

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

*Doug Brown
Kim Cyr
Marcia Hovey-Wright
Susie Hughes
Zach Lahring*

*Charles Nash
Malinda Pego
Robert Scolnik
Rillastine R. Wilkins*

Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>

Electronic/Zoom Organizational Meeting

Tuesday, January 5, 2021
3:31 p.m.

The Electronic/Zoom Organizational Meeting of the Board of Commissioners was called to order by County Clerk Nancy A. Waters via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Commissioner Lahring.

Roll Call and Location of Board Members:

Present: Commissioner Doug Brown, Muskegon County, Michigan
Commissioner Kim Cyr, Muskegon County, Michigan
Commissioner Marcia Hovey-Wright, Muskegon County, Michigan
Commissioner Susie Hughes, Muskegon County, Michigan
Commissioner Zach Lahring, Muskegon County, Michigan
Commissioner Charles Nash, Muskegon County, Michigan
Commissioner Malinda Pego, Muskegon County, Michigan
Commissioner Robert Scolnik, Muskegon County, Michigan
Commissioner Rillastine R. Wilkins, Muskegon County, Michigan

Also

Present: Mark Eisenbarth, County Administrator
Kristin Barnhill, Executive Assistant
Kathy Tharp, Administrative Coordinator
Nancy A. Waters, County Clerk
Linda M. Larsen, Chief Deputy County Clerk
Linda Sue Schutter, Deputy County Clerk
Michael D. Homier, Corporate Counsel

PUBLIC COMMENT (on an agenda item)

None.

2021-1 **RESOLUTION AUTHORIZING ADOPTION OF THE RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONER FOR 2021**

Moved by Commissioner Wilkins, seconded by Commissioner Hovey-Wright, to adopt the Resolution authorizing adoption of the Rules of the Muskegon County Board of Commissioners for 2021. (Board Rules may be reviewed at the following website: <https://www.co.muskegon.mi.us/DocumentCenter/View/177/Rules-of-the-Muskegon-County-Board-of-Commissioners>)

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None **Motion Carried**

Clerk Waters opened the nominations for Chair of the Muskegon County Board of Commissioners.

2021-2 **NOMINATE COMMISSIONER ROBERT SCOLNIK UNANIMOUSLY AS CHAIR TO THE MUSKEGON COUNTY BOARD OF COMMISSIONERS**

Moved by Commissioner Cyr, seconded by Commissioner Hughes to nominate Commissioner Robert Scolnik as Chair to the Muskegon County Board of Commissioners.

Clerk Waters asked if there were any other nominations. Hearing none, Clerk Waters closed the nominations. Commissioner Nash moved, seconded by Commissioner Hughes, to cast a unanimous vote to elect Commissioner Robert Scolnik as Chair to the Muskegon County Board of Commissioners.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None **Motion Carried**

Clerk Waters issued the Oath of Office to Commissioner Scolnik and congratulated him as Chair to the Muskegon County Board of Commissioners.

Chairman Scolnik opened the nominations for Vice-Chair to the Muskegon County Board of Commissioners.

2021-3 **NOMINATE COMMISSIONER CHARLES NASH AS VICE-CHAIR TO THE MUSKEGON COUNTY BOARD OF COMMISSIONERS**

Moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes to nominate Commissioner Charles Nash as Vice-Chair to the Muskegon County Board of Commissioners.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring **Motion Carried**

Clerk Waters issued the Oath of Office to Commissioner Nash and congratulated him as Vice-Chair to the Muskegon County Board of Commissioners.

2021-4 **ADOPT THE 2021 CALENDAR FOR THE MUSKEGON COUNTY BOARD OF COMMISSIONERS**

Motion by Commissioner Hovey-Wright, seconded by Commissioner Lahring, to amend said motion to have meetings begin at 4:00 p.m.

Discussion ensued.

Roll call on amendment:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash

No: Susie Hughes, Malinda Pego, Rillastine Wilkins, Robert Scolnik
Motion Carried

Moved by Commissioner Hughes, seconded by Commissioner Pego, to adopt the 2021 Calendar for the Muskegon County Board of Commissioners as amended. (See attached.)

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-5 **ADOPT THE ADMINISTRATIVE SETTLEMENT AUTHORITY**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to adopt the Administrative Settlement Authority.

Discussion ensued.

Commissioner Lahring inquired how the Settlement Authority worked since there is no amount listed.

Administrator Eisenbarth indicated that in six years, he has only used this Authority once.

Chairman Scolnik indicated that if there is an emergency that cannot wait, then the Administrator can use this Authority.

Commissioner Hughes indicated that in the past, Administrator Eisenbarth has been very good about communicating with the Board as soon as possible after any situations have come up.

Commissioner Pego clarified that this Authority falls within the statute.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring **Motion Carried**

2021-6 **APPROVE THE COUNTY BOARD CONTRIBUTION POLICY**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the County Board Contribution Policy. (See attached.)

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-7 **APPROVE THE 2021 COMMITTEE ASSIGNMENTS/CHAIR AND VICE-CHAIR APPOINTMENTS**

Moved by Commissioner Lahring, seconded by Commissioner Wilkins, to approve the 2021 Committee Assignments/Chair and Vice-Chair appointments. (See attached.)

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Motion Carried

Chairman Scolnik thanked his fellow Commissioners for having faith in him and electing him as the Chairman of the Board of Commissioners.

PUBLIC COMMENT

Commissioner Pego inquired as to the email regarding items for reuse within the County. Administrator Eisenbarth indicated that there would be an opportunity to sell the items if nobody within the County wanted them.

Administrator Eisenbarth invited Public Health Director Kathy Moore to provide the Board an update: Public Health has been working with Mercy Health, HealthWest, Hackley Community Care and Muskegon Family Care to collect information and reach out to and vaccinate those in Phase IA. They have also started collecting information for the next phase. Administrator Eisenbarth will serve as point of contact for County departments as well as municipalities within the county to prioritize people into subgroups.

Director Moore further indicated that she met with school Superintendents today and they are collecting information to move into the next phase as early as next week.

Commissioner Wilkins inquired where people would go for the vaccine. Director Moore indicated that they are working with four locations, Mercy Health, HealthWest, Hackley Community Care and Muskegon Family Care to provide the vaccines.

Commissioner Hovey-Wright inquired if people should contact their doctor's offices. Director Moore indicated that is the preference since doctors have the patient's health chart, but there will be some offices that do not have the capacity to do this.

Chairman Scolnik indicated that his wife's nursing home would be administering the vaccine to him tomorrow. Chairman Scolnik suggested to the Board to get their picture taken as they are getting their shot and share on social media in order to encourage others to get the same thing.

Commissioner Brown thanked Director Moore for her input.

Director Moore thanked the community partners such as Mercy Health, HealthWest, Hackley Community Care and Muskegon Family Care, United Way and other organizations who have helped with everything during this time.

Prosecutor Hilson congratulated Chairman Scolnik and Vice-Chair Nash on their appointments, and inquired regarding making public the list of committee appointments.

Jennifer Hodges, Muskegon Charter Township Supervisor, welcomed the new commissioners and congratulated Chairman Scolnik and Vice-Chair Nash. Ms. Hodges asked Director Kathy Moore to highlight retail pharmacy employees for the vaccine since they are unsung people of healthcare. Director Moore requested that Ms. Hodges forward her a list of such people in order to reach out to them.

HealthWest Director Julia Rupp congratulated Chairman Scolnik. Director Rupp agreed with encouraging others to vaccinate, also including the reason they are being vaccinated. She further indicated that a lot of people are showing up to be vaccinated, but we need good information going out to the public about the different phases. They are getting a lot of complaints from people who believe they should be on the list for vaccination.

Tony Barnes, Dalton Township resident, congratulated Chairman Scolnik and Vice-Chair Nash, and welcomed the new commissioners. Mr. Barnes inquired if there is continuity of governance in the board rules at the county level similar to what they have at the state level.

2021-9 **CHANGE ELECTION OF BOARD CHAIR TO A ONE YEAR TERM**

Moved by Commissioner Lahring, seconded by Commissioner Pego, to change the election of board chair to a one year term.

Discussion ensued.

Commissioner Hughes indicated that the Chair has already been elected for a two year term and that cannot be changed now. This length of time was determined two years ago.

Corporate Counsel Michael Homier read MCL 46.3(4) which indicates that the chair person shall be elected in each odd-numbered year for a two year term unless the County Board of Commissioners provides by resolution that the chair person shall be elected annually for a one year term. Therefore, the chairperson has received the majority of the votes and so is elected for a two-year term.

Commissioner Lahring withdrew his motion, Commissioner Pego withdrew her support.

Tammy Jager congratulated Chairman Scolnik and Vice-Chair Nash. Ms. Jager further provided suggestions to the Board, that the meetings are painful to listen to with members coughing; also they need to work on the agenda since the agenda doesn't move forward on the Zoom screen, it is hard for public to follow. Ms. Jager concluded by wishing all a happy new year.

Administrator Eisenbarth recognized the 17 years of service that Judge Wierengo gave this county, prayers to his family regarding his passing. Administrator Eisenbarth further indicated that Judge Wierengo's funeral will be this Saturday.

2021-8 **MOTION TO ADJOURN**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to adjourn.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Meeting adjourned at 4:27 p.m.

Linda M. Larsen, Chief Deputy County Clerk

LML/lss

To be approved at the next Full Board meeting.

At the Organizational Meeting of the Muskegon County Board of Commissioners, held in the City of Muskegon, County of Muskegon on January 5, 2021, at 3:30 p.m. via Zoom:

PRESENT: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

EXCUSED: None

**RESOLUTION AUTHORIZING THE ADOPTION OF THE RULES OF THE
MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR 2021**

The following preamble and resolution was offered by Commissioner Wilkins and supported by Commissioner Hovey-Wright.

WHEREAS, the Muskegon County Board of Commissioners is organized and operates pursuant to provisions of state statute, specifically MCL 46.1, et seq., and;

WHEREAS, this Board in order to conduct the business of the County of Muskegon in an orderly fashion, deems it appropriate to operate under an established set of rules, and;

WHEREAS, the current Board Rules for the Muskegon County Board of Commissioners require that Board Rules be adopted by Resolution at each annual Organizational Meeting.

NOW THEREFORE, BE IT RESOLVED that the Muskegon County Board of Commissioners does hereby adopt the Board Rules, adopted by it on January 3, 2013 and revised on January 3, 2020, with the intent that those Rules shall govern its operation during the calendar year 2021, and until the date of the Board's 2022 Organizational Meeting, unless properly amended before then.

YES: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

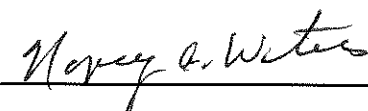
NO: None

RESOLUTION DECLARED ADOPTED.



Nancy A. Waters, County Clerk

I hereby certify that the following constitutes a true and complete copy of a resolution adopted by the Muskegon County Board of Commissioners at a regular meeting held on January 5, 2021, and that public notice of said meeting was given pursuant to and in full compliance with Act No. 267 of the Public Acts of Michigan of 1967.



Nancy A. Waters, County Clerk

2021-4

2021 Muskegon County Board of Commissioners Meeting Schedule

Full Board	Community Development & Transportation	Courts & Public Safety and Human Services	Ways & Means	Public Works
Tues. January 12th Tues. January 26th	Thurs. January 21st	Thurs. January 7th	Thurs. January 7th Tues. January 19th	Thurs. January 14th
Tues. February 9th Tues. February 23rd	Thurs. February 11th Thurs. March 11th	Tues. February 2nd Tues. March 2nd	Tues. February 2nd Tues. February 16th	Thurs. February 4th Thurs. March 4th
Tues. March 9th Tues. March 30th	Thurs. April 15th Thurs. May 13th	Thurs. April 1st Tues. May 4th	Tues. March 2nd Tues. March 23rd	Thurs. April 8th Thurs. May 6th
Tues. April 6th Tues. April 20th	Thurs. June 17th	Tues. June 8th	Thurs. April 1st Tues. April 13th	Thurs. June 10th
Tues. May 11th Tues. May 25th	Thurs. July 15th	Tues. July 6th	Tues. May 4th Tues. May 18th	Thurs. July 8th
Tues. June 15th Tues. June 29th	Thurs. August 12th Thurs. September 16th	Tues. August 3rd Tues. September 7th	Tues. June 8th Tues. June 22nd	Thurs. August 5th Thurs. September 2nd
Tues. July 13th Thurs. July 22nd	Thurs. October 14th	Tues. October 5th	Tues. July 6th Tues. July 20th	Thurs. October 7th
Tues. August 10th Tues. August 31st	Tues. November 16th Thurs. December 9th	Tues. November 2nd Tues. December 7th	Tues. August 3rd Tues. August 24th	Thurs. November 4th Thurs. December 2nd
Tues. Sept. 14th Thurs. Sept. 30th			Tues. September 7th Tues. September 21st	
Tues. October 12th Tues. October 26th			Tues. October 5th Tues. October 19th	
Tues. November 9th Tues. November 30th			Tues. November 2nd Tues. November 16th	
Tues. December 14th			Tues. December 7th	

All meetings are held in the Board of Commissioners' Room on the 4th Floor of the Hall of Justice, 990 Terrace, Muskegon at 4:00 PM unless otherwise noted.

Special meetings and changes to this schedule will be posted 18 hours in advance at the Hall of Justice, 4th Floor. For further info, call 231.724.6520

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 upon 24 hours' notice by writing or calling the County Administrator, 990 Terrace Street, Muskegon, MI 49442; 231.724.6520

COUNTY OF MUSKEGON
POLICY AND PROCEDURE

ADMINISTRATOR'S SPENDING AUTHORITY 2021

I. POLICY

It is the policy of the County of Muskegon to establish a uniform spending authority standard across the organization. In pursuit of that policy, the Administrator is delegated spending authority in matters of County business in accordance with the procedure listed below.

II. PROCEDURE

A. The County Administrator, through this Policy, is granted the authority to expend sums up to Fifteen Thousand (\$15,000.00) Dollars.

B. The County Administrator, prior to engaging in spending under this policy, in amounts in excess of Fifteen Thousand (\$15,000.00) Dollars, but no more than Twenty-five Thousand (\$25,000.00) Dollars, will consult with and fully apprise the County Board Chair of the purpose of the proposed expenditure.

C. If the proposed expenditure is approved by the County Board Chair, the Administrator is authorized to engage in said spending, but is required to report the expenditure to all of the members of the Muskegon County Board of Commissioners, within thirty calendar (30) days of the expenditure.

III. TERM

This policy shall remain in effect until the Muskegon County Board of Commissioners Organizational Meeting of 2022, or until terminated by a majority vote of the Muskegon County Board of Commissioners.

MUSKEGON COUNTY BOARD OF COMMISSIONERS

COUNTY BOARD CONTRIBUTION POLICY

POLICY NO. 2015- 10

Approval Date: January 5, 2015

I. POLICY

It is the general policy of the County Board of Commissioners that Muskegon County will not provide funds for community events, as funds collected by the County are taxpayer funds intended for County governmental purposes only. While there are many worthy causes to which County funds 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 that 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 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 requires an application in a form approved by the County Board.
- D. Approval of an application under this section shall be at a public hearing, with an 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 odd numbered years on the same date as the Muskegon County Board of Commissioners' Annual Organizational meeting.

**MUSKEGON COUNTY
BOARD OF COMMISSIONERS
2021 STANDING COMMITTEE ASSIGNMENTS**

Board Chair:

**Community Development/
Strategic Planning**

(Committee-of-the-Whole)

Chair: Doug Brown

Vice-Chair: Susie Hughes

Courts/Public Safety

(Committee-of-the-Whole)

Chair: Malinda Pego

Vice-Chair: Marcia Hovey-Wright

Human Services

(Committee-of-the-Whole)

Chair: Marcia Hovey-Wright

Vice-Chair: Zach Lahring

Transportation Committee

(Committee-of-the-Whole)

Chair: Doug Brown

Vice-Chair: Rillastine Wilkins

Ways & Means Committee

(Committee-of-the-Whole)

Chair: Kim Cyr

Vice-Chair: Doug Brown

Public Works Board

(9 member board which includes Water Resource Commissioner)

Chair: TBD

Vice-Chair: TBD

Water Resource Commissioner

Malinda Pego

Kim Cyr

Marcia Hovey-Wright

Susie Hughes

Zach Lahring

Charles Nash

Bob Scolnik

Rillastine Wilkins

(2 non-voting members from the Users' Group)

Jennifer Hodges, Ex-Officio Member
Muskegon Charter Township

Leo Evans, Ex-Officio Member
City of Muskegon