

**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 <http://co.muskegon.mi.us/clerk>

Full Board Meeting

Tuesday, June 25, 2019

3:30 p.m.

Chairman Susie Hughes, Presiding

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes. An invocation was given by Pastor Wally Reames, Central Assembly of God, 896 Home Street, Muskegon, MI 49442. 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

Also Present: Mark E. Eisenbarth, Administrator
Nancy A. Waters, County Clerk
Jeanne Pezet, Deputy County Clerk
Brianne Rodgers, Deputy Clerk

2019-248 **APPROVAL OF THE AGENDA**

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

Voice vote

Motion Carried

2019-249 **APPROVE THE BOARD MINUTES OF JUNE 11, 2019**

Moved by Vice Chair Foster, seconded by Commissioner Mahoney, to approve the Board Minutes of June 11, 2019.

Voice vote

Motion Carried

PUBLIC COMMENT (on an agenda item)

There was no public comment on an agenda item.

PRESENTATION

Commissioner Snider presented a proclamation given by the County Commissioners to Michael Gerstweiler of the Muskegon Area Robotics Team and Mentors. The team is made up of students from North Muskegon, Orchard View, Reeths-Puffer, and Oakridge schools as well as homeschool students. The team finished 2nd Place Worldwide in a competition after spending six weeks designing, building and programming a fully functional robot from scratch.

COMMUNICATIONS

The following Communication item was provided to the Commissioners for informational purposes and will be placed on file:

- Cheboygan County Resolution: Support of H.R. 530, the Accelerating Wireless Broadband Development Empowering Local Communities Act of 2019

COMMITTEE/BOARD REPORTS

2019-250 **APPROVE THE PURCHASE OF TWO TORO GRAND STAND MOWERS AND ATTACHMENTS FROM MASON LAWN & SNOW IN THE AMOUNT OF \$27,931.98 WITH 100% OF THE PURCHASE FUNDED THROUGH THE AIRPORT'S APPROVED FY19 BUDGET (5810-0536-977.000 EQUIPMENT)**

TR19/06-18

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Nash, to approve the purchase of two Toro Grand Stand mowers and attachments from Mason Lawn & Snow in the amount of \$27,931.98 with 100% of the purchase funded through the Airport's approved FY19 Budget (5810-0536-977.000 Equipment).

Commissioner Lahring asked that all Transportation items be voted on individually.

Roll Call:

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

No: None

Motion Carried

2019-251 **APPROVE THE PURCHASE OF A POLARIS RANGER 750 EPS FOR AIRPORT MAINTENANCE PURPOSES FROM BABBITT'S IN THE AMOUNT OF \$16,488.02 WITH 100% OF THE PURCHASE FUNDED THROUGH THE AIRPORT'S APPROVED FY19 BUDGET (5810-0536-977.000 EQUIPMENT)**

TR19/06-19

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Nash, to approve the purchase of a Polaris Ranger 750 EPS for airport maintenance purposes from Babbitt's in the amount of \$16,488.02 with 100% of the purchase funded through the Airport's approved FY19 Budget (5810-0536-977.000 Equipment).

Roll Call:

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

No: Zach Lahring, Susie Hughes

Motion Carried

2019-252 **APPROVE THE AIRPORT'S REQUEST TO INCREASE THE AIRPORT ADMINISTRATIVE ANALYST (NX-0220) SALARY FROM STEP 3 (\$24.7140/HOUR) TO STEP 5 (\$27.0930/HOUR) AND ADDING A NEW STEP 7 TO THE SALARY RANGE (\$29.7660/HOUR); AND MODIFY THE PROPOSED FY20 BUDGET ACCORDINGLY TO COVER THE FULL AMOUNT OF THE PROPOSED ANNUAL SALARY INCREASE (APPROXIMATELY \$5,000)**

TR19/06-20

The Transportation Committee recommends, moved by Commissioner Wilkins, seconded by Commissioner Nash, to approve the Airport's request to increase the Airport Administrative Analyst (NX-0220) salary from Step 3 (\$24.7140/hour) to Step 5 (\$27.0930/hour) and adding a new Step 7 to the salary range (\$29.7660/hour); and modify the proposed FY20 budget accordingly to cover the full amount of the proposed annual salary increase (approximately \$5,000).

Roll Call:

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

No: None

Motion Carried

2019-253 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$13,409,727.23, COVERING THE PERIOD OF MAY 24, 2019 THROUGH JUNE 6, 2019 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM19/06-75

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve payment of the accounts payable of \$13,409,727.23, covering the period of May 24, 2019 through June 6, 2019 for checks as presented by the County Clerk.

Roll Call:

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

No: Zach Lahring, Charles Nash

Motion Carried

2019-254 **APPROVE A 35 HOUR WORK WEEK WITH 5 FURLOUGH HOURS PER WEEK FOR KAREN MILLER ACCOUNTANT II POSITION (X02001) FOR THE PERIOD FROM JUNE 24 – AUGUST 30, 2019**

WM19/06-77

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to approve a 35 hour work week with 5 furlough hours per week for Karen Miller Accountant II position (X02001) for the period from June 24 – August 30, 2019.

Roll Call:

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

No: None

Motion Carried

2019-255 **AWARD THE CONTRACT FOR CUSTODIAL AND CLEANING SERVICES AT THE CONVENTION & VISITORS BUREAU AND THE MUSKEGON COUNTY AIRPORT TO PROFESSIONAL BUILDING SERVICES LLC FOR A FIVE YEAR PERIOD PURSUANT TO RFP 19-2326 AND AUTHORIZE THE CHAIR AND CLERK TO EXECUTE THE AGREEMENT**

WM19/06-78

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the contract for custodial and cleaning services at the Convention & Visitors Bureau and the Muskegon County Airport to Professional Building Services LLC for a five year period pursuant to RFP 19-2326 and authorize the Chair and Clerk to execute the agreement.

Roll Call:

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

No: None

Motion Carried

2019-256 **AWARD THE CONTRACT FOR CUSTODIAL AND CLEANING SERVICES AT THE TWO MATS FACILITIES, LOUIS A. MCMURRAY CONFERENCE CENTER AND THE HERMAN IVORY TERMINAL TO PROFESSIONAL BUILDING SERVICES LLC FOR A FIVE YEAR PERIOD PURSUANT TO RFP 19-2325 AND AUTHORIZE THE CHAIR AND CLERK TO EXECUTE THE AGREEMENT**

WM19/06-79

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the contract for custodial and cleaning services at the two MATS facilities, Louis A. McMurray Conference Center and the Herman Ivory Terminal to Professional Building Services LLC for a five year period pursuant to RFP 19-2325 and authorize the Chair and Clerk to execute the agreement.

Roll Call:

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

No: None

Motion Carried

2019-257 **AWARD THE CONTRACT FOR CUSTODIAL AND CLEANING SERVICES AT THE SOUTH CAMPUS TO PROFESSIONAL BUILDING SERVICES LLC FOR A FIVE YEAR PERIOD PURSUANT TO RFP 19-2324 AND AUTHORIZE THE CHAIR AND CLERK TO EXECUTE THE AGREEMENT**

WM19/06-80

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the contract for custodial and cleaning services at the South Campus to Professional Building Services LLC for a five year period pursuant to RFP 19-2324 and authorize the Chair and Clerk to execute the agreement.

Roll Call:

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

No: None

Motion Carried

2019-258 **AWARD THE CONTRACT FOR CUSTODIAL AND CLEANING SERVICES AT THE HEALTHWEST SITES TO PROFESSIONAL BUILDING SERVICES LLC FOR A FIVE YEAR PERIOD PURSUANT TO RFP 19-2323 AND AUTHORIZE THE CHAIR AND CLERK TO EXECUTE THE AGREEMENT**

WM19/06-81

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the contract for custodial and cleaning services at the HealthWest sites to Professional Building Services LLC for a five year period pursuant to RFP 19-2323 and authorize the Chair and Clerk to execute the agreement.

Roll Call:

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

No: None

Motion Carried

2019-259 **AWARD THE CONTRACT FOR CUSTODIAL AND CLEANING SERVICES AT THE MICHAEL E. KOBZA HALL OF JUSTICE AND HERITAGE LANDING TO PROFESSIONAL BUILDING SERVICES LLC FOR A FIVE YEAR PERIOD PURSUANT TO RFP 19-2322 AND AUTHORIZE THE CHAIR AND CLERK TO EXECUTE THE AGREEMENT**

WM19/06-82

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to award the contract for custodial and cleaning services at the Michael E. Kobza Hall of Justice and Heritage Landing to Professional Building Services LLC for a five year period pursuant to RFP 19-2322 and authorize the Chair and Clerk to execute the agreement.

Roll Call:

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

No: None

Motion Carried

2019-260 **AUTHORIZE THE CREATION OF THE LAND BANK GROUNDSKEEPER/ MAINTENANCE TECHNICIAN POSITION AT THE GU 00240 PAY GRADE \$17.01 TO \$24.54 PER HOUR EFFECTIVE IMMEDIATELY AND APPROVE THE HUMAN RESOURCE DEPARTMENT TO BEGIN THE RECRUITMENT PROCESS**

WM19/06-83

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Vice Chair Foster, to authorize the creation of the Land Bank Groundskeeper/Maintenance Technician position at the GU 00240 pay grade \$17.01 to \$24.54 per hour effective immediately and approve the Human Resource Department to begin the recruitment process.

Roll Call:

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

No: None

Motion Carried

Ways and Means Motion Postponed at Committee:
WM19/06-76

To approve the repayment schedule of the City of Muskegon \$1,000,000 promissory note as follows:

July 1, 2019 \$400,000
July 1, 2020 \$200,000
July 1, 2021 \$100,000
July 1, 2022 - July 1, 2027 \$50,000 per year

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Susie Hughes announced the following upcoming events:

- Mona Lake Community Paddle on Saturday, June 29th, 8 a.m. – 10:30 a.m. at Mona Lake Park (for more information, see: <https://visitmuskegon.org/event/mona-lake-community-paddle/>)
- Star Party on Saturday, June 29th, 9 p.m. – 11:30 p.m. at Muskegon State Park (For more information, see: <https://visitmuskegon.org/event/star-party-4/>)
- Muskegon Rock Stock beginning Wednesday, July 3rd thru Sunday, July 7th at Heritage Landing (for more information, see: <https://visitmuskegon.org/event/rockstock-3/>)
- 4th of July Fireworks
 - Muskegon Rock Stock – Heritage Landing
 - USS LST Veterans Museum
 - Fireworks Cruise Aboard the Aquastar
 - Whitehall/Montague – North end of White Lake
 - Twin Lake Park

Commissioner Mahoney noted Lakewood Club will be having fireworks on Saturday, July 6th along with their parade. Commissioner Mahoney also announced that there will be a ribbon cutting for the renovated Playhouse at White Lake at 5 p.m. Commissioner Mahoney thanked County Clerk Waters for inviting him to attend the Muskegon County Pilot of the Risk Limiting Audit (RLA) for the May election. Commissioner Mahoney also reported that it was a sad Road Commission meeting due to passing of Eric Scott and his daughter. It was also noted that Road Commission projects were behind due to the weather.

- Commissioner City of Muskegon's 150th Celebration beginning Thursday, July 11th thru Saturday, July 13th at Heritage Landing (for more information, see: <https://visitmuskegon.org/event/muskegons-150th-celebration/>)

Commissioner Lahring reported that the high water levels are causing residential sewer difficulties. Commissioner Lahring indicated that there are several illegal wells in the County that are contaminating water in Muskegon County.

Commissioner Lahring reported a problem with County employees vaping in the County Hall of Justice Building, specifically with the Courts. Commissioner Lahring suggested Directors or Administrators address this issue with their employees so the Health Department doesn't have to.

Chair Hughes and Commissioner Mahoney attended the Work Force Development meeting and reported how employers are creating programs to train people for specific needs in the workforce.

Commissioner Hovey-Wright reported on HealthWest and the cash flow problem creating over a \$10 million deficit due to the State not processing reimbursements in a timely fashion.

ADMINISTRATOR'S REPORT

2019-261 **AUTHORIZE SALE OF PROPERTY BETWEEN MUSKEGON COUNTY AND EARTHTRONICS, INC, FOR LOT 31 OF THE AIRPORT BUSINESS PARK (PARCEL 27-648-000-0031-00 AND PART OF THE LOT LOCATED AT 735 ELLIS ROAD (PARCEL 61-27-120-200-0004-00) FOR \$95,000 AND AUTHORIZE THE CHAIR TO SIGN THE PURCHASE AGREEMENT**

The Administrator recommends, moved by Commissioner Mahoney, seconded by Commissioner Snider, to authorize Sale of Property between Muskegon County and Earthtronics, INC, for lot 31 of the Airport Business Park (Parcel 27-648-000-0031-00 and part of the lot located at 735 Ellis Road (Parcel 61-27-120-200-0004-00) for \$95,000 and authorize the Chair to sign the purchase agreement.

Roll Call:

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

No: None

Motion Carried

2019-262 **AUTHORIZE THE BOARD CHAIR TO SIGN THE PROPOSED CONSENT TO ENTER PRIVATE PROPERTY TO ALLOW EGLE TO CONDUCT NECESSARY REPONSE ACTIVITIES ON COUNTY PROPERTY ASSOCIATED WITH THE MUSKEGONCOUNTY AIRPORT**

The Administrator recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to authorize the Board Chair to sign the proposed Consent to Enter Private Property to allow EGLE to conduct necessary reponse activities on County property associated with the MuskegonCounty Airport.

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

No: None

Motion Carried

2019-263 **APPROVE THE RESOLUTION AUTHORIZING INSTALLMENT PURCHASE AGREEMENT AND AUTHORIZE THE EXECUTION OF THE 5 YEAR MASTER TAX-EXEMPT INSTALLMENT PURCHASE AGREEMENT WITH KEY GOVERNMENT FINANCE INC., WITH THE SIGNATURE OF THE BOARD CHAIR FOR THE PURCHASE OF SERVER AND STORAGE CAPACITY**

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the Resolution Authorizing Installment Purchase Agreement and authorize the execution of the 5 year Master Tax-Exempt Installment Purchase Agreement with Key Government Finance Inc., with the signature of the Board Chair for the purchase of server and storage capacity.

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

No: None

Motion Carried

2019-264 **APPROVE ALLOWING THE AUTOMATIC RENEWAL OF THE CONTRACT WITH GOVERNMENT PAYMENT SERVICES, INC. FOR DEBIT AND CREDIT CARD PROCESSING SERVICES UNTIL THE NEXT SERVICE PROVIDER IS CHOSEN**

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve allowing the automatic renewal of the contract with Government Payment Services, Inc. for debit and credit card processing services until the next service provider is chosen.

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

No: None

Motion Carried

Administrator Eisenbarth announced that the next Board Work Session is scheduled for Thursday, July 11th at 2:30 p.m. Re: Board Rules

OLD BUSINESS

Administrator Eisenbarth discussed the possibility of having the County Picnic at Camp Pandalouan. Although there is not a set date, August 18th is a possibility. There would be no charge to employees and would not use any county funds.

NEW BUSINESS

There was no new business to come before the Board.

PUBLIC COMMENT

Greg VanWorkem, 91st District State Representative, provided an update to activities at the State House of Representatives and answered questions from Commissioners.

2019-265 **GO INTO CLOSED SESSION: PURSUANT TO MCL15.268€ TO DISCUSS PENDING LITIGATION (CASE NO. 1:18-CV-01284-JTN-ESC)**

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to go into Closed Session: Pursuant to MCL15.268€ to Discuss Pending Litigation (Case No. 1:18-cv-01284-JTN-ESC)

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

No: None

Motion Carried

Went into Closed Session at 4:14 p.m.

Returned to Open Session at 4:37 p.m.

2019-266 **ACCEPT THE RECOMMENDATION OF COUNSEL IN REFERENCE TO CASE NO 1:18-CV-01284-JTN-ESC.**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to accept the recommendation of Counsel in reference to Case No 1:18-cv-01284-JTN-ESC.

Roll Call:

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

No: None

Motion Carried

2019-267 **MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER NASH, TO ADJOURN**

Voice vote

Motion Carried

Meeting adjourned at 4:40 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

To Be Approved at Full Board Meeting on Tuesday, July 16, 2019