.

After Administrator Gibbs requested that Ms. Hambley prepare a budget scenario assuming a 2.5 million general fund contribution (Exhibit D), Ms. Hambley responded that such a budget was not feasible (Exhibit D). In response to Ms. Hambley's concerns, early the next morning Administrator Gibbs asked her to prepare a budget "as close to the below-directed level as possible" and left it up to Ms. Hambley to set the minimum amount required (Exhibit E). Ms. Hambley never complied with that request and instead continued to maintain that she could not produce a budget with a 2.5 million general fund contribution, a request that was no longer being made. Ms. Hambley knew that no budgetary proposals had yet even been submitted to the Finance Committee. Instead, different budgetary scenarios were still being discussed when she refused to produce a budget "as close to" \$2.5 million as possible.

Throughout the budget process, the Finance Committee and Board of Commissioners would have found it useful for Ms. Hambley to provide information concerning the acceptable minimum Health Department funding. Instead of providing that information, Ms. Hambley chose, instead, to go to the media with frightening and false claims that the Health Department may shut down in a matter of weeks. Her false statements, misrepresentations, failure to cooperate in the budgetary process, and her failure to act in good faith amount to incompetence, misconduct, and/or neglect of duty.

IV. MS. HAMBLEY DEMONSTRATED INCOMPETENCE, MISCONDUCT, AND NEGLECT OF DUTY BY MAKING FALSE CLAIMS THAT ENCOURAGED AND CAUSED CONFUSION, ANXIETY, FEAR, AND PANIC IN THE COMMUNITY.

Ms. Hambley's actions have needlessly caused fear and panic in the community. It is important to note that the Health Department budget had not even been proposed to the Finance Committee, let alone to the entire BOC, at the time she was stoking fear and panic. Even though the budget process was in its infancy and the County Administrator was merely looking at different budgetary scenarios in preparation for a Finance Committee meeting, Ms. Hambley misled the public and made numerous irresponsible statements to terrorize the public.

Ms. Hambley took the very first, and quickly abandoned, budget scenario (\$2.5 million) that was not even proposed to the Finance Committee, let alone voted on by the Committee or the complete BOC, and lied about that possible scenario to the public. She continued to scare the public with her threats of the Health Department shutting down even though she knew the budget was an ongoing process.

While it is obviously appropriate to keep the public informed and updated as to the budgetary process, it is quite another to act dishonestly and in bad faith, cause fear and panic in the community, and issue threats on nearly a daily basis that the Health Department is going to close, children will be harmed, and implying that people will die. For example (emphasis added):

- **September 5, 2023** (Finance Committee Meeting): **"In some instances you are literally taking services out of the mouths of children.**

- **September 5, 2023** (Holland Sentinel):¹⁵ “Hambley said [the budget] would “continue to put all public health services at risk.”
- **August 30, 2023** (Holland Sentinel): “Hambley told The Sentinel and other media outlets last week that Moss' demands to slash her budget next year by nearly \$4 million could violate her state-mandated duties to protect public health, **and potentially close the health department altogether.**”
- **August 30, 2023** (Fox 17): “[T]his would force the department to close within a matter of weeks.”
- **August 30, 2023** (Fox 17): “If they're proposing a cut, and every single line item for public health, you would be looking at significant time increases, or turning away of people for programs, or you look at significant time increases for inspections, permit issuance, or things like that. . .”
- **August 30, 2023** (Holland Sentinel): “And to me, this is a threat to the foundations of the public health and the health and safety of the community.”
- **August 22, 2023** (Facebook post): “Proposed budget reductions of this size will significantly impair, and likely eliminate, various public health services and the Health Department’s ability to maintain public health and safety.”

As a result of Ms. Hambley’s incompetence, misconduct, and/or neglect of duty, she caused fear and panic in the community. For example, the following are just a few of the statements from constituents (Exhibit R):

- “If these cuts are allowed to go through, the children of Ottawa County will suffer.”¹⁶
- “Because vulnerable people will get hurt: mothers, children, people without regular access to health care, the unborn and the whole community.”
- “This will be devastating to all of Ottawa County but it will effect those in need the most.”
- “Do not take dental care and food from children.”¹⁷
- “You will be harming people I[n] ways you have not fully considered. You’re playing politics with childrens health and wellbeing.”
- “This is an irresponsible demand that would effectively shut down public health services to county residents.”
- “As my representative in the Ottawa County commissioners, I would like to know your thoughts on the gutting of the health department.”
- “I am concerned that if the proposed budget cuts are passed, it will become very difficult to live or do business in the county.”
- “[W]hy was the Health Department asked to reduce their budget by 88% in two days?”

¹⁵ Hambley: Newly proposed budget is better, but nowhere near enough, Sarah Leach. <https://www.hollandsentinel.com/story/news/politics/county/2023/09/05/hambley-newly-proposed-budget-is-better-but-nowhere-near-enough/70763811007/>

¹⁶ Ottawa County Board of Commissioners Meeting, September 12, 2023, Public Comment at 1:16:42. <https://www.youtube.com/watch?v=fM6IjyQyqd4>

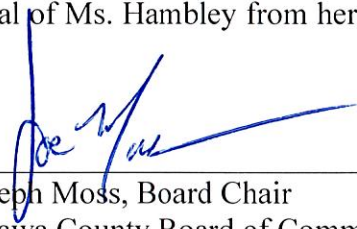
¹⁷ Ottawa County Board of Commissioners Meeting, September 12, 2023, Public Comment at 2:22:50. <https://www.youtube.com/watch?v=fM6IjyQyqd4>

- “The cuts that are proposed would be devastating to all programs.”¹⁸
- “Over the past few days I have read some very distressing articles about the sweeping budget cuts for our health department.”
- “I’m a constituent in your district and am concerned. As a health care professional, how can you be part of the dismantling of our health department? You of all people should see the harm this is going to cause.”
- “If you take away a large part of the health department's budget I can only imagine how many families like ours will not be able to pay for their child’s medication or health care needs.”
- “They do so much for us that the thought of these cuts are terrifying.”
- “I’d like to say that drastic cuts to the health department will harm many people, and you should not be at war with your health providers, and please do your job, thank you.”¹⁹

These are merely a sample of the fear and terror that Ms. Hambley inflicted on the community all because of her misconduct and inability to act competently during the budgetary process. While it is always acceptable to publicly criticize an officially proposed budget that has been presented to the Finance Committee or the BOC, it is wholly inappropriate to present internal budgetary questions to the public as though they are formal and/or finalized proposals and then stoke fear and panic based upon misrepresentations and misinterpretations of those internal and preliminary budgetary questions.

For the reasons set forth above, Ms. Hambley is incompetent, engaged in misconduct and habitual or willful neglect of duty. Ms. Hambley cannot be depended upon to act professionally and in good faith in one of the most crucial duties of the Board of Commissioners, the budget process. Further, it is clear that Ms. Hambley will lie about and manipulate good faith internal discussions to cause fear and panic in the public. This warrants removal of Ms. Hambley from her position pursuant to MCL 46.11(n).

Dated: September 26, 2023.



Joseph Moss, Board Chair
Ottawa County Board of Commissioners

¹⁸ Ottawa County Board of Commissioners Meeting, September 12, 2023, Public Comment at 1:03:30. <https://www.youtube.com/watch?v=fM6IjyQyqd4>

¹⁹ Ottawa County Board of Commissioners Meeting, September 12, 2023, Public Comment at 1:06:55. <https://www.youtube.com/watch?v=fM6IjyQyqd4>

EXHIBIT A

From: John Gibbs <jgibbs@miottawa.org>
Sent: Wednesday, August 16, 2023 9:31 AM
To: Adeline Hambley <ahambley@miottawa.org>
Cc: Marcie VerBeek <mverbeek@miottawa.org>; Karen Karasinski <kkarasinski@miottawa.org>; Myra Ocasio <mocasio@miottawa.org>
Subject: Long-term unfilled, budgeted positions

Hi Addie!

As part of the FY2024 budget, we're looking at positions in various departments that have been open and budgeted, yet unfilled, for a long time, and if these could be eliminated from the budget in order to produce budgetary savings. Can you please tell me if there's any showstopper reason that the below positions, which remain posted and unfilled after almost a year, should not be eliminated? Thank you!

Position Control list of benefited positions not filled in over six months			
Location Desc	Position	Position Desc	Date last filled
PH HEALTH EDUCATION	25910003	HEALTH EDUCATOR-PH	10/29/2022
PH FAMILY PLANNING	29100002	NURSE PRACTICNR-PH	10/11/2022
PH CLINIC CLERICAL	61850007	CLINIC SUPPORT-PH	10/17/2021

From: Adeline Hambley
Sent: Wednesday, August 16, 2023 2:35 PM
To: John Gibbs <jgibbs@miottawa.org>
Cc: Marcie VerBeek <mverbeek@miottawa.org>; Karen Karasinski <kkarasinski@miottawa.org>; Myra Ocasio <mocasio@miottawa.org>
Subject: RE: Long-term unfilled, budgeted positions

Hi John,

Each year when completing budgets we review open positions and determine if they can be removed from the coming year's budget. These positions were reviewed in June when originally compiling budgets. Below is additional information for each position.

- **PH Health Education, Position #25910003, Health Promotions** – Identified in June that position would not be filled in FY 2024 and the cost of the position has already been backed out of the FY 2024 budget.
- **PH Family Planning, Position #29100002, Nurse Practitioner** – Position is vacant and not currently planned to be filled, however, the position is still included in the

FY 2024 budget as there may be a need to fill this position in the new year. Currently programs are running very lean, and we are riding the line of being able to meet minimum needs. However, with any changes in service levels this position will be needed. There are potential programs on the horizon, such as federal refugee medical exams, that would necessitate filling this position.

- **PH Clinical Clerical, Position #61850007, Clinical Support** – This full-time clinical support position is currently filled by a long-time employee. The position is showing as vacant in the system as part of her FTE was being paid by an Infection Prevention Grant in FY 2023. However, as the work is transitioning back to traditional duties, the employee is being allocated back to this original position designation. It should be noted that a portion of this position (0.5 FTE) has been budgeted to be supplemented with Infection Prevention Grant funds in FY 2024. If this grant is not approved as part of the FY 2024 budget, 0.5 FTE cost will need to be added to Clinic Admin to cover full cost of employee. For clarity, as this position is filled by a long-time Ottawa County employee, a hire slip to correct position designation number has been submitted and costs will be allocated to the grant through time & attendance timecard submittal.

I hope this helps to clarify these positions. Please let me know if you have additional questions.

Thank you!

EXHIBIT B

From: John Gibbs <jjibbs@miottawa.org>
Sent: Thursday, August 17, 2023 9:00 AM
To: Adeline Hambley <ahambley@miottawa.org>
Subject: Budget Request

Hi Addie!

Good morning and I hope all is well!

As you know, budget is in full swing. As part of that process, there's some information I'd like to have available in the likely event it comes up during budget deliberations at next Monday's Finance Committee Special Work Session.

Please provide me with a budget scenario that includes both of the following components:

1. General fund expenditures for Public Health set at pre-COVID levels, adjusted for inflation. For reference, in FY2019 – the last pre-COVID year – general fund expenditures for Public Health were approximately \$4.5 million, and in FY2023 general fund expenditures were approximately \$6.7 million; and,
2. The exclusion of all FY24 COVID-related grants.

Please have this info ready by close of business **Friday August 18th**.

Thank you!

From: Adeline Hambley
Sent: Friday, August 18, 2023 4:46 PM
To: John Gibbs <jjibbs@miottawa.org>
Subject: RE: Budget Request

Hi John,
See attached for information addressing the components requested below.

Have a wonderful weekend!

EXHIBIT C

John, you requested additional information yesterday on the Public Health fiscal year 2024 budget. Given the short timeframe, I have tried to compile the pertinent information to provide context to help equip you to best advise the Board. As you know, the services carried out by public health are mandated through the Michigan Constitution, state or federal laws, or local regulations. A serviceable level of funding maintains the system that protects our people from unsafe or hazardous conditions and prevents disease.

Request:

Please provide me with a budget scenario that includes both of the following components:

- 1) *General fund expenditures for Public Health set at pre-COVID levels, adjusted for inflation. For reference, in FY2019 – the last pre-COVID year – general fund expenditures for Public Health were approximately \$4.5 million, and in FY2023 general fund expenditures were approximately \$6.7 million; and,*
- 2) *The exclusion of all FY24 COVID-related grants.*

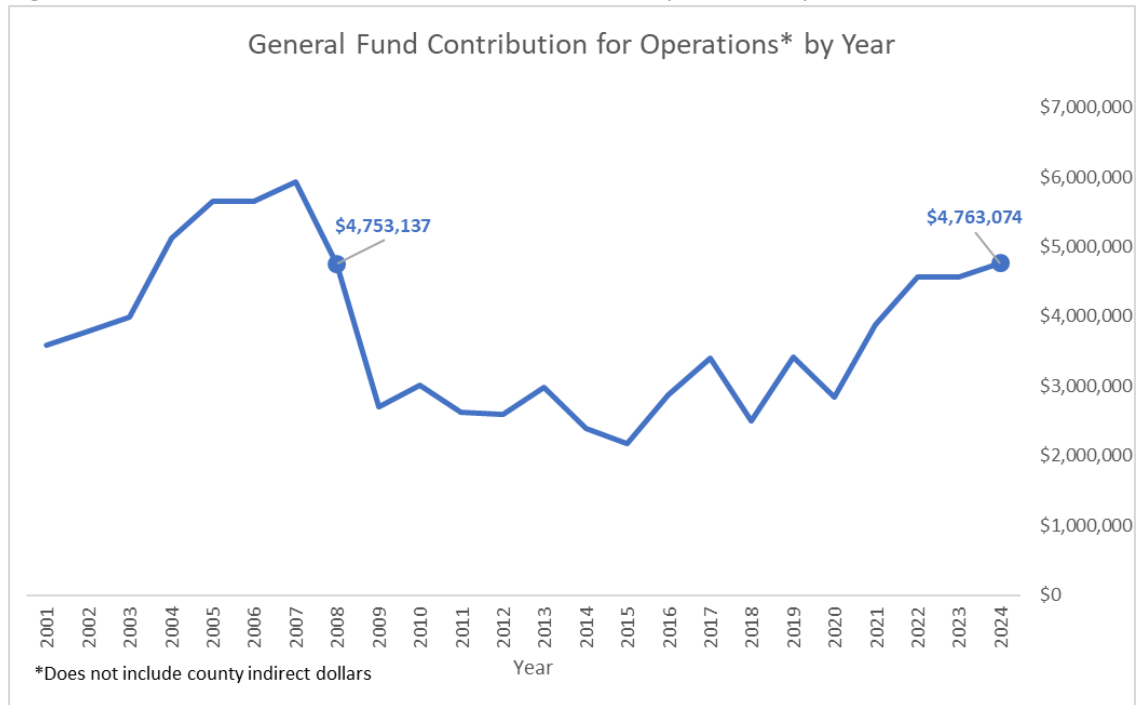
Summary

- Ottawa County Department of Public Health is required to pay for Ottawa County administrative expenses, often referred to as indirect costs. These costs are based on actual costs for Administration, Corporation Counsel, Human Resources, IT, Fiscal Services, Facilities Maintenance, and other support departments.
 - The fiscal year 2024 budget for administrative expenses shows a **nearly 40% increase** in cost over the 2019 budget, after adjusting the 2019 budget for population and inflation, and **over a 76% increase** when compared to the actual, unadjusted 2019 budget.
- Comparatively, the Public Health general fund operational budget (funds used for direct community services) shows just over a **10% increase** in cost over the 2019 budget, after adjusting the 2019 budget for population and inflation, and a **39% increase** when compared to the actual, unadjusted 2019 budget.
- COVID-19 related grants total over **\$2.2 million dollars**. These federal funds can be used for mandated services beyond COVID-19, including for the prevention of communicable diseases and outbreak investigation.
 - **Over \$300,000** of these grant funds are utilized to pay for Ottawa County administrative expenses.
 - There are **nearly 100 communicable diseases** beyond COVID-19 that are nationally reportable and require public health action. For a complete list of reportable communicable diseases [click here](#).
- These state and federal grant funds are taxpayer dollars that are coming back to the community for services provided in Ottawa County. If denied, these taxpayer dollars are reallocated to other communities in the state and **Ottawa County residents will have to “pay” a second time through their property taxes for these mandated services.**
- Ottawa County Department of Public Health has operated with general fund operational contributions **only recently reaching the same funding levels of 15 years ago**, not adjusted for population or inflation. Over this same period Ottawa County’s:
 - **Population increased by nearly 20%** (almost 50,000 people).
 - **Property tax revenue has nearly doubled.**

Request 1: General Fund – Public Health Set at Pre-COVID-19 Levels Adjusted for Inflation

You requested using a pre-COVID-19 general fund amount and adjusting for inflation. To give a better view of current funding levels when compared to previous years, it is helpful to expand the historical reference beyond 2019.

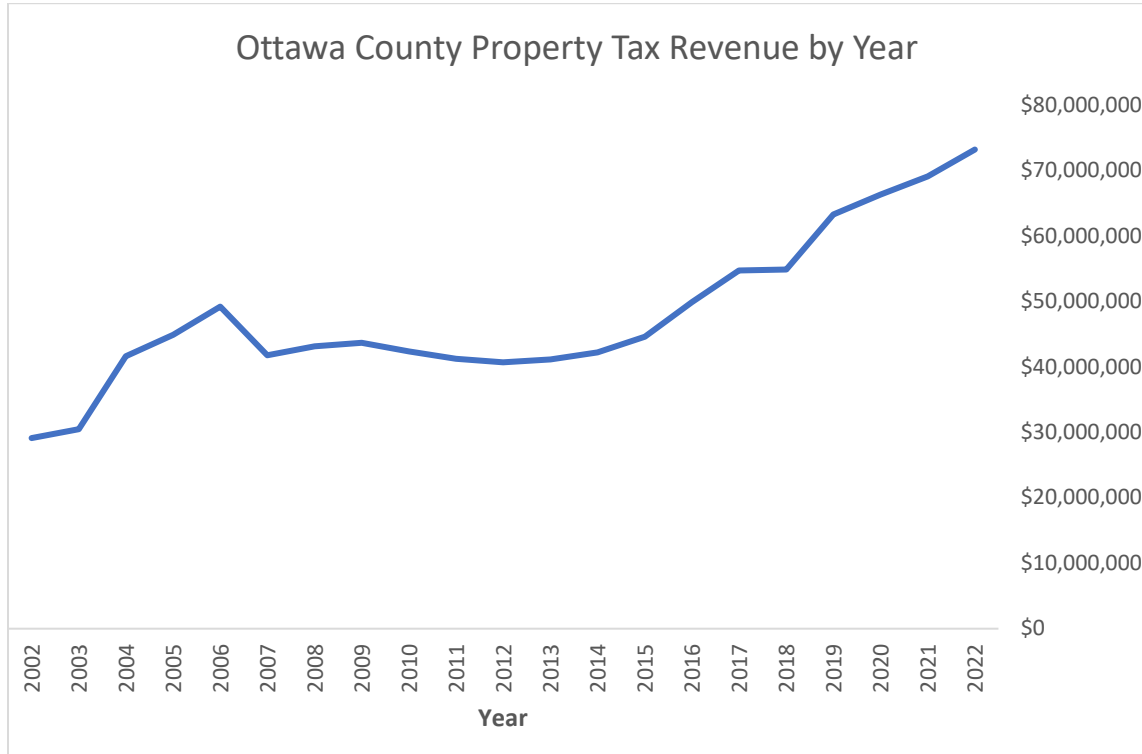
Figure 1. General Fund Contribution for Public Health Operations by Year



In Figure 1, the blue line traces the County’s general fund contribution to Public Health operations over time back to the early 2000s. It is evident that the Public Health department faced dramatic and sustained cuts following the Great Recession of 2008-2009. Even though Ottawa County’s property tax revenue has been increasing since 2015—in fact nearly doubling since 2015 (see Figure 2), the Public Health general fund operational contribution (those funds used for direct community services) for the Public Health department is only now reaching the 2008 level of funding. It should be noted that these are actual funding levels that do not account for the increases in cost of living, recent inflationary pressures, nor the addition of nearly 50,000 more constituents to the county since 2008.

Figure 2 illustrates that the County’s property tax revenue for the provision of services has more than doubled between 2002 and 2022. By 2024, it is likely to have tripled due to the combination of inflation of the dollar and the addition of about 60,000 new residents to the County by 2024.

Figure 2



Public Health has been chronically underfunded, but this department has managed to run very lean and, while not funded at optimal levels, has maintained minimum program requirements. In fact, as is demonstrated in county health rankings and many vital statistics, Ottawa County’s population health has thrived compared to its peers. This has been accomplished with general fund operational contributions only recently reaching the same funding levels of 15 years ago, not adjusted for population or inflation, even in an inflationary environment. However, there is a tipping point where further budget cuts risk the ability to maintain serviceable levels for programs and risk compromising the health and safety of constituents.

The funding disparity becomes even more apparent when adjusting fiscal year 2008 funding for inflation and population growth.

Figure 3

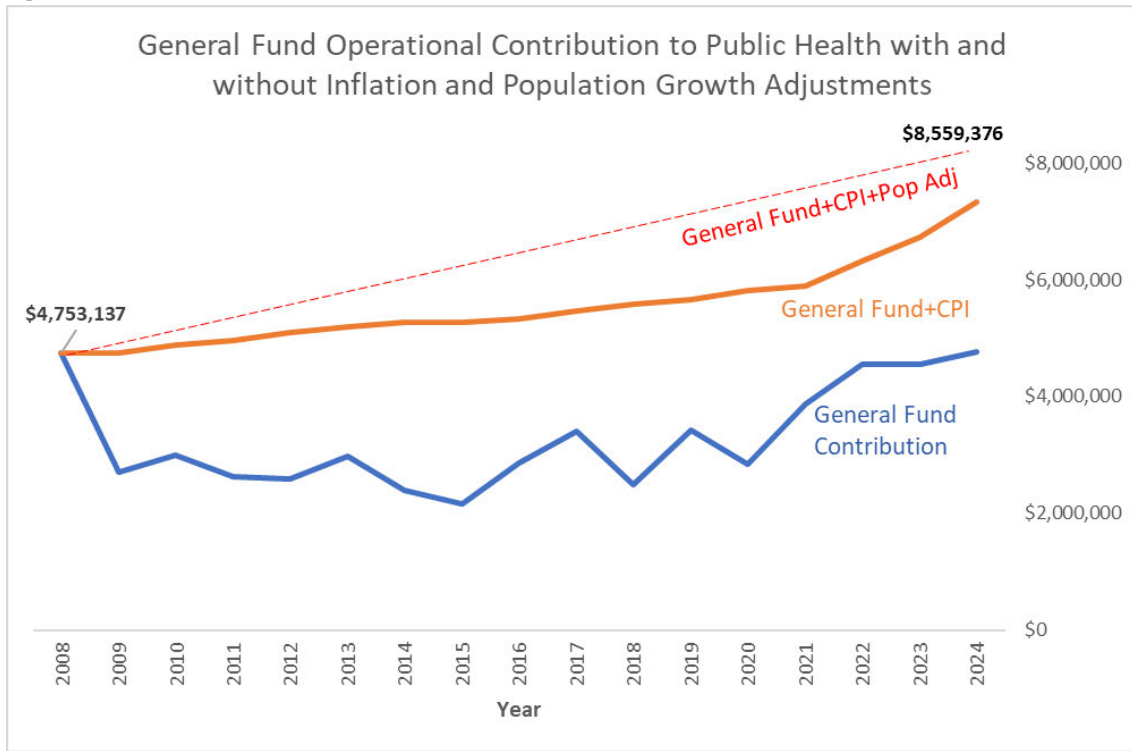


Figure 3 illustrates actual general fund operational contributions (blue line) and compares this to adjusted general fund operational contributions pre-recession (2008). The orange line above projects general fund operational contribution funding levels adjusted for inflation utilizing the consumer price index (CPI). The red dotted line adjusts the general fund operational contribution funding levels for inflation (CPI) and for population growth.

The adjusted contribution using inflation and population growth provides a more realistic budget amount to provide mandated services at an optimal level. This amount, just over \$8.5 million, incorporates the same pressures, population growth and inflation, that are directly tied to the increasing tax revenue – even with the 6th lowest property tax millage in Michigan. \$8.5 million is almost double the amount reflected in the fiscal year 2024 recommended budget that has been presented to the Board of Commissioners.

Specifically looking at Public Health budget numbers at 2019 levels, and adjusting them for inflation and population, further illustrates that the fiscal year 2024 proposed Public Health general fund operational budget has remained relatively flat in recent years. Table 1 below shows that the general fund operational contribution for the fiscal year 2024 proposed budget is \$4,763,074. When the fiscal year 2019 actual budget is adjusted for inflation and population, the 2019 adjusted budget amount is \$4,315,142. This means the proposed budget for fiscal year 2024 general fund operational contribution is \$447,932 higher than adjusted 2019 levels, just over a 10% increase.

Ottawa County Department of Public Health is required to pay for Ottawa County administrative expenses. These costs are based on actual costs and include Administration, Corporation Counsel, Human Resources, IT, Fiscal Services, Facilities Maintenance, and other support departments. Of note, the same comparison for general fund dollars allocated for County administrative expenses (Administration, IT, HR, Corporation Counsel, Fiscal Services, etc.) shows a far higher increase of nearly 40%, or \$472,440. It is important to point out that Public Health has experienced the same inflationary pressures on supplies, materials, wages, benefits, etc. that have acted to increase the County administrative expenses.

Table 1. Public Health Budget at 2019 Levels Adjusted for Inflation and Population Increase

	General Fund Amount for PH Operations	General Fund Amount Allocated to County Administrative Expenses (Admin, IT, HR, etc.)	Total General Fund Contribution
2024 Recommended Budget	\$4,763,074	\$1,664,989	\$6,428,063
2019 Adopted Budget	\$3,416,513	\$944,201	\$4,360,714
+ CPI Adjustment*	\$732,662	\$202,481	\$935,144
+ Population Adjustment**	\$165,967	\$45,867	\$211,834
2019 Adjusted Budget	\$4,315,142	\$1,192,549	\$5,507,692
2024 Recommended Budget Increase Over 2019 Adjusted Budget Amount	\$447,932	\$472,440	\$920,371
% Increase Over 2019 Adjusted Budget Amount	10.4%	39.6%	16.7%

*Bureau of Labor & Statistics Consumer Price Index (CPI) inflation calculator for goods and services in the U.S. CPI inflation measure is typically lower than the inflationary increases for healthcare and higher education. **The expected population growth of 4% from July 2019 to July 2024, calculated by averaging the amount of growth observed between years of 2019, 2020, 2021 and 2022.

If the budget is amended to the fiscal year 2019 budget values adjusted for inflation and population, the total realized savings to the general fund is not \$920,371 as noted in Table 1. County administrative expenses represent actual costs, therefore the \$1,664,989 budgeted in 2024 would not be reduced. As shown in Table 2 the total realized savings to the general fund budget by amending the 2024 budget to the 2019 budget adjusted for inflation and population is \$447,932.

Table 2. Potential Realized Decrease in General Fund Contribution by Amending the 2024 Budget to the 2019 Budget Adjusted for Inflation and Population.

	General Fund Amount for PH Operations	General Fund Amount Allocated to County Administrative Expenses (Admin, IT, HR, etc.)	Total General Fund Contribution
2024 Current Recommended Budget	\$4,763,074	\$1,664,989	\$6,428,063
2024 Budget with 2019 Corrected Rates	\$4,315,142	\$1,664,989	\$5,980,131
Potential Decrease to 2024 General Fund	\$447,932	\$0	\$447,932

Request 2: Exclusion of FY 2024 COVID-19 Grant Funding

Various federal dollars have been allocated to flow back to communities including Paycheck Protection Program (PPP) loans, American Rescue Plan Act (ARPA) funds, CARES Act direct payments to individuals and families, extended unemployment benefits to furloughed employees, and funds to support schools, among others. The specific federal grants related to public health services included in the fiscal year 2024 budget, which support maintenance of required services, are taxpayer dollars that are coming back to the community for services provided in Ottawa County. If denied, these taxpayer dollars are reallocated to other communities in the state, meaning Ottawa County residents will have to “pay” a second time through their property taxes for these mandated services.

Ottawa County is required to prevent and control the spread of communicable disease beyond COVID-19. There are nearly 100 communicable diseases other than COVID-19 that are nationally reportable and require public health action. The largest grant, just over \$1.2 million, is designated for infection prevention services which include communicable disease investigation and prevention activities such as the cryptosporidium outbreak response earlier this spring. These grant funds are also utilized to help offset over \$300,000 of county administrative expenses (Administration, IT, HR, Corporate Counsel, Fiscal Services, etc.).

Adeline Hambley
Administrative Health Officer

EXHIBIT D

From: John Gibbs <jjibbs@miottawa.org>
Sent: Tuesday, August 22, 2023 12:20 PM
To: Adeline Hambley <ahambley@miottawa.org>
Cc: Karen Karasinski <kkarasinski@miottawa.org>; Jordan Epperson <jepperson@miottawa.org>
Subject: FY24 Budget Request

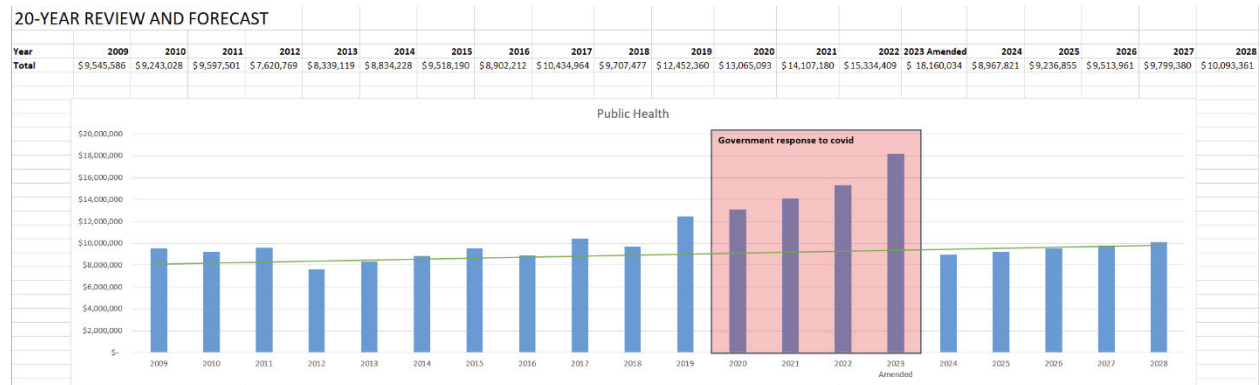
Hi Addie,

Good afternoon!

As discussed yesterday, the Finance & Administration Committee would like to see the Public Health budget in line with historical levels before COVID. Please work with Fiscal Services to work out the details of a budget using \$2.5 million general fund contribution and also discontinuing all COVID-related grants.

Please send this to me by Thursday August 23 close of business.

Thank you!



From: Adeline Hambley <ahambley@miottawa.org>
Sent: Tuesday, August 22, 2023 4:58 PM
To: John Gibbs <jjibbs@miottawa.org>
Cc: Karen Karasinski <kkarasinski@miottawa.org>; Jordan Epperson <jepperson@miottawa.org>
Subject: RE: FY24 Budget Request

Hi John,

Commissioner Moss' proposal would slash Health Department funding from a \$6.4 million total general fund contribution to a total of \$2.5 million, a reduction of over

60%. This action brings the total operating budget for 2024 to \$500,000 less than the 2009 budget, which was during the worst economic conditions the United States has experienced since The Great Depression. The demand for this reduction comes at a time when the County is experiencing significant population growth and record high property tax revenue.

Proposed budget reductions of this size will significantly impair, and likely eliminate, various public health services and the Health Department's ability to maintain public health and safety. It is ridiculous to expect that services in 2024 could be completed with a budget below 2009 funding levels. For example, as development ground to a halt during The Great Recession, only 38 evaluations were completed for vacant property to determine suitability for home construction with a septic system. In 2021, over 200 evaluations were completed, a number that has continued to grow each year, as has demand for many other Health Department services.

In addition to cutting general fund allocation, the Commission is proposing to give up a significant amount of grant money, allegedly because of various political considerations. This grant money is used for various purposes including preventing the spread of communicable disease and health risks other than COVID-19. This hurts Ottawa County taxpayers in a variety of ways and is fiscally short-sighted. These actions may necessitate large increases in fees for services that our businesses and citizens depend upon, and/or long delays for completion of services.

If the Commission moves forward with this level of budget-slashing, I believe it will be a clear act of unlawful retaliation against me for bringing a wrongful termination suit for attempting to remove me as the appointed Administrative Health Officer, and for the trial court's decision to grant me judgement on that claim. Moreover, such actions may subject the County to other legal consequences, such as the issuance of an administrative compliance order to the local governing entity by the State of Michigan for failure to demonstrate adequate provision of required services to the community.

Yesterday you explained to the Commissioners that you did not feel they could ask other departments to cut 5% in this budget cycle as the process was complex, and it was recommended an external consultant be hired to identify efficiencies without sacrificing services. However, Public Health is being asked to cut more than 10 times that in just two days. I will do my best, but you are asking me to complete a task of cutting over 60% of the budget by Thursday at 5pm. It does not appear that the information previously shared with you was reviewed by all members of the Finance and Administration Work Session Committee. This is important information for all members of the Board to review to inform their decision. If the Board wishes to hear from me on these issues I will be available.

EXHIBIT E

From: John Gibbs <jgibbs@miottawa.org>
Sent: Wednesday, August 23, 2023 8:32 AM
To: Adeline Hambley <ahambley@miottawa.org>
Cc: Karen Karasinski <kkarasinski@miottawa.org>; Jordan Epperson <jepperson@miottawa.org>
Subject: Re: FY24 Budget Request

Hi Addie,

Good morning!

Thank you for sharing the information below.

Please proceed with producing a budget with a general fund contribution as close to the below-directed level as possible, which discontinues all COVID-related grants.

Thank you!

From: Adeline Hambley
Sent: Thursday, August 24, 2023 5:08 PM
To: John Gibbs <jgibbs@miottawa.org>
Cc: Karen Karasinski <kkarasinski@miottawa.org>; Jordan Epperson <jepperson@miottawa.org>
Subject: RE: FY24 Budget Request

Hi John,

Please see attached for my response to this request. In working with Fiscal Services, it is impossible to create an exact budget as the Health Department is unable to operate at this funding level. Many grants and state funding require a match or minimum funding levels from the local governing entity in order to receive funds. If the local governing entity is not able to fund mandated programs at minimum specified levels, the state funding does not get passed to the local governing entity. The state can issue an administrative compliance order for a local governing entity that does demonstrate adequate provision of required services to the community. There is no way for me to create a budget that meets Public Health Code requirements and the minimum maintenance of effort---thus no state funding would be received, and ultimately the health department would no longer be able to operate.

I am also unable to address removing from the budget “all COVID related grants” as I am unclear as to how that is being defined. There are grants that have COVID as a word in the title or description but are not related to COVID cases, reporting or vaccines. I will need a specific list from the Intergovernmental Revenue list that was provided to move forward with this request.

Again, the budget is complex with many interconnect pieces that may be better served by a conversation with Karen to meet any reduction request.

EXHIBIT F

Request:

As discussed yesterday, the Finance & Administration Committee would like to see the Public Health budget in line with historical levels before COVID. Please work with Fiscal Services to work out the details of a budget using \$2.5 million general fund contribution and also discontinuing all COVID-related grants.

The significant and retaliatory cuts requested on behalf of Commissioner Moss are an attempt to achieve political victory over COVID-19 at the expense of Ottawa County citizens. It is being suggested that the general fund amount of \$2.5 million is bringing the budget back in line with average pre-COVID-19 funding levels. However, this cut is not returning to “historic budget levels”; at no point in the last 20 years has the total general fund allocation to Public Health been \$2.5 million.

PUBLIC HEALTH GENERAL FUND BUDGETED AMOUNTS 2009 - 2020

	FY09	FY10	FY11	FY12	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20
TOTAL GENERAL FUND	\$4,298,869	\$4,055,311	\$3,992,341	\$3,761,261	\$3,648,130	\$3,382,719	\$3,379,710	\$3,379,710	\$4,489,636	\$4,309,423	\$4,360,714	\$3,727,297
General Fund County Admin. Overhead	\$510,853	\$449,944	\$540,854	\$557,624	\$616,091	\$624,159	\$655,857	\$514,114	\$544,793	\$741,755	\$944,201	\$1,108,682
GENERAL FUND PUBLIC HEALTH OPERATIONS	\$3,788,016	\$3,605,367	\$3,451,487	\$3,203,637	\$3,032,039	\$2,758,560	\$2,723,853	\$2,865,596	\$3,944,843	\$3,567,668	\$3,416,513	\$2,618,615

Total General Fund: Total General Fund tax revenue allocated to Public Health to fund services and County Administrative Overhead (e.g. Administrator, Corporation Counsel, IT, HR, etc.)

General Fund County Admin. Overhead: Total cost to pay for support services from the County (e.g. Administrator, Corporation Counsel, IT, HR, etc.). These costs are not allowable costs for determining required maintenance of effort to minimally support public health services.

General Fund Public Health Operations: County tax revenue utilized to directly support public health services for the community.

These cuts do not save taxpayers money but serve to reduce services that the County is required to provide to protect the health and safety of the community. It strips citizens of the services they are guaranteed under the law and the rights they are granted under the Michigan Constitution. These actions are not fiscally conservative but fiscally, and legally, irresponsible.

The proposed \$2.5 million in general fund contribution is an 88% reduction in general funds available to provide services to the community. Nearly 67% of the \$2.5 million is being used to fund County Administrative expenses. This does not meet the minimum maintenance of effort to provide mandated programs as is required by law.

Public Health Operational Funds Original Budget vs Commissioner Requested Budget			
	Original Budget as Submitted	Commissioner Requested Budget	% Change
Total General Fund Contribution	\$6,678,063	\$2,500,000	-63%
Minus CMH Millage Transfer (Pathways)	(\$250,000)	(\$250,000)	0%
Minus County Administrative Expenses (Administration, Corporate Counsel, IT, Fiscal, HR, etc.)	(\$1,664,989)	(\$1,664,989)	0%
General Fund Available for Public Health Operating Expenses	\$4,763,074	\$585,011	-88%

The request to create a budget that discontinues “all COVID-related grants” hurts Ottawa County taxpayers in a variety of ways and is fiscally short-sighted. There are grants that have COVID in the name or the description, however they are designed to cover various public health purposes including preventing the spread of communicable disease and health risks other than COVID-19. These actions may necessitate large increases in fees for services that our businesses and citizens depend upon, long delays for completion of services, or elimination of services.

Outcomes for these actions

- 88% cut in operational general funding (from \$4,178,063 to \$585,000).
- No federal or state funding will be received due to local governing entity requirements not being met.
- Many grant funds would not be able to be accepted due to the inability to provide a local general fund match.
- 12 mandated or community need-based programs will be eliminated by October 1, 2023, such as: Children’s Special Health Care Services, Dental Sealant Program and Miles of Smiles Mobile Dental Office for school children, Maternal and Infant Health Program for pregnant moms and infants, Family Planning and Women’s Health Services, Ottawa Food, Suicide Prevention Coalition, Pathways to Better Health, and others.
- Loss of public health knowledge and expertise through loss of staff and programs that will take many years and many dollars to rebuild.
- Actions may subject the County to legal consequences:
 - Issuance of an administrative compliance order to the local governing entity by the State of Michigan for failure to demonstrate adequate provision of required services to the community.
 - Unlaw retaliatory actions against the Health Officer will lead to additional claims being filed in court.
- May risk the over \$15 million in state funding received by all Ottawa County departments and programs (including Veteran Affairs, Elections, Juvenile Court, Community Corrections, Sheriff’s Office, Prosecuting Attorney, etc.).
 - The state legislature passed a budget that requires local governments to report any action or policy that attempts to restrict or interfere with the duties of the local health officer.

- Funding at this level severely restricts and interferes with the duties of the health officer as are stated in law.

Scenario 1

- Running only minimum essential services and mandated public health administration, **Ottawa County Public Health would close doors in 4 weeks – by the end of October 2023.**

Scenario 2

- Applying all of the general fund available to five essential services that cannot charge fees: Hearing Screening Program, Vision Screening Program, Immunizations and Waivers Program, Sexually Transmitted Disease Testing and Treatment Program and Communicable Disease Program
 - These **essential services would be able to operate for 7 weeks, starting October 1, 2023.**
- Programs that charge fees for service would remain and fees would increase to cover full cost of operation:
 1. Food Program – Food safety inspections (restaurants, food trucks, schools, etc.), complaint inspections, outbreak investigation.
 - Fees are estimated to triple to cover cost of program. A fixed restaurant license would increase from \$700 up to \$2100 per license.
 2. Onsite Wastewater/Drinking Water Program – Drinking water well permits and monitoring, sewage disposal permits for repair and new construction for homes and businesses.
 - Fees are estimated to triple to cover cost of program. A drinking water well would increase from \$400 up to \$1200, and a new sewage disposal permit would increase from \$535 up to \$1605.
 3. Real Estate Transfer Evaluations – Inspection of well and sewage disposal system inspections prior to sale of home or business to evaluate for function and safety.
 - Fees charged are estimated to double or triple to cover cost to maintain. A full real estate transfer evaluation would increase from \$300 up to \$900 per inspection.

Every public health program will be at risk under the unreasonable general fund budget allocation requested by Administrator Gibbs on behalf of the Board of Commissioners. While the impact of the Board of Commissioners actions may not be felt immediately, these actions will have lasting and long-term effects on individuals, business, organization, and the entire community as they risk the health of each person who lives or works in Ottawa County.

Adeline Hambley
Administrative Health Officer

EXHIBIT G

From: Adeline Hambley
Sent: Friday, August 25, 2023 11:24 AM
To: Public Health Staff List
Subject: Client Service Concerns

Good morning everyone,

As I am sure you all are aware, there is a lot of conversation happening around the fiscal year 2024 budget for Public Health. At this time, budgets are still being discussed by the Board of Commissioners in the Finance Committee Workgroup. If you have clients contacting you with concerns, please let them know that services are continuing as usual and budgets have not yet been finalized so we are unable to give definitive answers as to what will happen after October 1, 2024. If they would like to discuss further, you can transfer them to Kris Conrad (393-5775) and she will process messages and make sure they get a call back. If it is specifically media related, you can transfer to Alison Clark (494-5597). Clients can also share their concerns with their elected officials.

During this uncertain time, please try and reassure community members that reach out – let them know they are important and valued and we will communicate any changes to services as soon as we know more.

Thank you so much for your dedication to the community we serve, and as soon as I know more, I will keep you updated.

Adeline Hambley, MBA, PMP, REHS
Administrative Health Officer
Ottawa County Dept. of Public Health
12251 James Street, Suite 400 | Holland, MI | 49424
616-393-5625 | miOttawa.org/health

*mi*Ottawa Department of
Public Health

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EXHIBIT H

From: Gretchen Cosby <gcosby@miottawa.org>
Sent: Friday, August 25, 2023 3:24 PM
To: Adeline Hambley <ahambley@miottawa.org>
Cc: John Gibbs <jgibbs@miottawa.org>
Subject: Information request for budget

Good afternoon Adeline,

During the Budget Work Session on Monday, I requested the following information to help with budget decisions for FY2024:

Number of current health department programs.

1. Descriptions of the programs and services.
2. Number of residents served by the individual program.
3. Resources required- human/FTE's and supplies to provide the program.
4. Intended outcomes and current outcomes.

I am interested in learning more about your business and believe that my background as a nurse will be helpful as we plan for a healthier Ottawa County in 2024.

Thank you for your assistance.

Gretchen

From: Adeline Hambley <ahambley@miottawa.org>
Sent: Friday, August 25, 2023 7:01:20 PM
To: Gretchen Cosby <gcosby@miottawa.org>
Cc: John Gibbs <jgibbs@miottawa.org>
Subject: RE: Information request for budget

Commissioner Cosby,

I apologize, I was unaware you had requested these items, but I am happy to work with the team to put it together and get it back to you as soon as possible. While that is being worked on, there is some information available online that provides a nice overview of services:

<https://www.miottawa.org/Health/pdf/About-Our-Programs.pdf>

Have a wonderful weekend!

EXHIBIT I

From: John Gibbs <jjibbs@miottawa.org>
Sent: Friday, August 25, 2023 3:53 PM
To: Karen Karasinski <kkarasinski@miottawa.org>
Cc: Adeline Hambley <ahambley@miottawa.org>
Subject: Final Public Health FY2024 Budget

Hi Karen,

Good afternoon.

Please take the following action to draft Public Health's budget:

1. Set the Public Health general fund contribution to \$2.5 million, and then have Public Health use a portion (\$1.3 million) of their \$3 million fund balance to reach \$3.8 million, the average general fund contribution from 2009 to 2019. Please transfer \$1.5 million of the remaining Public Health fund balance to the County's contingency fund (unless specific parameters prevent it).
2. Eliminate all COVID positions approved at the August 24, 2021 Full Board of Commissioners meeting, totaling \$2,179,153. (See the attached for more info)
3. Eliminate the following COVID-19 related grants, and any general fund contribution to programs funded by these grants
 - o PHEP 9 Month Grant
 - o PHEP 3 Month Grant
 - o PHEP to provide training for a new Public Health Emergency Preparedness Manager
 - o Immunization Action Plan (Note: keep grant, remove general fund contribution)
 - o Immunization ELPHS (Note: keep grant, remove general fund contribution)
 - o COVID-19 SUD
 - o GCD ELPHS - Disease Control
 - o Contact Tracing
 - o COVID Immunization
 - o Reopening Schools HRA
 - o NNICE Vaccine COVID-19
 - o COVID Workforce Development to expand

For any additional details, please work with Nina and Kris to set the exact budget numbers within the above parameters.

Thank you,

EXHIBIT J

From: Gretchen Cosby <gcosby@miottawa.org>
Sent: Monday, August 28, 2023 12:19 PM
To: Adeline Hambley <ahambley@miottawa.org>
Subject: Meeting

Good Afternoon,

Thank you for sending me the online link for the Ottawa County Health Department programs, I am interested in setting the Health Department up for success, regardless of what has been reported in the media.

If you could provide the other data points I requested by program, I would be willing to meet with you to see if there is an advocacy opportunity for specific programs and program requirements.

Thank you for your assistance.

Gretchen Cosby

From: Adeline Hambley <ahambley@miottawa.org>
Sent: Monday, August 28, 2023 6:31 PM
To: Gretchen Cosby <gcosby@miottawa.org>
Subject: RE: Meeting

Thank you for your email. I appreciate your communication, and I am working on gathering the requested information. I wanted to let you know that it may be a few days before I can provide some of it, as much of my weekend and today have been spent helping provide answers for Karen from Fiscal Services, so that she can assist Administrator Gibbs with his various requests for different possible budget decrease scenarios, and the ramifications of each. This work is ongoing, and I didn't want you to think that I don't consider your message important. As you know, I have welcomed discussions with you and your colleagues in my various communications, offering to meet since December prior to when the Commission took office in January. Please know that I am working to provide the information in Friday's request as soon as possible.

EXHIBIT K

From: Adeline Hambley

Sent: Monday, August 28, 2023 5:46 PM

To: John Gibbs <jjibbs@miottawa.org>; Karen Karasinski <kkarasinski@miottawa.org>

Subject: RE: Final Public Health FY2024 Budget

Hi John,

Thank you for cc'ing me on the request you sent Friday afternoon to Karen for changes to the Public Health FY 2024 budget. It is important for both Fiscal Services and Public Health to work together on your new request for budget amendments, since there are program details that Karen will need from Public Health to attempt to do what you have asked: suggest configurations of the Health Department budget which could still comply with the Public Health Code and with state and federal funding requirements.

Unfortunately, in my view, your request to Karen on Friday afternoon is still asking her to do the impossible. I have been working this weekend and so far today to answer Karen's questions while she is on her vacation. My understanding is that you have now asked her for different information, and so we are now pivoting to help her with those new requests. We will continue to try our best to help Karen with these new requests as of today at 5pm.

However, as a general matter, the information attached will be useful to you to keep in the background.

Sincerely,

EXHIBIT L

Your August 25, 2023, email request sent at 3:52 PM states:

Hi Karen,

Good afternoon.

Please take the following action to draft Public Health's budget:

- 1. Set the Public Health general fund contribution to \$2.5 million, and then have Public Health use a portion (\$1.3 million) of their \$3 million fund balance to reach \$3.8 million, the average general fund contribution from 2009 to 2019. Please transfer \$1.5 million of the remaining Public Health fund balance to the County's contingency fund (unless specific parameters prevent it).*
- 2. Eliminate all COVID positions approved at the August 24, 2021 Full Board of Commissioners meeting, totaling \$2,179,153. (See the attached for more info)*
- 3. Eliminate the following COVID-19 related grants, and any general fund contribution to programs funded by these grants*
 - o PHEP 9 Month Grant*
 - o PHEP 3 Month Grant*
 - o PHEP to provide training for a new Public Health Emergency Preparedness Manager*
 - o Immunization Action Plan (Note: keep grant, remove general fund contribution)*
 - o Immunization ELPHS (Note: keep grant, remove general fund contribution)*
 - o COVID-19 SUD*
 - o GCD ELPHS - Disease Control*
 - o Contact Tracing*
 - o COVID Immunization*
 - o Reopening Schools HRA*
 - o NNICE Vaccine COVID-19*
 - o COVID Workforce Development to expand*

For any additional details, please work with Nina and Kris to set the exact budget numbers within the above parameters.

Since there have been several budget requests over the past week and a half and a lot of information provided to you from the Public Health and Fiscal Services departments already, it may be helpful to review some of what has already been communicated between January 2023 and today before addressing the points in your email.

The department budgets you are recommending to the Board of Commissioners have been presented and discussed numerous times during creation and planning, as well as publicly.

- November 2022 – January 2023: review of actuals for fiscal year 2022 and setting budget targets for fiscal year 2024
- Numerous presentations on health department programs and services to board of commissioners through annual report, Health and Human Services Committee meetings, grant presentations and via email. Multiple offers extended to meet and discuss programs more in-depth.
- Budget calendar followed with planning occurring up to entry into financial system in May.
- June 19, 2024: budget presentation with County Administrator, Fiscal Services, Public Health, and Commissioner Sylvia Rhodea
- Finance and Administration Committee and the Finance and Administration Committee's special budget work sessions
 - o August 1, 2023, August 10, 2023, and August 21, 2023
- Board of Commissioner's meetings

- August 8, 2023
- August 17, 2023: first request to set budget for general fund contribution “to pre-COVID levels, adjust for inflation” (2019 general fund of \$4.5 million specifically mentioned) and exclude all COVID grants and provide by August 18, 2023
- August 21, 2023: first discussion at Finance and Administration Committee budget work session to significantly reduce budget as presented
- August 22, 2023: email received with direction to a budget in two days with a reduced general fund contribution of \$2.5 million and removal of all COVID-related grants funding
- August 22, 2023: additional information provided to Administrator Gibbs by Public Health to explain the various limitations of funding and providing a detailed historical perspective of funding, inflation, and population growth
- August 23, 2023: directive to produce a budget with general fund as close to \$2.5 million as possible and discontinue all COVID-related grants by August 24, 2023
- August 24, 2023: additional clarification and information provided by Public Health as to the outcomes of funding at this level
- August 25, 2023: request to Karen (Fiscal Services) with the request as shown earlier in document
- August 28, 2023: meeting with Fiscal Services to review request after Karen was able to meet with you and discuss

As already mentioned multiple times during budget presentations to you and to the commissioners, the requested FY 2024 Public Health budget isn't directly comparable to the 2022 and 2023 budgets as shown because the COVID-19 grants awarded to support local response and recovery came later in the budget process compared to 2024. Therefore, FY 2022 and FY 2023 adopted budgets appear smaller than the requested FY 2024 budget as the grant awards are included, where previously they were not. The two tables below help to compare Public Health budget amounts from 2022 to 2024 without COVID-19-related grants.

Table 1. COVID Grants that Inflate Perceived Difference Between 2024 and Prior Years 2023 & 2022*

2024 COVID-19-Related Grant	Amount
Epi Lab Capacity Infection Prevention	\$1,246,340.00
Immunization	\$359,090.00
Reopening Schools HRA	\$308,000.00
Workforce Development	\$345,213.00
TOTAL	\$2,258,643.00

*Statistics from the August 10, 2023, Special Work Session, Finance and Administration packet.

As was discussed at the budget review meeting with Administration, Fiscal Services, Public Health, and Commissioner Rhodea on June 19, 2024, when COVID-19 grants are removed, the Public Health requested budget for FY 2024 is level or lower than the prior two years' baseline budgets. The FY 2024 budget is not inflated by COVID-19 spending, but primarily by inflation of the dollar and increases in costs as seen in every other Ottawa County department.

Table 2. Equivalent Comparison of 2022, 2023 and 2024 Public Health Budget without COVID Grants*

	2022 Budget Actuals	2023 Adopted Budget	2024 Requested Budget
Baseline Amount	\$15,652,730	\$15,258,827	\$17,378,138
- COVID Grants	NA	NA	- \$2,258,643
Adjusted Amount	\$15,653,730	\$15,258,827	\$15,119,496

*Statistics from the Public Health (221) Special Revenue Fund Budget Summary, Finance and Administration packet.

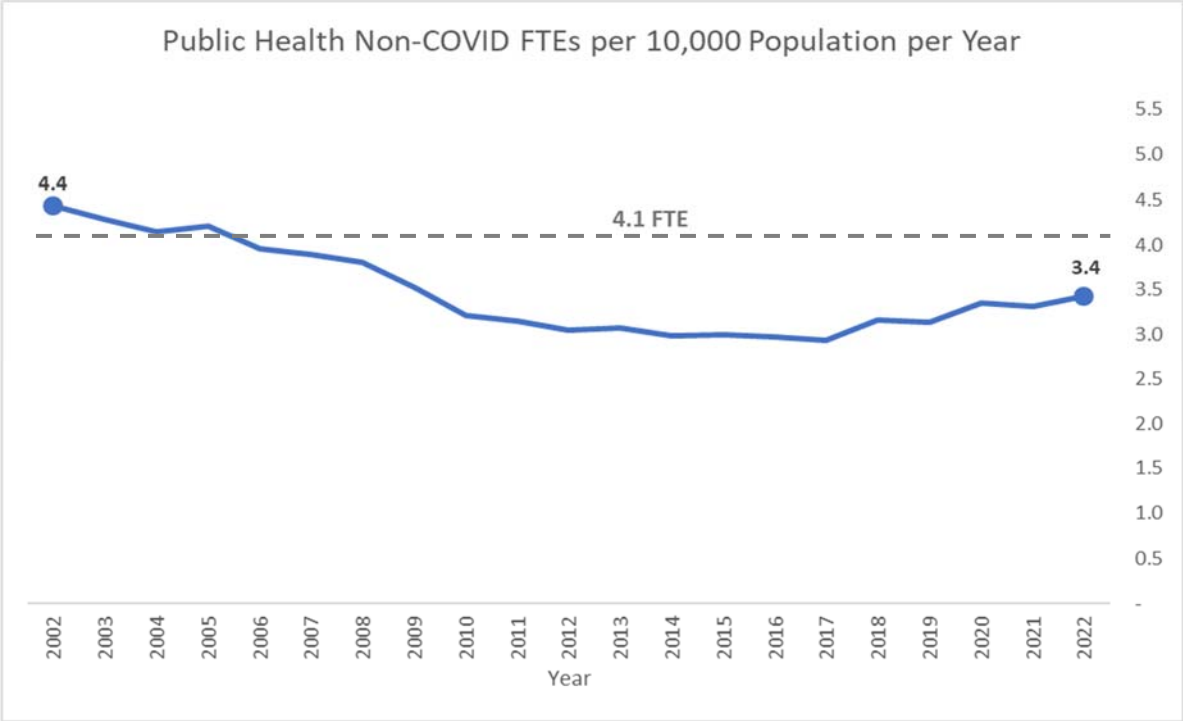
While your proposed FY 2024 budget for all County departments combined is up 5%-6% compared to FY 2023, Public Health identified efficiencies before presenting our budget to you in June. As a result, we came to you without a baseline increase in our budget for two consecutive years. As noted by you and the Board, this is effectively a 5%-6% reduction and meets the Board's goal for all departments to achieve in the FY 2025 budget process – a difficult feat in any year, but even more so over two years with of inflation.

"In 2022, inflation reached some of the highest levels seen since 1981, hitting 9.1% in the middle of 2022 in the wake of the COVID-19 pandemic."

U.S. Bureau of Labor Statistics

Of course, there are factors to consider which cause budget increases to deliver services to the community that are unrelated to COVID-19. It may help you as you advise the Board to have a historical understanding of Public Health staffing levels and how they compare to the average of medium-sized local health departments in the United States. Figure 1 shows non-COVID staffing rates for Public Health from 2002 to 2022. The dashed gray line indicates the U.S. average since 2016. Ottawa has been under that level since 2006.

Figure 1. Ottawa County, as a medium-sized county, has been consistently staffed below the U.S. average local health department staffing level per 10,000 population*



*[2019 National Profile of Local Health Departments \(LHDs\) Study.](#)

Besides inflationary pressures driving up costs of operation, population increases also drive increases in services. As the fastest growing county in Michigan, our population has grown by over 40,000 people since 2009.

Figure 2. Communicable diseases have increased year-over-year, more than doubling since 2009

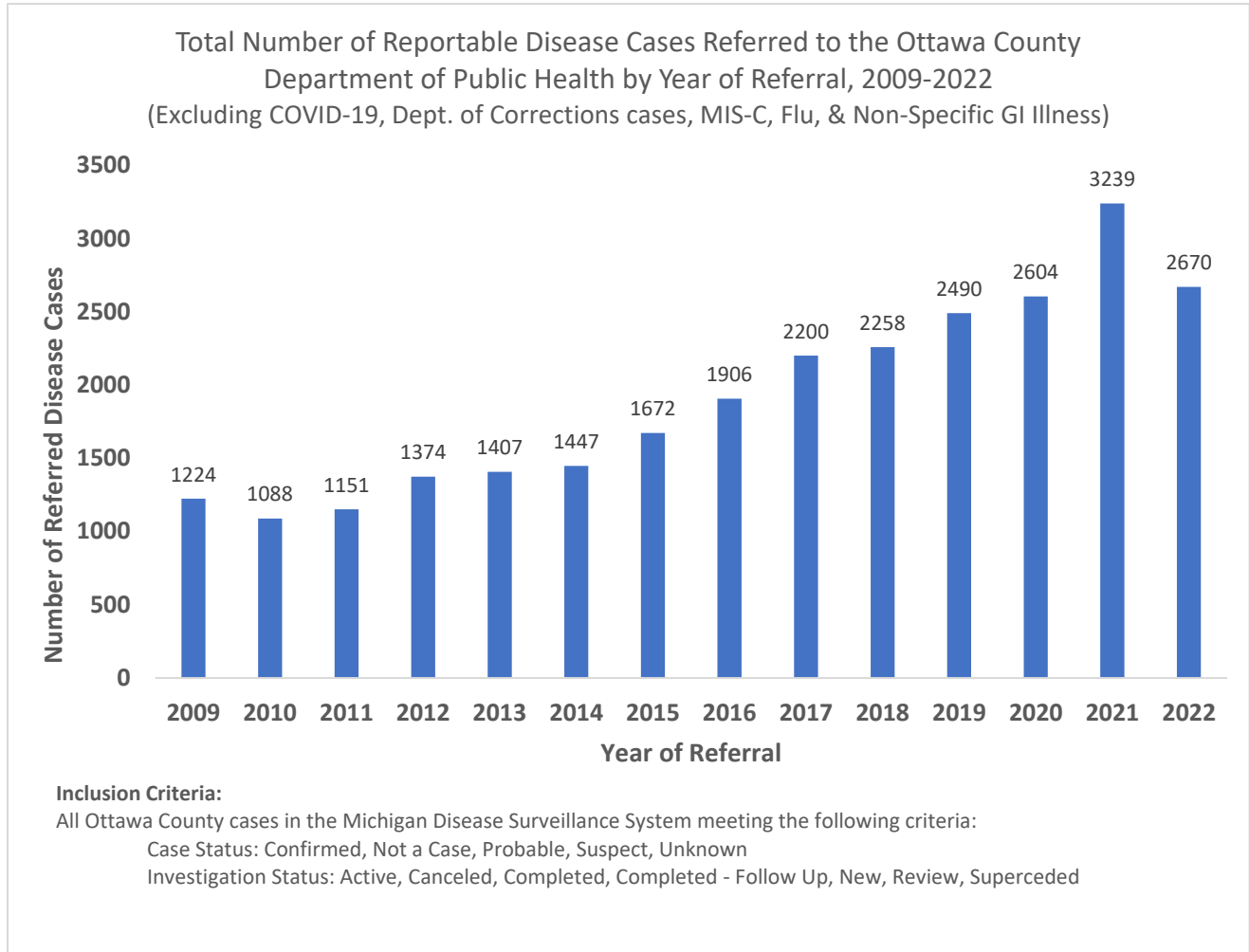
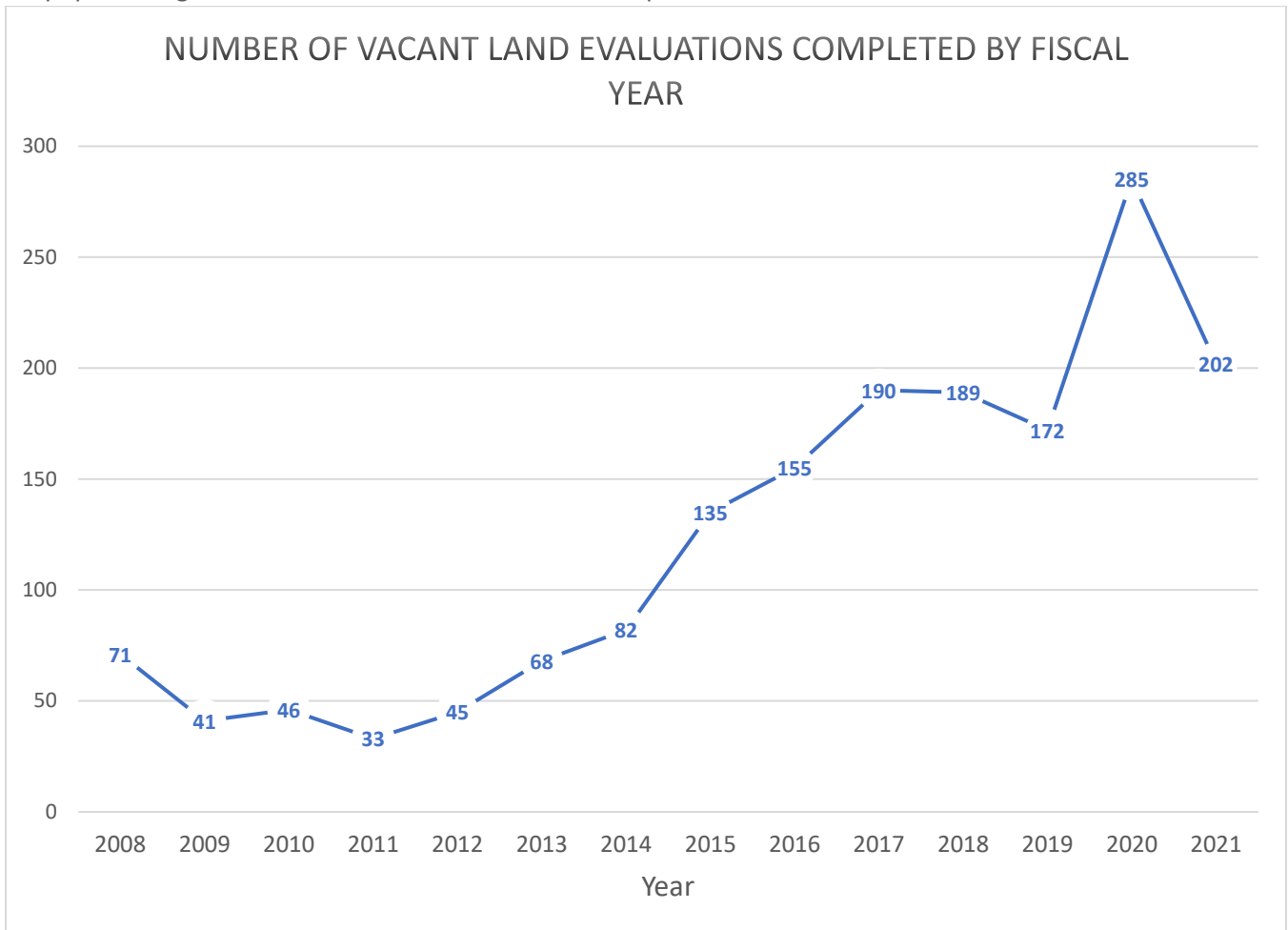


Figure 3. Vacant Land Evaluations have increased significantly since The Great Recession, and is a great indicator for population growth and overall increase in service requests



Request 1: Set the Public Health general fund contribution to \$2.5 million, and then have Public Health use a portion (\$1.3 million) of their \$3 million fund balance to reach \$3.8 million, the average general fund contribution from 2009 to 2019. Please transfer \$1.5 million of the remaining Public Health fund balance to the County's contingency fund (unless specific parameters prevent it).

Response: The local governing entity, i.e., County Administration, must exhibit the maintenance of effort (MOE) in relation to funding the essential health and safety services that protect public health in Ottawa County. This amount cannot include the indirect expenses for county central services (administrator, corporate counsel, IT, etc.) when being calculated. The initial request to create a budget of \$2.5 million total general fund would not meet this maintenance of effort as required, thus per the state Omnibus budget:

20 Sec. 1222. (1) Funds appropriated in part 1 for essential
21 local public health services shall be prospectively allocated to
22 local health departments to support immunizations, infectious
23 disease control, sexually transmitted disease control and
24 prevention, hearing screening, vision services, food protection,
25 public water supply, private groundwater supply, and on-site sewage
26 management. Food protection shall be provided in consultation with
27 the department of agriculture and rural development. Public water
28 supply, private groundwater supply, and on-site sewage management
29 shall be provided in consultation with the department of



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1 environment, Great Lakes, and energy.

2 (2) Distributions in subsection (1) shall be made only to
3 counties that maintain local spending in the current fiscal year of
4 at least the amount expended in fiscal year 1992-1993 for the
5 services described in subsection (1).

As explained in my response on August 24, 2023, that a total general fund contribution of \$2.5 million falls significantly short of the maintenance of effort (MOE) needed to operate all mandated essential public health services at a minimally serviceable level, let alone meet the general fund needs for other required or desirable services that Ottawa County residents have relied on and have contributed to a comparatively healthy, thriving community in the past.

- Remember that for any general fund contribution to satisfy MOE, it cannot count the portion of general funds needed to pay for indirect expenses paid by County Administration for central services (administrator, corporate counsel, IT, etc.). In this case, that amount is \$1,664,989.
- Public Health does not have a \$3 million fund balance.
 - Public Health’s fund balance at the beginning of the FY 2024 budget process is \$3,046,360
 - Of the fund balance
 - \$554,565 is an endowment for the Pathways to Better Health program, and are restricted funds.
 - \$1,097,882 is the unused portion of an ARPA awarded project to reimburse the expected shortfall of Medicaid cost-based reimbursement payments in 2023 and 2024 due to reduced clinical services during the pandemic. These funds are restricted for Public Health use specific to this purpose. Changes in use would need to be made by vote of the Board of Commissioners.

OCDPH MEDICAID REIMBURSEMENTS
| \$1,507,178

WHO: Ottawa County
Department of Public Health (OCDPH)

NEED/IMPACT: OCDPH assists underserved and under-represented adults, children and families with a variety of health-related services. Normally the OCDPH receives reimbursements for providing these services from the state Medicaid Cost Based (CBR) fund.

However, CBR payments are two years behind because of the pandemic. Because of the reduction in services caused by the pandemic, OCDPH is poised to lose \$1.5 million in revenue over the next two fiscal years.

With these ARPA funds, OCDPH will be able to ensure essential health services continue and avoid cuts.

Contract fully executed?*
N/A
** No contract, through County department*

Funds distributed?
Yes ✓ (funds transferred to Health Fund)
No

- Remaining fund balance of \$1,394,356 is unrestricted, however of note, \$722,606 was already in the FY24 budget as originally proposed.

Table 3. The Original Budget Provides Adequate General Fund to Maintain Services Without Delays or Higher Fees and Operate Lawfully

Health Operation Funds Original Budget vs. Commissioner Requested Budget			
	Original Budget as Submitted	Commissioner Requested Budget	% Change
Total General Fund Contribution	\$6,678,063	\$3,800,000	-43%
Minus County Administrative Expenses (Administration, Corporate Counsel, IT, Fiscal, HR, etc.)	(\$1,664,989)	(\$1,664,989)	0%
General Fund Available for Public Health Operations & MOE	\$4,763,989	\$2,135,011	-55%

Does not include \$250,000 CMH Millage Transfer (Pathways)

The MOE for Public Health is based on a calculation from Fiscal Year 1993. At that time the total general fund provided was \$2,958,616, of which \$2,039,774 went to public health operations to provide services to the community.

OTTAWA COUNTY
COST SHARING BASE YEAR MAINTENANCE OF EFFORT CALCULATION
 FOR THE FISCAL YEAR 10/01/92 THROUGH 09/30/93

	LOCAL FISCAL PERIOD #1 10/01/92 TO 09/30/93	LOCAL FISCAL PERIOD #2 TO
1 General Fund Expenditures (From County Annual Report)	2,958,616	
LESS:		
2 County Central Service Cost Allocation Plan expenditures INCLUDED in item #1 above:	12,038 144,476	
3 Reallocations included in item #1 above Animal Control	55,467	
4 Fees collected for Health Department services that are returned to the Health Department through item #1 above		
5 Other adjustments needed, (e.g., non- public health activities) Explanation: Cigarette Tax included in item #1	328,227	
Contribution to Fund Balance for period	378,634	
6 Adjusted General Fund expenditures for use in determining local maintenance of effort. (Item #1 less 2,3,4,5)	2,039,774	
7 Percentage of local fiscal period that pertains to 10/01/92 - 09/30/93 fiscal year	100.00%	
8 Item #6 times item #7	2,039,774	
9 Total of the two numbers in item #8. This represents the base year Local Maintenance of effort needed to be maintained in future years.	\$2,039,774	

NOTE: Please attach a copy of the pages of the county's two annual reports that cover Health Department expenditures

CERTIFICATION: I certify that this is a true and correct statement of expenditures.
 Appropriate documentation is available and will be maintained.

Willie Lomai
 Health Officer

8/16/94
 Date

NOTE:

- \$6,258,978 is the equivalent value of \$2,958,616 (1993) in 2023
- 202,165 population of Ottawa County in 1993 (~100,000 less people)
- Per MDHHS, the same methodology used for the FY 1993 calculation must be used to calculate the MOE each year 2023

Request 2: *Eliminate all COVID positions approved at the August 24, 2021 Full Board of Commissioners meeting, totaling \$2,179,153. (See the attached for more info)*

Response: Of the positions approved to meet the health and safety needs of the Ottawa County community – including individual residents, businesses, and other institutions – during a historic, global pandemic, approximately 3-4 FTE are planned to be staffed in FY 2024. These positions are supporting the department’s requirement to prevent and control the spread of about 100 communicable diseases as a basic essential public health service.

- Their wages and benefits are paid through the Epi Lab Capacity Infection Prevention grant from the Michigan Department of Health and Human Services (MDHHS).
- The remaining positions are vacant and the costs have been backed out of the requested FY 2024 budget.
- The savings would result from four people--an estimated total of \$221,876.
- It should be noted that over \$300,000 of indirect costs for County administrative services (administration, corporate counsel, IT, etc.) are covered by these grants and will need to be reallocated to other programs through this action.

Request 3: *Eliminate the following COVID-19 related grants, and any general fund contribution to programs funded by these grants*

- *PHEP 9 Month Grant*
- *PHEP 3 Month Grant*
- *PHEP to provide training for a new Public Health Emergency Preparedness Manager*
- *Immunization Action Plan (Note: keep grant, remove general fund contribution)*
- *Immunization ELPHS (Note: keep grant, remove general fund contribution)*
- *COVID-19 SUD*
- *GCD ELPHS - Disease Control*
- *Contact Tracing*
- *COVID Immunization*
- *Reopening Schools HRA*
- *NNICE Vaccine COVID-19*
- *COVID Workforce Development*

Response: The criteria by which this list was determined is unclear. Some of these “grants” are funds provided by MDHHS or the State of Michigan (SOM) to share in the cost of required programs or services. Additional information about each is provided below.

- *PHEP 9 Month Grant* – Created after 9/11/2001 by the Department of Homeland Security to prepare for and respond to terrorist threats, natural disasters and other threats to public health and safety. Works closely with Ottawa County Emergency Management, local police, fire, EMS and healthcare.
 - A mandated program and mandated minimum of 1 FTE.
 - PHEP has a 10% match requirement, which equals \$15,963 in FY 2024. The program budget currently has \$57,185 in general fund contribution/fund balance budgeted to it, of which \$22,669 is allocated to pay for County Administration central services (administrator, corporate counsel, IT, etc.). These funds are required maintain the 1 FTE position, program operational costs, and to maintain compliance with the law.
 - The PHEP program currently has \$159,628 budgeted in grant funding.
- *PHEP 3 Month Grant* – See above.

- *PHEP to provide training for a new Public Health Emergency Preparedness Manager* – the description is inaccurate. Since this is a mandated program and a unique and highly skilled position, the State of Michigan included training in the approved workplan and budget for the replacement position. There is no contract for Ottawa County.
- *Immunization Action Plan (Note: keep grant, remove general fund contribution)* – there is no general fund contribution for this grant
- *Immunization ELPHS (Note: keep grant, remove general fund contribution)* – this is a mandated basic essential local public health service (ELPHS), and these funds are the portion paid by MDHHS to support this required service for Ottawa County residents.
 - Increases the need for County general fund dollars to replace the loss of the MDHHS contribution.
 - There is a 35.06% Cost Based Reimbursement local match requirement. A CBR local match is considered any source of funding that is NOT federal. The 35.06% CBR local match requirement is \$510,300. The general fund is currently budgeted to contribute \$204,279 towards the \$510,300 CBR match.
 - The MDHHS grant counts towards our CBR requirement, posing a fiscal and potentially legal challenge if they are eliminated. More general funds would be needed to cover the match if the grant is eliminated.
 - This is an MOE grant, which has a general fund match requirement.
 - As with other mandated basic essential local public health services, not accepting these may risk all ELPHS funding being withheld by the State of Michigan, and/or legal challenges for Ottawa County.
- *COVID-19 SUD* – Public is mandated to provide health education. The level of health education and prevention is based on community demand.
 - This grant is part of a package of several Lakeshore Regional Entity (LRE) grants that provide funds for Substance Abuse and Substance Use Disorder, primarily in youth. Any connection to COVID would be to prevent/reduce increases in substance and opiate use that may have occurred during a portion of the pandemic.
 - The FY 2024 grant notification; this grant was reduced to \$10,000 in FY 2024. FY 2023 grant was \$45,873, which is what was budgeted for FY 2024. This amount would be reduced to \$10,000, if the grant is approved.
- *GCD ELPHS - Disease Control* – this is a mandated basic essential local public health service, and these funds are the portion paid by MDHHS to support this required service for Ottawa County residents.
 - There are about 100 communicable diseases that require Public Health staff to follow up on to prevent additional cases and control spread that can lead to unnecessary and preventable financial and health costs to the community.
 - The Communicable Disease program has \$888,606 budgeted general fund/fund balance.
 - There is a 35.06% Cost Based Reimbursement local match requirement. A CBR local match is considered any source of funding that is NOT federal. The CBR local match for this program is \$459,763. The general fund current match requirement is \$151,757. If the GCD ELPHS grant (\$220,368) is NOT accepted, our local general fund match requirement would increase another \$220,368.
 - This is an MOE grant, which has a general fund match requirement.
 - As with other mandated basic essential local public health services, not accepting these may risk all ELPHS funding being withheld by the State of Michigan, and/or legal challenges for Ottawa County.
- *Contact Tracing* – This grant rarely has to do with contact tracing but supports overall infection prevention; it has become more flexible to include non-COVID-19 related activities.
 - The grant can defray costs of staff time and supplies for infection prevention activities, including outbreak response activities for nearly 100 reportable communicable diseases.

- This grant is budgeted to cover at least \$204,731 in payments to indirect costs related to County administration central services (Administration, corporate counsel, IT, HR, etc.)
- *COVID Immunization* – While this *grant* isn't required, Ottawa County, through Public Health, is still mandated to control the spread of COVID-19. As new variants appear, there is a possibility of encountering a more dangerous variant, or one that leads to similar outcomes but evades current immunity from prior infection or vaccination. Public health is still required to stock COVID-19 vaccines and provide those to adults who need or want a COVID-19 vaccine, or parents who want them for their children.
 - Public Health will be one of the few places that can still provide a limited supply of these vaccines without cost to the individual. If these funds are not used to defray costs of staff time and supplies, then the general fund must cover this required work.
 - This grant was budgeted to cover \$101,190 in indirect/CAP expense.
- *Reopening Schools HRA* - \$345,213 grant, funds can be utilized for infection prevention activities in schools in addition to COVID-19 prevention and control.
- *NNICE Vaccine COVID-19* – Grant expires/is completed at end of FY 2023.
- *COVID Workforce Development* – This grant defrays a portion of costs of staff educational activities and technology that could potentially be used for prevention and control of COVID-19.

After speaking with Karen, here is how the latest budget revision request would impact public health programs. All items below the yellow highlight (Pathways) would need to be cut due to lack of funding. Pathways would need to utilize restricted funding from the Public Health fund balance to cover the \$217,972 listed.

Of note:

- There would need to be approximately \$1 million in cost reductions or fee increases to continue to provide all mandated services with the \$3.8 million total general fund that being proposed.
- As the programs below the highlighted yellow line are no longer funded, they would be eliminated, and all of their indirect County Administrative expenses would need to be redistributed to all of the remaining programs. This would create a larger cut, or a higher fee increase, than \$1 million to the mandated programs to cover this additional indirect cost and continue to operate.

ORG	Org Description	Match Required	General Fund Contribution/Fund Balance
22129510	EH Food Services (ELPHS)	MOE requirement	642,993
22129517	EH Wastewater (ELPHS)	MOE requirement	285,288
22129520	Vision (ELPHS)	Yes-35.06% CBR Match, MOE Requirement	259,432
22129521	Hearing (ELPHS)	Yes-35.06% CBR Match, MOE Requirement	271,509
22129533	Immunizations (ELPHS)	Yes-35.06% CBR Match, MOE Requirement	248,543
22129544	Sexually Transmitted Disease (STD) (ELPHS)	Yes-35.06% CBR Match, MOE Requirement	168,091
22129546	Communicable Disease (ELPHS)	Yes-35.06% CBR Match, MOE Requirement	888,606
22129503	PHEP (Mandated)	Yes- 10% Match	57,185
22129509	EH Field Services (Mandated)	N/A	199,037
22129511	EH Type 2 (Mandated)	N/A	31,736
22129513	EH Real Estate (Mandated, Local Code)	N/A	225,596
22129531	Family Planning (Mandated Minimal Level)	Yes- 10% CBR Match. Title	712,774
22129584	Health Education (Mandated)	N/A	778,234
TOTAL for Mandated Services*			4,769,024
<i>*includes County Admin OH costs in the amount assessed to each program</i>			
<i>*total amount proposed by Gibbs is \$3.8 million</i>			
<i>*unclear if state would withhold ELPHS funds for failure to meet all mandates or if would only withhold for failure to meet ELPHS funding requirements</i>			
22129525	Pathways to Better Health (Identified Community Need)	N/A	217,972
22129532	Dental Grants-Seal (Identified Community Need)	N/A	16,124
22129534	Dental Services-MOS (Identified Community Need)	N/A	534,867
22129539	Children's Special Health Care (CSCHS)	N/A	389,726
22129542	Maternal Infant Health Program (MIHP) (Identified Community Need)	Yes-35.06% CBR Match, MOE Requirement	934,764
22129545	Medicaid Outreach	Yes-50% Match	368,632
22129556	Ottawa Food (Identified Community Need)	N/A	8,950
22129561	Local Grant-CSCHS	N/A	8,360
Note: Essential Local Public Health Service			
Note: Other Mandated Services			
Note: Identified as a community need in Ottawa County			

EXHIBIT M

From: Gretchen Cosby <gcosby@miottawa.org>
Sent: Tuesday, August 29, 2023 6:32 PM
To: Adeline Hambley <ahambley@miottawa.org>
Subject: RE: Meeting

Good evening Adeline,

Thank you for capturing the information that I have requested. I am asking for the information so I can be helpful, point to successes of the Health Department and seek solutions.

I need to give context or background to the statement you made about, “welcoming discussions since December.” During my meeting with John Shay and Patrick Waterman in late November, John shared constructive steps Lisa was taking to transition the OCPHD from her leadership and preparing for the next leader. I recognized that she cared about the department and people that she led and asked to meet with her. John said he would arrange a meeting.

After not hearing back from John, approximately 2 weeks later, I called and asked John about meeting with Lisa. It was during this phone call he told me that you were training with Lisa and would be filling in as interim Administrative Health Director, I asked to meet with both of you. He gave me Lisa’s office number, I called and left a message, it may have been the Monday before the December 13, 2022 BOC meeting.

I had hoped as a nurse, to be bridge between parents and the OCPHD. Had I known you were interested in in the role of Administrative Health Director, I certainly would have considered you for the role.

Sincerely,

Gretchen Cosby

EXHIBIT N

From: Adeline Hambley <ahambley@miottawa.org>
Sent: Wednesday, August 30, 2023 11:46:15 AM
To: Gretchen Cosby <gcosby@miottawa.org>
Subject: RE: Meeting

Commissioner Cosby,

I wanted to share some information to get you started. Attached is a pdf of communication reaching out and various information shared in the past. This might be helpful to find past documents shared.

The following links also provide some great info on program performance highlights:

- <https://www.miottawa.org/Health/OCHD/admin.htm#ARPT>

Bottom of the page are the annual reports, these reports provide an excellent highlight of services and outcomes

- <https://www.miottawa.org/Health/OCHD/data.htm#CommunicableDisease>

The communicable disease reports will provide a nice summary of annual reportable diseases in Ottawa County, which, as you know, all require work on behalf of public health.

I will also forward you some email threads that have been sent to Administrator Gibbs regarding the Public Health budget. It appears that the information may not be being shared with the full Committee. Those emails/reports have information that provides some context to funding mechanisms and limitations. There are also some statistics in the attached documents.

If you have specific questions as you review this information, please let me know. Moving forward, I will share any budget communication to Administrator Gibbs to ensure, as chair of the Finance Committee Workgroup, that you receive the information.

Thank you,

EXHIBIT O

FOR IMMEDIATE RELEASE

August 30, 2023

Adeline Hambley, Health Officer at the Ottawa County Department of Public Health is today providing an update to the ongoing Public Health budget process.

As of today, Ottawa County Fiscal Services is creating a new Public Health budget at the direction of Administrator John Gibbs, without input from leadership at the health department. Public Health has not been consulted about this budget, or provided with any information on the proposed budget or suggested cuts. Despite Hambley's best efforts to inform and educate County Administration on the complexity of funding mechanisms and statutory program requirements of a local health department in Michigan, and her offers to discuss public health programs, funding, and legal requirements on numerous occasions, the Health Officer was not included in this process.

The Ottawa County general fund contribution to Public Health will be \$3.8 million (of which \$1.3 million is from Public Health Fund Balance). The County Administrative costs to Public Health will be subtracted from this \$3.8 million budget (\$1,664,989). Of note, the average County Administrative cost to Public Health for the period of 2009 to 2019 - the same period Public Health funding is being required to meet - was \$328,789. Although Public Health is being expected to receive the average general fund contribution for the period of 2009 to 2019, Public Health is being expected to pay County Administrative costs of \$1,664,989 in FY 2024. Any remaining eligible Public Health Fund Balance will be moved to the County Contingency Fund.

- The proposal from the Administrator demands cuts be made across all Public Health programs, while maintaining the required State of Michigan minimum maintenance of effort. While the budget requirements for the maintenance of effort may be met, cuts of this magnitude will not allow the health department to demonstrate adequate provision of required services.
- At this time, Hambley has met all requests by County Administration to the best of her ability, including providing four budget scenarios which outline the consequences of not meeting the State's minimum requirements for all essential local public health services, such as food inspections; drinking water and sewage disposal permitting and inspecting; hearing and vision services for children, and communicable disease surveillance;
- To our knowledge, no other Ottawa County department has been asked to make reductions of any kind or are being required to utilize fund balance monies to meet their FY 2024 budget needs;
- To our knowledge, no other department has had a budget created for it by County Administration without input from the department head or other leadership;
- County Administration has obstructed the department's ability to communicate with the public and are using the health department's platforms to communicate their own messages.

Additional details, which were provided to Administrator Gibbs this week, and a timeline of the budget process are in the documents attached.

Hambley will be available for interviews this evening and tomorrow, Thursday, August 31.

Thanks,
Alison

Alison Clark
(she/her/hers)
Communications Specialist/Public Information Officer
12251 James Street, Suite 400 | Holland, MI 49424
Office: (616) 494-5597 | (616) 550-3641

*mi*Ottawa Department of
Public Health



EXHIBIT P

From: Adeline Hambley <ahambley@miottawa.org>
Sent: Friday, September 1, 2023 1:33 PM
To: John Gibbs <jgibbs@miottawa.org>
Subject: RE: Finance Committee Meeting Tuesday 9/5

John,

I received the proposed changes from Fiscal Services around 12:45 today, if there are any changes between now and 10am on Tuesday could you please notify me.

Thank you!

EXHIBIT Q



OC Department of Public Health

August 22 · 🌐



Yesterday, at the August 21 Finance and Administration Committee Special Work Session, Commissioner Joe Moss proposed a general fund budget reduction for only the Ottawa County Department of Public Health. His proposal would slash Health Department funding from a \$6.4 million total general fund contribution to a total of \$2.5 million, a reduction of over 60%. This action brings the total operating budget for 2024 to \$500,000 less than the 2009 budget, which was during the worst economic conditions the United States has experienced since The Great Depression. The demand for this reduction comes at a time when the County is experiencing significant population growth and record high property tax revenue.

Today, County Administrator Gibbs asked me to propose a new budget with a nearly 50% reduction by close of business on Thursday, August 24. This was after yesterday's meeting, when Administrator Gibbs remarked, and the Commissioners agreed, that they could not ask other departments to cut funding by 5% until next year. It was stated that the process was complex, and it was recommended an external consultant be hired to identify efficiencies without sacrificing services. Public Health is being asked to cut more than 10 times that in just two days – with no consultant assisting.

Proposed budget reductions of this size will significantly impair, and likely eliminate, various public health services and the Health Department's ability to maintain public health and safety. It is ridiculous to expect that services in 2024 could be completed with a budget below 2009 funding levels. For example, as development ground to a halt during The Great Recession, only 38 evaluations were completed for vacant property to determine suitability for home construction with a septic system. In 2021, over 200 evaluations were completed, a number that has continued to grow each year, as has demand for many other Health Department services.

EXHIBIT R

So let's review the other facts. The County's revenues are in a healthy place. Other County departments are not being asked to review their budgets or to consider any cuts at all. Several are seeing large budget increases. And Chair Moss has made numerous public statements making his personal animosity toward the Health Department and its staff perfectly clear. Therefore, I can only conclude the reason for this unprecedented action is that it is Chair Moss' personally-motivated attack on the health department and its staff due to their hard and thankless work during the pandemic.

You are public servants and elected officials, entrusted with carrying out your duties impartially, under the rule of law, for the public good. Allowing petty political vindictiveness, even when cloaked as "the will of the people," to set County budget priorities, is unconscionable. It will be your legacy, if you acquiesce, and rightfully so. Because vulnerable people will get hurt: mothers, children, people without regular access to health care, the unborn and the whole community.

We have had enough: enough of the constant turmoil; enough of the divisive rhetoric and actions; enough of the constant attacks on county staff; and now, enough of this unwarranted, vindictive and very dangerous attack on public health.

Sincerely,

A solid black rectangular box used to redact the signature of the sender.

Grand Haven Township

Response Summary:

Thank you for your interest in submitting a comment. Please use this opportunity to share your concern, observation or praise with the Board. Comments submitted through this form will be shared with the Board. Your submission is not confidential, may be posted online and is subject to the Michigan Freedom of Information Act.

Q2. First and Last Name:

[REDACTED]

Q3. Are you an Ottawa County resident?

· Yes

Q4. What is your city or township of residence?

· Allendale Charter Township

Q11. Choose the upcoming meeting to which you would like to direct your comment:

· Board of Commissioners Meeting

Q12. Subject of your public comment:

Health Department budget for 2024

Q13. Please type your public comment below. Comments are limited to 3000 characters.

I am very upset that John Gibbs is asking the Ottawa County Health Department to slash their budget for 2024. Ottawa County is the fastest growing county and he is trying to cripple them . This will be devastating to all of Ottawa County but it will effect those in need the most. Below is from the CDC

"10 Essential Public Health Services

The 10 Essential Public Health Services (EPHS) describe the public health activities that all communities should undertake. For the past 25 years, the EPHS have served as a well-recognized framework for carrying out the mission of public health. The EPHS framework was originally released in 1994 and more recently updated in 2020. The revised version is intended to bring the framework in line with current and future public health practice."

"Essential Public Health Services (Revised, 2020)

The 10 Essential Public Health Services provide a framework for public health to protect and promote the health of all people in all communities. To achieve equity, the Essential Public Health Services actively promote policies, systems, and overall community conditions that enable optimal health for all and seek to remove systemic and structural barriers that have resulted in health inequities. Such barriers include poverty, racism, gender discrimination, ableism, and other forms of oppression. Everyone should have a fair and just opportunity to achieve optimal health and well-being.

Assess and monitor population health status, factors that influence health, and community needs and assets

Investigate, diagnose, and address health problems and hazards affecting the population

Communicate effectively to inform and educate people about health, factors that influence it, and how to improve it

Strengthen, support, and mobilize communities and partnerships to improve health

Create, champion, and implement policies, plans, and laws that impact health

Utilize legal and regulatory actions designed to improve and protect the public's health

Assure an effective system that enables equitable access to the individual services and care needed to be healthy

Build and support a diverse and skilled public health workforce

Improve and innovate public health functions through ongoing evaluation, research, and continuous quality improvement

Build and maintain a strong organizational infrastructure for public health"

Please support the Health Department that they have a budget that can support the needs of all the citizens.



Response Summary:

Thank you for your interest in submitting a comment. Please use this opportunity to share your concern, observation or praise with the Board. Comments submitted through this form will be shared with the Board. Your submission is not confidential, may be posted online and is subject to the Michigan Freedom of Information Act.

Q2. First and Last Name:

██████████

Q3. Are you an Ottawa County resident?

· Yes

Q4. What is your city or township of residence?

· Georgetown Township

Q11. Choose the upcoming meeting to which you would like to direct your comment:

· Finance & Administration Committee Meeting

Q12. Subject of your public comment:

Ottawa County Health Department

Q13. Please type your public comment below. Comments are limited to 3000 characters.

Do not slash the health budget. You will be harming people in ways you have not fully considered. You're playing politics with children's health and wellbeing. This isn't some political statement on mask wearing and vaccines this is more than that. You cut their budget and people who depend on those services will suffer. Do not do this. This is not what the Bible teaches you.

From: [REDACTED]

Sent: Friday, August 25, 2023 4:57 PM

To: Lucy Ebel <lebel@miottawa.org>; Doug Zylstra <dzylstra@miottawa.org>; Jacob Bonnema <jbonnema@miottawa.org>; Joe Moss <jmoss@miottawa.org>; Kyle Terpstra <kterpstra@miottawa.org>; Rebekah Curran <rcurran@miottawa.org>; Sylvia Rhodea <srhodea@miottawa.org>; Roger Belknap <rbelknap@miottawa.org>; Roger Bergman <rbergman@miottawa.org>; Allison Miedema <amiedema@miottawa.org>; Gretchen Cosby <gcosby@miottawa.org>; John Gibbs <jgibbs@miottawa.org>

Subject: OC Health Department 2024 budget

Ladies and Gentlemen Commissioners and Administrator:

Expressing my opposition to your demand that the OC Department of Public Health slash its 2024 budget and services by what amounts to 88% over 2023's, if you include the millage transfer and county admin charges.

This is an irresponsible demand that would effectively shut down public health services to county residents.

Kindly provide an explanation to this in your reply to me, in the spirit of public service and transparency.
Thanks

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: Friday, August 25, 2023 6:19 PM
To: Gretchen Cosby <gcosby@miottawa.org>
Subject: Health Department

As my representative in the Ottawa County commissioners, I would like to know your thoughts on the gutting of the health department. As no other department was touched and they were told maybe a 5% reduction next year this really seems retaliatory. I know you have all been unhappy that you cannot get your unqualified candidate in to run the department. Do you have a backup plan for the needs of the users of the health department? Or do you assume they are mostly low income and hope they will move away?

Ottawa Impact has had a very negative impact on our county. It would be nice if board members would do an interview with the local press and honestly answer questions. Joe's refusal to speak up and his not allowing others to speak tells me he is not someone we need here.

[REDACTED]

From: [REDACTED]

Sent: Wednesday, August 23, 2023 6:33 PM

To: Gretchen Cosby <gcosby@miottawa.org>

Subject: Public Health Budget Cuts

Dear Ms Cosby,

I am a constituent of yours in Olive township. I am very concerned about the announced budget cuts for the Department of Public Health. The Department provides important services for residents and businesses including restaurant health inspections and well/septic permits. I am concerned that if the proposed budget cuts are passed, it will become very difficult to live or do business in the county. Please reconsider these cuts.

Respectfully,

[REDACTED]

From: [REDACTED]

Sent: Tuesday, August 29, 2023 7:57 PM

To: Joe Moss <jmoss@miottawa.org>; Sylvia Rhodea <srhodea@miottawa.org>; Gretchen Cosby <gcosby@miottawa.org>; Allison Miedema <amiedema@miottawa.org>; Roger Belknap <rbelknap@miottawa.org>; Kyle Terpstra <kterpstra@miottawa.org>; Lucy Ebel <lebel@miottawa.org>; Rebekah Curran <rcurran@miottawa.org>; Jacob Bonnema <jbonnema@miottawa.org>; Roger Bergman <rbergman@miottawa.org>; Doug Zylstra <dzylstra@miottawa.org>

Subject: Ottawa County Health Department

Dear Commissioners,

I'm asking you to reject the efforts of Board Chair Joe Moss and County Executive John Gibbs to slash the Health Department's funding, beginning October 1, 2023. Considering that Mr. Gibbs has stated that it is impossible for the other departments to cut 5% because of the complexity and needed additional time, why was the Health Department asked to reduce their budget by 88% in two days?. I also noticed that the memo sent from Mr. Moss and Mr. Gibbs (under the guise of being from OCHD) stated the reduction in funding was from the Board of Commissioners, but there has never been a vote addressing this premise.

This attack on the Health Department comes from Mr. Moss's personal animosity toward the OCHD from their response to Covid19. I don't think he understands that Covid protocols came from the CDC and the federal and state governments. The mandates were placed on the counties for enforcement. To place your anger directly at the Health Department Director is vindictive and vicious. Model good leadership, not hostility.

You are elected officials: you are supposed to be impartial and represent ALL county residents, not just the ones who elected you. You are entrusted to protect all residents, not just those who are like you, agree with you, follow you blindly. How will you do that when the people who truly need the health department will have their services eliminated? Did you actually read the website that lists all the services that fall under Health Department? It's not just personal health, it's food inspections, water testing, building permits, food assistance, hearing and vision screenings for children, dental health. For a group who has spent a lot of time passing resolutions, especially the innocence of children, I find it hypocritical that many of you turn your backs on your constituents, especially the most vulnerable in our county who are dependent on the Health Department.

You think the Department of Public Health is creating "political spectacle and media theatrics"? Look in the mirror. Please take the budget dollars you have allocated to the Health Department and make the

specific line item expenditures yourselves. See how far that money goes to meet the needs of your county without eliminating any vital services.

The money you are "saving" will not be returned to the taxpayers of Ottawa County. It goes back to the state and will be allocated to other counties, same as your refusal of grant money (which goes back to whoever is funding the grant). Please take some time to understand how grants actually work, they aren't drafts that you as commissioners can rewrite to fit your own narrative. Spend some time learning about county government and your true responsibilities to us.

Reread the job description of "county commissioner". Many of you are way off track and outside the scope of your elected role. You have become a danger to our county.

Sincerely,

A solid black rectangular redaction box covering the signature.

Holland City

From: [REDACTED]
Sent: Monday, August 28, 2023 11:54 AM
To: Gretchen Cosby <gcosby@miottawa.org>
Subject: Health Department Budget Cuts

Hi Gretchen, I live in Waukazoo Woods and I believe that you represent me. I'm sure you can guess why I'm emailing you today. Over the past few days I have read some very distressing articles about the sweeping budget cuts for our health department. I know that I'm only one voice, but for the past 14 years my son has been on Children's Special Health Care and it appears that it's in danger if the budget cuts go through. It's not an exaggeration to say that the health department saved his life, because his prescription would cost \$10,000 a month...and even if I didn't work for a non-profit I could not pay that much. And this is just for my son, but there are countless other children in Park Township and Ottawa County that rely on this for basic survival, and I implore you to consider them when voting. Thank you,

[REDACTED]

From: [REDACTED]
Sent: Saturday, August 26, 2023 10:56 PM
To: Gretchen Cosby <gcosby@miottawa.org>
Subject: Health Dept. Budget

Ms. Crosby,

I'm a constituent in your district and am concerned. As a health care professional, how can you be part of the dismantling of our health department? You of all people should see the harm this is going to cause.

[REDACTED]

From: [REDACTED]
Sent: Friday, August 25, 2023 12:29 PM
To: Sylvia Rhodea <srhodea@miottawa.org>
Subject:

Hello my name is [REDACTED]. My family and I live in the City of Hudsonville. Our daughter [REDACTED] has many medical issues and we depend on having Children's Special Health to help pay for her medications and other medical care that our health care insurance does not cover. She is a college student and our insurance does not cover her meds. If you take away a large part of the health department's budget I can only imagine how many families like ours will not be able to pay for their child's medication or health care needs. Taking away the budget should not be taken lightly and not be done so quickly as before October 1 of this year. Thank you for reading this email and please feel free to contact me about this as well. Thank you [REDACTED]

From: [REDACTED]
Sent: Wednesday, August 30, 2023 7:20 PM

To: Joe Moss <jmoss@miottawa.org>

Cc: Sylvia Rhodea <srhodea@miottawa.org>; gcosby@miottawa.gov; amiedema@miottawa.gov; rbelknap@miottawa.gov; kterpstra@miottawa.gov; lebel@miottawa.gov; rcurran@miottawa.gov; jbonnema@miottawa.gov; rbergman@miottawa.gov; dzlystra@miottawa.gov

Subject: Please Read

Hello,

My name is [REDACTED] and I am a resident of Jamestown Township. My family and I have lived in this community for over ten years. I grew up and graduated from East Kentwood High School. After my husband and I got married we knew Hudsonville was the place for us. A warm, welcoming community that cared about people. Shortly after our second child was born we found out she had Spinal Muscular Atrophy. A devastating neuromuscular disease similar to ALS. She was given two years to live. But thanks to life saving medicine and a clinical trial in Dallas, Texas she is now ten years old.

I'm curious how many of you on this board have a child like mine? How many of you have a family that relies on Children's Special Health Care? How many of you on this board making this budget cut decision to the health department have had multiple conversations with Lonnie Barrett and Matt Richardson regarding decisions that can make or break your family? Years ago I spoke at MDHHS to get SMA added to the newborn screening to save children like my Lylah from catching this disease early and receiving life saving treatment. I am well aware that CSHCS is a state program but you must be living under a rock (or Ottawa Impact) to understand that my caseworker at the health department is my PRIMARY resource for Lylahs care. They organize all of it for the state. They do so much for us that the thought of these cuts are terrifying. And it's a shame that most of these wonderful people that serve and so EVERYTHING for families like mine are being bullied by your board and feeling forced out.

I am one of thousands in his community that have medically fragile children that need some answers. This is not political...or about masks to us...this is life and death.

I also want to thank commissioners Bergman and Zylstra for being one of the few that actually respond to concerned citizens.

Sincerely ,

[REDACTED]

[REDACTED]

PROPOSED EXHIBIT S

VARNUM

Bridgewater Place | Post Office Box 352
Grand Rapids, Michigan 49501-0352
Telephone 616 / 336-6000 | Fax 616 / 336-7000 | www.varnumlaw.com

Chloe N. Cunningham

Direct 616 / 336-6932
cncunningham@varnumlaw.com

October 20, 2023

VIA EMAIL

Sarah R. Howard
Pinsky Smith, PC
146 Monroe Center Street, NW, Suite 418 ,
Grand Rapids, MI 49503-2818
showard@pinskysmith.com

Joe Moss
Ottawa County Board of Commissioners, Board Chair
12220 Fillmore Street,
West Olive, MI 49460
jmoss@miottawa.org

Re: Subpoena to Kent County Administrator Al Vanderberg Dated October 19, 2023

Dear Attorney Howard and Mr. Moss:

We represent Kent County Administrator Al Vanderberg and we are writing to you today on his behalf. We have received a copy of your Subpoena to Mr. Vanderberg dated October 19, 2023 (the "Subpoena"), calling for Mr. Vanderberg's testimony at a hearing of the Ottawa County Commission on October 24 and 25, 2023, regarding removal of Ottawa County's Administrative Health Officer, Adeline Hambley (the "Hearing"). I am writing to inform you that Mr. Vanderberg objects to your request, for reasons set forth below, and accordingly, will not be in attendance of the Hearing.

First, any testimony Mr. Vanderberg conceivably has to offer would be wholly irrelevant to the dispute at hand. The Hearing for which you have subpoenaed Mr. Vanderberg to testify as a fact witness is for the Ottawa County Board of Commissioners to determine whether charges against Adeline Hambley justify removing her from her position as Ottawa County's Administrative Health Officer. The Ottawa County Board of Commissioners brings four charges against Ms. Hambley, on the following grounds:

1. Ms. Hambley allegedly made false public representations about budgetary scenarios in or about 2023.
2. Ms. Hambley allegedly falsely claimed that she was not included in the budget process in 2023.
3. Ms. Hambley allegedly failed to cooperate in the budget process in 2023.
4. Ms. Hambley allegedly made false claims that encouraged and caused panic in Ottawa County's community in or about 2023.

October 20, 2023

Page 2

Fundamental to the rules of evidence is the principal that a witness cannot testify to a matter unless the witness has personal knowledge of such matter. As you know, Mr. Vanderberg is the Administrator for *Kent* County. He has served in such role with Kent County since August 2021. Mr. Vanderberg has no personal involvement or knowledge of the recent quarrels amongst Ottawa County's officials. While Mr. Vanderberg worked with Ottawa County several years ago, at the time he was with Ottawa County, Ms. Hambley did not serve in her present role as Ottawa County's Health Officer, which is the subject of your dispute. The charges brought by the Board against Ms. Hambley all concern alleged incidences occurring well after Mr. Vanderberg departed from Ottawa County. Accordingly, any testimony Mr. Vanderberg would have to offer would be inadmissible, as he has no personal knowledge of facts relevant to the charges being brought against Ms. Hambley.

Furthermore, because Mr. Vanderberg clearly has no involvement in your present dispute, we suspect that you intend to ask Mr. Vanderberg to offer his opinion on the matter from his perspective as a county administrator. This too would be impermissible. Mr. Vanderberg does not serve as an expert witness for either party in this matter. For this and many other reasons, it would be inappropriate to ask Mr. Vanderberg to testify regarding his opinions about this dispute, for which he has no personal knowledge. In short, anything Mr. Vanderberg would have to say at the Hearing would be speculative, irrelevant, and otherwise inadmissible.

Second, you have not provided adequate notice. You issued the Subpoena to Mr. Vanderberg yesterday, Thursday, October 19, requesting his attendance at the Hearing to be held the following Tuesday and Wednesday, October 24 and 25. Two business days' prior notice of a demand requiring travel, preparation, coordination of work-coverage and legal representation, and in-person attendance for at least two full days is simply insufficient. Consequently, it is not feasible for Mr. Vanderberg to attend the Hearing. Mr. Vanderberg is scheduled to testify before Michigan's legislature next week and will be unavailable for the Hearing.

Third, we object to the form of your request. It is unreasonable to request Mr. Vanderberg's attendance without providing a date and time certain. The Subpoena states: "You may be required to appear from time to time and day to day until excused." This request is excessive, vague, and improper.

Mr. Vanderberg expressly reserves the right to reserve, supplement, or clarify any of his objections set forth above.

October 20, 2023
Page 3

Should you have any questions, please do not hesitate to contact me directly.

Very truly yours,

VARNUM

A handwritten signature in black ink, appearing to read "Chloe C.", written in a cursive style.

Chloe N. Cunningham

CNC/amt

21876167.1

Action Request



Committee: Board of Commissioners

Meeting Date: 10/24/2023

Requesting Department: County Clerk

Submitted By: Justin Roebuck

Agenda Item: Appointment to Board of County Canvassers

Suggested Motion:

To place into nomination the name(s) of (*Indicates recommendation from the County Clerk/Register):

*Chris Kostamo
Thomas Parker
Alex Abramajty

and to select one (1) to fill (1) Democratic Party Appointment vacancy on the Board of County Canvassers beginning November 1, 2023 and ending October 31, 2027. (four (4) year term).

Summary of Request:

The Board of Commissioners makes appointment to the Board of County Canvassers pursuant to Michigan election law.

There are two members of the Board of County Canvassers whose terms are expiring on November 1 of this year. The terms expiring this year are those of Chris Kostamo (DEM) and Chari Brink (REP). Pursuant to MCL 168.24c(2), a joint committee comprised of the chairs of the congressional district caucuses of each political party is required to submit three names in nomination for their respective party appointment.

*The County Clerk/Register's recommendation for the Democratic appointee is Chris Kostamo.

Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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If not included in budget, recommended funding source:

Action is Related to an Activity Which Is: Mandated Non-Mandated New Activity

Action is Related to Strategic Plan:

Goal: Goal 3: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Goal 4: To Continually Improve the County's Organization and Services.

Objective: Goal 3, Objective 4: Evaluate communication with other key stakeholders.

Goal 4, Objective 2: Continue to perform program evaluations and implement outcome-based performance measurement systems.

Administration: Recommended Not Recommended Without Recommendation

County Administrator: 

Committee/Governing/Advisory Board Approval Date:

Ottawa County Board of Commissioners

c/o Justin Roebuck
Ottawa County Clerk / Register of Deeds
12220 Fillmore Street, Room 130
West Olive, MI 49460



To the Ottawa County Board of Commissioners,

The purpose of this letter is to nominate three candidates to be considered for a position on the Ottawa County Board of Canvassers.

- Chris Kostamo - cekosti52@gmail.com (currently serving)
- Thomas Parker - taphomparker@gmail.com
- Alex Abramajtys - alex@grar.com

If you should have any questions, please do not hesitate to reach out.

Sincerely,

A handwritten signature in black ink that reads "Mary Minnick".

Mary Minnick (Chair, District 2)

Gary D Stark

Digitally signed by Gary D Stark
DN: cn=Gary D Stark, o=ou,
email=gds1948@gmail.com, c=US
Date: 2023.08.10 13:39:39 -0400

Gary Stark (Chair, District 3)

A handwritten signature in red ink that reads "Jill Dunham".

Jill Dunham (Chair, District 4)




Ottawa County
Clerk | Register of Deeds

Justin F. Roebuck
County Clerk | Register of Deeds

Renee E. Kuiper
Chief Deputy County Clerk

Rachel A. Sanchez
Chief Deputy Register of Deeds

MEMORANDUM

DATE: October 5, 2023
TO: Ottawa County Board of Commissioners; Mr. John Gibbs, Ottawa County Administrator
FROM: Justin F. Roebuck, Ottawa County Clerk 
RE: Appointment of Members of the Board of County Canvassers

Dear Commissioners,

The terms of two of the four members of the Board of County Canvassers for Ottawa County will expire on November 1, 2023. The members whose terms are set to expire are Mr. Chris Kostamo (D), and Mrs. Chari Brink (R).

In accordance with MCL 168.24c and 24d, the Board of County Commissioners is responsible biannually for the selection of one member of the Board of Canvassers from each of the major political parties. The selection must be made from a list of nominees submitted by those political parties. Attached to this memo you will find the three names submitted for your consideration and selection, prior to the expiration of these terms.

Historically over the past many years, the selection of nominees was made by the County Republican and Democratic parties. However, Michigan election law (MCL 168.24c(2)) requires that in counties consisting of more than one congressional district, this choice be made by a committee consisting of the chairs of the congressional district committees. Therefore, the nominations presented to you today come from the collective chairs of the 2nd, 3rd and 4th Congressional District Committees.

The Board of County Canvassers plays a critical role in the integrity of the elections process, as they are the bi-partisan body responsible for the thorough audit and examination of all precinct results and poll books for each election held within the County, ensuring that poll book totals from Election Night match the number of ballots and voters in each precinct. By law, the Canvassers have a total of 14 calendar days to certify each election, and in large elections our time is often close to this maximum requirement for the certification process to occur.

In my experience working closely with the various canvassing boards that we've had over the past several years, there are a few critical factors that I believe make the best possible candidates:

- 1) A passion for the integrity of our elections.
- 2) Attention to detail and the ability to focus on clerical work.
- 3) Availability to work for periods of up to 14 days, at least 4 times per year.

Historically it has been the practice of our office to submit its recommendation to you for the candidates we have felt best qualified for the Board of Canvassers, based upon our knowledge of the expertise and experience of the candidates. and I am happy to do so this year as well.

For the Republican Party appointment, I recommend Chari Brink of Georgetown Township.

Chari has served as a member of the Board of Canvassers since 2007 and has been an excellent representation of the standard of excellence for which the Board is known. She often takes time to engage with members of the public as well as local clerks and election workers who are present at the meetings of the Board of Canvassers. She is constantly curious and is committed to fully understand the process, asking questions of our staff and of local clerks to ensure that she gets answers. She is dedicated to the task and intentional to dedicate the hours and days necessary in her schedule to be available for the task of canvassing the election.

For the Democratic Party appointment, I recommend Chris Kostamo of the City of Grand Haven.

Chris Kostamo joined the Board in a full time capacity in 2021, after serving previously as an alternate member for the Democratic Party. Chris is extremely detail-oriented, and laser focused on accomplishing the auditing work of the Board of Canvassers. He is very engaged with members of the public who may be present at meetings, and I have witnessed his kindness and calm demeanor on many occasions, as he works through problems or challenges with clerks, election workers, or other members of the Board. Chris is also willing to set aside the necessary time to focus on this important work during our election seasons.

Thank you for your consideration of these recommendations. I have every confidence that Chari and Chris will serve our residents well in the essential role of certifying our elections and upholding the integrity of that process. Please don't hesitate to reach out to me if you have any questions or concerns, or if there is any additional information that our office can provide.



Ottawa County
 Clerk | Register of Deeds
 Justin F. Roebuck

Justin F. Roebuck
 County Clerk | Register of Deeds

Renee E. Kuiper
 Chief Deputy County Clerk

Rachel A. Sanchez
 Chief Deputy Register of Deeds

Ottawa County Board of Canvassers Nominees

Democrat Nominees		
Name:	Email:	Phone:
Chris Kostamo	cekosti52@gmail.com	616-402-1271
Thomas Parker	taphomparker@gmail.com	616-772-1522
Alex Abramajtys	Alex@grar.com	616-862-1189

Republican Nominees		
Name:	Email:	Phone:
Lloyd VanDuyn	lloydvanduynduyn@protonmail.com	616-481-5864
Cindy Lohrke	cindy.lohrke@gmail.com	918-798-2440
Chari Brink	charibaby@hotmail.com	616-291-4102

○ **Circuit Court Records**
 414 Washington Avenue
 Room 320
 Grand Haven, MI 49417
 616-846-8315

○ **CCR - Family**
 12120 Fillmore Street
 West Olive, MI 49460
 616-786-4108

○ **Elections Division**
 12220 Fillmore Street
 Room 130
 West Olive, MI 49460
 616-994-4535

○ **Register of Deeds**
 12220 Fillmore Street
 Room 146
 West Olive, MI 49460
 616-994-4510

○ **Vital Records**
 12220 Fillmore Street
 Room 130
 West Olive, MI 49460
 616-994-4531

Action Request



Committee: Board of Commissioners

Meeting Date: 10/24/2023

Requesting Department: County Clerk

Submitted By: Justin Roebuck

Agenda Item: Appointment to Board of County Canvassers

Suggested Motion:

To place into nomination the name(s) of (*indicates recommendation from the County Clerk/Register):

*Chari Brink
Lloyd Ver Duin
Cindy Lhorke
and to select one (1) to fill (1) Republican Party Appointment vacancy on the Board of County Canvassers beginning November 1, 2023 and ending October 31, 2027. (four (4) year term).

Summary of Request:

The Board of Commissioners makes appointment to the Board of County Canvassers pursuant to Michigan election law.

There are two members of the Board of County Canvassers whose terms are expiring on November 1 of this year. The terms expiring this year are those of Chris Kostamo (DEM) and Chari Brink (REP). Pursuant to MCL 168.24c(2), a joint committee comprised of the chairs of the congressional district caucuses of each political party is required to submit three names in nomination for their respective party appointment.

*The County Clerk/Register's recommendation for the Republican appointee is Chari Brink.

Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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If not included in budget, recommended funding source:

Action is Related to an Activity Which Is: Mandated Non-Mandated New Activity

Action is Related to Strategic Plan:

Goal: Goal 3: To Maintain and Enhance Communication with Citizens, Employees, and Other Stakeholders.

Goal 4: To Continually Improve the County's Organization and Services.

Objective: Goal 3, Objective 4: Evaluate communication with other key stakeholders.

Goal 4, Objective 2: Continue to perform program evaluations and implement outcome-based performance measurement systems.

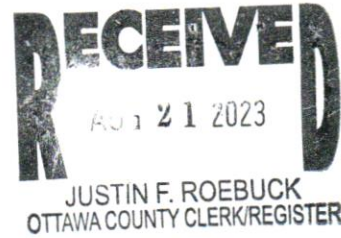
Administration: Recommended Not Recommended Without Recommendation

County Administrator:

Committee/Governing/Advisory Board Approval Date:

Ottawa County Board of Commissioners

c/o Justin Roebuck
Ottawa County Clerk / Register of Deeds
12220 Fillmore Street, Room 130
West Olive, MI 49460



To the Ottawa County Board of Commissioners,

The purpose of this letter is to nominate three candidates to be considered for a position on the Ottawa County Board of Canvassers.

- Name: Lloyd Van Duyn Email: LloydVanDuyn@protonmail.com
Currently Serving?
- Name: Cindy LOHRKE Email: Cindy.lohrke
- Name: Chari Brian Email: _____

If you should have any questions, please do not hesitate to reach out.

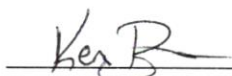
Sincerely,



Andy Sebolt (Chair, District 2)



Dan Cool (Chair, District 3)



Kendall Beyer (Chair, District 4)




Ottawa County
Clerk | Register of Deeds

Justin F. Roebuck
County Clerk | Register of Deeds

Renee E. Kuiper
Chief Deputy County Clerk

Rachel A. Sanchez
Chief Deputy Register of Deeds

MEMORANDUM

DATE: October 5, 2023
TO: Ottawa County Board of Commissioners; Mr. John Gibbs, Ottawa County Administrator
FROM: Justin F. Roebuck, Ottawa County Clerk 
RE: Appointment of Members of the Board of County Canvassers

Dear Commissioners,

The terms of two of the four members of the Board of County Canvassers for Ottawa County will expire on November 1, 2023. The members whose terms are set to expire are Mr. Chris Kostamo (D), and Mrs. Chari Brink (R).

In accordance with MCL 168.24c and 24d, the Board of County Commissioners is responsible biannually for the selection of one member of the Board of Canvassers from each of the major political parties. The selection must be made from a list of nominees submitted by those political parties. Attached to this memo you will find the three names submitted for your consideration and selection, prior to the expiration of these terms.

Historically over the past many years, the selection of nominees was made by the County Republican and Democratic parties. However, Michigan election law (MCL 168.24c(2)) requires that in counties consisting of more than one congressional district, this choice be made by a committee consisting of the chairs of the congressional district committees. Therefore, the nominations presented to you today come from the collective chairs of the 2nd, 3rd and 4th Congressional District Committees.

The Board of County Canvassers plays a critical role in the integrity of the elections process, as they are the bi-partisan body responsible for the thorough audit and examination of all precinct results and poll books for each election held within the County, ensuring that poll book totals from Election Night match the number of ballots and voters in each precinct. By law, the Canvassers have a total of 14 calendar days to certify each election, and in large elections our time is often close to this maximum requirement for the certification process to occur.

In my experience working closely with the various canvassing boards that we've had over the past several years, there are a few critical factors that I believe make the best possible candidates:

- 1) A passion for the integrity of our elections.
- 2) Attention to detail and the ability to focus on clerical work.
- 3) Availability to work for periods of up to 14 days, at least 4 times per year.

Historically it has been the practice of our office to submit its recommendation to you for the candidates we have felt best qualified for the Board of Canvassers, based upon our knowledge of the expertise and experience of the candidates. and I am happy to do so this year as well.

For the Republican Party appointment, I recommend Chari Brink of Georgetown Township.

Chari has served as a member of the Board of Canvassers since 2007 and has been an excellent representation of the standard of excellence for which the Board is known. She often takes time to engage with members of the public as well as local clerks and election workers who are present at the meetings of the Board of Canvassers. She is constantly curious and is committed to fully understand the process, asking questions of our staff and of local clerks to ensure that she gets answers. She is dedicated to the task and intentional to dedicate the hours and days necessary in her schedule to be available for the task of canvassing the election.

For the Democratic Party appointment, I recommend Chris Kostamo of the City of Grand Haven.

Chris Kostamo joined the Board in a full time capacity in 2021, after serving previously as an alternate member for the Democratic Party. Chris is extremely detail-oriented, and laser focused on accomplishing the auditing work of the Board of Canvassers. He is very engaged with members of the public who may be present at meetings, and I have witnessed his kindness and calm demeanor on many occasions, as he works through problems or challenges with clerks, election workers, or other members of the Board. Chris is also willing to set aside the necessary time to focus on this important work during our election seasons.

Thank you for your consideration of these recommendations. I have every confidence that Chari and Chris will serve our residents well in the essential role of certifying our elections and upholding the integrity of that process. Please don't hesitate to reach out to me if you have any questions or concerns, or if there is any additional information that our office can provide.



Ottawa County
 Clerk | Register of Deeds
 Justin F. Roebuck

Justin F. Roebuck
 County Clerk | Register of Deeds

Renee E. Kuiper
 Chief Deputy County Clerk

Rachel A. Sanchez
 Chief Deputy Register of Deeds

Ottawa County Board of Canvassers Nominees

Democrat Nominees		
Name:	Email:	Phone:
Chris Kostamo	cekosti52@gmail.com	616-402-1271
Thomas Parker	taphomparker@gmail.com	616-772-1522
Alex Abramajtys	Alex@grar.com	616-862-1189

Republican Nominees		
Name:	Email:	Phone:
Lloyd VanDuyn	lloydvanduynduyn@protonmail.com	616-481-5864
Cindy Lohrke	cindy.lohrke@gmail.com	918-798-2440
Chari Brink	charibaby@hotmail.com	616-291-4102

○ **Circuit Court Records**
 414 Washington Avenue
 Room 320
 Grand Haven, MI 49417
 616-846-8315

○ **CCR - Family**
 12120 Fillmore Street
 West Olive, MI 49460
 616-786-4108

○ **Elections Division**
 12220 Fillmore Street
 Room 130
 West Olive, MI 49460
 616-994-4535

○ **Register of Deeds**
 12220 Fillmore Street
 Room 146
 West Olive, MI 49460
 616-994-4510

○ **Vital Records**
 12220 Fillmore Street
 Room 130
 West Olive, MI 49460
 616-994-4531

Action Request



Committee: Board of Commissioners

Meeting Date: 10/24/2023

Requesting Department: Administration

Submitted By: John Gibbs

Agenda Item: Resolution Opposing State Control of Solar Siting

Suggested Motion:

To approve a resolution opposing state control of solar siting.

Summary of Request:

To approve a resolution emphasizing Ottawa County's support for local control and opposition to state control over solar siting.

Financial Information:

Total Cost: \$0.00	General Fund Cost: \$0.00	Included in Budget:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A
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If not included in budget, recommended funding source:

Action is Related to an Activity Which Is: Mandated Non-Mandated New Activity

Action is Related to Strategic Plan:

Goal:

Objective:

Administration: Recommended Not Recommended Without Recommendation
County Administrator: 

Committee/Governing/Advisory Board Approval Date:

**COUNTY OF OTTAWA
STATE OF MICHIGAN
RESOLUTION**

At a regular meeting of the Board of Commissioners of the County of Ottawa, Michigan, held at the Fillmore Street Complex in the Township of Olive, Michigan on the 24th day of October, 2023 at 8:00 AM local time.

PRESENT: Commissioners: _____

ABSENT: Commissioners: _____

It was moved by Commissioner _____ and supported by
Commissioner _____ that the following Resolution be adopted:

WHEREAS, Executive Directive 2020-10 aims to achieve 100% carbon neutrality in Michigan by 2050; and

WHEREAS, industry leaders have pledged to reduce carbon emissions to help achieve this goal; and

WHEREAS, efforts to expand renewable energy projects will continue to increase in this state; and

WHEREAS, the governor has proposed the Michigan Public Service Commission be the sole regulating authority for solar and wind projects to expedite these efforts; and

WHEREAS, by granting the Michigan Public Service Commission this authority, local control will be preempted; and

WHEREAS, should local control be preempted, a county, township, city or village would be unable to determine the location, size, setback distance, decibel level or any other criteria for a solar or wind facility; and

WHEREAS, should local control be preempted, a county, township, city, or village would be unable to determine requirements for construction, operation, use, or maintenance of a solar or wind facility; and

WHEREAS, if a county already has a solar or wind policy, practice, regulation, rule or ordinance on record it would be null and void; and

WHEREAS, all other types of energy facilities, while regulated by the Michigan Public Service Commission, must adhere to local zoning; and

WHEREAS, this proposal grants far more regulating authority to the Michigan Public Service Commission than for any other energy source; and

WHEREAS, the Michigan Association of Counties opposes any legislative action that may grant the Michigan Public Service Commission this power.

THEREFORE, BE IT RESOLVED that Ottawa County opposes the pre-emption of local control in solar and wind siting and zoning.

YEAS: Commissioners: _____

NAYS: Commissioners: _____

ABSTENTIONS: Commissioners: _____

RESOLUTION ADOPTED:

Chairperson, Ottawa County
Board of Commissioners

Ottawa County Clerk/Register