

MUSKEGON COUNTY BOARD OF COMMISSIONERS  
MUSKEGON COUNTY, MICHIGAN

AGENDA

**FULL BOARD**

Hall of Justice  
990 Terrace, Muskegon, MI  
March 13, 2012 - 3:30 PM

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

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Approval of Minutes of February 28, 2012 Meeting
7. Public Hearings
  - A. Solicit Public Comments on the Resolution for Upgrades at Patterson Park
  - B. Solicit Public Comments on the Resolution for Upgrades at Meinert Park
  - C. Solicit Public Comments on the Resolution for Upgrades at Pioneer Park
8. Public Comment (on an agenda item)
9. Communication
  - A. Alger County: Resolution #2012-5 Regarding Opposition to the Early Release of Violent Offenders by the Michigan Department of Corrections.
  - B. Oceana County: Resolution Regarding Foreign Worker Program
10. Committee Reports
  - A. Courts & Public Safety Committee (Page 7)
  - B. Human Resources Committee (Page 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  
March 13, 2012

11. Chairman's Report/Committee Liaison Reports
  - A. Possible Tour of Northern Tool
  - B. St. Patrick's Day Parade, Saturday, March 17, 2012
  
12. Administrator's Report
  - A. Authorize the appointment of Cindy McDonald as Interim Director of Nursing/Assistant Administrator-Clinical Support Services
  - B. Authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding from the Michigan Department of Natural Resources Trust Fund.
  - C. Authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding from the Michigan Department of Natural Resources Recreational Passport Grant Program.
  - D. Authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding from the Michigan Department of Natural Resources Land and Water Conservation Fund.
  
13. Old Business
  
14. New Business
  
15. Public Comment (on a new topic)
  
16. 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, 980 Terrace Street, Muskegon, MI 49442 (231) 724-6520

ALGER COUNTY BOARD OF COMMISSIONERS

Mary Ann Froberg, Clerk  
101 COURT STREET, MUNISING, MI 49862

**RESOLUTION #2012-5**

**OPPOSITION TO THE EARLY RELEASE OF VIOLENT OFFENDERS BY THE MICHIGAN DEPARTMENT OF CORRECTIONS**

**WHEREAS**, recent events of violence again Michigan residents by parolees of the Michigan Department of Corrections have alarmed citizens and public officials; and

**WHEREAS**, according to reports in the Oakland Press on November 10, 2011 a homeless couple, both convicted felons, beat and murdered a Royal Oak woman in order to steal the woman's ATM card. The man accused of the murder was sentenced to 5-20 for home invasion. He was paroled September 29, 2010 despite past encounters with the law for rape and arson; and

**WHEREAS**, the same Oakland Press article reports that on November 18, 2011, also in the City of Royal Oak, a 54 year old Detroit man was arrested for attempting to break down the front door of a resident, who was home at the time. The suspect had just gotten out of prison six days earlier. The suspect, who had a long record of burglaries and theft, had served the minimum of a 3-30 year sentence; and

**WHEREAS**, the Oakland Press also reports that in the City of Ferndale a man out of prison only six days is alleged to have beaten and robbed a man in his Ferndale home on October 31, 2011. The suspect had been sentenced to 8-20 years in 2002 and was paroled in October of 2011; and

**WHEREAS**, the Oakland County Prosecutor, along with several other prosecutors have had to sue the Michigan Department of Corrections for information on potential parolees; and

**WHEREAS**, prosecutors statewide have gone to court to protest the pending parole of inmates considered to be dangerous.

**NOW THEREFORE BE IT RESOLVED** that the Alger County Board of Commissioners urges the Michigan Department of Corrections to review criteria used to determine eligibility for parole of violent and repeat offenders. We oppose the practice of releasing violent and repeat offender inmates near the minimum end of their sentence.

**BE IT FURTHER RESOLVED** that the Alger County Clerk forward copies of this resolution to the Governor, Director of the Michigan Department of Corrections, the Alger County Legislative Body and all Michigan Boards of Commissioners.

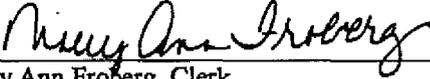
Dated: February 20, 2012

  
Jerry Doucette, Chairman  
Alger County Board of Commissioners

STATE OF MICHIGAN)  
County of Alger )

I, Mary Ann Froberg, Clerk of the County of Alger and of the County Board of Commissioners, do hereby certify that the foregoing is a true and complete copy of the resolution adopted by the Board at a regular meeting on February 20, 2012.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the County of Alger, this February 28, 2012 at Munising, Michigan.

  
\_\_\_\_\_  
Mary Ann Froberg, Clerk



Oceana County  
BOARD OF COMMISSIONERS  
County Building  
100 S. State Street, Suite M-4  
Hart, Michigan 49420



RESOLUTION RE FOREIGN WORKER PROGRAM

Moved by Mr. Walker and seconded by Mr. Powers to adopt the following Resolution:

WHEREAS, reforming U.S. immigration law is essential to agriculture as farmers and ranchers face a shortage of workers who are willing and able to work on farms and in fields; and

WHEREAS, a Farm Bureau economic analysis concluded that \$5 billion to \$9 billion in annual production is in jeopardy if the employee shortage cannot be filled. Jobs in agriculture are physically demanding, conducted in all seasons and often transitory. To most U.S. residents seeking employment, these conditions are not attractive. Yet, for many prospective workers from other countries, these jobs present real economic opportunities; and

WHEREAS, employment of workers who are in the U.S. illegally is a violation of federal law and consequences for employers can be severe and effective reform must begin at the border. While employing illegal non-residents is a violation of the law, determining the legal status of prospective employees can be difficult, if not impossible, for farmers as employers are strictly limited in what he or she may ask of prospective employees to determine if they are authorized to work; and

WHEREAS, an estimated 4,855 migrant workers labor in Oceana County each year, ranking the county as the second highest among Michigan's 83 counties as far as migrant population is concerned; and

WHEREAS, the total number of Oceana County's migrant workers and their family members is 9,657 which is equal to about 36% of the County's population of 26,570; and

WHEREAS, only reform through legislation can solve the agricultural worker problem and in seeking a meaningful legislative solution to agriculture's worker shortage, the Oceana County Board of Commissioners supports the American Farm Bureau Federation's beliefs that comprehensive reform must include the following:

1. An effective, usable foreign worker program that includes provisions that:
  - a. Address agriculture's unique needs;
  - b. Provide workers with a visa that lasts at least three years and is renewable multiple times;
  - c. Offer an opportunity to continue working and provide a waiver from inadmissibility to interested agricultural workers who were unlawfully present and working in agriculture prior to introduction of legislation but are otherwise admissible under the Immigration and Nationality Act;
  - d. Require workers with a visa to return permanently to their home country when their visa expires, but allow employers to recruit eligible workers indefinitely;
  - e. Allow those who are currently in the U.S. illegally to be eligible to apply for a work visa. This visa would not grant a pathway to citizenship. The application period for this visa would only be for one year;

- f. Eliminate excessive or duplicative bureaucracy and unnecessary red tape;
  - g. Reduce domestic recruitment costs;
  - h. Include appropriate provisions for foreign commuter workers who return to a residence in their home country nightly or weekly;
  - i. Include the broadest possible definition of agriculture;
  - j. Enable agricultural employers to retain their experienced workforce while transitioning into a worker program; and
  - k. Require a state employment agency to verify the employment eligibility of an applicant before making any referral to an employer.
2. A reliable employment verification system. Mandating E-Verify for agricultural employers without providing a solution to the issues of agricultural labor shortages in the U.S. could have significant negative consequences.
3. An adequate transition provision. The Oceana County Board of Commissioners opposes amnesty but supports providing an opportunity for some of those who have worked in agricultural to adjust to legal status.

THEREFORE, BE IT RESOLVED: That certified copies of this Resolution be forwarded to the American Farm Bureau Federation, the Michigan Association of Counties; and, the other 82 Michigan County Clerks.

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

CERTIFICATION:

The undersigned, being the Clerk of Oceana County, does hereby certify that on the 23rd day of February, 2012, the Oceana County Board of Commissioners did adopt the above Resolution at its Regular Meeting.



Rebecca J. Griffin, Clerk.  
Oceana County  
Board of Commissioners

The Courts/Public Safety Committee met on March 6, 2012, it was recommended, and I move:

- CPS12/03 – 12 To approve a service agreement between Muskegon County and Muskegon Family Care effective October 1, 2011 through September 30, 2013 for medical services to the Juvenile Transition Center at the rate of Two Thousand (\$2000) dollars per month or an annualized amount of Twenty-Four Thousand (\$24000).
- CPS12/03 – 13 To approve the Sheriff to initiate the request for proposal process for fleet maintenance services.
- CPS12/03 – 14 To authorize the Sheriff to add two hourly Building Security Officer positions and to fill these positions immediately.
- CPS12/03 – 15 To authorize the Sheriff to apply for the Project Safe Neighborhoods grant from the United States Department of Justice in the amount of \$30,000, for the purpose of reducing gun-related crimes in Muskegon County.
- CPS12/03 – 16 To authorize the Sheriff to Initiate the bid process for the purchase of a Livescan printer.
- CPS12/03 - 17 To authorize the Board Chair to write a letter in support of the White Lake Community Library grant application.

The Human Resources Committee met on March 6, 2012, it was recommended, and I move:

HR12/03 – 12      To authorize the Community Mental Health Chief Operating Officer to sign Amendment #1 to the contract with the Michigan Department of Community Health for Managed Mental Health Supports and Services, effective October 01, 2011 through September 30, 2012.

HR12/03 – 13      To authorize the Community Mental Health Chief Operating Officer to sign Amendment #1 to the contract with the Michigan Department of Community Health for Medicaid Managed Mental Health Supports and Services, effective October 01, 2011 through September 30, 2012.

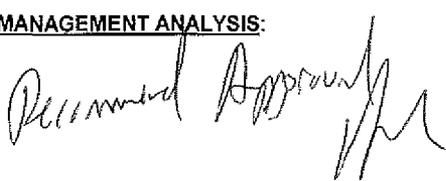
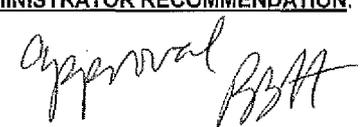
The Ways and Means Committee met on March 1, 2012, it was recommended, and I move:

- WM12/03 - 24 To approve payment of the accounts payable of \$4,046,433.99 covering the period of February 14, 2012 through February 24, 2012, as presented by the County Clerk.
- WM12/03 - 25 To approve the development and release of a Request for Proposal to improve the drainage system and surface of the parking area at the Juvenile Transition Center.
- WM12/03 - 26 To award the Heritage Landing Advanced Lighting Technology Demonstration retrofit project (RFB-12-1954) to Strain Electric with the Lumecon-Relume option for their bid price of \$52,045 with the County portion of the up front cost (\$16,999) being paid from the Public Improvement fund with payback from the energy savings to the fund.
- WM12/03 - 27 To award the Muskegon County Sustainability Consulting and Planning work under the MDEQ Community Pollution Prevention Grant fund (2261-5281) to Fishbeck, Thompson, Carr & Huber in the amount of \$17,000, and authorize the County Board Chair to sign the contract.
- WM12/03 - 28 To approve a Resolution in support of the Coast Guard's search and rescue helicopter in Muskegon County and to support appropriations be returned to the budget for its continuation.

# REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Full Board		BUDGETED    NON-BUDGETED    PARTIALLY BUDGETED X		
REQUESTING DEPARTMENT   Brookhaven MCF		COMMITTEE DATE March 13, 2012		REQUESTOR SIGNATURE
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
During the recruitment of the Director of Nursing/Assistant Administrator-Clinical Support Services, the Department of Human Services Board has appointed Cindy McDonald as Interim. Ms. McDonald is currently the Assistant Director of Nursing. Request is made to adjust Ms. McDonald's hourly rate to \$36.818 until such time the position is filled.				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
Move to authorize the appointment of Cindy McDonald as Interim Director of Nursing/Assistant Administrator-Clinical Support Services at a pay rate of \$36.818 per hour effective April 27, 2012.				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE &amp; MANAGEMENT ANALYSIS:</u>		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
AGENDA DATE:                      AGENDA NO.:                      BOARD DATE: 3/13/12                      PAGE NO.				

# REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Board of Commissioners		BUDGETED x	NON-BUDGETED	PARTIALLY BUDGETED
REQUESTING DEPARTMENT Administration	COMMITTEE DATE March 13, 2012	REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to allow the Board Chairman to sign the attached resolution which must be submitted as part of the grant application to the Michigan Department of Natural Resources Trust Fund following the public hearing on March 13, 2012 to accept public comments. The County is requesting MNRTF dollars in the amount of \$50,000. The funds would be used to replace the playground equipment at Pioneer Park with inclusive (handicapped accessible) playground equipment. The local match is \$12,500. The local match will come from in-kind services such as site preparation as well as funds from the Solid Waste fund.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding in the amount of \$50,000 from the Michigan Department of Natural Resources Trust Fund with a County of Muskegon match of \$12,500.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE &amp; MANAGEMENT ANALYSIS:</u>		
				
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
				
AGENDA DATE:	AGENDA NO.:	BOARD DATE: 3/13/12	PAGE NO.	

**RESOLUTION**

**PIONEER PARK DEVELOPMENT  
Under the  
MICHIGAN NATURAL RESOURCES TRUST FUND**

WHEREAS, the County of Muskegon is eligible to receive funds under the Department of Natural Resources (DNR) Michigan Natural Resources Trust Fund (MNTRF) program,

WHEREAS, MNTRF grant funds can be used for the development of park property by the County of Muskegon, and

WHEREAS, the County of Muskegon would like to provide handicapped accessible playground equipment at Pioneer Park, a County-owned park, which is dedicated to open, community recreational activities, and

WHEREAS, the Muskegon County will be providing labor and a cash to purchase and install the handicapped accessible playground equipment;

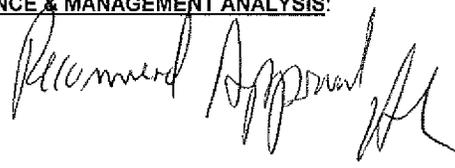
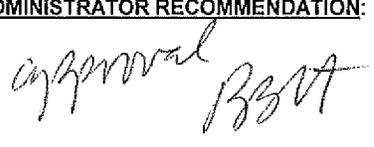
WHEREAS, the public comment period has resulted in no adverse comments;

NOW THEREFORE, BE IT RESOLVED, that the Muskegon County Board of Commissioners does hereby authorize the submission of the MNTRF application to develop Pioneer Park with Muskegon County providing \$12,500 in match and further, authorizes the necessary costs associated with this project and the Board Chair to sign the application.

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Kenneth Mahoney, Chairman  
Muskegon County Board of Commissioners

# REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

<b>COMMITTEE</b> Board of Commissioners		<b>BUDGETED</b> <b>NON-BUDGETED</b> <b>PARTIALLY BUDGETED</b> x		
<b>REQUESTING DEPARTMENT</b> Administration		<b>COMMITTEE DATE</b> March 13, 2012		<b>REQUESTOR SIGNATURE</b> Judith Kell
<b>SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)</b>  Approval is being requested to allow the Board Chairman to sign the attached resolution which must be submitted as part of the grant application to the Michigan Department of Natural Resources Recreation Passport Grant program following the public hearing on March 13, 2012 to accept public comments. The County is requesting Recreation Passport Grant funds in the amount of \$45,000. The funds would be used to replace the restroom facilities at Patterson Park with inclusive (handicapped accessible) restroom facilities. The local match is \$12,500. The local match will come from in-kind services such as site preparation as well as funds from the Solid Waste Fund.				
<b>SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)</b>  I move to authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding in the amount of \$45,000 from the Michigan Department of Natural Resources Recreation Passport Grant Program with a County of Muskegon match of \$12,500.				
<b>ADMINISTRATIVE ANALYSIS (AS APPLICABLE)</b>				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE &amp; MANAGEMENT ANALYSIS:</u> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u> 		
(Empty space for additional analysis)				
<b>AGENDA DATE:</b>	<b>AGENDA NO.:</b>	<b>BOARD DATE:</b> 3/13/12	<b>PAGE NO.</b>	

**RESOLUTION**

**PATTERSON PARK DEVELOPMENT  
Under the  
RECREATION PASSPORT GRANT PROGRAM**

WHEREAS, the County of Muskegon is eligible to receive funds under the Department of Natural Resources (DNR) Recreation Passport Grant Program,

WHEREAS, Recreation Passport grant funds can be used for the development of park property by the County of Muskegon, and

WHEREAS, the County of Muskegon would like to provide handicapped accessible restroom facilities at Patterson Park, a County-owned park, which is dedicated to open, community recreational activities, and

WHEREAS, the Muskegon County will be providing labor and a cash to purchase and install the handicapped accessible restroom facilities;

WHEREAS, the public comment period has resulted in no adverse comments;

NOW THEREFORE, BE IT RESOLVED, that the Muskegon County Board of Commissioners does hereby authorize the submission of the Recreation Passport grant application to develop Patterson Park with Muskegon County providing \$12,500 in match and further, authorizes the necessary costs associated with this project and the Board Chair to sign the application.

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Kenneth Mahoney, Chairman  
Muskegon County Board of Commissioners

# REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Board of Commissioners		BUDGETED X	NON-BUDGETED	PARTIALLY BUDGETED
REQUESTING DEPARTMENT Administration	COMMITTEE DATE March 13, 2012	REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to allow the Board Chairman to sign the attached resolution which must be submitted as part of the grant application to the Michigan Department of Natural Resources Land and Water Conservation Fund following the public hearing on March 13, 2012 to accept public comments. The County is requesting Land and Water Conservation funds in the amount of \$50,000. The funds would be used to replace the playground equipment at Meinert Park with inclusive (handicapped accessible) playground equipment. The local match is \$25,000. The local match will come from in-kind services such as site preparation as well as funds from the Solid Waste Fund.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to authorize the Board Chairman to sign the Resolution authorizing staff to apply for funding in the amount of \$50,000 from the Michigan Department of Natural Resources Land and Water Conservation Fund with a County of Muskegon match of \$25,000.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE &amp; MANAGEMENT ANALYSIS:</u>		
		<i>Recommend Approval</i> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
		<i>approval</i> 		
AGENDA DATE:	AGENDA NO.:	BOARD DATE: 3/13/12	PAGE NO.	

**RESOLUTION**

**MEINERT PARK DEVELOPMENT  
Under the  
LAND AND WATER CONSERVATION FUND**

WHEREAS, the County of Muskegon is eligible to receive funds under the Department of Natural Resources (DNR) Land and Water Conservation Program,

WHEREAS, Land and Water Conservation grant funds can be used for the development of park property by the County of Muskegon, and

WHEREAS, the County of Muskegon would like to provide handicapped accessible playground equipment at Meinert Park, a County-owned park, which is dedicated to open, community recreational activities, and

WHEREAS, the Muskegon County will be providing labor and a cash to purchase and install the handicapped accessible playground equipment;

WHEREAS, the public comment period has resulted in no adverse comments;

NOW THEREFORE, BE IT RESOLVED, that the Muskegon County Board of Commissioners does hereby authorize the submission of the Land and Water Conservation Fund application to develop Meinert Park with Muskegon County providing \$25,000 in match and further, authorizes the necessary costs associated with this project and the Board Chair to sign the application.

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Kenneth Mahoney, Chairman  
Muskegon County Board of Commissioners