

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

Susie Hughes, Chairman
Marcia Hovey-Wright
Zach Lahring
Kenneth Mahoney
Charles Nash

Gary Foster, Vice Chair
Robert Scolnik
I. John Snider II
Rillastine R. Wilkins

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

Electronic/WebEx Full Board Meeting

Thursday, March 26, 2020

3:30 p.m.

Chairman Susie Hughes, Presiding

The Electronic/WebEx Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes via WebEx. An Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was led by Commissioner Lahring and recited in unison.

Roll Call

Present: Gary Foster, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II (arrived at 3:41 p.m.), Rillastine R. Wilkins

Absent: None

Also present: Mark Eisenbarth, County Administrator
Beth Dick, Finance Director/Assistant County Administrator
Nancy A. Waters, County Clerk
Jeanne Pezet, Elections Coordinator
Michael D. Homier, Corporate Counsel
Ivan Phillips, Information Systems Director

2020-125 **APPROVE THE REVISED AGENDA**

Moved by Vice Chair Foster, seconded by Commissioner Wilkins, to approve the revised agenda.

Voice vote

Motion Carried

2020-126 **APPROVE THE MINUTES OF MARCH 13, AND 20, 2020**

Moved by Commissioner Wilkins, seconded by Vice Chair Foster, to approve the minutes of March 13, and 20, 2020.

Voice vote

Motion Carried

PRESENTATION: DIRECTOR OF PUBLIC HEALTH KATHY MOORE – COVID-19

Kathy Moore, Public Health Director, reported that as of 1:10 p.m. today, tests were conducted on Muskegon County citizens and 3 were confirmed positive, 21 were negative and 78 are pending. There is a shortage of testing supplies and it's likely that there are many more COVID-19 cases that are still undetected which is why social distancing and staying home is so important.

Commissioner Hovey-Wright said there were some places that were getting results within an hour and asked how we can get quick results. Public Health Director Moore was told that was a farce by someone claiming they could do something but could not deliver.

Public Health Director Moore noted Public Health staff continues to work with contact tracing and epidemiology and distribution of limited medical supplies. Supplies have been given to Mercy Health in response to their request. Staff is supporting non-pharmaceutical recommendation by answering questions.

Commissioner Lahring asked if Public Health has requested someone to be tested who has refused to be tested. Public Health Director Moore, responded that they have not had anyone refuse to be tested.

Commissioner John Snider arrived at 3:41 p.m.

PUBLIC COMMENT (on an agenda item)

No public comment.

COMMUNICATIONS

The following Communications were presented to Commissioners for informational purposes and placed on file:

- A) Houghton County Board of Commissioners Resolution requesting the Michigan Legislature amend the Office of School Safety placing it within the MSP EMHSD
- B) Grand Traverse County Board of Commissioners Resolution in support of the passage of H.B. 5330/S.B 723

COMMITTEE/BOARD REPORTS

2020-127 **APPROVE THE FIRST AMENDMENT TO THE ORIGINAL LEASE AGREEMENT DATED FEBRUARY 1, 2018 WITH SKYWEST AIRLINES**

TR20/03-02

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to approve the first amendment to the original lease agreement dated February 1, 2018 with SkyWest Airlines.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-128 **APPROVE ACCEPTANCE OF GRANT OFFERS FROM THE FAA AND MDOT FOR THE FUNDING OF THE AIRPORT'S FY2021 CAPITAL IMPROVEMENT PROJECTS AND AUTHORIZE THE CHAIR TO EXECUTE THE GRANT OFFERS, EXECUTE CONTRACTS WITH C & S COMPANIES FOR THE ENGINEERING/CONSULTING SERVICES AND AUTHORIZE THE CLERK TO EXECUTE THE NECESSARY RESOLUTIONS FOR THE GRANT OFFERS**

TR20/03-03

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to approve acceptance of grant offers from the FAA and MDOT for the funding of the Airport's FY2021 capital improvement projects and authorize the Chair to execute the grant offers, execute contracts with C & S Companies for the engineering/consulting services and authorize the Clerk to execute the necessary resolutions for the grant offers.

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-129 **AUTHORIZE THE ACCEPTANCE OF A PROPOSAL FROM LIGHT & BREUNING, INC. IN RESPONSE TO RFP 20-2374 IN THE AMOUNT OF \$132,588.00 AND FURTHER AUTHORIZE THE CHAIR TO EXECUTE A CONTRACT FOR SAME**

TR20/03-04

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to authorize the acceptance of a proposal from Light & Breuning, Inc. in response to RFP 20-2374 in the amount of \$132,588.00 and further authorize the Chair to execute a contract for same.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-130 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REGARDING THE FY2020 FEDERAL OPERATING AND CAPITAL ASSISTANCE APPLICATION AND TO AUTHORIZE STAFF TO EXECUTE THE ELECTRONIC GRANT APPLICATION IF THERE IS NO REQUEST FOR PUBLIC HEARING**

TR20/03-05

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to authorize the Muskegon Area Transit System to publish the public notice regarding the FY2020 Federal Operating and Capital assistance application and to authorize staff to execute the electronic grant application if there is no request for public hearing.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-131 **AUTHORIZE MATS TO ISSUE A REQUEST FOR PROPOSALS FOR A TWO-YEAR PERIOD OF AD-HOC ENGINE-RELATED DIAGNOSTIC AND MAINTENANCE SERVICES ON DIESEL AND CNG BUSES WITH CUMMINS ENGINES**

TR20/03-06

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to authorize MATS to issue a Request for Proposals for a Two-Year Period of Ad-Hoc Engine-Related Diagnostic and Maintenance Services on Diesel and CNG Buses with Cummins Engines.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-132 **APPROVE A CONTRACT WITH ARFF SPECIALISTS TO PROVIDE AIRPORT RESCUE AND FIREFIGHTING "LIVE BURN" TRAINING IN THE AMOUNT OF \$9,400.00, AUTHORIZE THE CHAIR TO EXECUTE MDOT AERONAUTICS ARFF GRANT 2020-0348 IN THE AMOUNT OF \$2,000 AND AUTHORIZE THE CLERK TO EXECUTE THE REQUIRED RESOLUTION**

TR20/03-07

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to approve a contract with ARFF Specialists to provide Airport Rescue and Firefighting "Live Burn" training in the amount of \$9,400.00, authorize the Chair to execute MDOT Aeronautics ARFF grant 2020-0348 in the amount of \$2,000 and authorize the Clerk to execute the required resolution.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-133 **REMOVE 50% OF ALL MATS BUSES FROM THE ROADS DURING THE CORONAVIRUS CRISIS FOR THE SAFETY OF THE PASSENGERS SO THAT 50% OF THE BUSES CAN BE SANITIZED WHILE THE OTHER 50% ARE ON THE ROADS**

TR20/03-08

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to remove 50% of all MATS buses from the roads during the Coronavirus crisis for the safety of the passengers so that 50% of the buses can be sanitized while the other 50% are on the roads.

Roll call:

2020-134 **TABLE MOTION TR20/03-08 DUE TO LACK OF INFORMATION AND UNTIL AFTER THE SPECIAL DIRECTORS/ELECTED OFFICIALS/COURT ADMINISTRATORS MEETING REGARDING THE CORONAVIRUS BEING HELD AT 7:30 A.M. ON FRIDAY, MARCH 13, 2020**

TR20/03-09

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice Chair Foster, to table motion TR20/03-08 due to lack of information and until after the special directors/elected officials/court administrators meeting regarding the Coronavirus being held at 7:30 a.m. on Friday, March 13, 2020.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik,
Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

2020-135 **APPROVE THE PARKS DEPARTMENT'S PURCHASE OF A NEW 2020 3/4 TON 4X4 6.6L GAS PICK-UP TRUCK CAB AND CHASSIS ONLY, WITH PARKS DEPARTMENT FUNDS**

CD/SP20/03-02

The Community Development/Strategic Planning Committee recommends, moved by Vice Chair Foster, seconded by Commissioner Hovey-Wright, to approve the Parks Department's purchase of a new 2020 3/4 ton 4x4 6.6L gas pick-up truck cab and chassis only, with Parks Department funds.

Discussion ensued.

Roll call:

Yes: Marcia Hovey-Wright, Robert Scolnik,

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: Gary Foster, Zach Lahring, Rillastine Wilkins, Susie Hughes **Motion Fails**

Commissioner Scolnik, noted that Commissioner Snider was on the call but didn't answer the roll call and thought it odd that Commissioner Mahoney would not have called in.

Commissioner Wilkins asked if the purchase of the truck for Parks could be considered at a later date. Chairman Hughes indicated that the motion could be brought before the Board at a later date.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Hughes reminded everyone that Muskegon County continues to be on lock down and asked that everyone stay safe and keep everyone else safe, too.

ADMINISTRATOR'S REPORT

Administrator Eisenbarth reported that the Governor's Executive Order 21 discussed many items but also described critical infrastructure which overlaps action taken by the County Board on March 13th.

2020-136 **CONTINUE WITH THE CLOSURE AS APPROVED BY THE COUNTY BOARD THROUGH SUNDAY, APRIL 5TH AT WHICH TIME THE COUNTY BOARD APPROVES COMPLIANCE WITH THE GOVERNOR'S EXECUTIVE ORDER #21 TO REMAIN CLOSED THROUGH MONDAY, APRIL 13TH**

Moved by Chairman Hughes, seconded by Vice Chair Foster, to continue with the closure as approved by the County Board through Sunday, April 5th at which time the County Board approves compliance with the Governor's Executive Order #21 to remain closed through Monday, April 13th.

Commissioner Lahring expressed concern that County employees are being paid through April 5th and would ask that the County lay off non-essential staff.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Robert Scolnik, Rillastine Wilkins, Susie Hughes

Due to technical difficulties, the votes for Kenneth Mahoney, Charles Nash, and I. John Snider II were not recorded.

No: None

Motion Carried

Administrator Eisenbarth noted Commissioner Nash voted yes.

Commissioner Nash asked to hold off until he is able to respond to roll call.

Chairman Hughes called a five minute recess to resolve technical issues.

Re-Vote

Roll call on 2020-136 following resolution of technical difficulties:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2020-137 **APPROVE AND AUTHORIZE THE BOARD CHAIRPERSON AND COUNTY CLERK TO SIGN THE RESOLUTION TO DECLARE A STATE OF EMERGENCY WITHIN MUSKEGON COUNTY DUE TO THE COVID-19 PANDEMIC**

Admin 12-A

Moved by Chairman Hughes, seconded by Vice Chair Foster, to approve and authorize the Board Chairperson and County Clerk to sign the Resolution to declare a State of Emergency within Muskegon County due to the COVID-19 pandemic.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2020-138 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$1,091,063.43, COVERING THE PERIOD OF MARCH 14, 2020 THROUGH MARCH 25, 2020 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

Admin 12-B

Moved by Vice Chair Foster, seconded by Commissioner Snider, to approve payment of the accounts payable of \$1,091,063.43, covering the period of March 14, 2020 through March 25, 2020 for checks as presented by the County Clerk.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2020-139 **EXTEND AUTHORIZATION TO THE BOARD CHAIR AND WAYS AND MEANS CHAIR DURING THE COVID-19 CRISIS TO REVIEW AND APPROVE FOR RELEASE ALL PAYMENTS BEING MADE. THESE PAYMENTS WILL BE BROUGHT BACK TO THE FULL BOARD FOR RETROACTIVE APPROVAL**

Admin 12-C

Moved by Vice Chair Foster, seconded by Commissioner Snider, to extend authorization to the Board Chair and Ways and Means Chair during the COVID-19 crisis to review and approve for release all payments being made. These payments will be brought back to the Full Board for retroactive approval.

Discussion ensued.

Roll call:

Yes: Marcia Hovey-Wright, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: Gary Foster, Zach Lahring, Kenneth Mahoney, Charles Nash **Motion Carried**

Discussion ensued. Corporate Counsel indicated that Commissioner Hovey-Wright wanted to change her vote. The County Clerk had already announced the vote.

A Re-Vote was requested and taken on 2020-138.

Roll call:

Yes: I. John Snider II,

No: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins, Susie Hughes **Motion Fails**

2020-140 **AUTHORIZE HUMAN RESOURCES TO NOTIFY EMPLOYEES THAT PAPER PAYROLL CHECKS WILL NO LONGER BE PROVIDED AND THAT THEY NEED TO ELECT EITHER DIRECT DEPOSIT OR A DEBIT CARD FROM THIS DATE FORWARD**

Admin 12-D

Moved by Vice Chair Foster, seconded by Commissioner Lahring, to authorize Human Resources to notify employees that paper payroll checks will no longer be provided and that they need to elect either direct deposit or a debit card from this date forward.

Commissioner Nash asked if the debit card would be a cost to employees. Administrator Eisenbarth indicated the employees would not be charged.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Zach Lahring, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: None

Motion Carried

2020-141 **APPROVE THE RESOLUTION AUTHORIZING THE MUSKEGON COUNTY PARKS DEPARTMENT TO APPLY FOR A GRANT FROM THE MICHIGAN NATURAL RESOURCES TRUST FUND FOR THE NUGENT SANDS PROPERTY ACQUISITION PROJECT LOCATED IN NORTON SHORES**

Admin 12-E

Moved by Commissioner Hovey-Wright, seconded by Commissioner Wilkins, to approve the resolution authorizing the Muskegon County Parks Department to apply for a grant from the Michigan Natural Resources Trust Fund for the Nugent Sands Property Acquisition Project located in Norton Shores

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes

No: Zach Lahring

Motion Carried

Administrator Eisenbarth noted future Board Meetings during the closure are as follows:

1. Thursday, April 2nd – Ways & Means; Courts & Public Safety; Human Services Committee Meetings – **All Cancelled**
2. Thursday, April 9th – Community Development; Transportation Committee Meetings – **Web Ex at 3:30 p.m.** and Public Works – **Web Ex at 4:00 p.m.**; - (although it does not look like Public Works will have any motions at this time)
3. Tuesday, April 14th – Full Board. **Either the board room if reopened or by Web Ex at 3:30 p.m.** Any necessary motions that need to come forth because either the committee meeting was cancelled or found necessary by Administration will be brought under the Administrator's Report.

Discussion ensued with agreement that additional WebEx meetings may be scheduled if necessary.

Administrator Eisenbarth reminded Commissioners that the Board approved to continue with the closure as previously approved by the County Board through Sunday, April 5th at which time the County Board approved compliance with the Governor's Executive Order #21 to remain closed through Monday, April 13th. The Board also declared Muskegon County in a State of Emergency due to COVID-19. Six other Counties in our region have taken the same action. This action will help internally and externally for the County.

OLD BUSINESS

Commissioner Lahring commented that the WebEx app allows for private chat and asked Corporate Counsel if that is compliant with the Open Meetings Act. Corporate Counsel Homier stated it could not be used to debate/deliberate on public policy by a quorum of the Board. He also added that it obscures transparency and that the chat function may be able to be turned off. Chairman Hughes will check with IT to see if the chat option could be turned off during meetings.

2020-142 **LAY OFF NON-ESSENTIAL EMPLOYEES UNTIL WE RESUME BUSINESS AS NORMAL**

Moved by Commissioner Lahring, seconded by Vice Chair Foster, to lay off non-essential employees until we resume business as normal.

Discussion ensued.

Roll call:

Yes: Zach Lahring

No: Gary Foster, Marcia Hovey-Wright, Kenneth Mahoney, Charles Nash, Robert Scolnik, I. John Snider II, Rillastine Wilkins, Susie Hughes **Motion Fails**

Commissioner Nash asked, since he did not get a chance to comment during the presentation by Kathy Moore, is there a reason that the (COVID-19) test results come back so slow.

Kathy Moore, Public Health Director, indicated that the State labs can only process so many tests at a time and they are getting so many from across the state and they process 300 tests/day and process those communities where there are known positive cases.

Commissioner Nash asked if they looked at any way to expand that.

Kathy Moore indicated the Governor and the President have looked at ways to bring independent labs onboard and are continuing to look at ways to expand testing and get rapid test results it just hasn't been fully implemented.

Commissioner Hovey-Wright asked if Kathy Moore said that Quest Lab is going to help with something

Public Health Director Moore indicated that Quest has been approved and they have processed three so far. She further indicated that it depends where the provider sends the test for processing. She also indicated the best possible scenario would be if our hospital lab could process at the hospital but they are not there yet.

Commissioner Nash asked if the hospitals were testing here, we don't know if this is spreading faster.

Commissioner Hovey-Wright noted her friend is waiting for necessary surgery and they can't do the surgery because they can't get the test results. Public Health Director Moore noted that they are aware of that situation and have asked the state to move this test up in the queue; a lot of the tests that have been prioritized come back in 72 hours.

Commissioner Scolnik stated the lead story in NY Times is that they've started selling do it yourself testing kits.

Vice Chair Foster asked if the Administrator could provide an update at the next meeting on the unemployment status and if it is feasible. Commissioner Nash asked that we look at a couple scenarios for options.

Administrator Eisenbarth asked and was approve to include furloughs as well as layoffs.

NEW BUSINESS

Commissioner Hovey-Wright has heard from the public that they can't seem to get information about what is going on in the County and what services are still functioning. Administrator Eisenbarth asked Kristin Barnhill to work with departments to update webpages next week. He also stated that Public Health and District Court were working on updating their webpages. It was also noted that Wastewater has updated their website and Facebook page and HealthWest has their page updated on four platforms.

It was asked if the information could have one site where people could get the latest information about what services are still functioning.

Kathy Moore indicated that at the last Director's meeting it was suggested to get a video message out through social media to provide updates for the County so we have been in contact with Julia Rupp at HealthWest and they are helping us write the script and do quick videos to update the community and direct the public to the right place. We do believe that COVID-19 is out there in the community I think we need more leaders urging people to follow the Executive Order for social distancing and stay home.

Commissioner Hovey-Wright announced that people can make donations to United Way and the Muskegon Community Foundation who have jointly started a fund to help people with their needs during this time.

PUBLIC COMMENT

A question was raised about the employee debit card. Chairman Hughes noted that staff will follow up on that question.

2020-142 **MOVED BY COMMISSIONER HOVEY-WRIGHT AND SECONDED BY COMMISSIONER MAHONEY TO ADJOURN**

Meeting adjourned at 4:57 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

To Be Approved at the next Full Board Meeting.