

Muskegon County
Board of Commissioners
Hall of Justice, 990 Terrace, 4th Floor
Muskegon, MI 49442

Terry J. Sabo, Chairman
Marvin Engle
Susie Hughes
Jeff Lohman
Kenneth Mahoney

Benjamin E. Cross, Vice Chair
Charles Nash
Robert Scolnik
Rillastine R. Wilkins

Board Minutes may be found on the web at <http://co.muskegon.mi.us/clerk>

Regular Meeting

Tuesday, May 12, 2015
2:00 p.m.

Chairman Sabo, Presiding

The Full Board of Commissioners was called to order by Chairman Sabo.

The invocation was given by Chairman Sabo. The Pledge of Allegiance was led by Commissioner Mahoney and recited in unison.

Roll Call

Present: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Terry J. Sabo, Rillastine Wilkins

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Also Present: Mark E. Eisenbarth, County Administrator,
Marcia L. Wilkes, Chief Deputy County Clerk
Jeanne Pezet, Deputy Clerk,
Susan Franklin, Corporate Counsel

2015-179 **APPROVAL OF THE AGENDA**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve the agenda, with addition to the Administrator's Report.

Voice vote

Motion Carried

2015-180 **APPROVE THE MINUTES OF APRIL 28, 2015**

Moved by Commissioner Cross, seconded by Commissioner Engle, to approve the meeting minutes of April 28, 2015, with one correction to item 2015-177 to say "Chairman Sabo reminded . . .".

Voice vote

Motion Carried

PUBLIC COMMENT (on an agenda item)

There was no public comment on an agenda item.

COMMUNICATIONS

There were no communication items to come before the Board.

COMMITTEE/BOARD REPORTS

2015-181 **AUTHORIZE THE ELIMINATION OF ONE (1) LEGAL SECRETARY POSITION (AN OPEN POSITION), SPECIFICALLY G49011, AND APPROVE THE RECLASSIFICATION OF THE TWO (2) REMAINING LEGAL SECRETARY BARGAINING POSITIONS, SPECIFICALLY, G49003 AND G49005, AND THE TWO (2) CIRCUIT COURT LEGAL & SCHEDULING SECRETARY NON-BARGAINING POSITIONS, SPECIFICALLY, N15011 AND N15012, THAT ARE ALL PART OF THE FAMILY COURT, INTO A NEW CLASSIFICATION OF FOUR (4) FAMILY COURT ADMINISTRATIVE ASSISTANT BARGAINING POSITIONS WITH A SALARY GRADE OF GU-00235 (\$15.84 - \$21.05/HOUR)**

CPS15/05-13

The Courts and Public Safety Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to authorize the elimination of one (1) Legal Secretary position (an open position), specifically G49011, and approve the reclassification of the two (2) remaining Legal Secretary bargaining positions, specifically, G49003 and G49005, and the two (2) Circuit Court Legal & Scheduling Secretary non-bargaining positions, specifically, N15011 and N15012, that are all part of the Family Court, into a new classification of four (4) Family Court Administrative Assistant bargaining positions with a salary grade of GU-00235 (\$15.84 - \$21.05/hour).

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-182 **ADOPT THE BY-LAWS OF THE MUSKEGON COUNTY PUBLIC HEALTH ADVISORY COMMITTEE, THUS CREATING A "SPECIAL COMMITTEE" AUTHORIZED BY THE MUSKEGON COUNTY BOARD OF COMMISSIONERS TO ADVOCATE AND ADVISE ON PUBLIC HEALTH MATTERS**

HS15/05-14

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Engle, to adopt the By-Laws of the Muskegon County Public Health Advisory Committee, thus creating a "special committee" authorized by the Muskegon County Board of Commissioners to advocate and advise on public health matters.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-183 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$13,521,081.12 COVERING THE PERIOD OF APRIL 4, 2015 THROUGH APRIL 24, 2015, AS PRESENTED BY THE COUNTY CLERK**

WM15/05-48

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve payment of the accounts payable of \$13,521,081.12 covering the period of April 4, 2015 through April 24, 2015, as presented by the County Clerk.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-184 **DEVELOP A REQUEST FOR PROPOSALS FOR CONCEPT DESIGN SERVICES FOR POTENTIAL DEVELOPMENT OF A DOWNTOWN MUSKEGON CONVENTION CENTER, SITED IN CLOSE PROXIMITY TO THE WALKER ARENA AND THE LARGEST DOWNTOWN HOTEL, WITH A COST NOT TO EXCEED \$40,000 AND WITH FUNDING AVAILABLE THROUGH THE ACCOMMODATIONS TAX RESERVE FUND**

WM15/05-49

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to develop a Request for Proposals for Concept Design Services for potential development of a downtown Muskegon convention center, sited in close proximity to the Walker Arena and the largest downtown hotel, with a cost not to exceed \$40,000 and with funding available through the Accommodations Tax Reserve Fund.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-185 **APPROVE THE PAYMENT OF STATE AWARDS GRANTED TO AREA EMPLOYERS UNDER THE SKILLED TRADES TRAINING FUND PROGRAM AS OUTLINED ON THE ATTACHED SCHEDULE TO CONTINUE FOR THE TIME PERIOD FROM OCTOBER 1, 2014 THROUGH SEPTEMBER 30, 2015**

WM15/05-50

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve the payment of state awards granted to area employers under the Skilled Trades Training Fund program as outlined on the attached schedule to continue for the time period from October 1, 2014 through September 30, 2015.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-186 **APPROVE THE HUMAN RESOURCES DEPARTMENT REORGANIZATION EFFORTS TO RECLASSIFY VACANT POSITION X42901 TO A HUMAN RESOURCES MANAGER NX-00330, RECLASSIFY VACANT POSITION N39701 TO A RECRUITMENT COORDINATOR NO-00250 AND RE-TITLE POSITION X42801 TO A HUMAN RESOURCES MANAGER FOR AN OVERALL REORGANIZATION NET SAVINGS OF \$39,880**

WM15/05-51

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve the Human Resources Department reorganization efforts to reclassify vacant position X42901 to a Human Resources Manager NX-00330, reclassify vacant position N39701 to a Recruitment Coordinator NO-00250 and re-title position X42801 to a Human Resources Manager for an overall reorganization net savings of \$39,880.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-187 **AWARD RFB 15-2160 FOR OFFICE FURNITURE AND INSTALLATION TO INTERPHASE OFFICE INTERIORS - \$8,237.19; KENTWOOD OFFICE FURNITURE - \$12,873.14; AND TAYLOR OFFICE FURNITURE - \$7,768.07 AS SUBMITTED**

WM15/ 05-52

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to award RFB 15-2160 for Office Furniture and Installation to Interphase Office Interiors - \$8,237.19; Kentwood Office Furniture - \$12,873.14; and Taylor Office Furniture - \$7,768.07 as submitted.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-188 **AWARD RFB 15-2161 FOR DETENTION FURNITURE AND INSTALLATION TO NORIX GROUP, INC., AT THE TOTAL COST OF \$7,574.00 AS SUBMITTED**

WM15/05-53

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to award RFB 15-2161 for Detention Furniture and Installation to Norix Group, Inc., at the total cost of \$7,574.00 as submitted.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-189 **AWARD RFB 15-2164 FOR DETENTION SUPPLIES BE AWARDED TO CHARM-TEX - \$21,033.10; CORRECTIONAL TECHNOLOGIES, INC. - \$15,120.00; CPR SAVERS & FIRST AID SUPPLY - \$39,492.82 AND UNIFORMS MANUFACTURING, INC. - \$8,736.34 AS SUBMITTED**

WM15/05-54

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to award RFB 15-2164 for Detention Supplies be awarded to Charm-Tex - \$21,033.10; Correctional Technologies, Inc. - \$15,120.00; CPR Savers & First Aid Supply - \$39,492.82 and Uniforms Manufacturing, Inc. - \$8,736.34 as submitted.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-190 **AWARD RFB 15-2167 FOR NETWORK EQUIPMENT TO MICRO WISE, INC. AT A TOTAL COST OF \$39,064.00 AS SUBMITTED**

WM15/05-55

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to award RFB 15-2167 for Network Equipment to Micro Wise, Inc. at a total cost of \$39,064.00 as submitted.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-191 **APPROVE MUSKEGON COUNTY HOUSING PROGRAMS TO OBTAIN LEAD INSPECTIONS FROM ETC AND AAA LEAD INSPECTIONS AS NEEDED TO MEET PROGRAM REQUIREMENTS AND AS FUNDING ALLOWS**

WM15/05-56

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve Muskegon County Housing programs to obtain lead inspections from ETC and AAA Lead Inspections as needed to meet program requirements and as funding allows.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-192 **APPROVE THE FOLLOWING BALLOT LANGUAGE AND TO SUBMIT IT TO THE COUNTY CLERK FOR PLACEMENT ON THE AUGUST 4, 2015 BALLOT: "SHALL THE TOTAL CONSTITUTIONAL TAX RATE LIMITATION IN THE COUNTY OF MUSKEGON BE RENEWED THE AMOUNT OF UP TO .30 CENTS (\$.30) PER ONE THOUSAND DOLLARS (\$1,000) (.30 MILL) AGAINST ALL TAXABLE PROPERTY IN THE COUNTY OF MUSKEGON FOR A PERIOD OF 7 YEARS BEGINNING WITH DECEMBER 1, 2016 LEVY AND ENDING WITH THE DECEMBER 1, 2022 LEVY SO AS TO PROVIDE FUNDING FOR THE OPERATION OF THE "9-1-1" CENTRAL DISPATCH? IF APPROVED AND LEVIED IN ITS ENTIRETY ON DECEMBER 1, 2016, THIS MILLAGE WOULD RAISE AN ESTIMATED \$1,250,000 IN THE FIRST YEAR."**

WM15/05-57

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve the following ballot language and to submit it to the County Clerk for placement on the August 4, 2015 ballot: "Shall the total constitutional tax rate limitation in the County of Muskegon be renewed the amount of up to .30 cents (\$.30) per one thousand dollars (\$1,000) (.30 mill) against all taxable property in the County of Muskegon for a period of 7 years beginning with December 1, 2016 levy and ending with the December 1, 2022 levy so as to provide funding for the operation of the "9-1-1" Central Dispatch? If approved and levied in its entirety on December 1, 2016, this millage would raise an estimated \$1,250,000 in the first year."

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-193 **APPROVE THE PATHWAY EASEMENT FOR DALTON TOWNSHIP ACROSS PARTS OF THE NW 1/4 OF THE SW 1/4 OF SECTION 32, T11N, R16W, DALTON TOWNSHIP FOR THE CONSTRUCTION AND MAINTENANCE OF THE NON-MOTORIZED VEHICLE AND PEDESTRIAN PATHWAY, MORE COMMONLY KNOWN AS THE FRED MEIJER BERRY JUNCTION TRAIL, AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE EASEMENT DOCUMENT**

WM15/05-58

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve the Pathway Easement for Dalton Township across parts of the NW 1/4 of the SW 1/4 of Section 32, T11N, R16W, Dalton Township for the construction and maintenance of the non-motorized vehicle and pedestrian pathway, more commonly known as the Fred Meijer Berry Junction Trail, and authorize the Board Chair to execute the easement document.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-194 **APPROVE THE UPDATED DECLARATION OF RESTRICTIVE COVENANT DOCUMENTS, MDEQ REFERENCE NUMBERS RC-SF-201-14-009, RC-SF-201-010 AND RC-SF-201-011 ASSOCIATED WITH THE FORMER CHEMICAL COMPANY PROPERTY AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE DOCUMENTS**

WM15/05-59

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve the updated Declaration of Restrictive Covenant documents, MDEQ reference numbers RC-SF-201-14-009, RC-SF-201-010 and RC-SF-201-011 associated with the former chemical company property and authorize the Board Chair to execute the documents.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-195 **CHANGE THE TIME OF THE FULL BOARD MEETING OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS ON TUESDAY, MAY 12TH FROM 4:00 P.M. TO 2:00 P.M. WITH NO CHANGE IN LOCATION**

WM15/05-60

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to change the time of the Full Board meeting of the Muskegon County Board of Commissioners on Tuesday, May 12th from 4:00 p.m. to 2:00 p.m. with no change in location.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

2015-196 **APPROVE CORPORATE COUNSEL SETTLEMENT RECOMMENDATION**

WM15/05-61

The Ways and Means Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Cross, to approve Corporate Counsel settlement recommendation.

Roll Call:

Yes: Benjamin Cross, Marvin Engle, Susie Hughes, Kenneth Mahoney, Rillastine Wilkins, Terry J. Sabo

No: None

Excused: Jeff Lohman, Charles Nash, Robert Scolnik

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2015-197 **APPOINT LISA STAFFORD TO THE PRIVATE SECTOR SLOT OF THE WORKFORCE DEVELOPMENT BOARD WITH TERM EXPIRATION OF 12/31/2017**

The Chairman recommends, moved by Commissioner Engle, seconded by Commissioner Wilkins, to appoint Lisa Stafford to the Private Sector Slot of the Workforce Development Board with term expiration of 12/31/2017.

Voice vote

Motion Carried

Chairman Sabo announced that the Fraternal Order of Police Memorial Service will be held on Thursday, May 14th, at 5:30 p.m. at Heritage Landing

Chairman Sabo noted the Upcoming Work Session on Thursday, May 21st will cover Sustainability with a presentation by our County's Sustainability Coordinator, Sara Damm.

ADMINISTRATOR'S REPORT

2015-198 **AUTHORIZE THE SHERIFF'S DEPARTMENT TO SUBMIT AN APPLICATION TO THE DEPARTMENT OF HOMELAND SECURITY, FEDERAL EMERGENCY MANAGEMENT ASSISTANCE 2015 PORT SECURITY GRANT PROGRAM**

The Administrator recommends, moved by Commissioner Hughes, seconded by Commissioner Wilkins, to authorize the Sheriff's Department to submit an application to the Department of Homeland Security, Federal Emergency Management Assistance 2015 Port Security Grant program.

Commissioner Cross asked what will be purchased with this grant.

Undersheriff Dan Stout noted there is no guarantee that Muskegon County will be awarded the grant but there are several projects including training, Port projects, partnership equipment purchases with City of Norton Shores and City of Muskegon and possible purchase of bomb dog for Muskegon County.

Chairman Sabo asked why this did not go to Committee before coming to the Full Board?

Undersheriff Stout noted there was a brief window of opportunity of three weeks to meet with City of Norton Shores and City of Muskegon to get the grant together.

Administrator Eisenbarth noted that if the grant is awarded to Muskegon County, any purchases would come back to the Board for approval.

Voice vote

Motion Carried

OLD BUSINESS

There was no old business to come before the Board.

NEW BUSINESS

There was no new business to come before the Board.

PUBLIC COMMENT

Kent Davies of Red Five IT addressed the Board regarding an article in the Daily American Republic regarding a promissory note between former County Administrator Heath Kaplan and ISI. Mr. Davies noted he has long suspected conflict of interest in Kaplan's support and hiring of ISI and asked the County to investigate past contracts.

Chairman Sabo announced that the Work Session will begin at 2:30 p.m. today regarding the Winter Sports Complex.

2015-199 **MOVED BY COMMISSIONER HUGHES, SECONDED BY COMMISSIONER WILKINS, TO ADJOURN**

Voice vote

Motion Carried

Meeting adjourned at 2:16 p.m.

Marcia L. Wilkes, Chief Deputy County Clerk

MLW/jmp

Preliminary Minutes
To be approved at the Full Board Meeting on Thursday, May 21, 2015