MUSKEGON COUNTY BOARD OF COMMISSIONERS
FULL BOARD
REVISED AGENDA

February 25, 2020 – 3:30 PM
Hall of Justice, 4th Floor
990 Terrace, Muskegon, MI

Susie Hughes, Chair
Gary Foster, Vice-Chair

1) Call to Order
2) Invocation: Pastor Christopher Sandford, Ambassadors Church
3) Pledge of Allegiance
4) Roll Call
5) Approval of Agenda
6) Approval of the Minutes of February 11, 2020: Regular and Closed Session
7) Public Comment (on an agenda item)
8) Communication
   A) Cheboygan County Board of Commissioners Resolution to participate in Stepping Up to reduce the number of people with mental illnesses in jail
   B) Marquette County Board of Commissioners Resolution requesting the Great Lakes shoreline be declared a disaster area and to seek assistance
   C) Oceana County Board of Commissioners Resolution to declare Oceana County to be a County that supports the Second Amendment
   D) Berrien County Board of Commissioners Resolution to declare Berrien County to be a County that supports the Second Amendment
   E) Wexford County Board of Commissioners Resolution to declare Wexford County to be a Second Amendment Sanctuary County

9) Committee/Board Reports
   - Community Development/Strategic Planning Committee
   - Transportation Committee
   - Ways & Means Committee

10) Chairman’s Report/Committee Liaison Reports

Citizen Appointment/Reappointment
Healthwest Board of Directors – term through 3/31/2023
• Cheryllann Natte (Re-appointment – Consumer/Secondary)

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.
10) Chairman's Report/Committee Liaison Reports – Continued

Proclamation Approval – Proclaiming March 30, 2020 as Spark Success Day throughout Muskegon County uniting school officials, parents, students, business and community leaders

The 12th Annual "Dancing with the Local Stars" charity event to raise money for local food pantries begins Thursday, February 27th with its last performance on Saturday, February 29th

The Muskegon Farmers Market invites you to their Winter Farmers Market on Saturdays from 9:00 a.m. – 2:00 p.m. Vendors will be offering produce and other hand made goods

Celebrate Black History Month and attend Muskegon native Jon Covington's documentary "Black Man" which comes to life in a live version on Saturday, February 29th at 2:00 p.m. at the Hackley Public Library

11) Administrator's Report

Board of Commissioners Pioneer Park tour scheduled 3/5/2020 at 3:30 p.m.

12) Old Business

13) New Business

14) Public Comment

15) Final Board Comments

16) Closed Session:
A) To discuss a written confidential legal opinion pursuant to MCL 15.268(h); and
B) To consult with the County's attorney regarding trial or settlement strategy in connection with Information Systems Intelligence, LLC v County of Muskegon, et al, Muskegon County Circuit Court Case No. 16-000694-CB [Ingham County Docket No. 16-1260-vj], the discussion of which in an open meeting would have a detrimental financial effect on the litigation or settlement position of the County.

17) 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) 724-6620

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BOARD OF COMMISSIONERS
County Building
P.O. Box 70, Room 131
Cheboygan, Michigan 49721
Tel: (231) 627-8855
Fax: (231) 627-8881
E-mail: ccao@cheboygancounty.net

CHEBOYGAN COUNTY
STEEPING UP INITIATIVE
RESOLUTION #20-03

"Stepping Up Initiative to Reduce the Number of People with Mental Illnesses in Jails" February 11, 2020

WHEREAS, counties routinely provide treatment services to the estimated 2 million people with serious mental illnesses booked into jail each year; and

WHEREAS, prevalence rates of serious mental illnesses in jails are three to six times higher than for the general population; and

WHEREAS, almost three-quarters of adults with serious mental illnesses in jails have co-occurring substance use disorders; and

WHEREAS, adults with mental illnesses tend to stay longer in jail and upon release are at a higher risk of recidivism than people without these disorders; and

WHEREAS, county jails spend two to three times more on adults with mental illnesses that require interventions compared to those without these treatment needs; and

WHEREAS, without the appropriate treatment and services, people with mental illnesses continue to cycle through the criminal justice system, often resulting in tragic outcomes for these individuals and their families; and

WHEREAS, Cheboygan County and all counties take pride in their responsibility to protect and enhance the health, welfare and safety of its residents in efficient and cost-effective ways; and

WHEREAS, Cheboygan County fully supports the concept of the Stepping UP initiative; and

WHEREAS, through Stepping Up, the National Association of Counties, the Council of State Governments Justice Center and the American Psychiatric Association Foundation are encouraging public, private and nonprofit partners to reduce the number of people with mental illnesses in jails;

District 1
Mary Ellen Tryben
Vice-Chairman

District 2
Richard B. Sangster

District 3
Michael Newman

District 4
Cal Goulne

District 5
Roberta Matelski
Chair

District 6
John B. Wallace

District 7
Steve Warfield
THEREFORE, LET IT BE RESOLVED, that the Cheboygan County Board of Commissioners, do hereby sign on to the Call to Action to reduce the number of people with mental illnesses in our county jail, commit to sharing lessons learned with other counties in my state and across the country to support a national initiative and encourage all county officials, employees and residents to participate in Stepping Up. We resolve to utilize the comprehensive resources available through Stepping Up to:

- Convenc or draw on a diverse team of leaders and decision makers from multiple agencies committed to safely reducing the number of people with mental illnesses in jails.
- Collect and review prevalence numbers and assess individuals' needs to better identify adults entering jails with mental illnesses and their recidivism risk, and use that baseline information to guide decision making at the system, program, and case levels.
- Examine treatment and service capacity to determine which programs and services are available in the county for people with mental illnesses and co-occurring substance use disorders, and identify state and local policy and funding barriers to minimizing contact with the justice system and providing treatment and supports in the community.
- Develop a plan with measurable outcomes that draws on the jail assessment and prevalence data and the examination of available treatment and service capacity, while considering identified barriers.
- Implement research-based approaches that advance the plan.
- Create a process to track progress using data and information systems, and to report on successes. PASSED AND APPROVED on this 11th day of February, 2020.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to all Michigan counties, the National Association of Counties, the Michigan Association of Counties, and members of our State and Federal leadership.

John B. Wallace  
Chairman of the Board

Karen L. Brewster  
Clerk to the Board of Commissioners
RESOLUTION

REQUESTING THE GREAT LAKES SHORELINE BE DECLARED A DISASTER AREA AND TO SEEK ASSISTANCE

WHEREAS, record high water levels in the Great Lakes have contributed to ongoing shoreline erosion across the State of Michigan, and

WHEREAS, Lake Superior water levels have caused severe damage to public infrastructure in the City of Marquette, and

WHEREAS, Lake Superior water levels are forcing the relocation of Lakeshore Boulevard in the City of Marquette, which is costing in excess of $7 million for the relocation of the road and compromised public infrastructure, and

WHEREAS, Lake Superior water levels are causing detrimental environmental impacts at other various industrial legacy sites along the shoreline, and

WHEREAS, the County of Marquette recognizes the effects of storms, high water, and wind driven wave action that is causing severe erosion to the shorelines, infrastructure, and private property along the Great Lakes, and

WHEREAS, the conditions of the Great Lakes shorelines directly affect business and tourism in Marquette County and the State of Michigan by limiting access to beaches, boat landings, and parks along the shorelines, and loss and damaged property directly affects the local, county, and state tax base, and

WHEREAS, Marquette County, as well as other shoreline communities in the State of Michigan are desperately in need of additional resources to combat shoreline erosion and protection of natural resources.

NOW, THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners requests that the Governor of the State of Michigan along with the State Legislature declare the Shoreline of the Great Lakes in the State of Michigan a disaster area, and that the Governor and State Legislature seek assistance from Congress and the President of the United States of America for this devastating situation which has an impact statewide.

BE IT FURTHER RESOLVED, that a copy of this Resolution be sent to Governor Gretchen Whitmer, Senator Ed McBroom, Representative Beau LaFave, Congressman Jack Bergman, Senator Debbie Stabenow, Representative Sara Cambensy, Senator Gary Peters, and all of the counties in the State of Michigan

Roll Call Vote: Ayes: 5 Nays: 0 Absent: 1

I, Linda K. Talma, Marquette County Clerk and Clerk of the County Board of Commissioners, do hereby certify this to be a true and exact copy from the minutes of the regular meeting of the Marquette County Board of Commissioners held on February 18, 2020.

Linda K. Talma

Marquette County is an Equal Opportunity Provider and Employer
OCEANA COUNTY BOARD OF COMMISSIONERS
COUNTY OF OCEANA

RESOLUTION TO DECLARE OCEANA COUNTY TO BE A
COUNTY THAT SUPPORTS THE SECOND AMENDMENT

THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF OCEANA, STATE OF MICHIGAN, STATES:

WHEREAS, the County Board of Commissioners of the County of Oceana, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of Oceana County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of Oceana County and the employees of the Oceana County government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S.570 (2008), affirmed an individual’s right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to “keep and bear arms,” as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opined that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that “Every person has a right to keep and bear arms for the defense of himself and the state”; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Oceana County citizens’ individual rights to keep and bear arms; and

WHEREAS, each Oceana County Commissioner, as provided by Article IX, Section 1, of the Michigan Constitution (1963), took an oath to support the United States Constitution and the Michigan Constitution.
NOW THEREFORE, IT IS HEREBY RESOLVED, by the Oceana County Board of Commissioners, that the County of Oceana, Michigan, supports the Second Amendment and all Amendments of the Constitution of the United States.

IT IS FURTHER RESOLVED, that this Board affirms its support for the Oceana County Sheriff and the Oceana County Prosecuting Attorney, in the exercise of their sound discretion to not enforce against any citizen an unconstitutional firearms law.

BE IT, FURTHER RESOLVED, that the Board directs its staff to forward a copy of this resolution to the County’s fellow county elected officials, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congressmen.

***************
This Resolution was adopted by the Oceana County Board of Commissioners at a regular meeting held at the Oceana County Boardroom, Oceana County Courthouse, Oceana County, Michigan, by an affirmative vote of no less than seven of the members of the County Board of Commissioners who are elected and serving, on this 13th day of February, 2020.

This Resolution was offered by Commissioner Andrew Sebolt, and supported by Commissioner Martha Meyette.

A roll call vote was taken and this Resolution was passed by a vote of: 7 - 0.

Those Commissioners voting in favor: Mr. Sebolt, Ms. Meyette, Mr. Walker, Mr. Byl, Mr. Brown, Mr. Gustafson, and Mr. Powers.

Those Commissioners voting against: None.

Those Commissioners abstaining: None.

The Resolution Was Declared Adopted.

CERTIFICATION:
The undersigned, being the Clerk of Oceana County, does hereby certify that on the 13th day of February 2020, the Oceana County Board of Commissioners did adopt the above Resolution at its Regular Meeting.

Melanie A. Coon
Oceana County Chief Deputy Clerk
THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN RECOMMENDS THE ADOPTION OF THE FOLLOWING:

RESOLUTION

WHEREAS, the Berrien County Board of Commissioners, pursuant to Michigan statute, is vested with the authority of administering the affairs of the county government of Berrien County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of Berrien County; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, each Berrien County Commissioner took an oath of office to support the Constitution of the United States and the Michigan Constitution, and to faithfully discharge the duties of the office; and

WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Berrien County citizens' individual rights to keep and bear arms.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Berrien County Board of Commissioners reaffirms its commitment and promise to support the Bill of Rights of the Constitution of the United States, including the Second Amendment as well as the Constitution of the State of Michigan including Article 1, Section 6, and all related laws, which protect individual rights.

BE IT FURTHER RESOLVED that the Board directs its staff to forward a copy of this resolution to the County elected officials, the Michigan State Legislature (House of Representatives and State Senators), the Governor of Michigan and all of the Michigan U.S. Congress members.

Berrien County Board of Commissioners

R. McKinley Elliott

William J. Chickering

Teri Sue Freehling

Jim Curran

Michael J. Majerek

Don Meeks

David Vollrath

Chris Hengel

Ezra A. Scott

Robert P. Harrison

Mamie L. Yarbrough

Jon Hinkelman
Minutes of a regular meeting of the Wexford County Board of Commissioners, held at the Wexford County Courthouse, 437 E. Division St., Cadillac, Michigan, on the nineteenth day of February 2020, at 5:30 p.m.

PRESENT:  Hurlbut, Musta, Townsend, Bengelink, Bush, Theobald, Nichols, Potter, & Taylor.

ABSENT:  None.

The following preamble and resolution were offered by Commissioner Potter and supported by Commissioner Nichols.

RESOLUTION NO. 20-05

WEXFORD COUNTY BOARD OF COMMISSIONERS

RESOLUTION TO DECLARE WEXFORD COUNTY TO BE A

"SECOND AMENDMENT SANCTUARY COUNTY"

WHEREAS, the County Board of Commissioners of the County of Wexford, State of Michigan, pursuant to Michigan statute, is vested with the authority of administering the affairs of the County government of Wexford County, Michigan, and is organized as a body corporate with powers and immunities provided by law, and to protect the health, safety, and welfare of the residents of Wexford County and the employees of the Wexford County government; and

WHEREAS, the Second Amendment to the United States Constitution, ratified in 1791 as part of the Bill of Rights, protects the right of the people to keep and bear arms; and

WHEREAS, the United States Supreme Court in District of Columbia v. Heller, 554 U.S. 570 (2008), affirmed an individual's right to possess a firearm, unconnected with service in a militia, and to use that firearm for traditionally lawful purposes, such as self-defense within the home; and

WHEREAS, the United States Supreme Court in McDonald v. Chicago, 561 U.S. 742 (2010), affirmed that the right of an individual to "keep and bear arms," as protected under the Second Amendment, is incorporated to the States by the Due Process Clause of the Fourteenth Amendment; and

WHEREAS, the United States Supreme Court in United States v. Miller, 307 U.S. 174 (1939), opinioned that possession or use of a firearm that has some reasonable relationship to the preservation of a well-regulated militia is protected by the Second Amendment; and

WHEREAS, Article I, Section 6 of the Michigan Constitution (1963) provides that "Every person has a right to keep and bear arms for the defense of himself and the state"; and
WHEREAS, it is the desire of this Board to declare its support of the Second Amendment to the United States Constitution and to the provisions of the Michigan Constitution which protect Wexford County citizens' individual rights to keep and bear arms; and

WHEREAS, each Wexford County Commissioner, as provided by Article IX, Section 1, of the Michigan Constitution (1963), took an oath to support the United States Constitution and the Michigan Constitution.

NOW THEREFORE, IT IS HEREBY RESOLVED, by the Wexford County Board of Commissioners, that the County of Wexford, Michigan, be, and hereby is, declared to be a "Second Amendment Sanctuary County."

IT IS FURTHER RESOLVED, that this Board affirms its support for the Wexford County Sheriff and the Wexford County Prosecuting Attorney in the exercise of their sound discretion to not enforce against any citizen an unconstitutional firearms law.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:


NAYS: None.

RESOLUTION DECLARED ADOPTED.

Gary Taylor, Chairman, Wexford County Board of Commissioners

Alaina M. Nyman, County Clerk

STATE OF MICHIGAN ) ss.
COUNTY OF WEXFORD )

I hereby certify that the foregoing is a true and complete copy of Resolution 20-05 adopted by the County Board of Commissioners of Wexford County at a regular meeting held on February 19, 2020, and I further certify that public notice of such meeting was given as provided by law.

Alaina M. Nyman, County Clerk
The Community Development/Strategic Planning Committee met on February 13, 2020. There were no action items presented.
The Transportation Committee met on February 18, 2020; it was recommended, and I move:

TR20/02-01 To approve the Muskegon Area Transit System’s FY2021 application to the State of Michigan for operating and capital assistance, to authorize the Resolution of Intent to apply for financial assistance, to name the County Administrator as the Transportation Coordinator, and to publish the public notice.
The Ways & Means Committee met on February 18, 2020, it was recommended and I move:

WM20/02 – 17 To approve payment of the accounts payable of $3,319,476.06, covering the period of January 25, 2020 through February 7, 2020 for checks as presented by the County Clerk

WM20/02 – 18 To approve the County Clerk to increase Live Scan Fingerprinting from $64.00 to $75.00, effective Wednesday, February 25, 2020, following Full Board approval

WM20/02 – 19 To approve to increase line item 1010-0272-931.050 of the FY2020 budget by $18,100.00 and authorize staff to issue a purchase order to Dimension Four Painting, Inc. in this amount for the epoxy floor project at the animal control facility

WM20/02 – 20 To authorize the sale of the 2001 Chevy Malibu VIN# 1G1ND52J32M676752 though Miedema Auctioneering, Inc.

WM20/02 – 21 To authorize to reclassify the vacant Building Maintenance Building Mechanic II position pay scale GU-00240 ($17.35 - $25.03/hr) to a Building Maintenance Mechanic II/HVAC pay scale GU-00245 ($19.88 - $25.03/hr)

***

HS20/02 – 09 To authorize adjusting FY20 senior millage award for AgeWell Services Elder Abuse Prevention to $222,235 effective immediately through September 30, 2020; and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs
WHEREAS, In Recognition of March 30, 2020: Spark Success Day

WHEREAS, Spark Success is a new initiative designed by four West Michigan intermediate school districts (Allegan, Kent, Muskegon and Ottawa) to raise awareness among parents of the many career pathways for students across the region; and

WHEREAS, parents say the primary goal for their children is a happy, meaningful life. An important part of that is a career they like, which is financially rewarding, suits their interests – and ideally – sparks their passion; and

WHEREAS, there is a whole range of ways to build a good career, including some college, apprenticeships, internships, industry-recognized certificates, college degrees, on-the-job training – and these options can be combined over time; and

WHEREAS, research shows that having a successful career today requires education and training beyond a high school diploma; and

WHEREAS, there is a growing need for talent in a variety of high-skill, high-wage careers; and

WHEREAS, there are approximately 24,000 vacant jobs monthly in West Michigan – more openings than qualified people to fill them; and

WHEREAS, to raise awareness for the opportunities that exist, Spark Success will officially launch in Muskegon County on March 30 at the Muskegon Area ISD North Campus from 3-4 p.m., uniting school officials, parents, students, business and community leaders;

NOW, THEREFORE BE IT RESOLVED, that the Muskegon County Board of Commissioners does hereby proclaim March 30, 2020 as Spark Success Day throughout Muskegon County, and calls upon the people of Muskegon County to join in the effort to raise awareness for the many pathways for success.

Muskegon County Board of Commissioners
   Susie Hughes, Chair
   Gary Foster, Vice-Chair
   Marcia Hovey-Wright
   Zach Lahrng
   Kenneth Mahoney
   Charles Nash
   Robert Scolnik
   I. John Snider, II
   Rillastine Wilkins

February 25, 2020