

MUSKEGON COUNTY BOARD OF COMMISSIONERS  
MUSKEGON COUNTY, MICHIGAN

AGENDA

FULL BOARD

Hall of Justice

990 Terrace, Muskegon, MI

September 13, 2011 - 3:30 PM

Kenneth Mahoney, Chair  
I. John Snider, II, Vice-Chair

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1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Approval of Meeting Minutes
  - A. Regular Meeting of August 23, 2011
  - B. Special Meeting of September 6, 2011
7. Presentation - Arialink Update
8. Public Comment (on an agenda item)
9. Communication
  - County of Lake: Resolution #8/24/11 1253; Supporting Employee Freedom to Work Act
10. Committee Reports
  - A. Courts & Public Safety Committee (Pages 5 & 6)
  - B. Human Resources Committee (Pages 7 & 8 )
  - C. Ways & Means Committee (Page 9)

Public Comment

Persons may address the Commission during the time set aside for Public Comment 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 (2) minutes** for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.

Full Board  
Agenda  
September 13, 2011

11. Chairman's Report/Committee Liaison Reports
12. Closed Session - Negotiation - Collective Bargaining
13. Administrator's Report
  - Appoint Mr. Robert Lukens as the Community Development Director Effective October 3, 2011
14. Old Business
15. New Business
16. Public Comment (on a new topic)
17. Adjournment

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) 724-6520

**RESOLUTION #8/24/11 1253**  
**Supporting Employee Freedom to Work Act**

**WHEREAS**, we agree with President John F. Kennedy's executive order regarding federal employees, that all persons "should have the right, freely and without fear of penalty, to form, join, or assist a labor organization," and of equal importance, "or to refrain from any such activity."

**WHEREAS**, to ensure individual freedom of choice, we believe that no person should be compelled, as a condition of employment, to: (1) refrain from voluntary membership or financial support of a labor organization, or (2) become or remain a member of a labor organization, or (3) pay any dues, fees, or assessments to a labor organization.

**WHEREAS**, we believe that the freedom to choose regarding union membership or financial support is a civil right, and that job discrimination on the basis of union membership or non-membership or financial support or nonsupport should be prohibited by law.

**WHEREAS**, in addition to being a matter of individual freedom and civil rights, those states that have enacted laws prohibiting the threat of being discriminated against or fired based on union affiliation have experienced dramatically higher job creation and income growth, a benefit Michigan can no longer afford to do without.

**WHEREAS**, over the last decade, Michigan suffered the biggest loss of jobs of any state in the nation, while the top five states for the creation of new private sector jobs over the same time were all states that protect employees' individual freedom of choice regarding union membership and financial support.

**WHEREAS**, according to the U.S. Census Bureau, two-thirds of the states which guarantee employees individual freedom to choose regarding union membership and support have higher per capita income than do the citizens of Michigan.

**WHEREAS**, over the last half-century, eight of the top ten states with the highest average annual growth in income were such voluntary unionism states, which Michigan ranked 50<sup>th</sup> among the states.

**WHEREAS**, when adjusted for taxes and the cost of living, families in voluntary unionism states have been found to have over \$2,000 more disposable income each year than in states such as Michigan, where employees face the threat of being discriminated against and fired if they choose not to join or financially support a labor organization.

**WHEREAS**, we conclude that in addition to protecting our citizens' individual freedom and civil rights, passage of a state law guaranteeing voluntary unionism and prohibiting job discrimination based on union affiliation will also dramatically improve Michigan's ability to attract and create new jobs and thus stimulate our economy.

**NOW, THEREFORE, BE IT RESOLVED THAT THE LAKE COUNTY BOARD OF COMMISSIONERS**, hereby calls on Governor Rick Snyder and the Legislature, and specifically Senator Darwin Booher and Representative Jon Bumstead, to propose and enact an Employee Freedom to Work Act that will safeguard our individual freedom and civil rights by guaranteeing that all persons in Michigan have the right, freely and without fear of penalty, to form, join, or assist a labor organization, or to refrain from any such activity in order to acquire, keep or maintain employment. The Act should not create right to work zones only.

**BE IT FURTHER RESOLVED**, that a copy of this resolution shall be sent to Governor Snyder, Senator Booher and Representative Bumstead, and also to the boards of County Commissioners of the other counties of the state, who we urge to join us in calling for the enactment of an Employee Freedom To Work Act for the people in Michigan.

STATE OF MICHIGAN)  
  )SS  
COUNTY OF LAKE     )

I, Lori R. DeWolf, Deputy Clerk of the Board of Commissioners for the County of Lake, do hereby certify that the above and foregoing is a true and correct copy of a resolution passed by the Lake County Board of Commissioners at a regular meeting held on August 24, 2011.

**IN TESTIMONY WHEREOF**, I have hereunto set my hand and affixed the official seal at Baldwin, Michigan this 24<sup>th</sup> day of August, 2011.

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Lori R. DeWolf, Deputy Clerk of the Board

The Courts/Public Safety Committee met on September 6, 2011, it was recommended and I move:

- CPS11/09 - 29 To approve the development and release of a Request for Proposal for an expanded academic program to be delivered 5 days per week/52 weeks per year to Transition Center residents.
- CPS11/09 - 30 To authorize the District Court, through its Chief Judge, Honorable Harold Cloz, to enter into a one year contract with the five attorneys to be designated as public defenders effective October 1, 2011 through September 30, 2012: James Marek \$45,000; Brian Hosticka \$45,000; Mary Farrell \$45,000; Manda Mitteer \$45,000; and Joseph Fisher \$20,000.
- CPS11/09 - 31 To authorize the Board Chair and Circuit Court Administrator to enter into an agreement with Muskegon Public Schools to provide contractual Family Division Liaison services to the school system in the amount \$69,781 and fund 2152-1430 in the FY12 budget according.
- CPS11/09 - 32 To approve the Board Chair to sign an employment agreement with Alan Myrmel in the amount of \$62,424 to provide the services of the Family Division Liaison in FY012.
- CPS11/09 - 33 To authorize the Circuit Court Administrator to sign a Memorandum of Understanding between the Circuit Court - Family Division of Muskegon County and the United Way of the Lakeshore concerning the donation of monies to the County Child Care Fund and the transfer of \$30,000 to the County of Muskegon to be used as local match for the Child Care Fund monies retroactive to July 1, 2011.
- CPS11/09 - 34 To authorize the Circuit Court Administrator to sign a Memorandum of Understanding between the Circuit Court - Family Division of Muskegon County and the United Way of the Lakeshore concerning the donation of monies to the County Child Care Fund and the transfer of \$30,000 to the County of Muskegon to be used as local match for the Child Care Fund monies retroactive to July 1, 2011.
- CPS11/09 - 35 To authorize the Circuit Court Administrator to sign an amended Memorandum of Understanding between the Circuit Court - Family Division of Muskegon County and the United Way of the Lakeshore concerning the donation of monies to the Muskegon County Child Care Fund in the amount of \$46,000 to be used as local match for state Child Care Fund monies retroactive to July 1, 2011.

- CPS11/09 - 36 To authorize the Prosecutor to accept the FY2012 Crime Victims Rights funding agreement in the amount of \$166,016 from the Department of Community Health and to affix the signature of the Chairman of the Board to two copies of the Agreement.
- CPS11/09 - 37 To authorize the Prosecutor to accept the FY2012 Victims of Crime Act funding agreement in the amount of \$76,515 from the Department of Community Health and to affix the signature of the Chairman of the Board to two copies of the Agreement.
- CPS11/09 - 38 To accept the funds from the Michigan Municipal Risk Management Authority (MMRMA) in the amount of \$25,000 and to authorize the Chairman of the County Board of Commissioners to sign the grant agreement.
- CPS11/09 - 39 To approve submission of the FY2012 Traffic Enforcement Grant in the amount of \$65,000.

The Human Resources Committee met on September 6, 2011, it was recommended and I move:

- HR11/09 - 56 To recommend the acceptance of the low bid of \$16,320 from VanderVen Construction for renovations at the Community Mental Health Wesley Roberts Center for replacement of exterior doors. Costs to be paid from the County Equipment Revolving Fund.
- HR11/09 - 57 To authorize the Community Mental Health Services of Muskegon County Chief Operating Officer to sign a contract with Beacon Specialized Living Services, Inc., for the Supported Independent Living Housing Program with Community Living Supports effective October 1, 2011 through September 30, 2012, with start-up costs of \$24,001.00 for four (4) bed double occupancy apartments, a per diem rate of \$217.00, and an Enhanced CLS rate of \$4.87 per 15-minute unit.
- HR11/09 - 58 To authorize the release of a Request for Proposals (RFP) for the development of two (2) specialized residential Adult Foster Care Homes for adults with a serious mental illness.
- HR11/09 - 59 To authorize the creation of a Master's Level Clinician position in order to provide essential assessment, psychological, and behavior support services to children, adolescents, and adults with developmental disabilities effective October 1, 2011.
- HR11/09 - 60 To authorize Community Mental Health to create one additional Emergency Services Therapist position in org 7330 effective immediately.
- HR11/09 - 61 To authorize the Community Mental Health Chief Operating Officer to sign the contract, as amended by the changes, with the Michigan Department of Community Health for Managed Mental Health Supports and Services, effective October 1, 2011, through September 30, 2012.
- HR11/09 - 62 To authorize the Community Mental Health Chief Operating Officer to sign the contract, as amended, with the Michigan Department of Community Health for Medicaid Managed Specialty Supports and Services, effective October 1, 2011, through September 30, 2012.
- HR11/09 - 63 To authorize the Community Mental Health Chief Operating Officer to sign the agreement, as amended, with Michigan Department of Community Health for the Michigan Adult Benefits Waiver Section 1115 Waiver Demonstration program, effective October 1, 2011, through September 30, 2012.

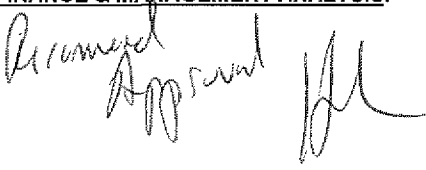

- HR11/09 - 64 To authorize the Community Mental Health Services of Muskegon County Chief Operating Officer to sign an amendment of the CMH FY2010/2011 contract with Best Way Providers to increase the rate paid per authorized resident in the Marcoux Home to \$242.35 per diem, effective July 1, 2011 through September 30, 2011.
- HR11/09 - 65 To authorize the Community Mental Health Services of Muskegon County Chief Operating Officer to authorize a one-time payment to The Arc Muskegon in the amount of \$6,063.00 to conduct a community needs assessment of individuals with intellectual/developmental disabilities and their families.
- HR11/09 - 66 To authorize the Community Mental Health Chief Operating Officer to sign a lease for the Amanda Home (4021 Amanda, Muskegon, MI 49444) with Anita Seewald (1587 S. Wolf Lake Road, Muskegon, MI 49442), effective November 1, 2011, for ten (10) years at a monthly rate of \$1690.00.
- HR11/09 - 67 To authorize Public Health - Muskegon County's WIC program to accept an increase in funding in the Breastfeeding Peer Counselor Grant for FY2012 and to create and fill one hourly Lactation Peer Counselor position, effective October 1, 2011, with no effect on County general fund.
- HR11/09 - 68 To authorize the Public Health Department to revise the dog license fees per the schedule effective October 1, 2011, for new dog license applications and January 1, 2012 for previously licensed dogs.
- HR11/09 - 69 To amend the Animal Control Ordinance as recommended to take effect October 1, 2011.
- HR11/09 - 70 To authorize the Public Health Department to amend its FY11 budget from \$7,091,605 to \$7,099,605 (Revenue and expenditures) to include the addition of the Michigan Home Visiting Program and to reimburse the Muskegon Area Intermediate School District (MAISD) \$7,200 for grant activities completed with no change in general fund appropriation.
- HR11/09 - 71 To authorize Public Health renew its Medical Director agreement with Douglas Hoch, M.D., for an amount not to exceed \$45,000.00 per fiscal year and covering the period October 1, 2011 through September 30, 2014, with no further impact on Public Health's FY2012 General Fund Allocation; further authorize the Board Chair and Public Health Director to sign the associated agreement.
- HR11/09 - 72 To approve the agreement between the County of Muskegon and the District Health Department #10 for coordination of specified immunization and communicable disease services.



The Ways and Means Committee met on September 1, 2011, it was recommended, and I move:

- WM11/09 - 107 To approve payment of the accounts payable of \$3,566,188.03 covering the period of August 10, 2011 through August 23, 2011, as presented by the County Clerk.
- WM11/09 - 108 To authorize the Muskegon County Purchasing Department to initiate a Request for Proposals process for the installation of a supervised automatic sprinkler system at Brookhaven Medical Care Facility.
- WM11/09 - 109 To approve a Special Full Board meeting on Tuesday, September 6, 2011, at 3:30 p.m., to be located at the Hall of Justice, 990 Terrace, Muskegon, MI, 4<sup>th</sup> Floor, Board of Commissioners' Room, to discuss Brookhaven Interim Administrator position.

# REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

|  |  |   |  |   |
|--|--|---|--|---|
| COMMITTEE<br>Full Board  |  | BUDGETED    NON-BUDGETED    PARTIALLY BUDGETED<br>X   |  |   |
| REQUESTING DEPARTMENT<br>Administration  |  | COMMITTEE DATE<br>September 13, 2011  |  | REQUESTOR SIGNATURE<br>Bonnie B. Hammersley |
| SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)   |  |   |  |   |
| <p>The panel of the County Administrator, the County Board Chair, the Community Development and Strategic Planning Committee Chair, and the Transportation Committee Chair interviewed five (5) finalists for the Muskegon County Community Development Director position. Mr. Robert Lukens was ranked as the top candidate by the panel for the position. Mr. Lukens has worked as the Public Relations Manager for over 13 years for the Chicago Southland Convention and Visitors Bureau, the official destination marketing organization for Chicago's 61 south and southwest suburbs. Prior to that Mr. Lukens worked in journalism for a weekly newspaper on Chicago's South Side. Mr. Lukens has accepted the position pending the approval of the Muskegon County Board of Commissioners.</p> |  |   |  |   |
| SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)  |  |   |  |   |
| Move to appoint Mr. Robert Lukens as the Community Development Director at step 2, (\$72,831 - \$92,749) the beginning salary will be \$76,317 effective October 3, 2011.  |  |   |  |   |
| ADMINISTRATIVE ANALYSIS (AS APPLICABLE)  |  |   |  |   |
| <u>HUMAN RESOURCES ANALYSIS:</u>   |  | <u>FINANCE &amp; MANAGEMENT ANALYSIS:</u><br> |  |   |
| <u>CORPORATE COUNSEL ANALYSIS:</u>   |  | <u>ADMINISTRATOR RECOMMENDATION:</u><br>      |  |   |
| AGENDA DATE: 9/13/11   |  | AGENDA NO.:   |  | BOARD DATE: 9/13/11                         |
| PAGE NO.   |  |   |  | PAGE NO.                                    |