

**Muskegon County**  
**Board of Commissioners**  
Hall of Justice, 990 Terrace, 4<sup>th</sup> 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/Zoom Full Board Meeting**

Thursday, May 21, 2020

3:30 p.m.

Chairman Susie Hughes, Presiding

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes via Zoom. An Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was 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, Rillastine R. Wilkins

Absent: None

Also present: Mark Eisenbarth, County Administrator  
Beth Dick, Finance Director/Assistant County Administrator  
Nancy A. Waters, County Clerk  
Linda Sue Schutter, Deputy Clerk  
Michael D. Homier, Corporate Counsel  
Ivan Phillips, Information Systems Director

2020-207 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Foster, seconded by Commissioner Snider, to approve the agenda.

Roll call:

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

No: None

**Motion Carried**

2020-208 **APPROVE THE MINUTES OF MAY 12, 2020**

Moved by Commissioner Hovey-Wright, and seconded to approve the minutes of May 12, 2020.

Roll call:

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

No: None **Motion Carried**

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

Kathy Moore, Public Health Director, updated the Board on COVID-19. To date, there have been 4650 tests, with 538 positive cases, and 26 deaths. Director Moore also informed the Board that the National Guard was assisting in testing at area nursing homes.

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

Jim Riley addressed the Board regarding the wash-out at Pioneer Park and plans to repair the park. He also asked if they were still planning on putting in the new bathhouse and maintenance building.

Asaline Scott, Donna Pennington, Doug Wood, Josie James, Sheriff Poulin, and Nancy (unknown last name) all spoke in favor of the Love Lives Here Resolution.

**COMMUNICATIONS**

The following Communication was presented to Commissioners for informational purposes and placed on file:

A) Menominee County Resolution in Response to Executive Order 2020-77

Commissioner Lahring spoke in support of this resolution. Commissioner Hovey-Wright raised her opposition to this resolution.

**COMMITTEE/BOARD REPORTS**

2020-209 **AUTHORIZE STAFF TO HIRE AUSTIN CARLSON AND MARLEE ANDERSON AS INTERIM MEINERT PARK CARETAKERS WITH ALL ASSOCIATED COSTS PAID FROM PARKS DEPARTMENT FUNDS**

CD/SP20/05-06

The Community Development/Strategic Planning Committee recommended, moved by Commissioner Nash, seconded by Commissioner Mahoney, to authorize staff to hire Austin Carlson and Marlee Anderson as Interim Meinert Park Caretakers with all associated costs paid from Parks Department funds.

Roll call:

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

No: Zach Lahring **Motion Carried**

2020-210 **APPROVE THE “LOVE LIVES HERE” RESOLUTION**

CD/SP20/05-07

The Community Development/Strategic Planning Committee recommended, moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the “Love Lives Here” Resolution.

Roll call:

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

No: Gary Foster, Zach Lahring **Motion Carried**

\*Update – The Love Lives Here Resolution has been sent to all 82 Counties as requested by Chairman Hughes.

2020-211 **APPROVE AWARD OF THE GENERATOR CONSTRUCTION PORTION OF THE AIP 3-26-0071-4420 GRANT TO THE LOW BIDDER, KORTHASE & SONS, IN THE AMOUNT OF \$75,500.00**

TR20/05-14 (Airport)

The Transportation Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to approve award of the generator construction portion of the AIP 3-26-0071-4420 grant to the low bidder, Korthase & Sons, in the amount of \$75,500.00.

Roll call:

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

No: None **Motion Carried**

2020-212 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM PUBLIC TRANSIT AGENCY SAFETY PLAN AND TO HAVE THE TRANSIT SYSTEMS MANAGER NAMED AS THE ACCOUNTABLE EXECUTIVE FOR PTASP EFFORTS**

TR20/05-15 (Transit)

The Transportation Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Mahoney to approve the Muskegon Area Transit System Public Transit Agency Safety Plan and to have the Transit Systems Manager named as the Accountable Executive for PTASP efforts.

Roll call:

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

No: None **Motion Carried**

2020-213 **AUTHORIZE ELIMINATION OF VACANT MATS FULL-TIME POSITIONS  
G13011, G13019, G57502, G86004, G28002 AND N84004.**

TR20/05-16 (Transit)

The Transportation Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to authorize elimination of vacant MATS full-time positions G13011, G13019, G57502, G86004, G28002 and N84004.

Roll call:

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

No: None **Motion Carried**

2020-214 **AUTHORIZE MATS TO PUBLISH A SUMMARY OF PROPOSED  
SERVICE CHANGES, PUBLICIZE A 15-DAY PUBLIC COMMENT  
PERIOD IN JUNE OF 2020 AND SCHEDULE A PUBLIC HEARING FOR  
JUNE 11, 2020**

TR20/05-17 (Transit)

The Transportation Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to authorize MATS to publish a summary of proposed service changes, publicize a 15-day public comment period in June of 2020 and schedule a public hearing for June 11, 2020.

Roll call:

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

No: None **Motion Carried**

2020-215 **AUTHORIZE MATS TO PLACE AN ORDER IN THE AMOUNT NOT TO EXCEED \$2,481,2580 FOR UP TO FIVE (5) HEAVY DUTY TRANSIT BUSES FROM GILLIG CORPORATION USING THE EXISTING FTA COMPLIANT PROCUREMENT CONDUCTED BY ITP-THE RAPID, WITH 100% OF THE COST OF THE PURCHASE TO BE PAID WITH GRANT FUNDS**

TR20/05-18 (Transit)

The Transportation Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Mahoney, to authorize MATS to place an order in the amount not to exceed \$2,481,2580 for up to five (5) heavy duty transit buses from Gillig Corporation using the existing FTA compliant procurement conducted by ITP-The Rapid, with 100% of the cost of the purchase to be paid with grant funds.

Roll call:

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

No: None **Motion Carried**

2020-216 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,627,821.10, COVERING THE PERIOD OF APRIL 25, 2020 THROUGH MAY 7, 2020 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM20/05-40 (Administration)

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Snider, to approve payment of the accounts payable of \$3,627,821.10, covering the period of April 25, 2020 through May 7, 2020 for checks as presented by the County Clerk.

Roll call:

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

No: Zach Lahring **Motion Carried**

2020-217

**APPROVE THE ATTACHED TRUTH IN TAXATION PUBLIC HEARING SCHEDULE AND TO ADOPT THE ATTACHED RESOLUTION SETTING JUNE 9, 2020 AS THE DATE FOR THE TRUTH IN TAXATION PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING AND RECEIVING TESTIMONY REGARDING THE PROPOSED TENTATIVE LEVY OF 5.6978 MILLS FOR MUSKEGON COUNTY GENERAL OPERATING IN JULY 2020, THE PROPOSED TENTATIVE LEVY OF 0.3220 MILLS FOR LAKESHORE MUSEUM CENTER OPERATING IN DECEMBER 2020, THE PROPOSED TENTATIVE LEVY OF 0.0751 MILLS FOR DEPARTMENT OF VETERANS AFFAIRS OPERATING IN DECEMBER 2020, THE PROPOSED TENTATIVE LEVY OF 0.2999 MILLS FOR MUSKEGON COUNTY CENTRAL DISPATCH OPERATING IN DECEMBER 2020 AND THE PROPOSED TENTATIVE LEVY OF .4999 MILLS FOR PA 39 OF 1976 (ACTIVITIES OR SERVICES FOR OLDER PERSONS ACT) IN DECEMBER 2020**

WM20/05 – 41 (Administration)

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Snider, to approve the attached Truth In Taxation public hearing schedule and to adopt the attached resolution setting June 9, 2020 as the date for the Truth In Taxation public hearing for the purpose of discussing and receiving testimony regarding the proposed tentative levy of 5.6978 mills for Muskegon County general operating in July 2020, the proposed tentative levy of 0.3220 mills for Lakeshore Museum Center operating in December 2020, the proposed tentative levy of 0.0751 mills for Department of Veterans Affairs operating in December 2020, the proposed tentative levy of 0.2999 mills for Muskegon County Central Dispatch operating in December 2020 and the proposed tentative levy of .4999 mills for PA 39 of 1976 (Activities or Services for Older Persons Act) in December 2020.

Roll call:

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

No: Zach Lahring

**Motion Carried**

2020-208 **APPROVE RENEWAL OF THE ANNUAL MAINTENANCE AND SUPPORT AGREEMENT FOR THE PURESTORAGE NETWORK STORAGE ARRAY FOR \$26,016.00 TO BE PROCURED FROM CDW AS A SOLE SOURCE**

WM20/05 – 43 (Information Technology)

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Snider, to approve renewal of the annual maintenance and support agreement for the PureStorage network storage array for \$26,016.00 to be procured from CDW as a sole source.

Roll call:

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

No: None **Motion Carried**

2020-219 **AUTHORIZE DELETION OF DATABASE ADMINISTRATOR, X25101, SALARY RANGE ADJUSTMENT FOR THE VACANT ONBASE ADMINISTRATOR POSITION, X72601, FROM NX-00320 (\$30.361/HR. - \$38.398/HR.), TO NX-00290 (\$26.406/HR. - \$33.324/HR.), RECLASSIFY INFO SYSTEMS TECH I'S, N40004 AND N40005, AND ECM COORDINATOR TIER 1, N29501 AT PAY TABLE/GRADE NO-00200 (\$17.426/HR. - \$22.982/HR.), TO INFO SYSTEMS TECH II POSITIONS AT PAY TABLE/GRADE NX-00210 (\$21.954/HR. - \$27.635/HR.), CREATE TWO (2) NEW INFO SYSTEMS TECH I POSITIONS AT PAY TABLE/GRADE (\$17.426/HR. - \$22.982/HR.)**

WM20/05 – 44 (Information Technology)

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Snider, to authorize deletion of Database Administrator, X25101, salary range adjustment for the vacant Onbase Administrator position, X72601, from NX-00320 (\$30.361/hr. - \$38.398/hr.), to NX-00290 (\$26.406/hr. - \$33.324/hr.), reclassify Info Systems Tech I's, N40004 and N40005, and ECM Coordinator Tier 1, N29501 at pay table/grade NO-00200 (\$17.426/hr. - \$22.982/hr.), to Info Systems Tech II positions at pay table/grade NX-00210 (\$21.954/hr. - \$27.635/hr.), create two (2) new Info Systems Tech I positions at pay table/grade (\$17.426/hr. - \$22.982/hr.).

Roll call:

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

No: Zach Lahring **Motion Carried**



## **COMMITTEE LIAISON REPORTS**

Commissioner Mahoney reported on the Road Commission meeting. They are monitoring their budget closely since the gas tax revenue is reduced considerably these last two months because nobody is driving.

Commissioner Lahring reported that the Fair Board is still planning on going ahead with the County Fair depending on the Executive Orders from the Governor. They are considering not showing hogs this year due to slaughter houses being backed up with processing.

Commissioner Hovey-Wright reported on HealthWest. They are still seeing clients virtually. They did have to close down Brinks due to too few patients and too high of costs for their current location. HealthWest will be bringing this issue back up in the future when they find a suitable, less expensive location. HealthWest is doing tracing for their own clients. They are still struggling financially, however, all of the money did come in for 2018, but not 2019.

## **CHAIRMAN'S REPORT**

2020-220 **REAPPOINT MARK EISENBARTH, BETH DICK, MARK FAIRCHILD, AND MATT FARRAR TO THE BUILDING AUTHORITY (UNDESIGNATED SLOTS), TERMS THROUGH 06/30/2023**

Chairman Hughes recommends, moved by Commissioner Mahoney, seconded by Vice-Chair Foster, to reappoint Mark Eisenbarth, Beth Dick, Mark Fairchild, and Matt Farrar to the Building Authority (undesigned slots), terms through 6/30/2023.

Roll call:

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

No: Zach Lahring

**Motion Carried**

- A. Memorial Day weekend is already here. The Stay Home/Stay Safe Order is still in effect, but you may still enjoy outdoor activities while social distancing:
- a. Fishing - you can buy and print your license online at Michigan.gov;
  - b. Boating, including motorized boating, kayaking, canoeing, and sailing, fall within the outdoor recreational activities permitted under the order and you can renew your boat registration online;
  - b. Recreational passports for state parks, boating access sites and other recreational areas have been suspended.
- B. Recent festival cancellations include: Unity Christian Music Festival, Rockstock, Burning Foot Beer Festival, and the Michigan Irish Music Festival.

- C. The Muskegon Clippers Baseball season for 2020 has been cancelled due to COVID-10.
- D. The Lake Express is set to sail Thursday, June 4, for its first crossing of the 2020 season.
- E. Orchard View High School will be holding their high school graduation at Heritage Landing in August.
- F. Emergency Management Director Rich Warner will be holding a Zoom meeting Friday morning at 9:00 a.m. with township and city managers to provide an update on applications submitted pertaining the flooding.

### **ADMINISTRATOR'S REPORT**

#### 2020-221 **AUTHORIZE APPROVAL OF THE COVID-19 PREPAREDNESS AND RESPONSE PLAN**

Admin Item 12-A

The Administrator recommends, moved by Commissioner Wilkins, seconded by Commissioner Hovey-Wright, authorize approval of the COVID-19 Preparedness and Response Plan.

Roll call:

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

No: Zach Lahring **Motion Carried**

#### 2020-222 **AUTHORIZE PARTICIPATION IN THE WORK SHARE PROGRAM**

Admin Item 12-B

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Scolnik, authorize participation in the Work Share program.

Discussion ensued regarding services that have been handled during closure and how they will be handled with Friday closures through July.

Roll call:

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

No: None **Motion Carried**

2020-223 **APPROVE THE 2020 MUSKEGON COUNTY PARKS CAMPGROUND  
OPENING PLAN**

Admin Item 12-C

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Wilkins, to approve the 2020 Muskegon County Parks Campground Opening Plan.

Roll call:

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

No: Zach Lahring **Motion Carried**

**PRESENTATION – EMERGENCY SERVICES RICH WARNER – LOCAL FLOODING**

Rich Warner, Emergency Services Manager, updated the Board on the local flooding issue, including the wash-out at Pioneer Park. Mr. Warner reported that there were almost 1400 houses affected by the flooding in the County. He has been working with IT to send out a mass email regarding forms to fill out for assistance, and also GIS for mapping the flooded areas. He indicated there may be low-interest loans available from the Small Business Administration for assistance for some of the flooded homes. This is not a FEMA-qualifying event. Mr. Warner suggested residents contact EGLE if their neighbors are pumping water that eventually damages their property.

**CLOSED SESSION**

2020-224 **GO INTO CLOSED SESSION 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**

Moved by Commissioner Mahoney, seconded by Commissioner Hovey-Wright, to go into Closed Session regarding 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.

Roll call:

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

No: None **Motion Carried**

Went into closed session at 4:41 p.m.

Returned to open session at 5:09 p.m.

2020-225 **MOVED BY COMMISSIONER WILKINS, SECONDED BY COMMISSIONER HOVEY-WRIGHT TO RETURN TO OPEN SESSION**

Roll call:

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

No: None

**Motion Carried**

### **OLD BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

Sheriff Poulin updated the Board on an incident at the jail yesterday that occurred after 5:00 p.m. An inmate found his cell-mate unresponsive, staff responded and performed CPR. EMS arrived and pronounced the inmate deceased. The Medical Examiner's office contacted Sheriff Poulin today and informed him that the deceased had congestive heart failure which is hereditary.

### **FINAL BOARD COMMENTS**

Commissioner Scolnik indicated that these types of meetings demonstrate the need for high-speed internet in the County.

Commissioner Lahring indicated that previously there was some federal money for internet in rural areas, possibly a grant program, but he was informed that our county was not included, although he was not sure why.

Commissioner Mahoney thought that in the past it was attempted to have a Wi-Fi company come in but there were issues with the amount of trees, and near the lakeshore there is not even cell phone service.

Commissioner Lahring inquired as to the status of the loan to the City of Muskegon. Beth Dick, Finance Director, indicated that the loan was paid in full December 2019.

Commissioner Lahring commented that we are in the beginning of an economic disaster, historic flooding, and the Board is passing hiring resolution which incentivizes discriminatory practices, and using the pandemic to push forward a useless resolution based on unsubstantiated claims of racism.

2020-226 **MOVED BY COMMISSIONER HOVEY-WRIGHT, SECONDED BY COMMISSIONER NASH TO SCHEDULE A SPECIAL BOARD MEETING ON THURSDAY, MAY 28, 2020, AT 3:30 P.M.**

Roll call:

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

No: None **Motion Carried**

2020-227 **MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER NASH TO ADJOURN**

Meeting adjourned at 5:21 p.m.

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Nancy A. Waters, County Clerk

NAW/lss

To be approved at the next Full Board meeting.