

MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN
AGENDA

WAYS AND MEANS

Hall of Justice
990 Terrace, Muskegon, MI 49442
October 4, 2012 - 3:30 p.m.

Lewis Collins, Chair
Scott Plummer, Vice-Chair

-
1. Call to Order
 2. Roll Call
 3. Approval of Minutes
 - A. Regular Session of September 20, 2012
 - B. Closed Session of September 20, 2012
 4. Public Comment (on an agenda item)
 5. Items for Consideration
 - WM12/10 – 130 (Administration) Approve Accounts Payable
 - WM12/10 – 131 (Administration) Appoint the County Administrator to the Board of the West Michigan Economic Partnership Authority and Grants Coordinator as Alternate
 - WM12/10 – 132 (Administration) Approved the Revised Muskegon County Board Contribution Policy, No. 2011-12
 - WM12/10 – 133 (Administration) Authorize the Chairman of the County Board of Commissioners to Sign the Fair Housing Contracts with the Cities of Muskegon, Norton Shores, Muskegon Heights and the Fair Housing Center of West Michigan
 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
September 20, 2012
3:30 p.m.
Whitehall Township Hall
7644 Durham Road
Whitehall, MI

Lewis Collins, Chair

Scott Plummer, Vice-Chair

MINUTES

CALL TO ORDER

The meeting was called to order by Commissioner Collins at 3:47 p.m.

ROLL CALL

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

Excused: Alan Jager

APPROVAL OF MINUTES

It was moved by Plummer, supported by Wilkins, to approve the minutes of the September 6, 2012, meeting as written. Motion carried.

PUBLIC COMMENT/AGENDA ITEM

None.

ITEMS FOR CONSIDERATION

WM12/09 - 120 It was moved by Engle, supported by Wilkins, to approve the payment of the accounts payable of \$7,028,496.16 covering the period of August 31, 2012 through September 14, 2012 as presented by the County Clerk. Motion carried.

WM12/09 – 121 It was moved by Plummer, supported by Mahoney, to extend the County's exemption from the requirements of Section 8 of the Publicly Funded Health Insurance Contribution Act (State of Michigan Public Act 152 of 2011), for an additional year through the end of fiscal year 2013; and that 15 percent of the medical benefit plan's premium

equivalent amount shall be deducted from compensation due to each covered employee and elected public official; and that authorization by the employee or elected public official for the County to make the deduction shall be a condition for eligibility for the medical benefit plan. Motion carried.

WM12/09 - 122 It was moved by Mahoney, supported by Engle, to adopt the Resolution initiating Public Act 423 for the 2013 fiscal year and authorize the Board Chair to sign. Motion carried.

WM12/09 - 123 It was moved by Engle, supported by Cross, to accept the three Healthcorp members through the Muskegon County Health Project to assist the Public Health Department in several activities to reduce the high rates of sexually transmitted diseases in Muskegon County and to pay the Health Project the \$25,500 for the stipends of the three Healthcorp workers and to authorize the Chairman of the County Board of Commissioners to sign any agreements, contingent upon the Board of Commissioner's approval of the FY2013 budget. Motion carried.

WM12/09 – 124 It was moved by Plummer, supported by Snider, to award treatment service bids to West Michigan Therapy and Mercy Health Partners Life Counseling and to authorize the County Board Chairman to sign the contracts for the services not to exceed \$144,000. Motion carried.

WM12/09 – 125 It was moved by Engle, supported by Longmire, to amend the current adopted FY2012 budget as presented. Motion carried.

WM12/09 – 126 It was moved by Cross, supported by Plummer, to adopt the FY2013 County of Muskegon Appropriation Ordinance including the Budget Amendments and including the adoption of the associated FY2013 position changes, FY2013 Equipment Items and FY2013 Capital Projects, which collectively represent the implementation of the County of Muskegon's FY2013 Operating Budget. Motion carried.

WM12/09 – 127 It was moved by Engle, supported by Derezinski, to authorize the solicitation of bids for the renewal of Workers' Compensation excess insurance. Motion carried.

WM12/09 – 128 It was moved by Plummer, supported by Cross, to accept the funds from the Homeland Security Department under the Port Security Grant Program (CFDA 97.056) in the amount of \$305,000 with a 25%

County match of \$101,667 and to authorize the Chairman of the County Board of Commissioners to execute any grant agreements, contingent upon the Board of Commissioner's approval of the 2013 budget. Motion carried.

OLD BUSINESS

None.

NEW BUSINESS

WM12/09 – 129 It was moved by Mahoney, supported by Derezsinski, to change the meeting date of the County of Muskegon Board of Commissioners Full Board meeting from Tuesday, September 25, 2012 to Thursday, September 27, 2012, 3:30 PM. Motion carried.

PUBLIC COMMENT/NEW TOPIC

None.

CLOSED SESSION

It was moved by Derezsinski, supported by Longmire, to proceed into closed session for the purpose of collective bargaining negotiations.

ROLL CALL:

AYES: Collins, Cross, Derezsinski, Engle, Longmire, Mahoney, Plummer, Scolnik, Snider, Wilkins

EXCUSED: Jager Motion carried.

The Muskegon County Ways & Means Committee went into closed session at 3:58 p.m. and returned to open session at 4:10 p.m.

ADJOURNMENT

There being no further business to come before the Ways & Means Committee, the meeting adjourned at 4:11 p.m.

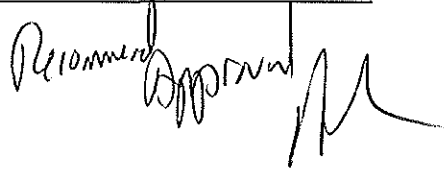
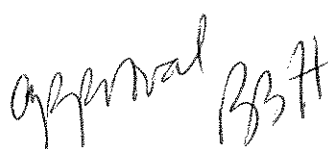
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Administration	COMMITTEE DATE October 4, 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 \$8,251,255.41 covering the period of September 15, 2012 through September 28, 2012, as presented by the County Clerk.			
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)			
HUMAN RESOURCES ANALYSIS:	FINANCE & MANAGEMENT ANALYSIS: <i>Recommend Approval [Signature]</i>		
CORPORATE COUNSEL ANALYSIS:	ADMINISTRATOR RECOMMENDATION: <i>approval [Signature]</i>		
AGENDA DATE: 10/4/12	AGENDA NO.: Wm12/10-130	BOARD DATE: 10/16/12	PAGE NO.

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED x	NON-BUDGETED	PARTIALLY BUDGETED
REQUESTING DEPARTMENT Administration	COMMITTEE DATE October 4, 2012	REQUESTOR SIGNATURE Judith Kell		
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to appoint the Muskegon County Administrator as the Board member representing Muskegon County to the West Michigan Economic Partnership Authority and the Muskegon County Grants Coordinator as the alternate. The Authority is an entity for Kent and Muskegon Counties established under the New Michigan Development Corporation statute. The purpose of the Authority is to create effective and efficient economic development programs in the two counties using specific incentives stipulated in the legislation. The County Board of Commissioners approved the Inter Local Agreement establishing the Authority in April, 2012. The Michigan Strategic Fund approved the West Michigan Economic Partnership Authority on August 22, 2012. Board members need to be appointed to create the infrastructure of the organization in order to be able to offer the various economic incentives to attract new businesses to our communities. It should be noted, that any tax incentive requests must be approved by the County as well as the local jurisdiction in which the company is locating. The County of Muskegon has been represented on the work committee for the last year that created the corporation and is currently a member of the By-Laws Sub-Committee.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
<p>I move to appoint the Muskegon County Administrator as the Board member representing Muskegon County to the West Michigan Economic Partnership Authority and the Muskegon County Grants Coordinator as the alternate.</p>				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u> <i>Recommend Approval JK</i>		
<u>CORPORATE COUNSEL ANALYSIS:</u> Concur T. Williams		<u>ADMINISTRATOR RECOMMENDATION:</u> <i>approved BSH</i>		
AGENDA DATE: <i>10/4/12</i>	AGENDA NO.: <i>WM12/10-131</i>	BOARD DATE: <i>10/16/12</i>	PAGE NO.	

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways & Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED	
REQUESTING DEPARTMENT Administration		COMMITTEE DATE October 4, 2012	REQUESTOR SIGNATURE
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)			
<p>On January 4, 2011, the Muskegon County Board of Commissioners approved the County Board Contribution Policy (Policy No. 2011-12). This request is to amend that Policy to incorporate the Board approved Muskegon County Convention & Visitors Bureau Tourism Event Marketing Program, under Section III Tourism C and D (please see attached). The revised policy will note requests for funds regarding tourism will follow the Muskegon County Convention and Visitors Bureau Tourism Event Marketing Program.</p>			
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)			
<p>To approve the revised Muskegon County Board Contribution Policy, No. 2011-12.</p>			
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: 10/4/12	AGENDA NO.: Wm12/10-132	BOARD DATE: 10/16/12	PAGE NO.

MUSKEGON COUNTY BOARD OF COMMISSIONERS

COUNTY BOARD CONTRIBUTION POLICY

POLICY NO. 2011-12

APPROVAL DATE: JANUARY 4, 2011

I. POLICY

It is the general policy of the County Board of Commissioners that Muskegon County will not provide funds for community events, as money collected by the County is taxpayer money intended for County governmental purposes only. While there are many worthy causes to which County money could be allocated, the County Board of Commissioners will only appropriate funds for purposes that are authorized by Michigan statute. This policy is intended to define the permitted purposes and procedures required for the County to allocate funds to any community public purpose. If a request for County funds does not adhere to this policy, the County Board of Commissioners will not appropriate funds for any request.

All recipients of funds will be required to submit an application and execute a contract with the County of Muskegon. Recipient shall also be required to report to the County Board of Commissioners regarding its activities and the degree to which the recipient has met the stated public purpose of the funding. The report may be either presented at a Board meeting or in writing, at the Board's discretion.

Any organization requesting and receiving funds shall provide to the County Board an accounting of the use of any funds received under this policy. The timing of this accounting shall be specified in the resolution authorizing the appropriation.

Generally, funds will only be approved for statutorily authorized purposes, which include, but are not limited to:

- A. Economic Development
- B. Promotion of Tourism
- C. Contributions Specifically Authorized by Statute

II. ECONOMIC DEVELOPMENT

A. Economic Development Grants From Federal or State Governments

1. The County may grant or loan funds derived from a federal or state grant or the proceeds of such a grant, that have been received by the County for the purposes of economic development, to a city, village, township, corporation or other business association or private person, unless the grant or loan is prohibited by the terms of the state or federal grant. These funds may only be appropriated for the purpose of encouraging and assisting businesses to locate and expand within the county.
2. These funds may only be derived from a grant, not from the County general fund.
3. A grant under this section may only be made after a public hearing of the County Board. The public shall be given the opportunity for comment on a grant at the public hearing.

B. Economic Development Grants From the County

1. The County may provide grants or loans to a city, village or township within Muskegon County for the purpose of encouraging and assisting businesses to locate and expand within the County.
2. A grant under this section may not be derived from ad valorem taxes unless it is from ad valorem taxes approved by a vote of the people for economic development.
3. Any other grant by the County Board for economic development shall designate the fund from which the grant or loan is derived.
4. A grant may be made by the County Board only after a public hearing, with the opportunity for public comment.
5. An applicant for a grant or a loan shall be required to complete an application on a form approved by the Board. The application shall be reviewed at the public hearing.

III. TOURISM

- A. The County Board may appropriate funds from the accommodations tax for the purpose of promotion and encouragement of tourist and convention business in the County. No ad valorem tax revenues may be used for this purpose.
- B. Funds derived from the accommodations tax granted by the County Board may only be used for the promotion and encouragement of tourist and convention business in the County including but not limited to, advertising and marketing.
- C. Any request for funds under this section shall requires an ~~application in a form approved by the County Board.~~ following the Muskegon County Convention and Visitors Bureau Tourism Event Marketing Program.
- D. ~~Approval of an application under this section shall be at a public hearing, with opportunity for public comment.~~

IV. SPECIFIED STATUTORY AUTHORIZATION

In some cases, there are specific statutes which authorize the expenditure of general fund revenue on community events. If an organization is relying on a specific statute in connection with its request, the specific statute should be identified as part of its request.

- A. Statutory Grant or Loan
 - 1. The County may provide a grant or loan when specifically authorized by statute.
 - 2. An organization seeking a grant or loan under this subsection must identify the authorizing statute.
 - 3. Any request for funds under this section shall require an application in a form approved by the County Board.
 - 4. Approval of an application under this section shall be at a public hearing, with opportunity for public comment.

V. PROCEDURE

In order for any organization or local unit to receive funds from the County of Muskegon, they must comply with the procedure shown below.

- A. All requests for contributions, grants or loans from the County of Muskegon, must be submitted on an application form provided by the County at least forty-five (45) days prior to the date the funds will be needed, in order to allow for staff review and a public hearing.
- B. After the application is reviewed and if it is recommended by staff, a public hearing will be scheduled at a meeting of the Muskegon County Ways and Means Committee.

VI. TERM

This Policy shall expire on the date of the Muskegon County Board of Commissioners' Organizational Meeting held on odd numbered years.

CERTIFICATION:

Motion by I. John Snider, second by Lewis Collins, to adopt the foregoing policy at the organizational meeting of the Muskegon County Board of Commissioners held January 4, 2011 at 3:30 PM.

Voice Vote - Motion carried.

I, Nancy A. Waters, Clerk of Muskegon County, State of Michigan, do hereby certify that the above is a true and correct copy of a policy adopted by the Muskegon County Board of Commissioners at the January 4, 2011 organizational meeting, in testimony whereof, I have hereunto set my hand and affixed the seal of my office this day of _____.

Nancy A. Waters, County Clerk

APPLICATION FOR GRANT, LOAN OR CONTRIBUTION
FROM THE MUSKEGON COUNTY BOARD OF COMMISSIONERS
PER POLICY NO. 2011-12

1. Name and address of organization

2. State the nature of your organization (municipality, non-profit corporation, or other)

3. State the purpose of your organization. In support of that purpose, please attach a copy of your organization's bylaws, if applicable.

4. Please describe in detail the intended purpose of the funds that your organization is requesting.

5. Please describe in detail the public purpose of the activity your organization intends to fund with the grant, loan or contribution from the County of Muskegon.

6. Please describe in detail in what ways, if any, the funds requested by your organization will encourage or assist business in locating or expanding within Muskegon County, if applicable.

~~7. Please describe in what ways the funds requested by your organization will promote tourism in the County of Muskegon.~~

Application for Grant, Loan or Contribution
Page 2 of 2

7. Is this expenditure authorized by a specific statute? _____ If so, please cite the applicable statute.

Date: _____

Submitted By: _____

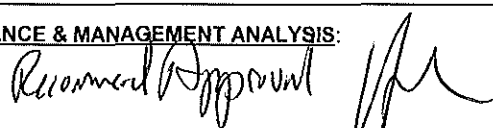

Printed Name: _____

Title: _____

Telephone: _____

E-Mail Address: _____

REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE Ways and Means		BUDGETED NON-BUDGETED PARTIALLY BUDGETED X		
REQUESTING DEPARTMENT Administration		COMMITTEE DATE October 4, 2012		REQUESTOR SIGNATURE Judith Kell
SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)				
<p>Approval is being requested to authorize the Chairman of the County Board of Commissioners to sign the Fair Housing Contract with the Cities of Muskegon, Norton Shores, Muskegon Heights and the Fair Housing Center of West Michigan for fair housing services and to utilize \$6,500 from the NSP 3 administrative funds (\$107,100) for the County of Muskegon's share of the contract costs. The County of Muskegon was awarded funds from the Department of Housing and Urban Development for the Neighborhood Stabilization Program 3, the Supportive Housing and PATH programs for Community Mental Health. The Department of Housing and Urban Development has many fair housing requirements related to investigations, testing, education and outreach to which the County of Muskegon must adhere as a recipient of HUD funds. In addition, the County of Muskegon received a Community Development Block Grant (CDBG) allocation through the Michigan State Housing Development Authority and the same fair housing requirements apply.</p> <p>The Cities of Muskegon, Norton Shores and Muskegon Heights are entitlement communities for Community Development Block Grant funds. As recipients of CDBG funds, these municipalities must also adhere to the fair housing requirements. Rather than each municipality entering into a separate and more costly agreement, the Cities and the County can enter into one agreement with the Fair Housing Center of West Michigan to provide the required services for each of the municipalities at a reduced cost.</p>				
SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)				
I move to authorize the Chairman of the County Board of Commissioners to sign the Fair Housing Contract with the Cities of Muskegon, Norton Shores, Muskegon Heights and the Fair Housing Center of West Michigan for fair housing services and to utilize \$6,500 from the NSP 3 administrative Funds for the County of Muskegon's share of the contract costs.				
ADMINISTRATIVE ANALYSIS (AS APPLICABLE)				
<u>HUMAN RESOURCES ANALYSIS:</u>		<u>FINANCE & MANAGEMENT ANALYSIS:</u> 		
Concur T. Williams		<u>ADMINISTRATOR RECOMMENDATION:</u> 		
AGENDA DATE: AGENDA NO.: BOARD DATE: PAGE NO.				
10/4/12	Wm12/10-133	10/16/12		

FAIR HOUSING SERVICES AGREEMENT

Cities of Muskegon, Muskegon Heights, and Norton Shores and County of Muskegon and Fair Housing Center of West Michigan

This Agreement is effective as of this 1st day of October, 2012, by and between the **City of Muskegon**, a Michigan municipal corporation with its principal offices located at 933 Terrace Street, Muskegon MI, 49443; the **City of Muskegon Heights**, a Michigan municipal corporation with its principal offices located at 2424 Peck Street, Muskegon Heights, MI 49444; the **City of Norton Shores**, a Michigan municipal corporation with its principal offices located at 4814 Henry Street, Norton Shores, MI 49441 (City of Muskegon, City of Muskegon Heights and City of Norton Shores are hereinafter the “Cities”); the **County of Muskegon** (hereinafter the “County”), a Michigan municipal corporation with its principal offices located at 990 Terrace Avenue, Muskegon, MI 49442; and the **Fair Housing Center of West Michigan** (hereinafter the “FHCWM”), a Michigan non-profit corporation with its principal offices located at 20 Hall Street SE, Grand Rapids, MI 49507.

I. AGREEMENT OUTCOMES

The purpose of this Agreement is to decrease impediments to housing choice and to promote open, diverse communities by way of the provision of fair housing services based on the Fair Housing Act, 42 USC §3601 et.seg

II. AGREEMENT ACTIVITIES AND DEFINITIONS

A. General Activities

- i. Education and Outreach. The FHCWM will conduct a community outreach program throughout the County and the Cities to educate housing consumers, professionals and the general public concerning fair housing. As part of a comprehensive, regional program, the FHCWM will disseminate fair housing information to housing consumers, and housing/human service agencies in order to educate them about housing rights, and to increase awareness and reporting of discriminatory practices. The FHCWM will also provide fair housing information to sales, rental, and lending professionals in order to encourage their voluntary compliance with federal, state and local fair housing laws. The FHCWM will disseminate materials on a community-wide basis in order to promote understanding of fair housing and the benefits thereof, and to increase general public awareness regarding equal access to housing opportunity. Such services will include the provision of formal fair housing training upon request. The FHCWM shall also provide technical assistance to the staff of the Cities and the County in response to any and all questions regarding unlawful housing discrimination or fair housing practices. The FHCWM will complete a minimum of 15 hours of education and outreach activities throughout the County and the Cities.

- ii. Complaint Investigation. The FHCWM shall receive, review, investigate and process all complaints of unlawful housing discrimination involving people and/or properties located within the Cities or the County which the FHCWM may receive from residents of any of the Cities or the County, a person wishing to reside in any of the Cities or the County, or any other source during the term of this Agreement. In the absence of an individual complainant, the FHCWM will initiate enforcement action in those cases where evidence of potential discrimination exists, as deemed necessary and appropriate at the sole discretion of the FHCWM.

- B. Housing Tests within the Cities. The FHCWM shall conduct a minimum of seven (7) fair housing tests (at least one (1) per City) involving people and/or property within any of the Cities in order to investigate compliance with fair housing laws in the areas of sales, rental, advertising, insurance, appraisal and/or financing. The fair housing tests shall be based upon bona fide complaints or conducted on a survey basis, with a focus on complaint-based testing. All housing testing will be conducted by trained testers according to generally-accepted housing testing methodology. In the absence of an individual complaint, the FHCWM will initiate enforcement action in those cases where evidence of potential discrimination exists, as deemed necessary and appropriate at the sole discretion of the FHCWM.

- C. Housing Tests within the County. The FHCWM shall conduct a minimum of six (6) fair housing tests involving people and/or property within the County in order to investigate compliance with fair housing laws in the areas of sales, rental, advertising, insurance, appraisal and/or financing. The fair housing tests shall be based upon bona fide complaints or conducted on a survey basis, with a focus on complaint based testing. All housing testing will be conducted by trained testers according to generally-accepted housing testing methodology. In the absence of an individual complaint, the FHCWM may initiate enforcement in those cases where evidence of potential discrimination exists, as deemed necessary and appropriate at the sole discretion of the FHCWM.

III. MONITORING REPORTS

The FHCWM shall provide the County with program performance reports which contain information regarding the activities carried out and the results of those activities. Reports shall be submitted bi-annually, within 30 days after the conclusion of each six-month reporting period. The County will forward the reports to each of the Cities by April 30, 2013 and October 31, 2013. The complaint and testing activities will be reported by municipality.

IV. COMPENSATION AND METHOD OF PAYMENT

A. For the performance of the activities under this Agreement, the Cities and the County hereby agree to pay the FHCWM the amount of \$15,000.00 (fifteen thousand dollars) following the table below:

Municipality	Approx. Population	Percentage of total	Financial Responsibility
City of Muskegon	40,000	31%	\$4,675
City of Norton Shores	22,000	17%	\$2,635
City of Muskegon Heights	10,000	9%	\$1,190
County of Muskegon	172,000	43%	\$6,500
TOTALS		100%	\$15,000

B. The Cities and the County shall pay the FHCWM the amount of \$15,000.00 (fifteen thousand dollars) in two (2) bi-annual installments of \$7,500.00 (seven thousand five hundred dollars).

- i. The FHCWM shall submit an invoice to the County in the amount of \$7,500.00 (seven thousand five hundred dollars) with each of its two (2) reports required by this Agreement. Each invoice will be payable within 30 days of its date of issue.
- ii. If payment is not made by one or more of the Cities or the County, the County shall immediately notify the FHCWM in writing of the reason for nonpayment, services will immediately cease, and the FHCWM will be reimbursed for work completed under the terms of the contract up to the date of said notification.

V. CONFIDENTIALITY

The Parties agree that by virtue of entering into this Agreement, they will have access to certain confidential information regarding each other's operations related to this project. All Parties agree that they will not at any time disclose confidential information and/or material without the consent of that Party unless such disclosure is authorized by this Agreement or required by law. Unauthorized disclosure of confidential information shall be considered a material breach of this agreement. This provision shall be subject to the provisions of the Freedom of Information Act.

VI. NONDISCRIMINATION

There shall be no discrimination of any Individual on account of race, color, creed, religion, sex, marital status, weight, age, handicap, ancestry, national origin and any other statutorily protected class.

VII. TERM

This Agreement will begin October 1, 2012, and will continue until September 30, 2013.

Any Party may terminate their participation with this Agreement for any reason by giving the other Parties ninety (90) days prior written notice. If a Party provides such written notice of termination, prior to the expiration of said ninety (90) day period the remaining Parties retain the right to amend the Agreement to continue services; else, the effective date of termination by one Party will serve as the effective date of the termination of the Agreement.

VIII. SEVERABILITY

In the event any provision of this Agreement shall be found to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect the validity, legality and enforceability of the remainder of the Agreement.

IX. AMENDMENTS

This Agreement may be amended only with the mutual written consent of the Parties.

XI. ADDITIONAL REQUIREMENTS

The FHCWM will act as an independent contractor and the contract cannot be assigned. The FHCWM will indemnify the Cities and the County and will add the governmental units identified in the contract as an additional insured. The FHCWM at the time of the execution of the contract will provide to the County of Muskegon a copy of their insurance coverage and limits. The insurance coverage shall include but not be limited to general liability, no fault automobile insurance and workers compensation insurance.

XII. CERTIFICATION OF AUTHORITY TO SIGN AGREEMENT

The persons signing this Agreement on behalf of the Cities, County and FHCWM hereto certify by said signatures that they are duly authorized to sign this Agreement.

XIII. APPROVAL AND SIGNATURES

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

CITY OF MUSKEGON

By: _____
Steve Gawron, Mayor

Date: _____

CITY OF MUSKEGON HEIGHTS

By: _____
Darrel Paige, Mayor

Date: _____

CITY OF NORTON SHORES

By: _____
Gary Nelund, Mayor

Date: _____

COUNTY OF MUSKEGON

By: _____
Kenneth Mahoney, Chairman,
Muskegon County Board of Commissioners

Date: _____

FAIR HOUSING CENTER OF WEST MICHIGAN

By: _____
Nancy Haynes, Executive Director

Date: _____