

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

Gary Foster
Marcia Hovey-Wright
Susie Hughes
Zach Lahring
Kenneth Mahoney

Charles Nash
Robert Scolnik
I. John Snider II
Rillastine R. Wilkins

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

Organizational Meeting

Thursday, January 3,
3:30 p.m.

Deputy County Clerk Jeanne Pezet, Presiding

The Organizational Meeting of the Board of Commissioners was called to order by Deputy County Clerk Jeanne Pezet. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was led by Commissioner Nash and recited in unison.

Ms. Pezet noted that County Clerk Waters who would otherwise be Chairing the Organizational Meeting was present but losing her voice so, as one of the County Clerk Deputies, Ms. Pezet has been asked to Chair.

Roll Call

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

Also Present: Mark E. Eisenbarth, Administrator
Nancy A. Waters, County Clerk
Jeanne Pezet, Interim Elections Coordinator
Lisa Chalko, Administrative Coordinator
Doug Hughes, Corporate Counsel

PUBLIC COMMENT (on an agenda item)

Tony Barnes, Dalton Township Supervisor, addressed the Board regarding item #7 on the Agenda, Election of Chair, requesting open transparency and urging the vote for the Board Chair to be an open process, not by secret ballot.

2019-1 **RESOLUTION AUTHORIZING ADOPTION OF THE RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR 2019**

Moved by Commissioner Mahoney, seconded by Commissioner Wilkins, to adopt the Resolution authorizing adoption of the Rules of the Muskegon County Board of Commissioners for 2019. (Board Rules may be reviewed at the following website:
<https://mi-muskegoncounty.civicplus.com/DocumentCenter/View/177/Rules-of-the-Muskegon-County-Board-of-Commissioners>)

2019-2 **MOVE THE COUNTY COMMISSIONER MEETING START TIME TO 3:00 P.M.**

Moved by Commissioner Foster, seconded by Commissioner Hughes, to move the County Commissioner Meeting start time to 3:00 p.m.

Discussion ensued.

2018-3 **FRIENDLY AMENDMENT TO MOVE THE COUNTY COMMISSIONER MEETING START TIME TO 3:30 P.M.**

Moved by Commissioner Snider, seconded by Commissioner Mahoney, to approve a friendly amendment to move the County Commissioner Meeting start time to 3:30 p.m.

Commissioner Hovey-Wright suggested accommodating the working people to make the meeting later.

Commissioner Foster noted that the building closes at 5:00 p.m. and staff overtime is required when meetings go later than 5 p.m.

Commissioner Nash stated that since having the meetings at 4:00 there have been more meetings and work sessions and changing the time would be a disservice.

Roll Call on the friendly amendment to move the meeting start time to 3:30 p.m.:

Yes: Gary Foster, Susie Hughes, Zach Lahring, Kenneth Mahoney, Bob Scolnik, I. John Snider, II, Rillastine Wilkins

No: Hovey-Wright, Charles Nash

Motion Carried

2019-4 **CHANGE THE TERM FOR THE BOARD CHAIR FROM A ONE-YEAR TERM TO A TWO-YEAR TERM**

Moved by Commissioner Foster, seconded by Commissioner Snider, to change the term for the Board Chair from a one-year term to a two-year term.

Commissioner Hovey-Wright asked why the change is suggested. Commissioner Foster indicated it would provide continuity in leadership when issues are being made in the middle of the Commissioner's two-year term.

Roll Call:

Yes: Gary Foster, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Bob Scolnik, I. John Snider, II, Rillastine Wilkins

No: Kenneth Mahoney, Charles Nash

Motion Carried

2019-5 **APPROVE THE MUSKEGON BOARD RULES FOR 2019 AS AMENDED**

Moved by Commissioner Hughes, seconded by Commissioner Snider, to approve the Muskegon Board Rules for 2019 as amended.

Roll Call:

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

No: None

Motion Carried

Deputy County Clerk Pezet opened the Nominations for Board Chair.

Moved by Commissioner Mahoney to Nominate Commissioner Nash as County Chair.

Moved by Commissioner Foster to Nominate Commissioner Hughes as County Chair.

2019-6 **VOTE FOR COUNTY CHAIR BY SECRET BALLOT**

Moved by Commissioner Snider, seconded by Commissioner Mahoney, to vote for County Chair by secret ballot.

Roll Call:

Yes: Kenneth Mahoney, I. John Snider, II, Rillastine Wilkins, Charles Nash

No: Robert Scolnik, Gary Foster, Marcia Hovey-Wright, Susie Hughes, Zach Lahring

Motion Defeated

Corporate Counsel Doug Hughes commented on the process for voting for Chair.

2019-7 **CLOSE THE NOMINATIONS FOR CHAIR AND PROCEED WITH THE BALLOTING PROCESS**

Moved by Commissioner Mahoney, seconded by Commissioner Snider, to close the nominations for Chair and proceed with the balloting process.

Voice Vote

Motion Carried

Roll Call Vote for Board Chair:

Commissioner Scolnik – vote for Hughes
Commissioner Snider – vote for Nash
Commissioner Wilkins – vote for Hughes
Commissioner Foster – vote for Hughes
Commissioner Hovey-Wright – vote for Hughes
Commissioner Hughes – vote for Hughes
Commissioner Lahring – vote for Hughes
Commissioner Mahoney – vote for Nash
Commissioner Nash – vote for Nash

Commissioner Hughes – 6 votes

Commissioner Nash – 3 votes

It is determined that Commissioner Hughes is elected as Chair to the Muskegon County Board of Commissioners.

Deputy County Clerk Pezet issued the Oath of Office to Commissioner Hughes and congratulated her as Chair to the Muskegon County Board of Commissioners and she passed the gavel for the new Chair to continue the meeting.

Chair Susie Hughes presiding.

Chair Susie Hughes thanked Commissioners for their confidence.

Chair Susie Hughes opened the floor for Nominations for Vice Chair to the Muskegon County Board of Commissioners.

Moved by Commissioner Scolnik, to nominate Commissioner Snider as Vice Chair.

Moved by Commissioner Wilkins, to nominate Commissioner Foster as Vice Chair.

There being no other nominations.

2019-8 **CLOSE THE NOMINATIONS FOR VICE CHAIR AND PROCEED WITH THE BALLOTING PROCESS**

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to close the nominations for Vice Chair and proceed with the balloting process.

Voice Vote

Motion Carried

Roll Call Vote for Board Vice Chair

Commissioner Foster – Vote for Commissioner Foster
Commissioner Hovey-Wright – Vote for Commissioner Foster
Commissioner Hughes – Vote for Commissioner Foster
Commissioner Lahring – Vote for Commissioner Foster
Commissioner Mahoney – Vote for Commissioner Snider
Commissioner Nash – Vote for Commissioner Snider
Commissioner Scolnik – Vote for Commissioner Snider
Commissioner Snider – Vote for Commissioner Snider
Commissioner Wilkins – Vote for Commissioner Foster

Commissioner Foster – 5 Votes Commissioner Snider – 4 Votes

It is determined that Commissioner Foster is elected as Vice Chair to the Muskegon County Board of Commissioners.

Chair Hughes congratulated Commissioner Foster as new Vice Chair to the Muskegon County Board of Commissioners.

Deputy County Clerk Pezet issued the Oath of Office to Commissioner Foster and congratulated him as Vice Chair to the Muskegon County Board of Commissioners.

2019-9 **ADOPT THE CALENDAR FOR THE MUSKEGON COUNTY BOARD OF COMMISSIONERS WITH MEETINGS BEGINNING AT 3:30 P.M.**

Moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to adopt the 2019 Calendar for the Muskegon County Board of Commissioners with meetings beginning at 3:30 p.m. (See attached).

Voice Vote **Motion Carried**

2019-10 **ADOPT THE ADMINISTRATIVE SETTLEMENT AUTHORITY**

Moved by Commissioner Mahoney, seconded by Commissioner Foster, to adopt the Administrative Settlement Authority. (See attached).

Voice vote. **Motion Carried**

2019-11 **APPROVE THE COUNTY BOARD CONTRIBUTION POLICY**

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

Voice vote. **Motion Carried**

2019-12 **APPROVE THE 2019 COMMITTEE ASSIGNMENTS/CHAIR AND VICE-CHAIR APPOINTMENTS**

Moved by Commissioner Foster, seconded by Commissioner Snider, to approve the 2019 Committee assignments/Chair and Vice-Chair Appointments. (See attached)

Chair Hughes noted that the Public Works Board is a statutory 9-person board made up of the Drain Commissioner and all Commissioner except the Board Chair, however, at this time Commissioner Hovey-Wright will sit off and all remaining Commissioners will serve on the Public Works Board. There are two non-voting members from the Solid Waste Planning Committee, one representing the Townships – Jennifer Hernandez from Muskegon Charter Township and one representing the Cities – Leann Miksell from the City of Muskegon.

Voice vote. **Motion Carried**

Chair Hughes requested additional time to review the Commissioner Liaison appointments and will have this motion at the next Full Board on January 15, 2019.

PUBLIC COMMENT

Ellen Beal addressed the Board conveying her disappointment in the way the meeting rules were amended, without the public having opportunity to comment on the change in meeting time. Ms. Beal noted she had been a member of the Ingham County Board of Commissioners which held their meetings at 7:00 p.m. and Committee meetings at 5:30 p.m. or 7:00 p.m. to allow the public to attend as well as allow working people to run and serve on the County Board. She further noted that arrangements could be made for building hours and staff comp time to allow these changes.

Chair Hughes recognized Elected officials in the audience:
State Representative Terry Sabo,
Heidi Tice - Fruitport Township Supervisor,
Jennifer Hernandez - Muskegon Charter Township Supervisor,
Elmer Hoyle – Ravenna Township Supervisor,
Sheriff Michael Poulin, and
County Clerk Nancy A. Waters.

Also in attendance: Muskegon County Emergency Manager Rich Warner, Bob Lukens from the Convention and Visitors Bureau, Kathy Moore – Public Health Director, Kristin Wade – Human Resources Director, Ivan Phillips – IT Director, Sandra Vanderhyde – Circuit Court Administrator, Matt Farrar – Public Works Director, Patrick Finnegan – District Court Administrator, and Undersheriff Ken Sanford.

Meeting adjourned at 3:56 p.m.

Nancy A. Waters, Muskegon County Clerk

NAW/jmp

To Be Approved at Full Board Meeting on Tuesday, January 15, 2019

2019 MUSKEGON COUNTY BOARD OF COMMISSIONERS MEETING SCHEDULE

Full Board

Tues. January 15th
Tues. January 29th

Tues. February 12th
Tues. February 26th

Tues. March 12th
Thurs. March 21st

Tues. April 16th
Tues. April 30th

Tues. May 14th
Thurs. May 23rd

Tues. June 11th
Tues. June 25th

Tues. July 16th
Tues. July 30th

Tues. August 13th
Thurs. August 22nd

Tues. September 10th
Tues. September 24th

Tues. October 8th
Tues. October 22nd

Tues. November 12th
Thurs. November 21st

Tues. December 10th
Thurs. December 19th

Community Development & Transportation & Ways & Means

Tues. January 22nd

Tues. February 19th

Tues. March 19th

Tues. April 23rd

Tues. May 21st

Tues. June 18th

Tues. July 23rd

Thurs. August 15th

Tues. September 17th

Tues. October 15th

Tues. November 19th

Tues. December 17th

Courts/Public Safety & Human Services

Tues. January 8th

Tues. February 5th

Tues. March 5th

Tues. April 9th

Tues. May 7th

Tues. June 4th

Tues. July 9th

Tues. August 6th

Tues. September 3rd

Tues. October 1st

Tues. November 5th

Tues. December 3rd

Public Works & Ways & Means

Thurs. January 10th

Thurs. February 7th

Thurs. March 7th

Thurs. April 11th

Thurs. May 2nd

Thurs. June 6th

Thurs. July 11th

Thurs. August 1st

Thurs. September 5th

Thurs. October 3rd

Thurs. November 7th

Thurs. December 5th

All meetings are held in the Board of Commissioners' Room on the 4th Floor of the Hall of Justice, 990 Terrace, Muskegon at 3:30 PM unless otherwise noted

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

ADMINISTRATIVE SETTLEMENT AUTHORITY 2019

I. POLICY

A. Any claim brought against the County involving more than Fifteen Thousand (\$15,000.00) Dollars shall be presented to the County Board of Commissioners for their consideration, and settlement authorization, consistent with the procedure listed below.

B. Any claim brought against the County involving sums of less than Fifteen Thousand (\$15,000.00) may be settled by the Administrator without the approval of the County Board of Commissioners.

II. PROCEDURE

A. The Administrator, in considering the settlement of any claim within the authority provided above, will prepare a written summary for the Chairperson of the Muskegon County Board of Commissioners and the Chairperson of the Muskegon County Board of Commissioners' Ways & Means Committee for their approval.

B. If the Administrator's recommendation is approved by both the Board Chair and the Chairperson of Ways & Means, the Administrator will be authorized to enter into a settlement on behalf of the County.

C. If the recommendation is approved, the settlement will be reported to all of the members of the County Board of Commissioners within thirty calendar (30) days of the approval.

III. TERM

This authority shall remain in effect until the Organizational Meeting of 2020, 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. 2019-____

APPROVAL DATE: JANUARY 3, 2019

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 shall require 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 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.

CERTIFICATION:

Motion by _____, second by _____, to adopt the foregoing policy at the Organizational Meeting of the Muskegon County Board of Commissioners held January 3, 2019.

AYES:

NAYS:

I, Nancy A. Waters, Clerk of Muskegon County, State of Michigan, do hereby certify that the above is a true and correct copy of a policy adopted by the Muskegon County Board of Commissioners at the January 3, 2019, Organizational Meeting, in testimony whereof, I have hereunto set my hand and affixed the seal of my office this 3rd day of January 2019.

Nancy A. Waters, County Clerk