

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN

AGENDA

FULL BOARD

Hall of Justice

990 Terrace, Muskegon, MI

May 22, 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 Meeting Minutes
 - A. Regular Full Board Meeting of May 8, 2012
 - B. Special Full Board Meeting of May 10, 2012
7. Presentation
 - Tribute in Honor of Patricia B. Johnson
8. Public Comment (on an agenda item)
9. Communication/Information
 - Van Buren County Resolution: Opposition of Proposed Rate Increase for Private Foster Care Agencies
10. Committee Reports
 - A. Transportation Committee (Page 4)
 - B. Ways & Means Committee (Pages 5 & 6)

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
May 22, 2012

- 11. Chairman's Report/Committee Liaison Reports
 - A. Board Planning Session: Tuesday, June 12th, 1:30 p.m.
 - B. Building Authority Reappointment: Bonnie Hammersley: term 6/30/2015
- 12. Administrator's Report
 - A. Approve Transfers of Lot 26 and Lot 27 in the Village of Lakewood Club to the Muskegon County Land Bank Authority & Authorize Chairman to Execute the Necessary Quit Claim Deeds
 - B. Authorize Staff to Apply for Funding for a Primary and Behavioral Health Care Integration Grant
- 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, 990 Terrace Street, Muskegon, MI 49442 (231) 724-6520

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN

AGENDA

ADDENDUM

FULL BOARD
Hall of Justice
990 Terrace
May 22, 2012 - 3:30 PM

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

12. Administrator's Report
 - A. Approve Transfers of Lot 26 and Lot 27 in the Village of Lakewood Club to the Muskegon County Land Bank Authority & Authorize Chairman to Execute the Necessary Quit Claim Deeds
 - B. Authorize Staff to Apply for Funding for a Primary and Behavioral Health Care Integration Grant
 - C. **Grant Consumers Energy an Easement for Overhead Power within a Parcel of Land owned by Muskegon County**
 - D. **Approve Request to Apply for Funds from the Office of Alternatives in Lansing**
13. Old Business
14. New Business
15. Public Comment (on a new topic)
16. Adjournment

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Full Board		BUDGETED <input type="checkbox"/> NON-BUDGETED <input type="checkbox"/> PARTIALLY BUDGETED <input type="checkbox"/>	
REQUESTING DEPARTMENT Public Works	COMMITTEE DATE May 22, 2012	REQUESTOR SIGNATURE <i>Joel L. Williams</i>	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES) Attached is a request for an easement from Consumers energy over a piece of land owned by Muskegon County. This is a vacant piece of land that the County inherited from the State years ago. The easement would be 20 feet wide adjacent to the east right-of-way of Whitehall Road. This would be very close to our Wastewater force main from Whitehall but would not cause problems. The easement is necessary for Consumers Energy to get power to the new assisted living development that Winberg Construction is building on Whitehall Road. There will be no cost to the County nor any detrimental effect. Staff recommends approval of this easement request.			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES) I move to grant Consumers Energy an easement for overhead power within a parcel of land owned by Muskegon County described as the westerly 20 feet adjacent to the right-of-way of Whitehall Road of that part of the Northwest quarter of the Southeast quarter of Section 1 T11N, R17W, Fruitland Township lying east of Whitehall Road (parcel ID 61-06-101-400-0001-00) and authorize the Chair to execute the easement document.			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
HUMAN RESOURCES ANALYSIS:		FINANCE & MANAGEMENT ANALYSIS: <i>Recommend Approval JH</i>	
CORPORATE COUNSEL ANALYSIS:		ADMINISTRATOR RECOMMENDATION: <i>Approval BSA</i>	
AGENDA DATE:	AGENDA NO.:	BOARD DATE:	PAGE NO.

EASEMENT FOR OVERHEAD ELECTRIC LINES

Notification # 1013926830
Design Doc # 10261945
Tax Code # 612465

Parties: "Owner" is County of Muskegon, a Michigan municipal corporation

Owner's mailing address is 990 Terrace St., Muskegon MI 49442

"Consumers" is CONSUMERS ENERGY COMPANY, a Michigan corporation. Consumers' address is One Energy Plaza, Jackson, Michigan 49201.

Grant of Easement: For good and valuable consideration [*exempt from real estate transfer tax pursuant to MCLA 207.505(f) and from State real estate transfer tax pursuant to MCLA 207.526(f)*], Owner grants Consumers a permanent easement to enter Owner's Land to construct, operate, inspect, maintain, replace, improve, remove, and enlarge an overhead electric line on, over, under, and across a portion of "Owner's Land," called "the Easement Area." Owner's Land is in the Township of Fruitland, County of Muskegon, and State of Michigan and is described in attached Exhibit A. The Easement Area is within Owner's Land and is described in attached Exhibit B. Consumers may attach additional overhead and/or underground lines outside the Easement Area running laterally from the main electric line to the West edge(s) of Owner's Land, in which event the Easement Area shall include a 30-foot-wide strip of land, being 15 feet on each side of each such overhead lateral line constructed on Owner's Land and a 12-foot-wide strip of land, being 6 feet on each side of each such underground lateral line constructed on Owner's Land. Overhead electric lines may consist of poles, anchors, guys, wires, cables (including fiber-optic cable), transformers, and other equipment for transmitting and distributing electrical energy and communications signals. Underground lateral lines may consist of underground cables (including fiber-optic cable), conduits, wires, conductors, subsurface junction vaults, surface-mounted transformers and enclosures, and other equipment for transmitting and distributing electrical energy and communications signals.

Trees and Other Vegetation: Consumers shall have the right from time to time hereafter to enter Owner's Land to trim, cut down, and otherwise remove and control any trees, brush, roots, and other vegetation, whether inside or outside the Easement Area, that Consumers believes may interfere with the construction, operation, and maintenance of the electric line or lateral lines.

Buildings/Structures: Owner shall not locate any buildings, structures, septic systems, drain fields, ponds, or swimming pools within the Easement Area or change the ground elevation within the Easement Area. Consumers may correct any violation of this prohibition by relocating the electric line or lateral line(s), in which case: a) Owner shall reimburse Consumers for any expenses Consumers incurs

in making the relocation, and b) this easement shall automatically apply to such relocated line. Owner shall not plant any trees within the Easement Area. Consumers may cut down or remove any trees planted within the Easement Area, without liability to Owner.

Exercise of Easement: Consumers' nonuse or limited use of this Easement shall not preclude Consumers' later use of this Easement to its full extent.

Successors: This easement shall bind and benefit Owner's and Consumers' respective heirs, successors, lessees, licensees, and assigns.

Date: _____

Owner: County of Muskegon, a Michigan municipal corporation.

By:
Its:

By:
Its:

Acknowledgment

The foregoing instrument was acknowledged before me in _____ County, Michigan,
on _____ by _____
Date Print Owner's Name(s)

On behalf of the County of Muskegon, a Michigan municipal corporation

Notary Public

County, Michigan
Acting in _____ County
My Commission expires: _____

Prepared By: Gina A Powyszynski 02/15/2012
Consumers Energy Company
Muskegon Service Center
2021 Hoyt St.
Muskegon MI 49444

After recording, return to:
Loretta Lester, EP7-456
Business Services
Consumers Energy Company
One Energy Plaza
Jackson, MI 49201

EXHIBIT A

Owner's Land

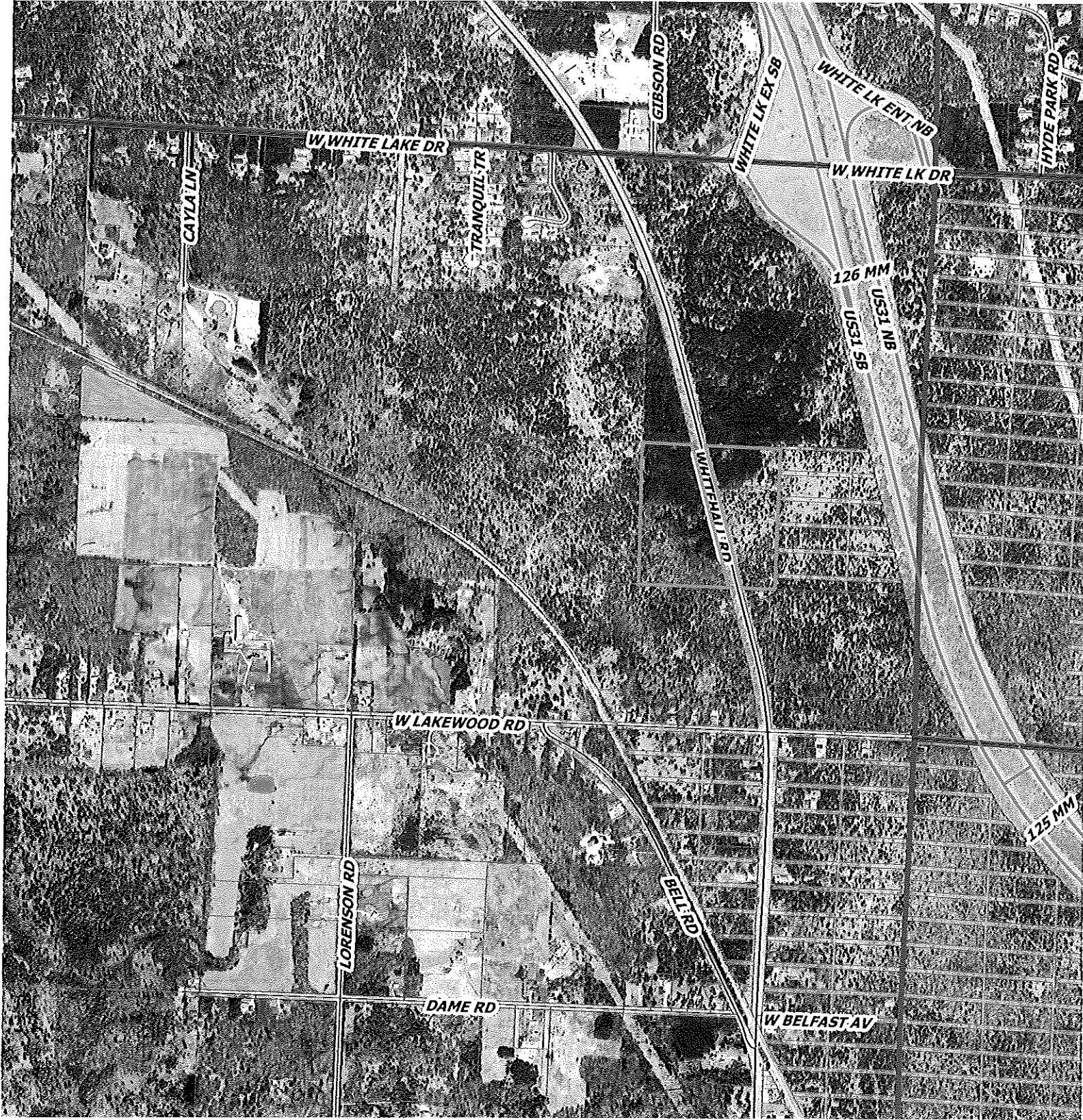
The Northwest 1/4 of the Southeast 1/4 of Section 1, Township 11 North, Range 17 West, Fruitland Township, Muskegon County, State of Michigan, except Whitehall Road right-of-way.

(Parcel ID# 06-101-400-0001-00; Whitehall Rd)

EXHIBIT B

Easement Area

The West 20 feet of that part of Owner's Land lying East of the East right of way line of Whitehall Road.



REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE FULL BOARD		BUDGETED NON-BUDGETED PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Muskegon County Sheriff/Community Corrections	COMMITTEE DATE May 22, 2012	REQUESTOR SIGNATURE Dean Roesler	
<p>SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)</p> <p>Approval is being requested to apply for \$223,207 from the Office of Community Alternatives in Lansing for FY 2013. Awarded funds will be utilized to fund Community Corrections programs in the Muskegon County Jail and in the community.</p>			
<p>SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)</p> <p>I move to approve the request to apply for \$223,207 from the Office of Community Alternatives in Lansing for FY 2013.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u> <i>Recommend Approval</i>	
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u> <i>Approval BBA</i>	
AGENDA DATE:	AGENDA NO.:	BOARD DATE:	PAGE NO.

VAN BUREN COUNTY BOARD OF COMMISSIONERS

RESOLUTION MOTION REPORT OF ADMINISTRATIVE AFFAIRS COMMITTEE

HONORABLE BOARD OF COMMISSIONERS:

WHEREAS, the Michigan Probate Judges Association has passed a resolution that strongly opposes a rate increase for private agencies supervising foster care and those agencies are already being paid an administrative rate of \$37.50 per day per child to grant these agencies a 22% increase after just one year is unconscionable. Many courts and counties are paying for multiple children – it is not uncommon for a family of 4-5 children to be placed in relative care. [In just one example, a court paid an agency \$37.50 per day per child, for a total of \$5,625 per month, and \$67,500 per year. The five children were with a grandmother and the agency did not provide any special services. A caseworker saw them once per month.], and;

WHEREAS, the courts report that when special services to children are ordered, the response can vary from compliance to "we are not being paid for that" and the state mandated preference for private agencies has changed the ideal of placing children in their home communities. We now see frequent instances where children must be placed with an agency that only has beds available in distant counties. Courts and counties are paying higher dollars for reduced services and case workers who are unfamiliar with the community in which the parent is supposed to be served, and;

WHEREAS, Courts and counties are at the breaking point with the current \$37.50 administrative fee and there is nothing to ensure the accountability, competition, and improved services which privatization is intended to provide. The State Department of Human Services is conducting a study to determine appropriate rates for private agency administrative fees, and that research is not concluded, and rate increase is premature and unwarranted. It now makes more fiscal sense for courts to use that rate money to hire local social workers who are under the control of the court to supervise foster care arrangements. Under the current system there is no accountability, no competition, and no way to recognize credible agencies or sanction poor ones. Furthermore, it is not appropriate to single out private agencies for massive fee increases when, in every other area of social welfare, the state is cutting costs and reducing reimbursements to local governments.

NOW, THEREFORE BE IT RESOLVED, that the Van Buren County Board of Commissioners opposes the proposed rate increase for private foster care agencies. Copies of the resolution will be sent to the Michigan Department of Human Services Director, Senator and State Representatives.

Signed: _____

Date: May 8, 2012

FOR CLERK'S USE ONLY

MOTION BY: HANSON
SECONDED BY: TOM

CARRIED
NOT CARRIED

The Transportation Committee met on May 17, 2012; it was recommended, and I move:

- TR12/05-15 To authorize rejection of all proposals received for RFB 12-1923 for Accessible Paratransit Vehicles for the Muskegon Area Transit System.
- TR12/05-16 To approve MDOT Project Authorization 2007-0264/Z16/R2 with the Muskegon Area Transit System and to authorize the Chairperson to execute the contract.
- TR12/05-17 To award RFB12-1988 for the upgrade of the Compressed Natural Gas (CNG) fuel system dispenser and a five year service agreement for the CNG fuel system at the Muskegon Area Transit System to Oscar W. Larson Company.
- TR12/05-18 To authorize the Muskegon Area Transit System to publish the public notice regarding Federal Operating and Capital applications and to authorize staff to execute the electronic grant applications if there is no request for public hearing.
- TR12/05-19 To approve Change Order No. 1 to a contract originally dated August 29, 2011, between Korthase & Sons and the County in the amount of \$17,538.70, allowing the installation of a control cable for the Airport's runway 32 Precision Approach Path Indicator (PAPI), with the County's 2.5% share of the project to be \$439.
- TR12/05-20 To approve Amendment No. 1 to an Agreement for Professional Engineering Services dated June 2, 2011, between the County and Prein & Newhof in the amount of \$5,800, providing engineering oversight of the Airport's runway 32 Precision Approach Path Indicator (PAPI) control cable installation project, with the County's 2.5% share of the amendment to be \$145.
- TR12/05-21 To approve Amendment No. 1 to an Agreement for Professional Engineering Services dated March 22, 2012, between the County and Prein & Newhof in the amount of \$17,200, providing engineering oversight of the Airport's crack sealing and pavement remarking projects, with the County's 2.5% share of the amendment to be \$430.

The Ways & Means Committee met on May 15, 2012, it was recommended and I move to:

- WM12/05-63 Approve the payment of the accounts payable of \$14,500,231.24 covering the period of April 28, 2012 through May 8, 2012 as presented by the County Clerk.
- WM12/05-64 Authorize staff to issue a Request for Proposal for architectural and engineering services for the development of Rotary Park at Heritage Landing.
- WM12/05-65 Place the following contractors on the multiple vendor list for lead-based paint hazard control activities: Midwest Environmental Services, Majestic Contractors, LLC, Statewide Abatement and Gray Space Construction.
- WM12/05-66 Hold a public hearing on June 12, 2012, to accept citizen comments on the close out of the Digital Divide Program MBDA-002-2005.
- WM12/05-67 Authorize to apply for funding under the Michigan Drug Court Program (MDCGP) administered through the Michigan State Court Administrative Office (SCAO) for the grant period October 1, 2012 through September 30, 2013 in the amount of \$32,000 to provide treatment for program participants in the 60th District Court Sobriety Court program.
- WM12/05-68 Accept the vehicle from ProMed Ambulance for the Muskegon County Sheriff's Department and to increase their vehicle pool to include the 2002 Ford E450 Super Duty.
- WM12/05-69 Approve the contract award for Inmate Medical Services (RFP 12-1929) to Correctional Healthcare Companies in the amount of \$847,888.92 plus any inmate overage per diems for a period of one-year from the date of contract execution with the option to renew for an additional two years.
- WM12/05-70 Award the bid for cognitive behavioral services in the Muskegon County jail to Kelly Sadler in the amount of \$53,736 and to authorize the Board Chair to sign the contract for services with the option to renew for two subsequent years depending on availability of grant funding.

- WM12/05-71 Approve the attached Truth In Taxation public hearing schedule and to adopt the attached resolution setting June 12, 2012, as the date for the Truth in Taxation public hearing for the purpose of discussing and receiving testimony regarding the proposed tentative levy of 5.6984 mills for Muskegon County general operating in July 2012, the proposed tentative levy of 0.3221 mills for Lakeshore Museum Center operating in December 2012, the proposed tentative levy of 0.0752 mills for Department of Veterans Affairs operating in December 2012, the proposed tentative levy of 0.3000 mills for Muskegon County Central Dispatch operating in December 2012 and the proposed tentative levy of 0.3000 mills for Quality of Life Bond repayment in December 2012.
- WM12/05-72 Cancel the Community Development/Strategic Planning meeting scheduled for May 17, 2012.
- WM12/05-73 Present a tribute to Muskegon High School for winning the "SMASH" contest.
- WM12/05-74 Present a tribute to Waypoint Academy for their achievement in improving their student's overall test scores.
- WM12/05-75 Approve a letter of support for Oakridge School's grant for a school-based nurse-managed health program.
- WM12/05-76 Authorize Corporate Counsel to continue negotiations.
- WM12/05-77 Accept Corporate Counsel's recommending regarding pending litigation.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Full Board	BUDGETED NON-BUDGETED PARTIALLY BUDGETED <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
REQUESTING DEPARTMENT Administration	COMMITTEE DATE 5/22/12	REQUESTOR SIGNATURE	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>Staff is recommending the transfer of two lots located in the Village of Lakewood Club to the Muskegon County Land Bank Authority. The Land Bank will pay the County \$100 for each lot which is the same amount we have sold other lots for in the Village. Both are corner lots that cannot be built upon due to their size. The Land Bank Authority will combine the lots with other vacant land owned by the Authority.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>Move to approve the transfers of Lot 26 (parcel # 61-42-503-071-0026-00) and Lot 27 (parcel #61-42-503-062-0027-00) in the Village of Lakewood Club Addition Number Three to the Muskegon County Land Bank Authority for the sum of \$200 and to authorize the Chairman of the Board to execute the necessary quit claim deeds.</p>			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>	<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
<u>CORPORATE COUNSEL ANALYSIS:</u>	<u>ADMINISTRATOR RECOMMENDATION:</u> <div style="text-align: center; font-family: cursive; font-size: 1.2em;"> approved BSTA </div>		
AGENDA DATE: 5/22/12	AGENDA NO.:	BOARD DATE: 5/22/12	PAGE NO.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Full Board		BUDGETED NON-BUDGETED PARTIALLY BUDGETED X		
REQUESTING DEPARTMENT Community Mental Health		COMMITTEE DATE May 22, 2012		REQUESTOR SIGNATURE Julia Rupp
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to apply for funds to expand the Community Mental Health Integrated Health Clinic. Funds are available via the Primary and Behavioral Health Care Integration grant (PPHF-2012) through the Substance Abuse & Mental Health Services Administration (CFDA 93.243). Thirty-two awards are available to applicants throughout the nation in amounts not to exceed \$400,000 and no match or cost-sharing are required. Deadline for applications is June 8, 2012. Only community mental health agencies may apply for this award.</p> <p>Expanding the CMH Integrated Health Clinic builds on core strategies identified in the Application for Renewal and Recommitment submitted to MDCH, as well as the Muskegon County Planning for Integrated Care Initiative for which Community Mental Health received block grant funding for in FY 2009-2010, and again in 2011. The plan to integrate mental health and substance abuse services provided by Community Mental Health and physical health services provided by the two Federally Qualified Health Centers – Hackley Community Care and Muskegon Family Care in Muskegon County is essential to providing a holistic approach to care, where the individual's mental health and physical health needs can both be met at one location.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to authorize staff to apply for funding for a Primary and Behavioral Health Care Integration grant (CFDA No. 93.243) in an amount not to exceed \$400,000. No match or cost-sharing are required.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS</u>		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u> <div style="text-align: center; font-family: cursive; font-size: 1.2em;"> Approval JBR </div>		
AGENDA DATE: 5/22/12 AGENDA NO.: BOARD DATE: 5/22/12 PAGE NO.:				