

**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**

Thursday, September 21, 2017  
3:30 p.m.

Chair Benjamin E. Cross, Presiding

The Full Board of Commissioners meeting was called to order by Chairman Cross. A moment of silence was observed for the fallen police officer and the hurricane victims. The Pledge of Allegiance was led by Chairman Cross and recited in unison.

**Roll Call**

Present: Benjamin E. Cross, Marvin Engle, Gary Foster Susie Hughes,  
Charles Nash, Robert Scolnik, Rillastine R. Wilkins

Excused: Kenneth Mahoney, I. John Snider, II

Also Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Marcia L. Wilkes, Chief Deputy County Clerk  
Doug Hughes, Corporate Counsel

2017-345 **APPROVAL OF THE AGENDA**

Moved by Commissioner Engle, seconded by Commissioner Hughes, to approve the agenda.

Voice vote

**Motion Carried**

2017-346 **APPROVE THE MINUTES OF THE FULL BOARD MEETING OF TUESDAY,  
SEPTEMBER 12, 2017**

Moved by Commissioner Engle, seconded by Commissioner Wilkins, to approve the minutes of the Full Board meeting of Tuesday, September 12, 2017.

Voice vote

**Motion Carried**

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

Wanda Lee Suits, Republican Nominee to the Board of Canvassers, from Montague, introduced herself to the Board of Commissioners.

T. C. Nash, Democratic Nominee, introduced himself to the Board of Commissioners. He informed the Board that he is currently on the Board of Canvassers and is hoping for their support to continue on the Board of Canvassers.

Carol Carter, Democratic Nominee, introduced herself to the Board of Commissioners. She is running for a position on the Board of Canvassers and thanked Commissioners for considering her for this position.

Jason Colella, Republican Nominee, who is also running for the Board of Canvassers, stated that he would appreciate the Board of Commissioners' vote.

### **COMMUNICATIONS**

The following Communication was provided to Commissioner from Mecosta County:

2017-06: Resolution Urging Michigan Association of Counties to Consider Conference Costs when Siting Future Conferences

### **COMMITTEE/BOARD REPORTS**

2017-347      **APPROVE THE CERTIFICATES OF CONSISTENCY FOR THE LOCAL AGENCIES SUBMITTING FUNDS UNDER THE CONTINUUM OF CARE PROGRAM AND AUTHORIZE THE CHAIRMAN OF THE COUNTY BOARD OF COMMISSIONERS TO SIGN HUD FORM 2991, CERTIFICATE OF CONSISTENCY WITH THE MUSKEGON COUNTY 2017-2022 HOUSING AND COMMUNITY DEVELOPMENT PLAN**

CD/SP17/09-16

The Community Development and Strategic Planning Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Engel, to approve the Certificates of Consistency for the local agencies submitting funds under the Continuum of Care Program and authorize the Chairman of the County Board of Commissioners to sign HUD Form 2991, Certificate of Consistency with the Muskegon County 2017-2022 Housing and Community Development Plan.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

2017-348 **APPROVE THE LOCATION CHANGE OF THE BOARD OF COMMISSIONERS  
COMMUNITY DEVELOPMENT/STRATEGIC PLANNING COMMITTEE  
MEETING OF OCTOBER 19, 2017, TO WHITEHALL CITY HALL, 405 EAST  
COLBY, WHITEHALL, MICHIGAN**

CD/SP17/09-17

The Community Development and Strategic Planning Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Engel, to approve the location change of the Board of Commissioners Community Development/Strategic Planning Committee meeting of October 19, 2017, to Whitehall City Hall, 405 East Colby, Whitehall, Michigan.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-349 **APPROVE A RESOLUTION IN SUPPORT OF NEW JERUSALEM CHURCH  
FOR ITS 70<sup>TH</sup> ANNIVERSARY**

BPW-17-108

The Public Works Board recommends, moved by Commissioner Hughes, seconded by Commissioner Engle, to approve a Resolution in support of New Jerusalem Church for its 70th Anniversary.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-350 **APPROVE THE AIRPORT RATES AND FEES SCHEDULE FOR FISCAL  
YEAR 2018**

TR17/09-30

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve the Airport Rates and Fees Schedule for Fiscal Year 2018.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-351 **APPROVE CONTRACT #16-2236 YEAR 2 SCOPE OF SERVICES WITH MEAD & HUNT FOR AIR SERVICE CONSULTING SERVICES IN THE AMOUNT OF \$15,060.00**

TR17/09-31

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve Contract #16-2236 Year 2 Scope of Services with Mead & Hunt for Air Service Consulting services in the amount of \$15,060.00.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-352 **APPROVE THE LOCATION CHANGE OF THE BOARD OF COMMISSIONERS TRANSPORTATION COMMITTEE MEETING OF OCTOBER 19, 2017, TO WHITEHALL CITY HALL, 405 EAST COLBY, WHITEHALL, MICHIGAN**

TR17/09-32

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve the location change of the Board of Commissioners Transportation Committee meeting of October 19, 2017, to Whitehall City Hall, 405 East Colby, Whitehall, Michigan.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-353 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$7,814,960.01 COVERING THE PERIOD OF AUGUST 25, 2017, THROUGH AUGUST 31, 2017, FOR CHECKS AND AUGUST 1, 2017 THROUGH AUGUST 31, 2017 FOR EFT PAYMENTS, AS PRESENTED BY THE COUNTY CLERK**

WM17/09-111

The Ways and Means Committee recommends, moved by Commissioner Nash, seconded by Commissioner Engle, to approve payment of the accounts payable of \$7,814,960.01 covering the period of August 25, 2017, through August 31, 2017, for checks and August 1, 2017 through August 31, 2017 for EFT payments, as presented by the County Clerk.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-354 **ADOPT THE ATTACHED FY2018 COUNTY OF MUSKEGON APPROPRIATION ORDINANCE INCLUDING THE ATTACHED BUDGET AMENDMENTS, POSITION CHANGES, FY2018 EQUIPMENT ITEMS AND FY2018 CAPITAL PROJECTS, WHICH COLLECTIVELY REPRESENT THE IMPLEMENTATION OF THE COUNTY OF MUSKEGON'S FY2018 OPERATING BUDGET**

WM17/09-112

The Ways and Means Committee recommends, moved by Commissioner Nash, seconded by Commissioner Engle, to adopt the attached FY2018 County of Muskegon Appropriation Ordinance including the attached Budget Amendments, position changes, FY2018 Equipment Items and FY2018 Capital Projects, which collectively represent the implementation of the County of Muskegon's FY2018 Operating Budget.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-355 **APPROVE A LEASE AGREEMENT, EXPIRING ON SEPTEMBER 30, 2020, BETWEEN THE COUNTY AND FAMILY OUTREACH CENTER, AND TO AMEND LEASE AGREEMENT WITH CHERRY HEALTH**

WM17/09-113

The Ways and Means Committee recommends, moved by Commissioner Nash, seconded by Commissioner Engle, to approve a lease agreement, expiring on September 30, 2020, between the County and Family Outreach Center, and to amend lease agreement with Cherry Health.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-356 **APPROVE THE RECLASSIFICATION OF THREE CHILD SUPPORT SPECIALISTS (G19301, G19302, AND G19304) – PAY GRADE GU230 (\$15.74 - \$22.34/HOUR) TO FAMILY COURT SPECIALISTS – PAY GRADE GU250 (\$17.90 - \$25.22/HOUR), TO APPROVE THE MODIFICATION OF THE PREVIOUSLY APPROVED BOARD MOTION REGARDING THE PASS GRANT FUNDING SO THAT IT MATCHES THE APPROVED PASS GRANT BUDGET, AND TO FURTHER APPROVE THE FUNDING CHANGE FOR THE FAMILY COUNSELOR – X37001 FROM 100% 2150- 0142 TO 50% 2150-0142 AND 50% 2920-0152). THESE THREE REQUESTS WILL RESULT IN A TOTAL DECREASE IN GENERAL FUND SPENDING BY \$5,187.37**

WM17/09-114

The Ways and Means Committee recommends, moved by Commissioner Nash, seconded by Commissioner Engle, to approve the reclassification of three Child Support Specialists (G19301, G19302, and G19304) – Pay grade GU230 (\$15.74 - \$22.34/hour) to Family Court Specialists – Pay grade GU250 (\$17.90 - \$25.22/hour), to approve the modification of the previously approved board motion regarding the PASS Grant funding so that it matches the approved PASS grant budget, and to further approve the funding change for the Family Counselor – X37001 from 100% 2150- 0142 to 50% 2150-0142 and 50% 2920-0152). These three requests will result in a total decrease in General fund spending by \$5,187.37.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

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

2017-357 **APPOINTMENT OF MATT FARRAR, DIRECTOR OF PUBLIC WORKS, TO THE UNDESIGNATED SLOT ON THE BUILDING AUTHORITY FOR A TERM THROUGH 6/30/20.**

Chairman Cross recommends, moved by Commissioner Engle, seconded by Commissioner Hughes, to appoint Matt Farrar, Director of Public Works, to the undesignated slot on the Building Authority for a term through 6/30/20.

Voice vote

**Motion Carried**

### **BOARD OF CANVESSERS ELECTION**

County Clerk Nancy A. Waters addressed the Board of Commissioners regarding the Board of Canvassers Election. She explained that the Republican Chair and the Democratic Chair each had to submit three names. The names were then placed on ballots in the order that they were given to the County Clerk by the Republican Chair and the Democratic Chair.

Paper ballots were passed out to the Board of Commissioners for completion. The ballots were collected. The ballots were then read and a tally was made. T. C. Nash was unanimously elected for the Democratic position on the Board. There was a tie between Pat Camp and Wanda Lee Suits for the Republican position. Each of their names were written on a slip of paper and placed in a cup. County Clerk Nancy A. Waters had Sheriff Michael Poulin draw one of the slips out of the cup. County Clerk Waters then handed the slip to Wanda Lee Suits to read. Pat Camp was elected to the Republican position on the Board of Canvassers. It should be noted that all of the individuals have agreed to serve as alternates and will be trained on Thursday, October 26<sup>th</sup>.

Commissioner Hughes shared that the Michigan Association of Counties most recent publication featured Muskegon County IT.

Commissioner Engle said that the Haunted House will not be held at the Fairgrounds this year due to safety response times. It will be held at the Lakes Mall but they hope to have it back next year.

Commissioner Hughes said that she would like to be informed when things are going on at the Muskegon Fairgrounds.

Matt Farrar, Director of Public Works, said that the solution is fire suppression and the Haunted Hall will be working on this issue to get it back next year. He further stated that changes in the Fairgrounds schedule will be e-mailed to the Commissioners.

Commissioner Engle reminded everyone that the Lumber Barons' Ball Fundraiser sponsored by the Lakeshore Museum Center will be held on Saturday, September 23 at the Hackley Administration Building. Call 722-0278 for more information on this event.

Commissioner Scolnik informed everyone that he was elected Vice Chair of the District Library Board. Doug Hughes is the Chairman. Commissioner Scolnik also stated that the used book sale is Friday and Saturday at the District Library on Airline Road and that they have over 4000 books for sale.

**ADMINISTRATOR'S REPORT**

2017-358      **APPROVE THE RESOLUTION APPROVING THE BUILDING AUTHORITY CONTRACT AND NOTICE FOR THE PURPOSE OF ISSUING NOT TO EXCEED \$50 MILLION IN GENERAL OBLIGATION BUILDING AUTHORITY BONDS AT A MAXIMUM INTEREST RATE OF 4.75% OF FINANCE THE PURCHASE OF THE MUSKEGON COUNTY JAIL AND JUVENILE TRANSITION CENTER. THIS BOND ISSUE IS SUBJECT TO A 45 DAY REFERENDUM PERIOD AND A NOTICE MUST BE PUBLISHED IN THE MUSKEGON CHRONICLE IN LARGE POINT TYPE AND TAKE UP NO LESS THAN ONE-QUARTER OF THE PAGE UPON WHICH IT APPEARS. THE NOTICE MUST BE RUN AS A DISPLAY. FURTHER AUTHORIZE THE COUNTY CLERK TO SIGN THE DOCUMENT**

Administrator Eisenbarth recommends, moved by Commissioner Hughes, seconded by Commissioner Nash, to approve the resolution approving the Building Authority Contract and notice for the purpose of issuing not to exceed \$50 million in General Obligation Building Authority bonds at a maximum interest rate of 4.75% of finance the purchase of the Muskegon County Jail and Juvenile Transition Center. This bond issue is subject to a 45 day referendum period and a notice must be published in the Muskegon Chronicle in large point type and take up no less than one-quarter of the page upon which it appears. The notice must be run as a display. Further authorize the county clerk to sign the document.

Discussion followed. Tom Kallas, representing the bond council, addressed the Board.

Commissioner Scolnik questioned the impact on the budget.

Beth Dick, Finance Director, stated that immediately it would not impact the budget by for the years out there would be significant savings.

Commissioner Hughes asked how it would affect the county's credit rating.

Mr. Kallas stated that it would remain neutral.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**



2017-359 **APPROVE COUNTY OF MUSKEGON TO ENTER INTO LIMITED TAX FULL FAITH AND CREDIT GENERAL OBLIGATION CONTRACT OF LEASE WITH MUSKEGON COUNTY BUILDING AUTHORITY FOR PURCHASE OF THE JAIL AND JUVENILE TRANSITION CENTER TO BE FINANCED WITH BUILDING AUTHORITY GENERAL OBLIGATION BONDS AND AUTHORIZE BOARD CHAIR AND COUNTY CLERK TO SIGN**

Administrator Eisenbarth recommends, moved by Commissioner Engle, seconded by Commissioner Hughes, to approve County of Muskegon to enter into limited tax full faith and credit general obligation contract of lease with Muskegon County Building Authority for purchase of the Jail and Juvenile Transition Center to be financed with building authority general obligation bonds and authorize Board Chair and County Clerk to sign.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-360 **APPROVE THE MEMORANDUM OF UNDERSTANDING WITH THE STATE OF MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE PROCESSING COUNTY CHILD CARE FUND FOSTER CARE PAYMENTS OUT OF THE LANSING ACCOUNTING SERVICE CENTER FOR THE PERIOD FROM OCTOBER 1, 2017 TO SEPTEMBER 30, 2018 WITH 2 ONE-YEAR RENEWAL OPTIONS AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE AGREEMENT.**

Administrator Eisenbarth recommends, moved by Commissioner Engle, seconded by Commissioner Nash, to approve Memorandum of Understanding with the State of Michigan Department of Health and Human Services for processing County Child Care Fund Foster Care Payments out of the Lansing Accounting Service Center for the period from October 1, 2017 to September 30, 2018 with 2 one-year renewal options and authorize the County Administrator to sign the agreement.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II **Motion Carried**

2017-361 **APPROVE THE CURRENT MEDICARE ADVANTAGE PLAN OPTION, WITH NO BENEFIT STRUCTURE CHANGES TO INCREASE FROM \$513.59 TO \$539.28 PER MONTH, EFFECTIVE JANUARY 1, 2018**

Administrator Eisenbarth recommends, moved by Commissioner Hughes, seconded by Commissioner Engle, to approve the current Medicare Advantage Plan Option, with no benefit structure changes to increase from \$513.59 to \$539.28 per month, effective January 1, 2018.

Discussion followed. Kristen Wade, Human Resources Director addressed the Board with a presentation summarizing the highlights. Commissioner Engle asked if this had been run past any retirees. Ms. Wade responded that it had not at this point, but that she would be speaking with some of the retirees. Discussion ensued.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

2017-362 **APPROVE AMENDMENTS TO THE MUSKEGON COUNTY BOARD RULES**

Administrator Eisenbarth recommends, moved by Commissioner Engle, seconded by Commissioner Wilkins, to approve the amendments to the Muskegon County Board Rules.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

Administrator Eisenbarth reminded everyone of the upcoming Board Work Sessions:

Brookhaven - Tuesday, October 10<sup>th</sup> – 2:30 p.m.  
2018 Budget – Tuesday, October 17<sup>th</sup> – 2:30 p.m.

**OLD BUSINESS**

Commissioner Scolnik reminded everyone that Judy Hayner's Retirement Reception is being held tonight at the Muskegon Art Museum, Thursday, September 21<sup>st</sup>, from 5:00 p.m. to 8:00 p.m.

**NEW BUSINESS**

There was no new business to come before the Board.

**PUBLIC COMMENT**

Beth Dick thanked the Board for approving the Budget and thanked everyone for their hard work.

Doug Hughes reminded everyone, before going into closed session, that there are no deliberations taken in a closed meeting and that everything in a closed meeting stays in that closed meeting.

2017-363 **MOVED BY COMMISSIONER HUGHES , SECONDED BY COMMISSIONER NASH, TO GO INTO CLOSED MEETING RE: LEGAL OPINION**

Moved by Commissioner Hughes, seconded by Commissioner Nash, to go into Closed Session  
Re: Legal Opinion

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

**4:15 p.m. went into closed session.**

**4:39 p.m. returned to open session.**

2017-364 **FOLLOW THE RECOMMENDATION OF CORPORATE COUNSEL ON HIS LEGAL OPINION**

Moved by Commissioner Hughes, seconded by Commissioner Engle to follow the recommendation of Corporate Counsel on his legal opinion.

Roll Call:

Yes: Marvin Engle, Gary Foster, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine R. Wilkins, Benjamin E. Cross

No: None

Excused: Kenneth Mahoney, I. John Snider II

**Motion Carried**

2017-365 **MOVED BY COMMISSIONER HUGHES, SECONDED BY COMMISSIONER  
ENGLE, TO ADJOURN**

Voice vote.

**Motion Carried**

Meeting adjourned at 4:45 p.m.

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Nancy A. Waters, County Clerk

NAW:mlw

To be approved at the Full Board Meeting on October 10, 2017