

**Muskegon County  
Board of Commissioners**  
Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442

*Benjamin E. Cross, Chairman  
Marvin Engle  
Gary Foster  
Susie Hughes  
Kenneth Mahoney*

*Charles Nash, Vice Chair  
Robert Scolnik  
I. John Snider II  
Rillastine R. Wilkins*

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

**Full Board Meeting**

Tuesday, September 12, 2017  
3:30 p.m.

Chair Benjamin E. Cross, Presiding

The Full Board of Commissioners meeting was called to order by Chairman Cross. The invocation was given by Keith Sandison from Calvary Church, Muskegon. The Pledge of Allegiance was led by Chairman Cross and recited in unison.

**Roll Call**

Present: Benjamin E. Cross, Marvin Engle, Susie Hughes,  
Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II,  
Rillastine R. Wilkins

Excused: Gary Foster (Arrived at 3:32 p.m.)

Also Present: Mark Eisenbarth, County Administrator  
Marcia L. Wilkes, Chief Deputy County Clerk  
Brooke VanHouten, Deputy County Clerk  
Doug Hughes, Corporate Counsel

2017-324 **APPROVAL OF THE AGENDA**

Moved by Commissioner Snider, seconded by Commissioner Mahoney, to approve the agenda.

Voice vote **Motion Carried**

Commissioner Foster arrived at 3:32 p.m.

2017-325 **APPROVE THE MINUTES OF THE FULL BOARD MEETING OF TUESDAY,  
AUGUST 22, 2017**

Moved by Commissioner Engle, seconded by Commissioner Wilkins, to approve the minutes of the Full Board meeting of Tuesday, August 22, 2017.

Voice vote **Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

There was no public comment.

## **COMMUNICATIONS**

- A. County of Leelanau: Resolution #2017-005 to Support to Maintain the Required Funding of the Northwest Michigan Horticultural Research Station Located in Leelanau County to Assist the Eradication of the Spotted Wing Drosophila
- B. Genesee County Board: Opposition to Slashing Federal Funding for the Great Lakes Restoration Initiative

## **COMMITTEE/BOARD REPORTS**

2017-326 **AWARD CONTRACTS TO JAMES GREEN, MICHAEL LOWERY AND LISA MORNINGSTAR AND TO RENEW THE CONTRACTS FOR JULIE SANDERSON AND JASON THEILBAR AS SURVEILLANCE OFFICERS FOR THE 60<sup>TH</sup> DISTRICT COURT SOBRIETY AND VETERAN'S COURT; AND AUTHORIZE THE CHAIRMAN OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS TO SIGN SAID CONTRACTS**

CPS17/09-42

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to award contracts to James Green, Michael Lowery and Lisa Morningstar and to renew the contracts for Julie Sanderson and Jason Theilbar as Surveillance Officers for the 60<sup>th</sup> District Court Sobriety and Veteran's Court; and authorize the Chairman of the Muskegon County Board of Commissioners to sign said contracts.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-327 **AUTHORIZE THE PUBLIC DEFENDER'S OFFICE TO ENTER INTO CONTRACTS WITH SIX PRIVATE PRACTICE ATTORNEYS TO REPRESENT PARENTS AND CHILDREN ON NEGLECT/ABUSE AND DELINQUENCY CASES IN FAMILY COURT FOR THE 2017-2018 FISCAL YEAR BEGINNING ON OCTOBER 1, 2017 AND ENDING ON SEPTEMBER 30, 2018**

CPS17/09-43

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Engle, to authorize the Public Defender's Office to enter into contracts with six private practice attorneys to represent parents and children on neglect/abuse and delinquency cases in Family Court for the 2017-2018 fiscal year beginning on October 1, 2017 and ending on September 30, 2018. No vote was taken on motion 2017-327.

2017-328 **AUTHORIZE THE PUBLIC DEFENDER'S OFFICE TO ENTER INTO CONTRACTS WITH SIX PRIVATE PRACTICE ATTORNEYS TO REPRESENT PARENTS AND CHILDREN ON NEGLECT/ABUSE AND DELINQUENCY CASES IN FAMILY COURT FOR THE 2017-2018 FISCAL YEAR BEGINNING ON OCTOBER 1, 2017 AND ENDING ON SEPTEMBER 30, 2018; THREE CONTRACTS FOR \$27,000 EACH AND THREE CONTRACTS FOR \$20,000 EACH FOR A TOTAL CONTRACT EXPENDITURE OF \$141,000 WITH GUARDIAN AD LITEM CONTRACTS WITH ATTORNEYS JENNY ROACH, ASHLEY SIEGEL, AND BELINDA BARBIER AND SECONDARY PARENT CONTRACTS WITH ATTORNEYS DAVID KORTERING, ED WASIURA, AND MANDI MARTINI**

Administrator Eisenbarth recommends, moved by Commissioner Nash, seconded by Commissioner Mahoney, to amend the previous motion to authorize the Public Defender's Office to enter into contracts with six private practice attorneys to represent parents and children on neglect/abuse and delinquency cases in Family Court for the 2017-2018 fiscal year beginning on October 1, 2017 and ending on September 30, 2018; three contracts for \$27,000 each and three contracts for \$20,000 each for a total contract expenditure of \$141,000 with Guardian Ad Litem contracts with attorneys Jenny Roach, Ashley Siegel, and Belinda Barbier and secondary parent contracts with attorneys David Kortering, Ed Wasiura, and Mandi Martini.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-329 **AMEND THE MENTAL HEALTH FY2017 BUDGET PROPOSED TO THE COUNTY OF MUSKEGON FROM \$63,719,650 UP TO \$64,801,150 FOR BOTH REVENUES AND EXPENDITURES**

HS17/09-24

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to amend the Mental Health FY2017 Budget proposed to the County of Muskegon from \$63,719,650 up to \$64,801,150 for both revenues and expenditures.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-330 **APPROVE THE POSITION CHANGES AS OUTLINED ON THE POSITION CHANGES FOR FY2018 COUNTY BUDGET**

HS17/09-25

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve the position changes as outlined on the Position Changes for FY2018 County Budget.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-331 **AUTHORIZE PUBLIC HEALTH – MUSKEGON COUNTY TO AWARD THE WATER LABORATORY ANALYSIS CONTRACT TO TRACE ANALYTICAL LABORATORIES FOR THE PERIOD OF OCTOBER 1, 2017, THROUGH SEPTEMBER 30, 2018, WITH A ONE YEAR RENEWAL OPTION, WITH NO EFFECT ON COUNTY GENERAL FUND**

HS17/09-26

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize Public Health – Muskegon County to award the water laboratory analysis contract to Trace Analytical Laboratories for the period of October 1, 2017, through September 30, 2018, with a one year renewal option, with no effect on county general fund.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-332 **AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE AMENDED AGREEMENT WITH MDEQ TO INCREASE FUNDING FOR GREAT LAKES BEACH MONITORING TO \$73,021.33 WITH NO EFFECT ON COUNTY GENERAL FUND**

HS17/09-27

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Public Health Director to sign the amended agreement with MDEQ to increase funding for Great Lakes Beach Monitoring to \$73,021.33 with no effect on county general fund.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-333 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY17 BUDGETED REVENUES AND EXPENDITURES (FUND #2210) FROM \$5,945,271 TO \$5,865,540 (INCLUDING AN INCREASE IN GENERAL FUND APPROPRIATION FROM \$1,562,904 TO \$1,676,295) TO ADJUST FOR INCREASES IN FEDERAL AND STATE GRANTS AND TO REFLECT PROJECTED DECREASES IN FEES-FOR-SERVICES AND OTHER-MISCELLANEOUS GRANTS**

HS17/09-28

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to authorize the Public Health Department to amend its FY17 budgeted revenues and expenditures (Fund #2210) from \$5,945,271 to \$5,865,540 (including an increase in general fund appropriation from \$1,562,904 to \$1,676,295) to adjust for increases in federal and state grants and to reflect projected decreases in fees-for-services and other-miscellaneous grants.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-334 **APPROVE MOVE PHASE 1 FUNDING FOR MUSKEGON SENIOR MILLAGE FUNDING AWARDS TO AGEWELL SERVICES FOR CONGREGATE MEALS (\$100,068), ELDER ABUSE PREVENTION SERVICES (\$21,680), HOME DELIVERED MEALS (\$141,270); LEGAL AID OF WEST MICHIGAN FOR LEGAL SERVICES (\$12,500); AND AMERICAN RED CROSS FOR MEDICAL TRANSPORTATION SERVICES (\$23,750) FOR A TOTAL APPROPRIATION OF \$299,268 FOR THE PERIOD 7/1/17 THROUGH 9/30/18**

HS17/09-29

The Human Services Committee recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney, to approve Move Phase 1 funding for Muskegon Senior Millage Funding Awards to AgeWell Services for congregate meals (\$100,068), elder abuse prevention services (\$21,680), home delivered meals (\$141,270); Legal Aid of West Michigan for legal services (\$12,500); and American Red Cross for medical transportation services (\$23,750) for a total appropriation of \$299,268 for the period 7/1/17 through 9/30/18.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-335 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$8,817,335.06 COVERING THE PERIOD OF AUGUST 4, 2017, THROUGH AUGUST 24, 2017, FOR CHECKS AND JULY 1, 2017 THROUGH JULY 31, 2017 FOR P-CARD PAYMENTS, AS PRESENTED BY THE COUNTY CLERK**

WM17/09-107

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to approve payment of the accounts payable of \$8,817,335.06 covering the period of August 4, 2017, through August 24, 2017, for checks and July 1, 2017 through July 31, 2017 for P-Card payments, as presented by the County Clerk.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-336 **AMEND THE FY2017 BUDGET AS PRESENTED**

WM17/09-108

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to amend the FY2017 budget as presented.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-337 **AUTHORIZE A ONE-YEAR EXTENSION FOR THE SURVEYING AND REMONUMENTATION SERVICES TO MOORE & BRUGGINK, WESTSHORE CONSULTING AND DRISENGA & ASSOCIATES, INC., AT CURRENT SERVICE RATES, THROUGH SEPTEMBER 30, 2018**

WM17/09-109

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to authorize a one-year extension for the surveying and remonumentation services to Moore & Bruggink, Westshore Consulting and Driesenga & Associates, Inc., at current service rates, through September 30, 2018.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-338 **HIRE DLZ MICHIGAN TO PROVIDE CONCEPTUAL PLAN SERVICES FOR THE 6<sup>TH</sup> FLOOR RENOVATIONS AT THE HALL OF JUSTICE AND CORRESPONDING COST ESTIMATES PURSUANT TO COUNTY RFP 17-2261 FOR A COST NOT TO EXCEED \$24,960 TO BE PAID FROM THE PUBLIC IMPROVEMENT FUND (4930)**

WM17/09-110

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to hire DLZ Michigan to provide conceptual plan services for the 6<sup>th</sup> floor renovations at the Hall of Justice and corresponding cost estimates pursuant to County RFP 17-2261 for a cost not to exceed \$24,960 to be paid from the Public Improvement Fund (4930).

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-339 **APPROVE A RESOLUTION IN SUPPORT OF LOVE LIVES HERE COMMUNITY RALLY BEING HELD ON MONDAY, SEPTEMBER 11, 2017**

WM17/09-111

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to approve a Resolution in support of Love Lives Here community rally being held on Monday, September 11, 2017.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

2017-340 **APPROVE A RESOLUTION IN SUPPORT OF THE MT. ZION CHURCH OF GOD IN CHRIST FOR ITS 72 YEARS IN THE COMMUNITY**

WM17/09-112

The Ways and Means Committee recommends, moved by Commissioner Mahoney, seconded by Commissioner Engle, to approve a Resolution in support of the Mt. Zion Church of God in Christ for its 72 years in the community.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: None

**Motion Carried**

### **CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

Chairman Cross reminded everyone of the following upcoming events:

- A. Michigan Irish Music Festival will run Thursday, September 14th thru Sunday, September 17<sup>th</sup> at Heritage Landing. (<https://michiganirish.org/>)
- B. There will be a Star Gazing Open House on Saturday, September 16<sup>th</sup> at 7:30 p.m. at Muskegon County Wastewater Management System. (<http://visitmuskegon.org/event/star-gazing-open-house-4/>)

### 2017-341 **REQUEST RESOLUTION REGARDING ASIAN CARP INVASION**

Chairman Cross recommends, moved by Commissioner Hughes, seconded by Commissioner Mahoney to request a resolution regarding the Asian Carp Invasion.

Voice vote

**Motion Carried**

### **COMMITTEE LIAISONS' REPORTS**

- A. Commissioner Mahoney reported he and Commissioner Scolnik were at the Airport Advisory Committee meeting and discussion is taking place to add new flights to casinos from Muskegon to Atlantic City.
- B. Commissioner Hughes reported Commissioner Mahoney presented Muskegon County's resolution at the Love Lives Here Rally and was greatly received.

### **ADMINISTRATOR'S REPORT**

- A. Youth, Family & Community Millage Update – the City of Muskegon's meeting went well. Mailers will be going out soon. Commissioner Hughes reminded the elected officials that they cannot support the millage but can give out information.
- B. City of Muskegon: Amendment to the Downtown Development Plan and Tax Increment Financing Plan of the Muskegon Downtown Development Authority – Donna VanderVries, Equalization Director, and Jonathan Wilson, Economic Development Coordinator, presented on the City of Muskegon's plan.

There was much discussion from the Board.



2017-342 **EXPLORE A GAINS SHARING PROGRAM WITH THE CITY OF MUSKEGON INSTEAD OF SUPPORTING THE AMENDMENT TO THE DOWNTOWN DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN OF THE MUSKEGON DOWNTOWN DEVELOPMENT AUTHORITY**

Commissioner Snider moved, seconded by Commissioner Engle, to explore a gains sharing program with the City of Muskegon instead of supporting the Amendment to the Downtown Development Plan and Tax Increment Financing Plan of the Muskegon Downtown Development Authority.

2017-343 **TO OPT OUT OF THE AMENDMENT TO THE DOWNTOWN DEVELOPMENT PLAN AND TAX INCREMENT FINANCING PLAN OF THE MUSKEGON DOWNTOWN DEVELOPMENT AUTHORITY**

Commissioner Nash moved, seconded by Commissioner Hughes, to opt out of the Amendment to the Downtown Development Plan and Tax Increment Financing Plan of the Muskegon Downtown Development Authority. This motion died and no vote was taken.

A roll call vote was then taken on Motion 2017-342. The roll call vote is as follows:

Roll Call:

Yes: Marvin Engle, Gary Foster, Robert Scolnik, I. John Snider II, Rillastine R. Wilkins, Benjamin E. Cross

No: Hughes, Mahoney, Nash

**Motion Carried**

Administrator Eisenbarth will report back to the Board regarding the exploration of a gains sharing program.

**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**

Delores Cole asked the Commissioners for their support at the Unity Prayer Breakfast to be held at the Holiday Inn at 939 Third St. on Saturday, September 16 at 9 a.m. This event supports several community programs and the public is invited. Sponsored by Mt. Zion Church of God in Christ.

2017-344 **MOVED BY COMMISSIONER HUGHES, SECONDED BY COMMISSIONER  
MAHONEY, TO ADJOURN**

Voice vote.

**Motion Carried**

Meeting adjourned at 4:03 p.m.

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Marcia L. Wilkes, Chief Deputy County Clerk

MLW/bmv

To be approved at the Full Board Meeting on Thursday, September 21, 2017