

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN
AGENDA

WAYS AND MEANS

Hall of Justice
990 Terrace, Muskegon, MI
January 5, 2012 - 3:30 p.m.

Lewis Collins, Chair
Scott Plummer, Vice-Chair

-
1. Call to Order
 2. Roll Call
 3. Approval of the Minutes of December 13, 2011
 4. Public Comment (on an agenda item)
 5. Items for Consideration
 - WM12/01 - 01 (Administration) Approve Accounts Payable
 - WM12/01 - 02 (Administration) Approve Holding a Public Hearing to Accept Citizen Comments on the Release of Funds for the HUD Lead Grant
 - WM12/01 - 03 (Administration) Approve Holding Public Hearing to Accept Citizen Comments on the Community Development Block Grant Program
 - WM12/01 - 04 (Administration) Approve the Determination of Participant Eligibility in the HUD Programs Related to the National Flood Insurance Program Policy
 - WM12/01 - 05 (Administration) Authorize the Lease/Purchase Resolution with PNC Bank
 - WM12/01 - 06 (Human Resources) Approve the Reclassification of Department Clerk (N26005) to Typist
 6. Old Business
 7. New Business
 8. Public Comment (on a new topic)
 9. Adjournment

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.

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
Ways & Means Committee Meeting
December 13, 2011
3:30 p.m.
Hall of Justice, 4th Floor
990 Terrace
Muskegon, MI**

Lewis Collins, Chair

Scott Plummer, Vice-Chair

MINUTES

CALL TO ORDER

The meeting was called to order by Commissioner Plummer at 3:30 p.m.

ROLL CALL

Present: Lewis Collins, Benjamin Cross, James Derezinski, Marvin Engle, Alan Jager, Anthony Longmire, Kenneth Mahoney, Scott Plummer, Robert Scolnik, I. John Snider, Rillastine Wilkins

APPROVAL OF MINUTES

It was moved by Engle, supported by Cross, to approve the minutes of the regular session of December 1, 2011, and the closed session minutes of December 1, 2011, meetings as written. Motion carried.

PUBLIC COMMENT/AGENDA ITEM

None.

ITEMS FOR CONSIDERATION

WM11/12 - 168 It was moved by Engle, supported by Cross, to approve payment of the accounts payable of \$3,069,760.97 covering the period of November 24, 2011 through December 6, 2011, as presented by the County Clerk. Motion carried.

WM11/12 - 169 It was moved by Snider, supported by Mahoney, to approve the licensing/maintenance agreement between the County of Muskegon and BS&A - SymPro Software in an amount not to exceed \$931,021. Motion carried.

Ways & Means Committee
Minutes
December 13, 2011
Page 2

- WM11/12 - 170 It was moved by Snider, supported by Longmire, to authorize administration to enter into a lease/purchase agreement with Cisco Systems Capital Corporation for 60 months at a rate of 2.68% contingent upon proof of concept. Motion carried.
- WM11/12 - 171 It was moved by Derezinski, supported by Engle, to authorize staff to apply for funding in the amount of \$68,500.00 from the Office of Land Survey and Remonumentation, Michigan Department of Licensing and Regulatory Affairs with a local match of \$1,170.00 and authorize the County Administrator and County Surveyor to sign the grant application. Motion carried.
- WM11/12 - 172 It was moved by Engle, supported by Cross, to authorize that the County of Muskegon, pursuant to Section 8 of Senate Bill 7, exempt itself from the requirements of the Bill and in its place, require that all employees and elected officials, effective January 1, 2012, pay 15% of the total annual cost of all medical/ dental benefit plans that the County offers. Motion carried.
- WM11/12 - 173 It was moved by Engle, supported by Snider, to accept the creation of a Commercial Rehabilitation District at 363 Ottawa Street in the City of Muskegon under PA 210 of 2005 on the following described parcel of real property, "City of Muskegon revised Plat of 1903, Lots 1-7 Blk 144, also N ½ vac Jackson Ave". Motion carried.
- WM11/12 - 174 It was moved by Longmire, supported by Cross, to authorize staff to issue Requests for Proposals to meet the various requirements of the Community Development Block Grant Homeowner Rehabilitation and HUD Lead Grant programs. Motion carried.
- WM11/12 - 175 It was moved by Mahoney, supported by Snider, to approve the "Construction/Renovation Oversight" policy as presented to be implemented immediately upon approval. Motion carried.
- WM11/12 - 176 It was moved by Derezinski, supported by Cross, to authorize staff to apply for funding in the amount of \$250,000.00 from the Great Lakes Area of Concern Acquisition Grant to acquire the lower Muskegon River flats (Bosma property) and authorize the County Administrator to sign the grant application. Motion carried.
- WM11/12 - 177 It was moved by Derezinski, supported by Cross, to approve the FY2012 Child Care Fund Annual Plan and Budget and authorize the Board Chair to sign the document for submission to the State of

Michigan; and also approve the funding transfers that directly relate to employees charged to the Child Care Fund. The funding transfers align funding with new structured duties.

Motion carried.

WM11/12 - 178 It was moved by Snider, supported by Engle, to award treatment service bids to Mercy Life Counseling in the amount of \$42,024 for the treatment of 30 Sobriety Court participants and to West Michigan Therapy in the amount of \$55,266.15 for the treatment of 35 participants and authorize the County Board Chairman to sign the contracts for the services. Motion carried.

WM11/12 - 179 It was moved by Engle, supported by Cross, to approve the submission of the calendar year 2012 Marine Safety Grant application for operating costs in the amount of \$129,440 and the equipment request in the amount of \$38,000. Motion carried.

WM11/12 - 180 It was moved by Engle, supported by Cross, to authorize the Sheriff to initiate the Request for Proposal process for Cognitive Behavioral Therapy services as part of the Community Corrections program. Motion carried.

WM11/12 - 181 It was moved by Engle, supported by Derezinski, to approve the contract extension with Health Professionals, Ltd., for medical services for inmates of the County Jail for the period of December 30, 2011 through December 30, 2012 at an annual cost of \$56,476.92 and to allow the Sheriff and the Administrator to sign the contract amendment. Motion carried.

WM11/12 - 182 It was moved by Cross, supported by Engle, to approve the Secondary Road Patrol Grant Adjustment request which allocates an additional General Fund appropriation in the amount of \$17,862 for a new total program amount of \$233,070.00. Motion carried.

OLD BUSINESS

Commissioner Scolnik thanked Ms. Judy Kell, Grants Coordinator, for her diligent work on obtaining the grant for the Heritage Landing YMCA property. He noted the property will make a great addition to the park.

NEW BUSINESS

None.

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PUBLIC COMMENT/NEW TOPIC

None.

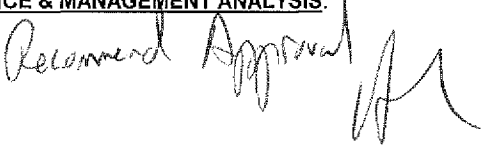

ADJOURNMENT

There being no further business to come before the Ways & Means Committee, the meeting adjourned at 4:02 p.m.

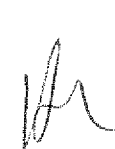

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>			
REQUESTING DEPARTMENT Administration		COMMITTEE DATE January 5, 2012		REQUESTOR SIGNATURE	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)					
Accounts payable - already distributed.					
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)					
I move to approve payment of the accounts payable of \$3,753,192.88 covering the period of December 7, 2011 through December 20, 2011, as presented by the County Clerk.					
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)					
<u>HUMAN RESOURCES ANALYSIS:</u>			<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
			Returned Approval		
<u>CORPORATE COUNSEL ANALYSIS:</u>			<u>ADMINISTRATOR RECOMMENDATION:</u>		
			approval		
AGENDA DATE:	AGENDA NO.:	BOARD DATE:	PAGE NO.		
1/5/12	Wm 12/01-0	1/12/12			

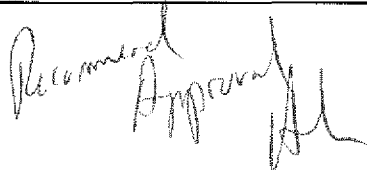
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED x		NON-BUDGETED		PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Administration			COMMITTEE DATE January 5, 2012		REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)							
<p>Approval being requested to hold a public hearing on February 28, 2012 for the HUD Lead Grant Program. No work may proceed on the rehabilitation of the houses until the public hearing has been held following the completion of the environmental review for the project.</p>							
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)							
<p>I move to hold a public hearing on February 28, 2012 to accept citizen comments on the Release of Funds from the Department of Housing and Urban Development as well as the Finding of No Significant Impact for the HUD Lead Grant.</p>							
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)							
<u>HUMAN RESOURCES ANALYSIS:</u>				<u>FINANCE & MANAGEMENT ANALYSIS:</u>			
							
<u>CORPORATE COUNSEL ANALYSIS:</u>				<u>ADMINISTRATOR RECOMMENDATION:</u>			
Concur D. Hughes							
AGENDA DATE: 1/5/12		AGENDA NO.: Wm12/01-02		BOARD DATE: 1/12/12		PAGE NO.	

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED X	NON-BUDGETED	PARTIALLY BUDGETED
REQUESTING DEPARTMENT Administration	COMMITTEE DATE January 5, 2012	REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to hold a public hearing on February 28, 2012 to accept citizen comments on the Community Development Block Grant program as well as the environmental review for the program. A public hearing is required by the grant agreement.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to hold a public hearing on February 28, 2012 to accept citizen comments on the Community Development Block Grant program as well as the environmental review for the program.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
		<i>Recommended Approval</i> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
<p>Concur D. Hughes</p>		<i>Approval</i> 		
AGENDA DATE: <i>1/5/12</i>	AGENDA NO.: <i>wm12/d-03</i>	BOARD DATE: <i>1/12/12</i>	PAGE NO.	

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED x		
REQUESTING DEPARTMENT Administration		COMMITTEE DATE January 5, 2012		REQUESTOR SIGNATURE Judith Kell
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Attached for your review and consideration is a Determination of Participant Eligibility in the Department of Housing and Urban Development Programs Related to the National Flood Insurance Program Policy.</p> <p>The Policy ensures that the County of Muskegon determines eligibility for funds through the various Department of Housing and Urban Development programs consistent with federal and state statutes related to the use of federal funds in flood plain areas.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
I move to approve the Determination of Participant Eligibility in the Department of Housing and Urban Development Programs Related to the National Flood Insurance Program Policy.				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u> 		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u> Approved B. Hammersley		
AGENDA DATE: 1/5/12		AGENDA NO.: Wm12/01-04		BOARD DATE: 1/12/12
				PAGE NO.

MUSKEGON COUNTY BOARD OF COMMISSIONERS

DETERMINATION OF PARTICIPANT ELIGIBILITY IN THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PROGRAMS RELATED TO THE NATIONAL FLOOD INSURANCE PROGRAM

POLICY NO. 2012 - 1

APPROVAL DATE: JANUARY 12, 2012

I. POLICY

It is the policy of the County of Muskegon to establish a uniform eligibility standard for participation the Department of Housing and Urban Development Programs related to communities not participating in the National Flood Insurance Program.

II. PROCEDURE

- A. County of Muskegon staff will identify Special Flood Hazard Areas through the National Flood Insurance Program (NFIP). Communities not participating in the NFIP do not have Flood Hazard Areas identified. The following municipalities are within the target area, but are not participating in the NFIP, and do not have Special Flood Hazard Areas mapped:

City of Roosevelt Park

Townships

Blue Lake	Dalton	Holton	Whitehall
Casnovia	Montague	Moorland	
Cedar Creek	Fruitport	Sullivan	

Villages

Casnovia	Lakewood Club
Fruitport	Ravenna

- B. Properties in the non- participating municipalities will not be eligible for assistance by the Muskegon County Lead Hazard Control, Community Development Block Grant Homeowner Rehabilitation and Neighborhood Stabilization Programs if the following determination is made:

- 1) There is evidence of ponding water against the foundation of the unit, or other obvious wetland characteristics such as muck, cattails, etc.
- 2) The seasonal high water table (SHWT) is identified within a vertical distance of 12 inches or less of untreated, wooden materials used in the construction of the unit.
- 3) The unit is in a regulated wetland, as identified via the State of Michigan Wetland inventories. Link listed: http://www.michigan.gov/deq/0,1607,7-135-3313_3687-11178--,00.html

III. TERM

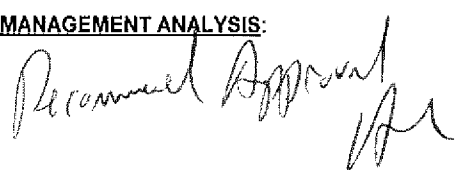
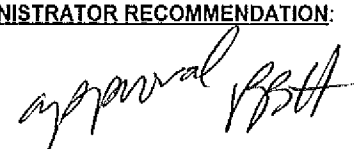
This policy will remain in effect through the completion of the grants with the Department of Housing and Urban Development or until terminated by a majority vote of the Muskegon County Board of Commissioners.

IV. STATUTES and REGULATIONS listed at 24 CFR 58.6, FLOOD INSURANCE / FLOOD DISASTER PROTECTION ACT

Federal assistance may not be used in Special Flood Hazard Areas identified through the National Flood Insurance Program (NFIP). Communities not participating in the NFIP do not have Flood Hazard Areas identified. The following municipalities are within the target area, but are not participating in the NFIP, and do not have Special Flood Hazard Areas mapped:

CERTIFICATION:

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED X	
REQUESTING DEPARTMENT Administration	COMMITTEE DATE January 5, 2012	REQUESTOR SIGNATURE Heath Kaplan	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
On December 15 th the Committee authorized administration to coordinate a proof of concept with Cisco Systems. The County received the demo equipment on December 16 th and implemented the technology to the Treasurer's Office on December 21 st . The proof of concept was successful and the technology met or exceeded expectations. The final step needed to move forward with this technology solution is to approve the funding resolution.			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
Move to authorize the lease/purchase resolution with PNC Bank with an interest rate of 1.89% over a 60 month term.			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>	
			
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>	
			
AGENDA DATE: 1/5/12	AGENDA NO.: Wm 12/01-05	BOARD DATE: 1/12/12	PAGE NO.

Revised 12/27/11

RESOLUTION AUTHORIZING [LEASE PURCHASE] AGREEMENT

COUNTY OF MUSKEGON
STATE OF MICHIGAN

Minutes of a regular meeting of the Board of Commissioners of the County of Muskegon, State of Michigan, held in the County Courthouse on the ____ day of _____, 201_, at __:__ o'clock p.m., prevailing Eastern Time.

PRESENT: Commissioners _____

ABSENT: Commissioners _____

The following preamble and resolution were offered by Commissioner _____ and supported by Commissioner _____:

WHEREAS, a [Lease Purchase] Agreement (the "Agreement"), among the County of Muskegon, State of Michigan (the "County"), _____ (the "Vendor"), and _____ (the "Purchaser"), for the purchase and installation of the equipment described in Exhibit B (the "Equipment"), has been prepared and is attached hereto as Exhibit A; and

WHEREAS, the total purchase price of the Equipment from the Vendor is \$ _____ (the "Purchase Price"); and

WHEREAS, pursuant to the Agreement, the Purchase Price in principal installments over a period of approximately _____ () years and pay interest on the unpaid balance at an interest rate equal to _____% per annum, all as specified on Exhibit A to the Agreement; and

WHEREAS, the Agreement is to be assigned by the Vendor to the Purchaser; and

WHEREAS, it is necessary to approve the Agreement and authorize the Director of Finance and Management Services and the County Clerk to execute the Agreement and other related documentation.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The Agreement is hereby approved substantially in the form attached as Exhibit A to this resolution. The County shall incur the debt described in the Agreement through execution of the Agreement by the officers authorized below which debt shall consist of the Purchase Price of \$ _____, which Purchase Price shall be payable in installments with interest thereon at a rate of _____% per annum. The principal installment amounts shall be as specified on Exhibit A to the Agreement. The principal installments and interest thereon shall be payable on the dates specified on Exhibit A to the Agreement.

2. The Director of Finance and Management Services and County Clerk are hereby authorized and directed to execute the Agreement and deliver it to the Vendor.

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

3. The useful life of the Equipment is hereby determined to be not less than ____ () years.

4. The Director of Finance and Management Services of the County, the County Clerk and the County Treasurer each is hereby directed and authorized to execute such additional documentation as shall be necessary to effectuate the closing of the Agreement and the assignment thereof.

5. The assignment of the Agreement by the Vendor to the Purchaser is hereby approved.

6. The County hereby agrees to include in its budget for each year commencing with the current fiscal year, a sum which will be sufficient to pay the principal of and interest on the Agreement coming due to before the next fiscal year. In addition, the County hereby pledges to levy ad valorem taxes on all taxable property in the County each year in an amount necessary to make its debt service payments under the Agreement, subject to applicable constitutional and statutory tax rate limitations.

7. [The County hereby designates its obligations under the Agreement as "qualified tax-exempt obligations" for purposes of deduction of interest expense by financial institutions.]

8. The County hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exemption of the interest on the obligations under the Agreement from general federal income taxation (as opposed to alternative minimum or other indirect taxation) under the Internal Revenue Code of 1986, as amended, including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of proceeds of the Agreement and moneys deemed to be proceeds.

9. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same hereby are rescinded.

AYES: Commissioners _____

ABSTAIN: Commissioners _____

NAYS: Commissioners _____

RESOLUTION DECLARED ADOPTED.

County Clerk

CERTIFICATE

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Muskegon, State of Michigan, at a regular meeting held on _____, 201_ and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

County Clerk

EXHIBIT A

[Attach Agreement here]

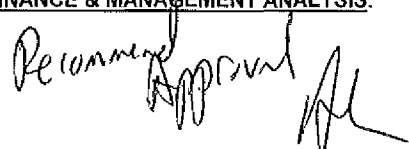
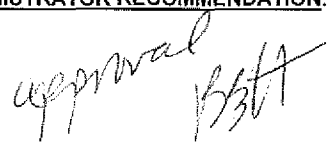
EXHIBIT B

[Attach Equipment Description here]

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

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REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED X	NON-BUDGETED □	PARTIALLY BUDGETED □
REQUESTING DEPARTMENT Human Resources	COMMITTEE DATE January 5, 2012	REQUESTOR SIGNATURE D. Groeneveld		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>The Human Resources Department recently had a retirement and the position was funded by the Workers Compensation fund. In an attempt to reduce cost to this program, this is a request for authorization to reclassify Departmental Clerk position #N26005, to a Typist which will result in an approximate total savings of \$16,343.05. The current position is funded 100% in the Workers Compensation fund 6770-0204, the new Typist will be funded 50% 6770-0204 Workers Compensation fund and 50% Operations Insurance fund 6770-0203 to assist with the increased employee benefits workload.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to approve the reclassification of Departmental Clerk position #N26005 (NO 00105 \$12.882-\$15.562) to Typist (NO 00060 \$11.261-\$13.844) with a funding of 50% 6770-0203 and 50% 6770-0204.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
Recommend approval – D. Groeneveld				
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
				
AGENDA DATE: 1/5/12	AGENDA NO.: Wm/12/01-06	BOARD DATE: 1/12/12	PAGE NO.	