

**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, September 10, 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 Nate Parsekian, Shores Community Church, 3800 Lake Harbor Road, Norton Shores, MI 49441. The Pledge of Allegiance was led by Commissioner Marcia Hovey-Wright 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
Jeanne Pezet, Deputy County Clerk
Linda Larsen, Chief Deputy County Clerk
Lisa Chalko, Administrative Coordinator
Michael D. Homier, Corporate Counsel

2019-343 **AMEND AGENDA**

Moved by Commissioner Hovey-Wright, seconded by Vice Chair Foster, to approve the agenda removing Old Business and move the proposed Resolution to Committee for review.

Roll Call:

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

No: Zack Lahring

Motion Carried

2019-344 **APPROVAL OF THE AGENDA AS AMENDED**

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to approve the motion as amended.

Roll Call:

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

No: Zack Lahring

Motion Carried

2019-345 **APPROVE THE BOARD MINUTES OF AUGUST 22, 2019**

Moved by Commissioner Nash, seconded by Commissioner Hovey-Wright, to approve the Board Minutes of August 22, 2019.

Voice vote

Motion Carried

PUBLIC COMMENT (on an agenda item)

Cheryl Hult and Marvin LaNore addressed the Board regarding the removal of the proposed resolution from the agenda. Audience members were informed that they would have the opportunity to address the issue during Public Comment at the end of the meeting but the resolution is no longer an agenda item.

COMMUNICATIONS

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

- A. Antrim County Board of Commissioners Resolution: Opposition to the Trial Court Funding Commission Interim Report
- B. Marquette County Board of Commissioners Resolution: Opposition to Legislation to Prevent County Commissioner Candidates from Disclosing Their Party Affiliation on Ballots Provided to Michigan Voters

2019-346 **ACCEPT AND PLACE ON FILE THE COMMUNICATION ITEMS**

Moved by Commissioner Nash, seconded by Commissioner Hovey-Wright, to accept and place on file the Communication items.

Voice vote

Motion Carried

COMMITTEE/BOARD REPORTS

2019-347 **APPROVE THE TWO (2) YEAR CONTRACT EXTENSION BETWEEN CORRECTIONAL RECOVERY AND THE COUNTY OF MUSKEGON AND TO AUTHORIZE THE SHERIFF TO SIGN THE AGREEMENT**

CPS19/09-46

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Vice Chair Foster, to approve the two (2) year contract extension between Correctional Recovery and the County of Muskegon and to authorize the Sheriff to sign the agreement.

Roll Call:

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

No: Zack Lahring

Motion Carried

2019-348 **APPROVE THE COUNTY ADMINISTRATOR TO DIRECT THE INFORMATION TECHNOLOGY DEPARTMENT STAFF TO BEGIN INSTALLATION OF VIDEO RECORDING EQUIPMENT IN THE MUSKEGON COUNTY BOARD OF COMMISSIONERS ROOM**

CPS19/09-47

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Vice Chair Foster, to approve the County Administrator to direct the Information Technology Department staff to begin installation of video recording equipment in the Muskegon County Board of Commissioners Room.

Roll Call:

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

No: None

Motion Carried

2019-349 **APPROVE 2 SENIOR MILLAGE AWARDS: \$130,917 TO AGEWELL SERVICES FOR MEDICAL TRANSPORTATION AND \$30,000 TO YMCA FOR VEGGIE VAN ACTIVITIES, TOTALING \$160,917 FOR FY20 EFFECTIVE OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020 AS RECOMMENDED BY THE SENIOR ACTIVITIES COMMITTEE; AND TO AUTHORIZE THE DESIGNATED SENIOR MILLAGE GRANTS ADMINISTRATOR, SENIOR RESOURCES TO PROCEED WITH THE ADMINISTRATION OF THE PROGRAMS**

HS19/09-23

The Human Services Committee recommends, moved by Commissioner Nash, seconded by Vice Chair Foster, to approve 2 senior millage awards: \$130,917 to AgeWell Services for medical transportation and \$30,000 to YMCA for Veggie Van activities, totaling \$160,917 for FY20 effective October 1, 2019 through September 30, 2020 as recommended by the Senior Activities Committee; and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

Roll Call:

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

No: None

Motion Carried

2019-350 **APPROVE 59 SENIOR MILLAGE CONTINUATION OF FUNDING AWARDS TOTALING \$2,091,015 FOR FY20 EFFECTIVE OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020 AS RECOMMENDED BY THE SENIOR ACTIVITIES COMMITTEE; AND TO AUTHORIZE THE DESIGNATED SENIOR MILLAGE GRANTS ADMINISTRATOR, SENIOR RESOURCES TO PROCEED WITH THE ADMINISTRATION OF THE PROGRAMS**

HS19/09-24

The Human Services Committee recommends, moved by Commissioner Nash, seconded by Vice Chair Foster, to approve 59 senior millage continuation of funding awards totaling \$2,091,015 for FY20 effective October 1, 2019 through September 30, 2020 as recommended by the Senior Activities Committee; and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

2019-351 **FRIENDLY AMENDMENT TO AMEND THE EGELSTON TOWNSHIP GRANT TO \$20,000**

Moved by Vice Chair Foster, seconded by Commissioner Hovey-Wright, as a friendly amendment to amend the Egelston Township Grant from \$12,000 to \$20,000 increasing the total to \$2,099,015.

Kathy Moore, Senior Resources Liaison, explained that the original grant was for a partial year so this is correcting an oversight.

Voice vote

Motion Carried

Roll Call on 2019-350 as amended:

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

No: None

Motion Carried

2019-352 **AUTHORIZE PUBLIC HEALTH TO AMEND ITS FY19 BUDGET FROM \$6,131,295 TO \$6,143,120 TO REFLECT CURRENT PROJECTIONS AND AN ADDITIONAL \$25,000 DECREASE IN FY19 GENERAL FUND APPROPRIATION FROM \$1,715,689 TO \$1,690,689**

HS19/09-25

The Human Services Committee recommends, moved by Commissioner Nash, seconded by Vice Chair Foster, to authorize Public Health to amend its FY19 budget from \$6,131,295 to \$6,143,120 to reflect current projections and an additional \$25,000 decrease in FY19 general fund appropriation from \$1,715,689 to \$1,690,689.

Roll Call:

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

No: None

Motion Carried

2019-353 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$14,018,118.85, COVERING THE PERIOD OF AUGUST 2, 2019 THROUGH AUGUST 22, 2019 FOR CHECKS AND JULY 1, 2019 THROUGH JULY 31, 2019 FOR P-CARD AND EFT PAYMENTS, AS PRESENTED BY THE COUNTY CLERK**

WM19/09-107

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to approve payment of the accounts payable of \$14,018,118.85, covering the period of August 2, 2019 through August 22, 2019 for checks and July 1, 2019 through July 31, 2019 for P-Card and EFT payments, 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: Zack Lahring, Charles Nash

Motion Carried

2019-354 **AMEND THE FY2019 BUDGET AS PRESENTED**

WM19/09-108

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to amend the FY2019 budget as presented.

Roll Call:

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

No: None

Motion Carried

2019-355 **APPROVE THE RESOLUTION PLEDGING THE COUNTY'S FULL FAITH AND CREDIT FOR THE RIBE DRAIN DRAINAGE BONDS, SERIES 2019 (GENERAL OBLIGATION, LIMITED TAX) FOR AN AMOUNT NOT TO EXCEED \$3.2 MILLION DOLLARS FOR THE PURPOSES OF EXECUTING THE RIBE DRAIN DRAINAGE DISTRICT PLANS**

WM19/09-109

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to approve the resolution pledging the county's full faith and credit for the Ribe Drain Drainage Bonds, Series 2019 (General Obligation, Limited Tax) for an amount not to exceed \$3.2 million dollars for the purposes of executing the Ribe Drain Drainage District Plans.

Roll Call:

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

No: Zack Lahring

Motion Carried

2019-356 **APPROVE OFFICE SERVICES TO SEEK BIDS FROM QUALIFIED VENDORS FOR OFFSET PRINTING SERVICES**

WM19/09-110

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to approve Office Services to seek bids from qualified vendors for offset printing services.

Roll Call:

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

No: None

Motion Carried

2019-357 **AUTHORIZE THE SALE OF THE COUNTY OWNED FACILITY LOCATED AT 1890 EAST APPLE AVENUE, PARCEL NUMBER 10-022-300-0019-00, ALSO KNOWN AS BROOKHAVEN MEDICAL CARE FACILITY, VIA AN AUCTION SERVICE HIRED BY JLL AND SET THE RESERVE PRICE AT \$750,000 AND AUTHORIZE THE CHAIR AND CLERK TO SIGN THE APPROPRIATE DOCUMENTS**

WM19/09-111

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to authorize the sale of the County owned facility located at 1890 East Apple Avenue, parcel number 10-022-300-0019-00, also known as Brookhaven Medical Care Facility, via an auction service hired by JLL and set the reserve price at \$750,000 and authorize the Chair and Clerk to sign the appropriate documents.

Roll Call:

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

No: None

Motion Carried

2019-358 **APPROVE THE SHERIFF'S OFFICE (AND HEALTHWEST) TO APPLY FOR AND ACCEPT THE GRANT FUNDING FROM THE COMMUNITY FOUNDATION OF SOUTHWEST MICHIGAN IN AN AMOUNT NOT TO EXCEED \$350,000, WITH NO MATCH REQUIREMENT**

WM19/09-112

The Ways and Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Mahoney, to approve the Sheriff's Office (and Healthwest) to apply for and accept the grant funding from the Community Foundation of Southwest Michigan in an amount not to exceed \$350,000, with no match requirement

Roll Call:

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

No: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Hughes announced the revocation of the Citizen's appointment of Janine Norwood by HealthWest Board due to lack of required participation.

2019-359 **APPOINT SAM ST. AMOUR TO THE AT-LARGE SLOT OF THE MUSKEGON COUNTY ROAD COMMISSIONER WITH A TERM THROUGH 12/31/2025**

The Chairman recommends, moved by Commissioner Mahoney, seconded by Commissioner Nash, to appoint Sam St. Amour to the At-Large Slot of the Muskegon County Road Commissioner with a term through 12/31/2025.

Voice vote **Motion Carried**

2019-360 **APPOINT JANICE HILLEARY TO THE HEALTHWEST BOARD CITIZEN APPOINTMENT TERM THROUGH 3/31/2022**

The Chairman recommends, moved by Commissioner Snider, seconded by Commissioner Mahoney, to appoint of Janine Norwood to the HealthWest Board Citizen Appointment due to lack of required participation.

Voice vote **Motion Carried**

Chairman Susie Hughes announced the following;

- C. Muskegon County Senior Millage Open House – Friday, September 13th 10:00 a.m. to Noon at Forest Park Covenant Church, 3815 Henry Street, Norton Shores <https://seniorresourceswmi.org/muskegon-county-senior-millage/>
- D. Michigan Irish Music Festival – Thursday, September 12th through Sunday, September 15th at Heritage Landing <https://michiganirish.org/>

ADMINISTRATOR'S REPORT

2019-361 **APPROVE A 90 DAY GRACE PERIOD FOR THE CITY OF MUSKEGON TO PAY THE REMAINING \$400,000 TO CLOSE OUT THE PROMISSORY NOTE**

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Snider, to approve a 90 day grace period for the City of Muskegon to pay the remaining \$400,000 to close out the promissory note.

Voice vote **Motion Carried**

2019-362 **APPROVE AUTHORIZING THE CHAIR TO EXECUTE, UPON RECEIPT, THE FEDERAL AND STATE GRANT OFFERS PROVIDING FUNDING FOR THE AIRPORT'S FY2020 CAPITAL IMPROVEMENT PROJECT IN THE AMOUNT OF \$131,783 AND TO AUTHORIZE THE CONTRACT WITH C & S COMPANITES FOR THE DESIGN OF THE STAND-BY EMERGENCY GENERATOR, AND TO FURTHER, AUTHORIZE THE COUNTY CLERK TO EXECUTE ANY NECESSARY RESOLUTIONS FOR SAID GRANT OFFERS**

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Snider, to approve authorizing the Chair to execute, upon receipt, the Federal and State Grant Offers providing funding for the Airport's FY2020 capital improvement project in the amount of \$131,783 and to authorize the contract with C & S Companies for the design of the stand-by emergency generator, and to further, authorize the County Clerk to execute any necessary resolutions for said Grant Offers.

Voice vote

Motion Carried

Administrator Eisenbarth provided an update regarding Dynamic Systems Management. Administrator Eisenbarth and Vice Chair Foster had visited the location and although neighbors had complained of odors in the past from the facility, it was not an issue on that day and they do believe they are making improvements.

OLD BUSINESS

Removed at approval of agenda and referred to Committee.

- Resolution Recognizing Muskegon County as a Welcoming County

NEW BUSINESS

Moved by Commissioner Wilkins, seconded by Commissioner Snider, to cancel the Transportation meeting of September 17th due to lack of action items.

Commissioner Mahoney reminded Commissioner that the Committee meetings for October 15th (Community Development/Strategic Planning, Transportation, and Ways and Means) will be held in the northern area of the Muskegon County, location to be determined.

Moved by Commissioner Lahring to prepare a resolution for the County Sheriff to work with ICE (Immigration and Customs Enforcement).

Motion failed due to lack of a second.

PUBLIC COMMENT

Approximately 70 people addressed the Board in opposition to the proposed Resolution Recognizing Muskegon County as a Welcoming County and a few audience members spoke in support of the resolution. Approximately 35 people had submitted public comment forms but were not present when called upon.

Gloria Gardner addressed the Board regarding issues with her home following work performed by a contractor for the leadbased paint program. Ms. Gardner indicated she spoke with Onita Bailey at the City of Muskegon who explained that the program was from the County. Ms. Gardner also spoke with Tim Burgess of the Land Bank but was told the program was over.

2019-363 **GO INTO CLOSED SESSION: PURSUANT TO OPEN MEETINGS ACT SECTION 8(H): TO DISCUSS A WRITTEN CONFIDENTIAL LEGAL OPINION**

Moved by Commissioner Snider, seconded by Nash, to go into Closed Session: Pursuant to Open Meetings Act Section 8(h): To Discuss a Written Confidential Legal Opinion

Roll Call:

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

No: None

Motion Carried

Went into closed session at: 6:13 p.m.

Returned to open session at: 6:40 p.m.

Vice Chair Foster - excused at 6:37 p.m.
Commissioner Scolnik - excused at 6:39 p.m.

2019-364 **DIRECT CORPORATE COUNSEL TO INTERVENE FOR MUSKEGON COUNTY IN THE PENDING CONTESTED CASE WITH LAKESHORE REGIONAL ENTITY (LRE)**

Moved by Commissioner Snider, seconded by Commissioner Nash, to direct Corporate Counsel to intervene for Muskegon County in the pending contested case with Lakeshore Regional Entity (LRE).

Voice vote

Motion Carried

2019-365 **MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER NASH, TO ADJOURN**

Meeting adjourned at 6:43 p.m.

Jeanne Pezet, Deputy County Clerk

/jmp

To Be Approved at Full Board Meeting on Tuesday, September 24, 2019