

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN

AGENDA

FULL BOARD

Hall of Justice

990 Terrace, Muskegon, MI

May 11, 2010 - 3:30 PM

Kenneth Mahoney, Chair

Charles Nash, Vice-Chair

-
1. Call to Order
 2. Invocation
 3. Pledge of Allegiance
 4. Roll Call
 5. Approval of Agenda
 6. Approval of Minutes
 - A. Special Board Meeting of April 21, 2010 (Previously Forwarded)
 - B. Regular Board Meeting of April 27, 2010 Meeting (Previously Forwarded)
 7. Presentations
 - A. Western Michigan Christian Warriors Class D State Basketball Champions Tribute
 - B. Evan Bruinsma Meijer Scholar Athlete of the Week Tribute
 - C. Great Start Early Childhood Investment Corporation - Jane Clingman-Scott
 8. Communication
 - A. Midland County Resolution in Support of Final Report of the Legislative Commission on Statutory Mandates
 - B. Oceana County Resolution in Support of Efforts to Stop the Migration of Asian Carp into the Great Lakes
 - C. St. Joseph County Resolution to Stop Asian Carp Species from Entering Lake Michigan

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS
OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS
AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The County of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting upon 24-hours notice to the County of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the County of Muskegon by writing or calling:

Administration
990 Terrace Street
Muskegon, MI 49442
(231) 724-6505

Full Board
Agenda
May 11, 2010

9. Committee Reports
 - A. Courts & Public Safety Committee (Page 8)
 - B. Human Resources Committee (Page 9)
 - C. Ways & Means Committee (Page 10)
10. Chairman's Report/Committee Liaison Reports
 - A. Reaching Out Against Road Rage (ROARR) Resolution Request Proclaiming July 11 - 17, 2010 as "Road Rage Awareness Week"
 - B. Future Board Planning Meeting
11. Administrator's Report
12. Old Business
13. New Business
14. Public Participation
15. Adjournment

Note: Public Participation - Persons may address the Commission during the time set aside for Public Participation or at any time by suspension of the rules. All persons must address the Commission and state their name for the record. Comments shall be limited to two minutes for each participant, unless time is extended prior to the public participation period by a vote of a majority of the commission.

**SUPPORT OF THE FINAL REPORT OF THE LEGISLATIVE COMMISSION
ON STATUTORY MANDATES, DECEMBER 2009**

WHEREAS, the electorate of the State of Michigan passed an amendment in November 1978 to the State's Constitution that required the State to fund mandated imposed on local units of government (often referred to as the "Headlee Amendment"); and

WHEREAS, the Headlee Amendment (Article IX, Section 29) states:

"The state is hereby prohibited from reducing the state financed proportion of the necessary costs of any existing activity or service required of units of Local Government by state law. A new activity or service or an increase in the level of any activity or services beyond that required by existing law shall not be required by the Legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs. The provision of this sections shall not apply to costs incurred pursuant to Article VI, Section 18"; and

WHEREAS, the Headlee Amendment became effective on December 23, 1978; and

WHEREAS, the State Legislature established the Legislative Commission on Statutory Mandates (LCSM) through P.A. 98 of 2007, as amended by P.A. 356 of 2008 and assigned the LCSM to identify mandates (including those involving reports) and the related cost of the mandates to local units of government, along with recommendations to resolve the unfunded mandates; and

WHEREAS, the LCSM worked with the Citizens Research Council (issued an analysis of other state's statutes and constitutional requirements similar to the Headlee Amendment) and local units of government associations, including:

- Michigan Association of Counties
- Michigan Municipal League
- Michigan Township Association
- Michigan School Business Officials and Michigan Association of School Administrators
- Michigan Community College Association
- County Road Association of Michigan

WHEREAS, the LCSM issued a report in June 2009 entitled "Interim Report of the Legislative Commission on Statutory Mandates" that indicated, among other matters, that the State had failed to enact legislation enabling the Headlee Amendment and has not complied with the Headlee Amendment since its adoption in 1978; and

WHEREAS, the LCSM has completed its report in December 2009 entitled "Final Report of Legislative Commission on Statutory Mandates" that reaffirms the Interim Report results and provides recommendations, including but not limited to:

- Drafted legislation and court rules that would mitigate unfunded mandates imposed on local units of government in the future.
- Proposed procedures that will prevent new unfunded mandates from being imposed on local units of government.
- Proposed procedures that would be corrective should unfunded mandates be imposed that include, among other requirements:
 - o A submission of an action before the Court of Appeals to be heard by a special master in order to rule on whether the matter is a mandate and if the mandate is underfunded.
 - o Require the Court of Appeals to rule on the above within six months of the filing.

- o Should the Court of Appeals not rule on the above within six months, the local unit of government would have no obligation to continue to provide the services until such time as the State complies with the Headlee Amendment.


WHEREAS, the Michigan Association of Counties adopted a resolution of support for the recommendations contained in the final LCSM report in December 2009.

NOW, THEREFORE, BE IT RESOLVED, that the Midland County Board of Commissioners supports the findings and recommendations in the interim and final reports of the Legislative Commission on Statutory Mandates and encourages the Governor, Legislature and Supreme Court to adopt and enact the recommendations cited in the final report.

BE IT FURTHER RESOLVED, that the Midland County Board of Commissioners approves that the County Clerk release of this resolution to be distributed to the Governor, Supreme Court, Legislators, Michigan Association of Counties, local units of government within Midland County, and the other 82 County Clerks.

Attested by:


James T. Bradley, Chair
Midland County Board of Commissioners


Ann Manary, County Clerk
Clerk to the Midland County
Board of Commissioners

Dated: April 20, 2010

#12

cc: B. Tiransden
See Attached

April 16, 2010

To the Honorable Chairman and
Members of the Board of Commissioners

Agenda Item: 68-4-10F

Lady and Gentlemen:

We your Finance Committee have reviewed the finding and recommendations of Legislative Commission on Statutory Mandates and the attached resolution. Recommend approval of the resolution and appropriate legislature be made.

Respectfully submitted,



Otis G. Wilson, Chairperson



Howard G. Schoenherr

Mark Bone

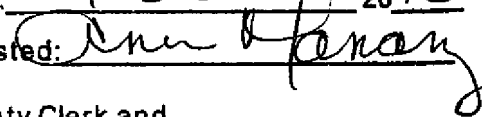
Finance Committee

njk

ADOPTED

Midland County Board
Of Commissioners

Date: 4-20 / 2010

Attested: 

County Clerk and
Clerk of the Board of Commissioners



Oceana County
BOARD OF COMMISSIONERS
County Building
P.O. Box 31
Hart, Michigan 49420



RESOLUTION IN SUPPORT OF EFFORTS TO
STOP THE MIGRATION OF ASIAN CARP INTO THE GREAT LAKES

Moved by Mr. Byl and seconded by Mr. Malburg to adopt the following Resolution:

WHEREAS, the Great Lakes is the largest freshwater system in the world; and

WHEREAS, the states and Canadian provinces bordering the Great Lakes and everyone that uses the Great Lakes for sport fishing, boating, and recreation face a dire threat by the Asian carp that are literally at the threshold of Lake Michigan; and

WHEREAS, these silver and big head carp (both species of Asian carp) presented themselves in the 1990s in fish farms on the Mississippi River and reproduce quickly, eat vast amounts of organisms at the base of the food chain and have driven out native fish populations; and

WHEREAS, the carp have moved quickly up the Mississippi River, into the Illinois River, into the Des Plaines River and now likely into the Chicago Sanitary and Ship Canal and the Calumet-Sag Channel; and

WHEREAS, efforts to stop migration of these fish to Lake Michigan resulted in an electric barrier that was fully operational in 2009 although it now appears as though carp may be past the barrier and as close as seven miles to Lake Michigan; and

WHEREAS, Asian Carp are a hyper-aggressive exotic species that threaten to ruin the ecology and economy of the Great Lakes.

NOW THEREFORE BE IT RESOLVED that the Oceana County Board of Commissioners supports all efforts at the state and federal levels to stop the migration of the Asian carp into the Great Lakes by whatever means necessary and appropriate.

BE IT FURTHER RESOLVED that this Resolution be forwarded to Governor Jennifer M. Granholm, Representative Goeff Hansen, Senator Gerald Van Woerkom, the Michigan Association of Counties and the other 82 Michigan counties.

Roll call vote: Byl, yes; Malburg, yes; Kolbe, absent; Brown, yes; Powers, yes; Simon, yes; and, Van Sickle, yes. Motion carried.

CERTIFICATION:

The undersigned, being the Clerk of Oceana County, does hereby certify that on the 22nd day of April, 2010, the Oceana County Board of Commissioners did adopt the above Resolution at its Regular Meeting.

Rebecca J. Griffin, Clerk
Oceana County
Board of Commissioners

2010 APR 21

HANNOY A. WA
MUSKIEGON COUNTY
CLERK

St. Joseph County, Michigan
Resolution No. 8-2010
Stop Asian Carp Species from Entering Lake Michigan

WHEREAS, the Great Lakes is the largest freshwater system in the world; and

WHEREAS, the states and Canadian provinces bordering the Great Lakes, and everyone that uses the Great Lakes for sport fishing, boating and recreation face a dire threat by the Asian carp that are literally at the threshold of Lake Michigan; and

WHEREAS, these silver and bighead carp (both species of Asian carp) presented themselves in the 1990's in fish farms on the Mississippi River and reproduce quickly, eat vast amounts of organisms at the base of the food chain, and have driven out native fish populations; and

WHEREAS, the carp have moved quickly up the Mississippi River, into the Illinois River, into the Des Plaines River and are now likely into the Chicago Sanitary and Ship Canal and the Calumet-Sag Channel; and

WHEREAS, efforts to stop the migration of these fish to Lake Michigan resulted in an electric barrier that was fully operational in 2009 although it now appears as though carp may be past the barrier and as close as seven miles to Lake Michigan; and

WHEREAS, Asian carp are a hyper-aggressive exotic species that threaten to ruin the ecology and economy of the Great Lakes.

NOW, THEREFORE BE IT RESOLVED, that the St. Joseph County Board of Commissioners supports all efforts at the state and federal level to stop the migration of the Asian carp into the Great Lakes by whatever means necessary and appropriate.

BE IT FURTHER RESOLVED, that the State of Michigan should prepare a contingency plan for dealing with this threat should these carp enter Lake Michigan to include but not limited to closing fish ladders at dams on the St. Joseph River.

BE IT FURTHER RESOLVED, that this resolution of support be forwarded to Governor Jennifer Granholm, State Representative Matt Lori, State Senator Cameron Brown, U.S. Senators Carl Levin and Debbie Stabenow, Congressman Fred Upton, the Michigan Association of Counties, and all Michigan counties.

STATE OF MICHIGAN)
) SS
COUNTY OF ST. JOSEPH)

I, PATTIE S. BENDER, Clerk of the St. Joseph County Board of Commissioners and Clerk of the County of St. Joseph, do hereby certify that the above Resolution was duly adopted by the said Board on April 20, 2010.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said County and Court at Centreville, Michigan, this 21st day of April 2010.

Pattie S. Bender, Clerk

The Courts/Public Safety Committee met on May 4, 2010, it was recommended and I move:

CPS10/05 - 34 To waive the hiring freeze and permit the Circuit Court to fill the open Account Clerk position G01006 at a rate of pay consistent with the union contract.

CPS10/05 - 35 To authorize the County Board Chair and the Circuit Court Administrator to sign three (3) year Tether Agreement with Satellite Tracking of People LLC to provide electronic monitoring equipment and services to the 14th Circuit Court - Family Division.

CPS10/05 - 36 To grant permission to the Sheriff's Office to enter into an agreement with the Huron-Manistee Forest from May 1, 2010 to September 30, 2010 to enhance the State and local law enforcement on National Forest Service lands; patrolling costs of \$4,000 will be reimbursed by the US Treasury.

CPS10/05 - 37 To authorize the Sheriff's Office to purchase one (1) Ford cargo van from Signature Ford at a price of \$21,202.50.

The Human Resources Committee met on May 4, 2010, it was recommended and I move:

- HR10/05 - 36 To request that the Board of Commissioners authorize a reduction in hours to the Admissions Marketing Coordinator/Brookhaven position (X05701) from 40 to 30 hours per week.
- HR10/05 - 37 To waive the hiring freeze to allow Child Haven to immediately recruit and hire Child Care Supervisor position #X14001 at Step 1 of the salary range NX00170 (\$17.665-\$22.366/hr).
- HR10/05 - 38 To authorize the Community Mental Health Director to request the establishment of a County position of "General Psychiatrist" with a salary range of \$65.475 to \$83.564, and to establish the salary in accordance with Rule 2 of the Personnel Rules and to include this classification with other exempt positions listed in Rule 1 of the Personnel Rules, and to waive the hiring freeze in order to fill this vacancy.
- HR10/05 - 39 To authorize the Community Mental Health Director to amend the contract with Derek Burt, NP to provide an additional five (5) hours of psychiatric services per week above his currently contracted forty (40) hours per week, at a rate of \$83.87, effective May 10, 2010 through August 9, 2010, not to exceed \$6,500.00.
- HR10/05 - 40 To authorize the Community Mental Health Director to sign the amended contract with Daybreak Adult Services, Inc., to include transportation to and from their facility at a rate of \$3.40 per 15-minute unit, effective April 1, 2010 through September 30, 2010, and to increase the annual cap by \$3,000.
- HR10/05 - 41 To authorize the Public Health Department to amend its FY10 budget (revenue and expenditures) from \$7,324,443 to \$7,307,079 to include grant funding changes, program line item adjustments, and staff/funding transfers with no change in the general fund appropriation.
- HR10/05 - 42 To authorize Public Health - Muskegon County to re-establish and maintain a cash fund with an initial and maintenance level of \$2,000.00 not to exceed \$35,000.00 for the 2010 Farmers' Market Nutrition Program "Project Fresh", to reimburse local contracted farmers for fresh fruit and vegetables sold to eligible WIC program participants. Further authorize Public Health to enter into agreements with the State of Michigan and each of the local farmers and authorize these agreements to be signed by the Health Officer.

The Ways & Means Committee met on May 6, 2010, and it was recommended and I move:

- WM10/05 - 80 To approve payment of the accounts payable of \$7,364,014.49 covering the period of April 14, 2010 through April 27, 2010, as presented by the County Clerk.
- WM10/05 - 81 To approve the resolution for Muskegon County to accept the Michigan Green Communities Challenge to promote energy efficiency and conservation practices.
- WM10/05 - 82 To approve the FY2010 Truth-in-Taxation Hearing Schedule.
- WM10/05 - 83 To approve the proposal from Video Tech Tronics for the furnishing and installation of changes, additions and updates to the security system for the first and second floors of the Hall of Justice for a total cost of \$78,922 based on plans developed by Tower-Pinkster with all costs being paid from the Hall of Justice renovation fund, 4130-4131.
- WM10/05 - 84 To award the renovations of the first and second floors of the Hall of Justice (RFB-10-1739) to Clifford Buck Construction for their low bid of \$1,964,000 with costs being paid from the Hall of Justice renovation fund, 4130-4131.
- WM10/05 - 85 To approve the award of the asbestos abatement contract for the first and second floors of the Hall of Justice (RFB-10-1743) to Quality Environmental Services, for their bid price of \$171,292.00 with costs being paid from the Hall of Justice renovation fund, 4130-4131.



**Reaching
Out
Against
Road
Rage**

R.O.A.R.R.

P.O. Box 44037

Muskegon Heights, MI 49444

Phone: (231) 740-0326

Email: kshabazz20@aol.com

"Only You Can Stop Road Rage"

Mr. Kenneth Mahoney
Commissioner, Chair, District 1
990 Terrace St., 2nd Flr.
Muskegon, MI 49442-3395

April 22, 2010

Dear Mr. Mahoney:

SUBJECT: REQUEST FOR PROCLAMATION

Let me take this opportunity on behalf of the R.O.A.R.R. Board of Directors to express our sincere gratitude and appreciation for your continued support over the past six years. You have been unwavering in assisting R.O.A.R.R., Inc. (Reaching Out Against Road Rage) to achieve its mission to **protect** against Road Rage, to **prevent** Road Rage, and **promote** the prolonging of life against the acts of Road Rage. Our focus this year is to educate the public-at-large about the virtues of driving using patience and practicing road courtesy; because 'Road Courtesy' saves lives.

Driving courteously is an important factor in the prevention and/or reduction of Road Rage incidents. It all begins with everyone allowing themselves enough time to get from point A to point B and taking a deep breath when an unforeseen driving mishap occurs. The driving public needs to learn to become proactive instead of reactive to situations when someone makes a mistake. No one owns the road outright, but we drive as if we do. Driving is a privilege, not an entitlement.

We are in another year and we are requesting your continued partnership with R.O.A.R.R., Inc.; to help us to raise awareness via media outlets; educate new drivers and the public-at-large about Road Rage and its consequences. In addition, as an awareness campaign and as a memorial to all Road Rage victims and their families throughout the state of Michigan, we again ask that you submit a resolution proclaiming the week of July 11 – 17, 2010, as "Road Rage Awareness Week." Please find enclosed a draft copy of the Proclamation.

We welcome your questions or comments. Please feel free to contact our organization at anytime, using our toll-free number, which is: 1.877.597.6277. Our email address is: kshabazz20@aol.com and please visit our website at www.roarrinc.org. Thank you in advance for your support.

Sincerely,

Kay Shabazz

Mrs. Kay Shabazz, Director
R.O.A.R.R. (Reaching Out Against Road Rage), Inc.

KS/vm

RESOLUTION: Proclaiming July 11 -17, 2010 as “Road Rage Awareness Week”

It is with urgency that we continue to persist on getting the message out that “Road Rage Kills” and Only We can prevent it. We must continue to educate our public through our billboards, brochures, literature as well as presentations to our high school and college students, driver education classes with seminars, conferences, forums, workshops, and by any means necessary.

Whereas, Reaching Out Against Road Rage, Inc. (R.O.A.R.R.), Inc., a non profit (501c3 tax exempt) organization located in Muskegon County, within the state of Michigan, has a mission, which consists of the three P’s: **prevention** of Road Rage; **protection** and support of victims against Road Rage; and the **promotion** of life by saving lives.

Whereas, to achieve this mission R.O.A.R.R., Inc. is promoting awareness and education on the prevention of Road Rage; working in an effort to reduce the number of incidents; and advocate support and assistance to victims and their families in their recovery process.

Whereas, the National Highway Traffic and Safety Administration (NHTSA) defines Road Rage as “an assault with a motor vehicle or other dangerous weapon by the operator or passenger(s) of another motor vehicle or an assault precipitated by an incident that occurred on a roadway”

Whereas, a study done by the AAA Foundation indicates an average of at least 1,500 men, women, and children are injured or killed each year in the United States from the violent acts of Road Rage.

Whereas, R.O.A.R.R., Inc. understands that to solve a problem, we must first be aware of the problem. Road Rage is a growing problem in Michigan as well as in our country.

Whereas, R.O.A.R.R., Inc., recognizes that drivers face roads wrought with death due in part to the rage in other drivers and themselves.

Whereas, we must stop the killing, injuries, and mental anguish; we must work together as a community; and reprogram the destructive attitudes and behaviors that cause Road Rage.

Be it Resolved, that the organization R.O.A.R.R., Inc., Board of Directors, Kay Shabazz, President, and other individuals and organizations are partnered in a “Road Rage Awareness Campaign” to bring closure to the escalating Road Rage problem.

Be it Resolved, that we urge support and collaboration to adopt the week of July 11 – 17, 2010, as “Road Rage Awareness Week”.

Be it therefore resolved, that the week of July 11 - 17, 2010, be proclaimed as “Road Rage Awareness Week”, thus promoting prevention of a dysfunctional act to improve traffic safety.