

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN
AGENDA

WAYS AND MEANS

Hall of Justice
990 Terrace, Muskegon, MI
April 17, 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 April 5, 2012
 4. Public Comment (on an agenda item)
 5. Items for Consideration
 - WM12/04 – 52 (Administration) Approve accounts payable
 - WM12/04 – 53 (Administration) Authorize the Chairman of the County Board of Commissioners to enter into and sign the Memorandum of Understanding between Muskegon County, and the Cities of Muskegon and Muskegon Heights for the submission of the Justice Assistance Grant by the City of Muskegon
 - WM12/04 – 54 (Administration) Approve the revised Freedom of Information Act Policy & Procedure Guide as presented
 - WM12/04 – 55 (Equalization) Approve the resolution establishing the 2012 equalized valuation for Muskegon County as determined and submitted by the Muskegon County Equalization Department
 - WM12/04 – 56 (Human Resources) Allow Human Resources to seek proposals for risk management related vehicle damage in order to establish a preferred vendor listing
 - WM12/04 – 57 (Human Resources) Allow Human Resources to bid a Professional Liability insurance policy to cover CMH psychiatrists

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.

Ways and Means Committee Meeting

Agenda

April 17, 2012

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6. Old Business
7. New Business
8. Public Comment (on a new topic)
9. 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
Ways & Means Committee Meeting
April 5, 2012
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 Collins at 3:30 p.m.

ROLL CALL

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

Excused: Benjamin Cross, Alan Jager

APPROVAL OF MINUTES

It was moved by Engle, supported by Plummer, to approve the regular minutes of the March 20, 2012, meeting as written. Motion carried.

It was moved by Snider, supported by Derezinski, to approve the closed session minutes of the March 20, 2012, meeting as written. Motion carried.

PUBLIC COMMENT/AGENDA ITEM

Mr. Mr. Lupe Alviar, Veteran's Advisory Council member, voiced his support of Motion WM12/04 – 47.

ITEMS FOR CONSIDERATION

WM12/04 – 42 It was moved by Longmire, supported by Plummer, to approve payment of the accounts payable of \$4,716,844.76 covering the period of March 14, 2012 through March 30, 2012, as presented by the County Clerk. Motion carried.

Ways and Means Committee Meeting
Minutes
April 5, 2012

WM12/04 – 43 It was moved by Derezinski, supported by Longmire, to authorize staff to issue a Request for Proposal to replace the information (ticket) booth at Heritage Landing and use the Reserve for Heritage Landing Improvements Fund to pay for the replacement of the information booth. Motion carried.

WM12/04 – 44 It was moved by Engle, supported by Wilkins, to authorize staff to issue a Request for Proposal to upgrade the electrical capacity at Heritage Landing and use funds from the Reserve for Heritage Landing Improvement Fund to pay for the electrical improvements. Motion carried.

WM12/04 – 45 It was moved by Engle, supported by Plummer, to reclassify position G14002 – Buyer FT (GU 00180) to Admin Analyst NX 00220 step 1 (\$20.634 per hour). Motion carried.

WM12/04 – 46 It was moved by Longmire, supported by Plummer, to authorize the Muskegon County Board of Commissioners to enter into an agreement with NOAA, as either the sub-grantee or grantee depending upon NOAA's designation of the role, to administer the City of North Muskegon's Area of Concern grant contingent upon the approval of the City Council of North Muskegon and authorize the Chairman of the County Board of Commissioners to sign all required documents. Motion carried.

WM12/04 – 47 It was moved by Derezinski, supported by Longmire, to commit the County of Muskegon to the Veterans Memorial Park Enhancement Grant project as presented totaling up to \$973,000 in project costs and to commit up to a \$12,000 financial contribution from the County of Muskegon towards the project from the Public Improvement fund if other funding sources are not secured, with the project commitment subject to grant funding and other identified funding sources and that a County of Muskegon commitment letter be authorized accordingly for inclusion in the grant application package.

It was moved by Derezinski, supported by Mahoney, to suspend the rules to allow Mr. Lupe Alviar, Veteran's Advisory Council member, to speak on the topic and this Motion.

Motion carried.

Mr. Lupe Alviar discussed the Veteran's Memorial Park project.

Ways and Means Committee Meeting
Minutes
April 5, 2012

- WM12/04 – 47 (Continued)
- It was moved by Engle, Supported by Plummer to return to regular session. Motion carried.
Original Motion carried.
- WM12/04 – 48 It was moved by Derezinski, supported by Longmire, to continue collection of the local 9-1-1 surcharge at \$0.34 as approved by Michigan Public Service Commission U-15489 for the time period July 1, 2012 to June 30, 2013, and to provide proper notification of this to the State 9-1-1 Committee.
- It was moved by Plummer, supported by Mahoney, to suspend the rules to allow Mr. David McCastle, Muskegon Central Dispatch Director, to speak on the topic of this Motion. Motion carried.
- Mr. David McCastle discussed the 9-1-1 surcharge.
- It was moved by Engle, Supported by Plummer to return to regular session. Motion carried.
Original Motion carried.
- WM12/04 – 49 It was moved by Derezinski, supported by Plummer to authorize the Muskegon County Department of Employment and Training to apply for the USDOL Employment and Training Administration Grant to serve young adult ex-offenders through training and service learning. Motion carried.
- WM12/04 – 50 It was moved by Engle, supported by Snider, to request that Muskegon County issue a Request for Proposals for actuarial services for the preparation of the Muskegon County OPEB valuation, calculated as of December 31, 2011. Motion carried.
- WM12/04 – 51 It was moved by Engle, supported by Wilkins, to approve Bulletin #9 costs for the Hall of Justice renovation project (RFB-10-1739) with the exception of item #14 for a total cost not-to-exceed \$68,967 with costs being paid from the Hall of Justice renovation project fund 4130-4131. Motion carried.

Ways and Means Committee Meeting
Minutes
April 5, 2012

OLD BUSINESS

None.

NEW BUSINESS

None.

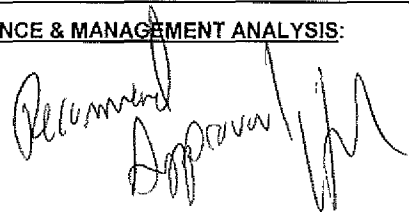
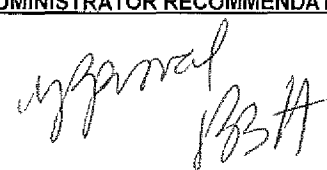
PUBLIC COMMENT/NEW TOPIC

None.


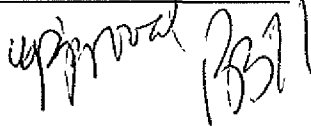
ADJOURNMENT

There being no further business to come before the Ways & Means Committee, the meeting adjourned at 4:03 p.m.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT Administration	COMMITTEE DATE April 17, 2012	REQUESTOR SIGNATURE Bonnie Hammersley		
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 \$3,105,850.91 covering the period of March 31, 2012 through April 10, 2012, as presented by the County Clerk.				
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: 4/17/12	AGENDA NO: WM12/04-52	BOARD DATE: 4/24/12	PAGE NO	

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED	NON-BUDGETED x	PARTIALLY BUDGETED
REQUESTING DEPARTMENT Administration	COMMITTEE DATE April 17, 2012	REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is requested to authorize the Chairman of the County Board of Commissioners to enter into and sign a Memorandum of Understanding between Muskegon County, the City of Muskegon Heights and the City of Muskegon, as the fiscal agent for the (Edward Byrne Memorial Justice Assistance Grant (JAG). The JAG program allows local governments to support a broad range of activities to prevent and control crime based on their own local needs and conditions. The Bureau of Justice Statistics calculates an allocation based on each jurisdiction's share of total violent crime reported within the State and defines an area for such funds. The Cities of Muskegon and Muskegon Heights and Muskegon County are designated funds via a disparate allocation. The allocation as defined by the Bureau of Justice Assistance for the 2012 year is: County of Muskegon \$ 0"; City of Muskegon -\$28,513; City of Muskegon Heights \$17,561. A signed Memorandum of Understanding stipulating the allocation of funding as well as the designation of a fiscal agent must be signed by all jurisdictions in the disparate allocation area whether funding is allocated to a jurisdiction or not.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to authorize the Chairman of the County Board of Commissioners to enter into and sign the Memorandum of Understanding between Muskegon County, and the Cities of Muskegon and Muskegon Heights for the submission of the JAG grant by the City of Muskegon.</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 - T. Williams				
AGENDA DATE: 4/17/12	AGENDA NO. WM 10/04-53	BOARD DATE: 4/24/12	PAGE NO.	

**MEMORANDUM OF UNDERSTANDING
THE CITY OF MUSKEGON
THE COUNTY OF MUSKEGON
THE CITY OF MUSKEGON HEIGHTS**

**FY 2012 JUSTICE ASSISTANCE GRANT (JAG) PROGRAM AWARD
Regular Funding/Local Solicitation**

This Agreement is made and entered into on the 24th day of April, 2012, by and between the County of Muskegon, acting by and through its governing body, the Board of County Commissioners, located at 990 Terrace Street, Muskegon, Michigan 49442 and the City of Muskegon, acting by and through its governing body, the City Commission, located at 933 Terrace Street, Muskegon, Michigan 49443-0536, and the City of Muskegon Heights, acting by and through its governing body, the City Council, located at 2724 Peck Street, Muskegon Hts., MI 49444, all of Muskegon County, State of Michigan, witnesseth:

WHEREAS, the CITY OF MUSKEGON has agreed to serve as the applicant/fiscal agent for the joint funds under the: Justice Assistance Grant(Local Solicitation) as the Bureau of Justice Assistance has designated the allocation to the law enforcement communities in Muskegon County as a disparate allocation; and

WHEREAS, each governing body, in performing governmental functions or in paying for the performance of governmental functions, hereunder, shall make that performance or those payments from current revenues legally available to that party; and

WHEREAS, each governing body find that the performance of this Agreement is in the best interest of all parties, that the undertaking will benefit the public, and that the division of costs fairly compensates the performing party for the services or functions under this Agreement; and

WHEREAS, the breakdown of allocated funding agreed upon by those entities involved in the disparate funding is \$ 28,513 to the CITY OF MUSKEGON and \$ 17,561 to the CITY OF MUSKEGON HEIGHTS; and

WHEREAS, the CITY OF MUSKEGON, CITY OF MUSKEGON HEIGHTS and COUNTY OF MUSKEGON believe it to be in their best interests to allocate the JAG funds as specified in this Agreement.

NOW THEREFORE, THE COUNTY OF MUSKEGON, CITY OF MUSKEGON AND CITY OF MUSKEGON HEIGHTS agree as follows:

AGREEMENT

1. THE CITY OF MUSKEGON will act as the fiscal agent/applicant agency.
2. The total eligible joint allocation for the disparate jurisdictions of \$ 46,074 will be allocated as follows: COUNTY OF MUSKEGON - \$ 0; CITY OF MUSKEGON - \$28,513; CITY OF MUSKEGON HEIGHTS - \$ 17,561
3. Each municipality will be responsible for its actions in the use of any equipment purchased under this Agreement and the fiscal agent shall not be liable for any civil liability that may arise from the purchase of the use of the equipment.
4. The CITY OF MUSKEGON HEIGHTS will be responsible for submitting quarterly reports to the CITY OF MUSKEGON by the third day of the month following the quarter in the reporting fashion required by the CITY OF MUSKEGON and for any month in which an expenditure under the grant has occurred the CITY OF MUSKEGON HEIGHTS will submit a reimbursement request to the CITY OF MUSKEGON by the third day of the following month along with backup documentation such as invoices.
5. The CITY OF MUSKEGON HEIGHTS will be responsible for the accuracy of all data submitted to the CITY OF MUSKEGON for submission to the Bureau of Justice

Programs and will be liable for penalties as a result of submitting the data late and for any inaccurate data.

6. Nothing in the performance of this Agreement shall impose any liability for claims against the CITY OF MUSKEGON passing from this program or from the CITY OF MUSKEGON HEIGHT's expenditure of the JAG funds.
7. By entering into this Agreement, the parties do not intent to create any obligations, express or implied, other than those set out herein. Further, this Agreement shall not create any rights in any party not a signatory hereto.

COUNTY OF MUSKEGON

Dated: _____, 2012

By: _____
Kenneth Mahoney, Chairman
County Board of Commissioners

CITY OF MUSKEGON

Dated: _____, 2012

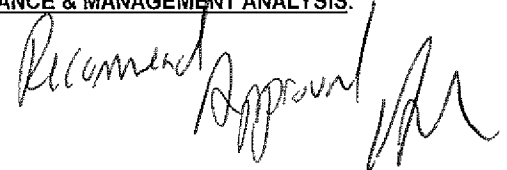
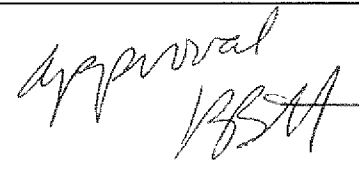
By: _____
Steve Warmington, Mayor

CITY OF MUSKEGON HEIGHTS

Dated: _____, 2012

By: _____
Darrell Paige, Mayor

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means	BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT Administration	COMMITTEE DATE 4/20/12	REQUESTOR SIGNATURE	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
Attached is a revised Freedom of Information Act Policy & Procedure Guide, the last revision was March 25, 2008. Revisions include updating the fee schedule, clarifying the process for denials and appeals and informing Corporate Counsel of requests from attorneys.			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
Move to approved the revised Freedom of Information Act Policy & Procedure Guide as presented.			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
<u>HUMAN RESOURCES ANALYSIS</u>	<u>FINANCE & MANAGEMENT ANALYSIS:</u> 		
<u>CORPORATE COUNSEL ANALYSIS:</u> Concur - T. Williams	<u>ADMINISTRATOR RECOMMENDATION:</u> 		
AGENDA DATE: 4/17/12	AGENDA NO: WMA/12/PT/54	BOARD DATE: 4/24/12	PAGE NO

MUSKEGON COUNTY

MICHIGAN

FREEDOM OF
INFORMATION ACT

Policy & Procedure Guide

Adopted by: The Muskegon County
Board of Commissioners
October 26, 1999
Revised Edition: March 25, 2008
Revised Edition: April 24, 2012

The Michigan Freedom of Information Act (FOIA) requires that public bodies grant full and complete access to information regarding the affairs of their operations. This Act provides for public access to certain records; permits certain fees; prescribes the powers and duties of certain public officers; and provides remedies, penalties and repeals to certain acts and parts of acts.

The Freedom of Information Act is designed to implement a strong state policy that all records maintained by government, unless exempted, are to be made available to the public upon request.

As a public body, the County of Muskegon is required to assure that all persons (except those incarcerated in state or local correctional facilities) are entitled to full and complete information if the procedures of the Act are followed. Information covered under the FOIA include business transactions and paperwork maintained, received and generated as part of the governmental unit.

The purpose of this policy is to:

- ◆ Assure compliance with the Freedom of Information Act by all County of Muskegon Departments and Offices as required and permitted by statutes.
- ◆ Formulate a comprehensive policy that will be applicable County-wide regarding the dissemination of information pursuant to the Freedom of Information Act (MCL.14.231 et. Sec.) (Public Act 553 of 1996), as amended.
- ◆ Communicate to County elected officials, department heads, employees, and the public the formal County Policy on Freedom of Information requests.

I. RECEIVE THE REQUEST

1. FOIA Officer - The County Administrator, or her designee, is the designated FOIA Officer with authorization by the Muskegon County Board of Commissioners to accept and process requests for public records and to approve denials under this act.
2. Routine FOIA requests for departmental information may be received and processed by the proper County Departments and/or offices. The FOIA Officer shall be notified of any extraordinary requests prior to processing. (Extraordinary examples: a large volume of material, information requested covers many years, and may require considerable staff/computer time, etc.). Requests for departmental information that is furnished to the general public through normal operations should not be treated as a FOIA request. This includes information readily available on the county and/or department website, pamphlets, loose-leaf publications, and other printed materials (e.g. reports) produced for public information and disclosure. In addition, departmental guidelines, manuals and forms, adopted or used by the agency in the discharge of its functions should also be made available without a FOIA request.
3. All denials under this act must be authorized by the FOIA Officer and must cite the reason for denial.
4. Requests under the Freedom of Information Act must meet the following requirements:
 - a. All FOIA requests must be submitted in writing. If you require assistance with writing or translating, please contact the FOIA Officer. Individuals can submit their requests in letter format or complete and return a Request for Information form (FOIA #010) attached and also available on the County Board of Commissioners' website at www.co.muskegon.mi.us/board. Requests received by facsimile, electronic mail or other electronic means are considered received the first business day following the transmittal.
 - b. The requested information must be identifiable. The written request should describe the public record sufficiently to enable the public body to find the public record.
 - c. The requested document and/or information must exist.
 - d. The requested records should NOT be exempt from disclosure under the Act as referenced in FOIA 15.243, Section 13 (see attachment).
 - e. The FOIA request can be a single (one-time) request or a renewable subscription request (information disseminated on a regular basis for up to six months).

- f. Prisoners in state, county or federal correctional facilities are not entitled to make requests.
5. All requests received from attorneys will be forwarded to Corporate Counsel for information, and if deemed necessary, for action.

II. RESPOND TO THE REQUEST

1. The County Department or Office shall **determine the scope of the FOIA request** (e.g. the time required to search for, examine, separate/delete exempt information, and/or copy the requested records).
2. The County of Muskegon may charge fees for reproducing requested records in accordance with Section 4 of the FOIA.
 - a. The County Department or Office should use the established FOIA fees as outlined in the attached fee schedule to **estimate the cost of providing the requested information.**
 - b. The first \$20 of a fee shall be waived for a person who receives public assistance or presents facts showing inability to pay because of indigency.
 - c. The FOIA Officer shall periodically review and recommend FOIA fee adjustments to the Muskegon County Board of Commissioners. Approved fees shall be communicated to all Departments and Elected Offices of the County.
3. In accordance with the Act (Reference 15.235, Section 5.2): Unless otherwise agreed to in writing by the person making the request, the County Department or Office (public body) shall **respond to the FOIA request within 5 business days** on the FOIA Policy Response Form #011 (attached and available on the Board's intranet page), by doing one of the following:
 - a. Process and grant the request.
 - b. Issue a written notice to deny the request.
 - c. Grant the request in part and issue a written notice to deny the request in part.
 - d. Under unusual circumstances (See FOIA 15.232, Section 2.g), issue a notice to extend the response period by 10 business days.
 - e. If the cost of the request is expected to exceed \$50, issue a notice to the requestor to provide a 50% good faith deposit prior to processing the request.

III. RECORD THE REQUEST

1. Each Department or Office that processes FOIA information shall establish and maintain a **FOIA log** to track and record related details to verify the following:
 - a. Compliance with FOIA 15.233, Section 3.2 - A copy of all written FOIA requests for public records should be kept on file for no less than 1 year.
 - b. Compliance with FOIA 15.235, Section 5.2 - A public body shall respond to a request for a public record within 5 business days after its receipt.
 - c. Compliance with FOIA 15.234, Section 4.3 - Fees shall be uniform and not dependent upon the identity of the requesting person.
2. The FOIA logs should identify the County of Muskegon Department or Office in its heading and should record (as a minimum) the following items:
 - a. Date Received
 - b. Brief Description of Request
 - c. Requesting Party
 - d. Date Responded
 - e. Response Type (granted, denied, partial, extension, deposit)
 - f. Fees Charged
 - g. Fees Collected
3. In addition to the log, the County Department or Office shall keep on file a time stamped copy of all requests and responses for a period of one (1) year following their issuance. The actual materials, information or records provided to the requestor should not be copied and filed if the documents are stored and accessible through normal operations.
4. FOIA logs, requests, responses and related information must be available for review by the FOIA Officer upon request.
5. The County of Muskegon Department or Office shall comply with the following FOIA related record retention responsibilities in accordance with 15.233, Section 3.3:
 - a. Furnish the requesting person a reasonable opportunity for inspection and examination of its public records and furnish reasonable facilities for making memoranda or abstracts from its public records during usual business hours.
 - b. Make reasonable rules necessary to protect its public records and to prevent excessive and unreasonable interference with the discharge of its functions.
 - c. Protect public records from loss, unauthorized alteration, mutilation, or destruction.

COUNTY OF MUSKEGON

FREEDOM OF INFORMATION ACT
FEE SCHEDULE

Effective: April 24, 2012

NOTE: This schedule **does not apply** to public records prepared by County Departments or Offices under an act or statute specifically authorizing the sale of those public records to the public **or** to fees that have been established and approved as part of the County Department or Office's operating revenue.

<u>Type of Reproduction</u>	<u>Cost</u>	<u>Unit</u>
Copies of a Document	\$.25	per page
Additional Copies of the Same Document	\$.10	per page
Labor cost incurred in duplication, examination, review, separation, deletion, etc.	\$3.57	per 10 minute unit
Postage charges	Actual	per mailing

Waivers

The first \$20 of the fee shall be waived for each request of an individual who submits an "Affidavit of Indigency" stating that they are receiving public assistance or facts showing inability to pay the full cost.

A waiver of fees will **not** be provided to an indigent person requesting additional copies of identical documents previously provided with a waiver of fees pursuant to a prior request under the FOIA.

Deposits

If the fee for the search and providing the public information exceeds \$50, a deposit of ½ the estimated fee is required.

Other

Fees must be paid in full prior to the actual delivery of the public information or copies.

The County department or office cannot refuse to process a subsequent FOIA request on the ground that the requestor failed to pay fees charged for a prior FOIA request.

1. Hourly wage of the lowest paid departmental employee capable of retrieving the information necessary to comply with the request. The rate listed was calculated using the hourly wage (step 1) of a Clerk II plus 90% fringes (\$11.26 + 90% = \$21.40) prorated in 10 minute units

FREEDOM OF INFORMATION ACT

NOTICE OF RIGHT TO APPEAL

After notification of a denial of a Freedom of Information Act request, the requesting party has the right to undertake either of the following actions to appeal the decision:

1. Submit to the Chairperson of the Muskegon County Board of Commissioners a written appeal that specifically states the word "appeal" and identifies the reasons for the reversal of the disclosure denial to:

Attn: County Board Chairperson
c/o County Administrator
990 Terrace Street, 4th Floor
Muskegon, MI 49442

The Chairperson of the Board is not considered to have received written appeal until the first regularly scheduled Board meeting following submission of the written appeal.

The Chairperson of the Board shall, within 10 days after receiving written appeal, do one of the following:

Reverse the denial.

Issue written notice upholding the denial.

Reverse the denial in part and issue written notice upholding denial in part.

Under unusual circumstances, issue notice extending for not more than 10 business days the period during which the head of the public body shall respond to written appeal.

2. Seek judicial review under Section 10 of the FOIA.

The requesting party also has the right to receive attorney's fees and damages as provided in Section 10 of the FOIA if, after judicial review, the Circuit Court determines that the public body has not complied with this Section and orders disclosure of all or portions of the public record.

MUSKEGON COUNTY
MICHIGAN

REQUEST FOR INFORMATION
(FOIA Form #010)

Date:

County Department or Office Request Submitted to:

Requestor Information:

Name _____

Address _____

City _____

State/Zip _____

Telephone _____

E-Mail/Fax _____

Please print a brief description of information desired:*

The County may respond with an estimated fee or other appropriate response.
--See Fee Schedule on Reverse--

Requestor's Acknowledgment:

- I hereby request a copy of the above information and agree to pay the charges. If the fee exceeds \$50, a deposit of 1/2 of the estimated fee will be required before response.
- I hereby request the above information, claim to be indigent** and request a waiver of the first \$20 of the above charges.

Requestor's Signature

*If you require assistance with writing or translating, please contact the FOIA Officer, Administrator's Office, 990 Terrace Street, Muskegon, MI 49442.

**Persons claiming to be indigent must submit an "Affidavit of Indigency" stating that they are receiving public assistance or facts showing inability to pay the full cost.

MUSKEGON COUNTY
M I C H I G A N

990 Terrace Street, Muskegon, MI 49442

FREEDOM OF INFORMATION ACT RESPONSE

To: _____

You requested: _____
Brief description of request

From: _____
County Department or Office request submitted to

The response to your request is as follows:

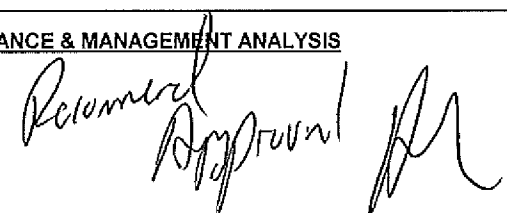
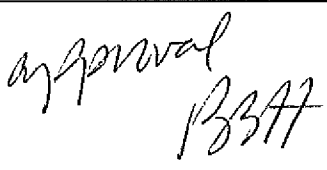
- Granted as indicated below:**
- Copies of the requested records are attached.
 - You may obtain copies of the requested records by first paying a fee of \$_____.
 - You may inspect the requested records at this office on _____ at the time of _____. You may copy or order copies of those records after inspection.
- Denied as explained below:**
- This is a certification that the records you requested do not exist under the name given or by another name reasonably known to this public body. Please see reverse for an explanation of your right to appeal this decision.
- Partial** A certain portion of your request was denied. Please review the checked box under the denied response for an explanation. Review the checked box under the granted response for the cost of the information that was granted.
- Extension** Due to unusual circumstances, this public body requires an additional ten (10) business days to respond to your request.
- Deposit** Because the cost of the requested records will exceed \$50, a good faith deposit in the amount of \$_____ (½ the total estimated cost) is required in order for the County to process your request.
- Exempt** The records you requested are exempt for the reason given: _____
Please see reverse for an explanation of your right to appeal this decision.

MCLA 15.240. (1) If a public body makes a final determination to deny a request or a portion thereof, the requesting person may commence an action in the circuit court to compel disclosure of the public records. If the court determines that the public records are not exempt from disclosure, the court shall order the public body to cease withholding or to produce a public record or a portion thereof wrongfully withheld, regardless of the location of the public record. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. . . Failure to comply with an order of the court may be punished as contempt of court. . . (4) If a person asserting the right to inspect or to receive a copy of a public record or a portion thereof prevails in an action commenced pursuant to this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person prevails in part, the court may in its discretion award reasonable attorneys' fees, costs, and disbursements or an appropriate portion thereof. . . (5) In an action commenced pursuant to this section, if the circuit court finds that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public records, the court shall, in addition to any actual or compensatory damages, award punitive damages in the amount of \$500.00 to the person seeking the right to inspect or receive a copy of a public record. . .



Approved by: _____

Date: _____

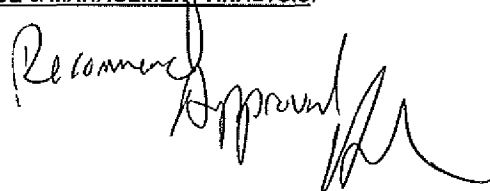

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means	BUDGETED NON-BUDGETED PARTIALLY BUDGETED X		
REQUESTING DEPARTMENT Equalization	COMMITTEE DATE 04/17/2012	REQUESTOR SIGNATURE Donna VanderVries	
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>The Muskegon County Equalization Department has established the various tentative valuations of each of the units of Government in Muskegon County; each of the seven cities and sixteen townships have had the opportunity to review the equalizing factors with the Equalization Department; and this Board of Commissioners feels that these tentative valuations are in order.</p> <p>Therefore, be it resolved that the Muskegon County Board of Commissioners adopts the 2012 Equalization Report as prepared by the Muskegon County Equalization Department for Muskegon County in accordance with Sec 211.34 MCL 1948 as amended.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
I move to approve the resolution establishing the 2012 equalized valuation for Muskegon County as determined and submitted by the Muskegon County Equalization Department.			
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: 4/17/12	AGENDA NO.: WM12/04-55	BOARD DATE: 4/24/12	PAGE NO

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED <input type="checkbox"/>	NON-BUDGETED <input type="checkbox"/>	PARTIALLY BUDGETED <input type="checkbox"/>
REQUESTING DEPARTMENT Human Resources		COMMITTEE DATE April 17, 2012		REQUESTOR SIGNATURE Deborah Groeneveld
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Currently, in the event of risk management related vehicle damage, a department is required to obtain three (3) repair quotes. Depending on the extent and nature of the damage, this can prove to be time consuming and challenging. We are requesting authorization to seek proposals, from qualified contractors, to establish a preferred vendor list. Contractors will quote an hourly rate pricing schedule, warranty periods, cycle times, and the like. Once established, departments will be allowed to utilize any vehicle repair vendor based on location, ability to repair, etc as long as the vendor is on the preferred vendor listing.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to allow Human Resources to seek proposals for risk management related vehicle damage in order to establish a preferred vendor listing.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u>		
Recommend Approval - Deborah Groeneveld		<p style="text-align: center;"> <i>Recommend Approval</i>  </p>		
<u>CORPORATE COUNSEL ANALYSIS:</u>		<u>ADMINISTRATOR RECOMMENDATION:</u>		
		<p style="text-align: center;"> <i>approval</i>  </p>		
AGENDA DATE: 4/17/12	AGENDA NO: Wm12/0456	BOARD DATE: 4/24/12	PAGE NO.	

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 Human Resources	COMMITTEE DATE April 17, 2012	REQUESTOR SIGNATURE Deborah Groeneveld
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)		
Request authorization to bid a Professional Liability insurance policy to cover CMH psychiatrists. This coverage is currently acquired by the individual psychiatrist and reimbursed by CMH. The cost of this professional liability policy will be paid by Community Mental Health.		
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)		
I move to allow Human Resources to bid a Professional Liability insurance policy to cover CMH psychiatrists.		
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)		
<u>HUMAN RESOURCES ANALYSIS:</u> Recommend Approval - Deborah Groeneveld	<u>FINANCE & MANAGEMENT ANALYSIS:</u> 	
<u>CORPORATE COUNSEL ANALYSIS:</u>	<u>ADMINISTRATOR RECOMMENDATION:</u> 	
AGENDA DATE: 4/17/12 AGENDA NO: wmi12/0457 BOARD DATE: 4/24/12 PAGE NO.		