

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/Zoom Full Board Meeting

Tuesday, June 23, 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 Nash. The Pledge of Allegiance was led by Commissioner Mahoney 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, Rillastine R. Wilkins

Absent: None

Also present: Mark Eisenbarth, County Administrator
Beth Dick, Finance Director/Assistant County Administrator
Kristin Barnhill, Executive Assistant
Linda M. Larsen, Chief Deputy County Clerk
Linda Sue Schutter, Deputy Clerk
Michael D. Homier, Corporate Counsel
Kathy Tharp, Administrative Coordinator

2020-249 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Foster, seconded by Commissioner Mahoney, 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

2020-250 **APPROVE THE FULL BOARD MINUTES OF JUNE 9, 2020**

Moved by Commissioner Hovey-Wright, seconded by Vice-Chair Foster, to approve the minutes of June 9, 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

PRESENTATIONS

Director of Public Health Kathy Moore updated the Board regarding COVID-19. Director Moore shared with the board that as of 06/21/20, there have been 772 positive cases, and 47 deaths. Vice-Chair Foster praised the Public Health Department for doing an outstanding job at the Oakridge school testing event.

Director of Emergency Services Rich Warner updated the Board regarding local flooding and available assistance. Director Warner indicated that there are 54 homes currently trying to get qualified for the SBA funding. He is hoping to have more information by the end of the week.

Director of Information Technology Ivan Phillips updated the board regarding the Website Refresh. Director Phillips indicated that Muskegon County gets a Refresh every three years. He introduced the representative from CivicPlus, Melissa Frias. Beginning July 17, 2020, the County will start to have a new redesign of its website. It will take approximately twenty-eight weeks to complete. This is all covered under the County's contract at no additional charge to the County. Additional features, such as designing a custom logo, could be performed for a fee.

PUBLIC COMMENT (on an agenda item)

None

COMMUNICATIONS

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

- A) Ingham County Board of Commissioners Resolution to Declare Racism as a Public Health Crisis.
- B) Livingston County Resolution in Support of Request to Reclassify Livingston County in District 5.

Commissioner Hovey-Wright stated she supports Item A and would like to make it specific to Muskegon County.

COMMITTEE/BOARD REPORTS

2020-251 **EXECUTE THE AGREEMENT BETWEEN THE MUSKEGON COUNTY AIRPORT AND ITS ESSENTIAL AIR SERVICE PROVIDER, SKYWEST AIRLINES, TO DEFER TERMINAL AND GATE RENTAL PAYMENTS AND AIRPORT LANDING FEE PAYMENTS. TERMINAL AND GATE RENTAL DEFERMENTS WILL BE FROM MAY 1, 2020 TO JULY 31, 2020, AND WILL BE PAYABLE BY SEPTEMBER 30, 2020. LANDING FEE DEFERMENTS WILL BE FROM APRIL 1, 2020 TO JUNE 30, 2020 AND WILL ALSO BE PAYABLE SEPTEMBER 30, 2020**

TR20/06-19

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice-Chair Foster, to execute the agreement between the Muskegon County Airport and its Essential Air Service provider, SkyWest Airlines, to defer terminal and gate rental payments and airport landing fee payments. Terminal and gate rental deferments will be from May 1, 2020 to July 31, 2020, and will be payable by September 30, 2020. Landing fee deferments will be from April 1, 2020 to June 30, 2020 and will also be payable September 30, 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

2020-252 **AUTHORIZE ISSUING A REQUEST FOR QUALIFICATIONS FOR ARCHITECTURE AND ENGINEERING SERVICES FOR A NEW, FLAT ROOF FOR THE AIRPORT TERMINAL WITH FUNDING PROVIDED BY FAA CARES ACT FUNDS**

TR20/06-20

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice-Chair Foster, to authorize issuing A Request for Qualifications for architecture and engineering services for a new, flat roof for the airport terminal with funding provided by FAA Cares Act 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

2020-253 **APPROVE THE AWARD OF RFP 20-2383 FOR A TWO-YEAR PERIOD OF AD-HOC ENGINE-RELATED DIAGNOSTIC AND REPAIR SERVICES ON DIESEL AND CNG VEHICLES WITH CUMMINS ENGINES TO CUMMINS SALES AND SERVICE**

TR20/06-21

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Vice-Chair Foster, to approve the award of RFP 20-2383 for a Two-Year Period of Ad-Hoc Engine-Related Diagnostic and Repair Services on Diesel and CNG Vehicles with Cummins Engines to Cummins Sales and Service.

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**

2020-254 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$2,187,067.04, COVERING THE PERIOD OF MAY 22, 2020 THROUGH JUNE 5, 2020 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM20/06 – 48

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to approve payment of the accounts payable of \$2,187,067.04, covering the period of May 22, 2020 through June 5, 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**

2020-255 **APPROVE SELECTING US BANK AS THE COUNTY'S PROCUREMENT CARD SERVICE PROVIDER WITH AN IMPLEMENTATION NO LATER THAN OCTOBER 31, 2020 UNDER THE STATE OF MICHIGAN'S CONTRACT NUMBER 20000000047 AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE ATTACHED POLITICAL SUBDIVISION ADDENDUM UPON CORPORATE COUNSEL REVIEW**

WM20/06 – 49

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to approve selecting US Bank as the County's Procurement Card service provider with an implementation no later than October 31, 2020 under the State of Michigan's contract number 20000000047 and authorize the Board Chair to execute the attached Political Subdivision Addendum upon corporate counsel review

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**

2020-256 **APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2021 CRIME VICTIM RIGHTS GRANT IN THE AMOUNT OF \$328,671.00 AND AFFIX THE SIGNATURE OF THE BOARD CHAIRPERSON TO THE LETTER OF AUTHORIZATION REQUIRED BY THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES**

WM20/06 – 50

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to approve the Prosecutor to apply for and accept the FY2021 Crime Victim Rights Grant in the amount of \$328,671.00 and affix the signature of the Board Chairperson to the letter of authorization required by the Michigan Department of Health and Human Services.

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**

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

- A. Citizen Appointments
Kent-Ottawa-Muskegon Foreign-Trade Zones Board (KOMFTZ) – term through 6/30/2023
- Morgan Carroll – Muskegon Area First – Appointment

2020-257 **APPROVE THE APPOINTMENT OF MORGAN CARROLL – MUSKEGON AREA FIRST – TO THE KENT-OTTAWA-MUSKEGON FOREIGN-TRADE ZONES BOARD (KOMFTZ), WITH A TERM THROUGH 06/30/2023**

It was recommended by Chairman Hughes, moved by Commissioner Mahoney, seconded by Vice-Chair Foster, to approve the appointment of Morgan Carroll – Muskegon Area First – to the Kent-Ottawa-Muskegon Foreign-Trade Zones Board (KOMFTZ), with a term through 06/30/2023.

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**

- B. Check out the Muskegon Channel live from the web cam at the USS Silversides at: <https://silversidesmuseum.org/pages/watch-us-live>
- C. Taste of Muskegon will take place June 19-28. Restaurants and food trucks will be providing take out service to comply with social distancing guidelines. <https://www.tasteofmuskegon.org>
- D. The City of Muskegon Heights recently held their ribbon cutting ceremony on the new solar energy project which will provide 47% of city-owned facilities with solar energy and save approximately \$100,000.

Commissioner Hovey-Wright inquired about the County looking into the same type of solar energy project for County facilities. Administrator Eisenbarth indicated he has been working with the Director of Public Works Matt Farrar and they are looking into possibilities for future energy-saving projects.

Discussion ensued regarding beneficial energy-saving projects with input by Financial Director Beth Dick and Director Farrar.

ADMINISTRATOR'S REPORT

2020-258 **APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2021 VOCA GRANT IN THE AMOUNT OF \$70,791**

It was recommended by Administrator Eisenbarth, moved by Commissioner Nash, seconded by Vice-Chair Foster, to approve the Prosecutor to apply for and accept the FY2021 VOCA Grant in the amount of \$70,791.

Prosecutor Hilson explained the nature of the Victims of Crime Act (VOCA) grant that will be used for a Domestic Violence Specialist position.

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

Administrator Eisenbarth gave an update on the status of employees returning to work. He explained that employees have started to return to work some offices have opened. The County Building has seen more traffic this week. The Sheriff's Department front door staff has done a good job of sharing a handout of County websites. Half of the people who come can get their questions answered on line. The Administrator said he has heard good reports and that things running smoothly. He indicated that the Courts will re-open Monday, July 6, 2020.

Commissioner Lahring inquired as to a timeline of returning to in-person Board of Commissioner meetings, or the possibility of in-person and Zoom combined. Corporate Counsel Homier indicated that the Governor extended remote meetings through the end of July under Executive Order 129. Corporate Counsel Homier further indicated that for our region, Executive Order 110 limits the number of persons to 10 for indoor gatherings, outdoor gatherings are limited to 100. Because the County does not have adequate space to accommodate those numbers of people adhering to social distancing, the Board of Commissioner meetings will have to continue with Zoom meetings for now.

Administrator Eisenbarth shared with the Board that Senator Bumstead sent out information on SB690 which relates to additional funding under the CARES Act.

OLD BUSINESS

2020-259 **CANCEL THE PUBLIC WORKS COMMITTEE MEETING FOR JULY 9, 2020, FOR LACK OF ACTION ITEMS**

Moved by Vice-Chair Foster, seconded by Commissioner Nash, to cancel the Public Works Committee meeting for July 9, 2020, for lack of action items.

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

Vice-Chair Foster requested a work session regarding updates on MATS. Administrator Eisenbarth said that this can be set for Thursday, July 9, 2020, at 2:00 p.m.

NEW BUSINESS

Commissioner Nash asked about the status of the resolution similar to one shared by Ingham County to go before the Community Development/Strategic Planning Committee. Chairman Hughes indicated she is already working with Administration on preparing the resolution.

PUBLIC COMMENT

Jennifer Hodges, Muskegon Township Supervisor, encourages the use of Executive Order 129 regarding virtual meetings. She enjoys attending the Board meetings on line. She also encouraged people to reach out to their representatives in Lansing to see about a hybrid form of meeting.

FINAL BOARD COMMENTS

Commissioner Lahring sees the value of Zoom meetings and hopes that Executive Order 129 is extended, but he believes there is also value in meeting face to face. Since there are still vulnerable people, hopefully combining the two can be an option by placing a monitor in the board room.

Commissioner Mahoney, thanked Chairman Hughes for attending Asset Committee meeting yesterday. Chairman Hughes appreciates Commissioner Mahoney stepping up and taking over as Vice-Chair of the committee.

Administrator Eisenbarth indicated there will be no Board meeting on Thursday, June 25, 2020.

CLOSED SESSION

2020-260 **GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(H): TO DISCUSS A CONFIDENTIAL WRITTEN LEGAL OPINION WITH THE COUNTY'S ATTORNEY**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to go into Closed Session pursuant to MCL 15.268(h) to discuss a confidential written legal opinion with the County's attorney.

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 4:30 p.m.

Returned to open session at 4:39 p.m.

2020-261 **MOVED BY COMMISSIONER NASH, SECONDED BY VICE-CHAIR FOSTER 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**

2020-262 **UPHOLD THE DECISION MADE BY THE FOIA COORDINATOR OF THE SHERIFF'S DEPARTMENT AND TO SEND THE MEMO THAT WAS DRAFTED BY CORPORATE COUNSEL**

It was moved by Commissioner Snider, seconded by Commissioner Mahoney, to uphold the decision made by the FOIA Coordinator of the Sheriff's Department and to send the memo that was drafted by Corporate Counsel.

Roll call:

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

No: Zach Lahring **Motion Carried**

2020-263 **MOVED BY COMMISSIONER NASH, SECONDED BY COMMISSIONER
HOVEY-WRIGHT TO ADJOURN**

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

Meeting adjourned at 4:43 p.m.

Linda M. Larsen, Chief Deputy County Clerk

LML/lss

To be approved at the next Full Board meeting.