

**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, October 8, 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 Reams, Central Assembly of God, 896 Home Street, Muskegon, MI 49442. The Pledge of Allegiance was led by Commissioner Nash 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
Michael D. Homier, Corporate Counsel

2019-381 **APPROVE AGENDA**

Moved by Commissioner Nash, seconded by Commissioner Wilkins, to approve the agenda.

Voice vote

Motion Carried

2019-382 **APPROVE THE BOARD MINUTES OF SEPTEMBER 24, 2019**

Moved by Vice Chair Foster, seconded by Commissioner Hovey-Wright, to approve the Board Minutes of September 24, 2019.

Voice vote

Motion Carried

PUBLIC COMMENT (on an agenda item)

There was no public comment on an agenda item.

COMMUNICATIONS

The following Communications were provided to Commissioners for information:

- A. Baraga County Board of Commissioners Resolution:
Grand Traverse County Board of Commissioners Resolution:
Mackinac County Board of Commissioners Resolution:
Menominee County Board of Commissioners Resolution:
Support Enbridge Proposed Tunnel Replacement Project Urging the State of Michigan to Work with Enbridge to Complete the Tunnel Project Quickly Without Disrupting Line 5 Service
- B. Baraga County Board of Commissioners Resolution:
Lake County Board of Commissioners Resolution:
Opposition to the Trial Court Funding Commission Interim Report
- C. Baraga County Board of Commissioners Resolution: *Support Providing Michigan Voters with Full Information About Their Candidates for County Commissioner and Oppose Forcing a Candidate for County Commissioner to Run as a "Non-Partisan" Candidate*

Commission Hovey-Wright indicated she is opposed to Communication Items A and C above.

COMMITTEE/BOARD REPORTS

2019-383 **ACCEPT, THROUGH THE 2019 MICHIGAN STATE POLICE – EMERGENCY MANAGEMENT & HOMELAND SECURITY DIVISION (EMPG), REIMBURSEMENT FOR UP TO 35.69% OF THE MUSKEGON COUNTY EMERGENCY SERVICES DIRECTOR’S SALARY AND FRINGE BENEFITS**

CPS19/10-48

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to accept, through the 2019 Michigan State Police – Emergency Management & Homeland Security Division (EMPG), reimbursement for up to 35.69% of the Muskegon County Emergency Services Director’s salary and fringe benefits.

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

2019-384 **APPROVE THE PROSECUTOR TO ACCEPT THE FY2020 CRIME VICTIM RIGHTS NAVIGATOR GRANT, TO APPROVE THE CREATION OF A FULL-TIME CRIME VICTIM RIGHTS NAVIGATOR (PAY TABLE NO-00165 \$15.590-\$19.629), AND APPROVE THE PROPOSED CRIME VICTIM RIGHTS NAVIGATOR POSITION DESCRIPTION**

CPS19/10-49

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to approve the Prosecutor to accept the FY2020 Crime Victim Rights Navigator grant, to approve the creation of a full-time Crime Victim Rights Navigator (pay table NO-00165 \$15.590-\$19.629), and approve the proposed Crime Victim Rights Navigator position description.

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

2019-385 **ACCEPT THE INDEPENDENT CONTRACTOR AGREEMENT FOR LAW ENFORCEMENT SERVICE BETWEEN MICHIGAN WORKS! WEST CENTRAL AND THE MUSKEGON COUNTY SHERIFF'S OFFICE. FUNDING FOR THE FIRST AND SECOND YEARS OF THE AGREEMENT IS \$16,560 FOR EACH YEAR, OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2021**

CPS19/10-50

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to accept the Independent Contractor Agreement for Law Enforcement Service between Michigan Works! West Central and the Muskegon County Sheriff's Office. Funding for the first and second years of the agreement is \$16,560 for each year, October 1, 2019 through September 30, 2021.

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

2019-386 **APPROVE THE SHERIFF'S OFFICE TO UTILIZE A PORTION OF THE REMAINING JAIL PROJECT FUNDS TO PURCHASE A ONE-YEAR SOFTWARE SUPPORT PACKAGE EXTENSION FOR THE GTL – VIDEO VISITATION SYSTEM**

CPS19/10-51

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to approve the Sheriff's Office to utilize a portion of the remaining jail project funds to purchase a one-year software support package extension for the GTL – Video Visitation System.

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

2019-387 **APPROVE THE SHERIFF'S OFFICE TO ACCEPT FOR THE FISCAL YEAR 2020 SECONDARY ROAD PATROL GRANT FROM THE OFFICE OF HIGHWAY SAFETY PLANNING IN THE AMOUNT OF \$135,150**

CPS19/10-52

The Courts and Public Safety Committee recommends, moved by Commissioner Snider, seconded by Commissioner Wilkins, to approve the Sheriff's Office to accept for the Fiscal Year 2020 Secondary Road Patrol grant from the Office of Highway Safety Planning in the amount of \$135,150.

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

2019-388 **AUTHORIZE VFW POST 446 TO PLACE THE PROPOSED VFW POST 446 MONUMENT BENCH AND MEMORIAL MONUMENT IN VETERANS MEMORIAL PARK ON THE SAME CONCRETE PAD AS THE MONUMENT OPPOSITE OF THE PURPLE HEART MONUMENT ON THE SOUTH END OF THE PARK, WITH THE UNDERSTANDING THAT THE COUNTY OF MUSKEGON WILL INCUR NO COSTS IN THE DESIGN, MANUFACTURE, PLACEMENT, AND PERPETUAL CARE OF THE MONUMENT**

HS19/10-26

The Human Services Committee recommends, moved by Commissioner Hovey-Wright, seconded by Commissioner Mahoney, to authorize VFW Post 446 to place the proposed VFW Post 446 Monument Bench and Memorial Monument in Veterans Memorial Park on the same concrete pad as the monument opposite of the Purple Heart Monument on the South end of the Park, with the understanding that the County of Muskegon will incur no costs in the design, manufacture, placement, and perpetual care of the Monument.

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

2019-389 **AUTHORIZE MUSKEGON COUNTY DEPARTMENT OF VETERANS AFFAIRS STAFF TO APPLY FOR THE 2020 STATE OF MICHIGAN COUNTY VETERAN SERVICE FUND GRANT**

HS19/10-27

The Human Services Committee recommends, moved by Commissioner Hovey-Wright, seconded by Commissioner Mahoney, to authorize Muskegon County Department of Veterans Affairs staff to apply for the 2020 State of Michigan County Veteran Service Fund Grant.

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

2019-390 **ACCEPT THE "AGREEMENT FOR EXTENSION SERVICES" SUBMITTED BY MICHIGAN STATE UNIVERSITY (MSU) EXTENSION FOR FY2020 PROGRAMS AND SERVICES; AND AUTHORIZE THE BOARD CHAIR TO SIGN**

HS19/10-28

The Human Services Committee recommends, moved by Commissioner Hovey-Wright, seconded by Commissioner Mahoney, to accept the "Agreement for Extension Services" submitted by Michigan State University (MSU) Extension for FY2020 programs and services; and authorize the Board Chair to sign.

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

2019-391 **AUTHORIZE PUBLIC HEALTH TO ACCEPT A \$15,000 GRANT FROM THE COMMUNITY FOUNDATION FOR MUSKEGON COUNTY TO PURCHASE TWO SPOT VISION SCREENERS WITH NO INCREASE IN THE GENERAL FUND APPROPRIATION**

HS19/10-29

The Human Services Committee recommends, moved by Commissioner Hovey-Wright, seconded by Commissioner Mahoney, to authorize Public Health to accept a \$15,000 grant from the Community Foundation for Muskegon County to purchase two Spot Vision Screeners with no increase in the general fund appropriation.

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

2019-392 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$15,822,387.45, COVERING THE PERIOD OF SEPTEMBER 6, 2019 THROUGH SEPTEMBER 19, 2019 FOR CHECKS AND AUGUST 1, 2019 THROUGH AUGUST 31, 2019 FOR P-CARD AND EFT PAYMENTS, AS PRESENTED BY THE COUNTY CLERK**

WM19/10-122

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to approve payment of the accounts payable of \$15,822,387.45, covering the period of September 6, 2019 through September 19, 2019 for checks and August 1, 2019 through August 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

2019-393 **APPROVE RENEWAL OF ASSESSMENT ADMINISTRATION SERVICES PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE CITY OF ROOSEVELT PARK AND AUTHORIZE THE CHAIR OF THE COUNTY BOARD OF COMMISSIONERS TO EXECUTE AN AGREEMENT PREPARED BY THE EQUALIZATION DEPARTMENT TO PROVIDE THE SERVICES**

WM19/10-124

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to approve renewal of Assessment Administration Services provided by the Equalization Department to the City of Roosevelt Park and authorize the Chair of the County Board of Commissioners to execute an agreement prepared by the Equalization Department to provide the 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

2019-394 **AUTHORIZE STAFF TO ISSUE A REQUEST FOR PROPOSALS FOR VENDING SERVICES AT THE HALL OF JUSTICE**

WM19/10-125

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to authorize staff to issue a request for proposals for vending services at the Hall of Justice.

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

2019-395 **RENEW THE CONTRACT WITH DELTA DENTAL AS THE SELF-INSURED DENTAL PROVIDER FOR ACTIVE EMPLOYEES AND FULLY-INSURED DENTAL PROVIDER FOR RETIREES FROM JANUARY 1, 2020-DECEMBER 31, 2021**

WM19/10-126

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to renew the contract with Delta Dental as the self-insured dental provider for active employees and fully-insured dental provider for retirees from January 1, 2020-December 31, 2021.

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

2019-396 **RENEW THE CONTRACT WITH BLUE CROSS BLUE SHIELD OF MICHIGAN (BCBSM) AS THE MEDICAL AND PRESCRIPTION INSURANCE BENEFIT PROVIDER FROM JANUARY 1, 2020 THROUGH DECEMBER 31, 2021 FOR ACTIVE EMPLOYEES AND PRE-65 RETIREES**

WM19/10-127

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to renew the contract with Blue Cross Blue Shield of Michigan (BCBSM) as the medical and prescription insurance benefit provider from January 1, 2020 through December 31, 2021 for active employees and pre-65 retirees.

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

2019-397 **APPROVE THE VENDOR AND CONTRACTOR RELATIONSHIPS OUTLINED IN THE ATTACHED SCHEDULE UNDER EXISTING ARRANGEMENTS FOR THE TIME PERIOD OF OCTOBER 1, 2019 THROUGH SEPTEMBER 30, 2020**

WM19/10128

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to approve the vendor and contractor relationships outlined in the attached schedule under existing arrangements for the time period of October 1, 2019 through September 30, 2020.

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

2019-398 **AUTHORIZE THE MUSKEGON COUNTY ADMINISTRATOR TO PREPARE THREE RESOLUTIONS FOR REVIEW BY THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR LEGISLATIVE DISBURSEMENT REGARDING RECENT STATE BUDGET CUTS SPECIFIC TO THE DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY (\$15MILLION CUT), COUNTY JAIL REIMBURSEMENT PROGRAM (\$414,000 CUT), AND THE SECONDARY ROAD PATROL (\$131,000 CUT)**

[Formerly Motion #WM19/09 – 115]

WM19/10-129

The Ways and Means Committee recommends, moved by Chairman Hughes, seconded by Vice Chair Foster, to authorize the Muskegon County Administrator to prepare three resolutions for review by the Muskegon County Board of Commissioners for legislative disbursement regarding recent state budget cuts specific to the Department of Environment, Great Lakes and Energy (\$15million cut), County Jail Reimbursement Program (\$414,000 cut), and the Secondary Road Patrol (\$131,000 cut).

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

The following motion was defeated at Committee:

WM19/10-123 To authorize the County Administrator to offer three (3) one (1) day Personal Days as silent auction items at the Employee Picnic on October 5, 2019.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Susie Hughes announced the following events;

- A. Tempting Tables to Benefit Breast Cancer Research - October 9th @ 9:30 a.m. through October 12th @ 4 p.m. at the Delta Hotel by Marriot:
<http://www.temptingtables.org/home.html>
- B. Annual Pumpkinfest Celebration Featuring the Well-Known Pumpkin Roll Down Ferry Street – A Full Day of Family-Friendly Fun (Pumpkin Roll, Pumpkin Painting and Carving, Pumpkin Seed Spitting Contest, Hay Rides, Bake Sale, Apple Cider, Food Fenders) – October 12th, Downtown Montague, Ferry Street:
<https://www.whitelake.org/event/pumpkinfest-2/2019-10-12/>
- C. Fall Festival for Foster Care – Saturday, October 12th from 11:00 a.m. – 1:00 p.m. Join Arbor Circle at Smith Ryerson Park for the Event to Recruit Foster Families Across Muskegon. Includes DJ, Bounce House, Food, and Family Friendly Activities
<https://visitmuskegon.org/event/fall-festival-for-foster-care/>
- D. 15th Annual Depot to Depot Fall Color Tour – Saturday, October 12th from 10:00 a.m. – 4:00 p.m. Drive your Car or Ride Your Bike Along a Self-Guided Route that Stretches from Muskegon's South Pierhead to the White River Light Station. Pick up a map at the CVB or the White Lake Area Chamber of Commerce
<https://visitmuskegon.org/event/22220/2019-10-12/>

ADMINISTRATOR'S REPORT

Administrator Eisenbarth provided an update on the State Budget.

Commissioner Mahoney urged people to contact their legislators and the Governor's Office and urge them to negotiate the budget.

Chairman Hughes remind everyone that Full Service Saturday is this Saturday and several County Offices will be open for those who cannot get here during the week. Chairman Hughes thanked the Clerk and other offices in the County for providing this service.

OLD BUSINESS

Commissioner Mahoney reminded the Board of Commissions that on October 15, 2019, the Board will be meeting in Montague Township. The Transportation, Ways and Means, and Community Development Committees will be on the agenda.

Commissioner Lahring challenged the Board rule regarding two or more Board members to make a motion based on the stance it is uninterpretable the way it is and he would like to have that motion vacated and asked that Corporate Counsel give an interpretation on the rule. Motion failed due to no second.

Commissioner Nash asked that everyone contact their legislators to get the vote across to prevent changes to the licensing with LARA for LPCs.

Commissioner Scolnik asked why the seats have been removed from the sides of the room. Administrator Eisenbarth stated the capacity for the room is 70 people but there are not 70 chairs so this allows room for audience members to stand on the side.

NEW BUSINESS

Commissioner Nash wanted to comment that they could all take a look at the changes the State is trying to make regarding licensing with LARA for the LPC's with those in the State. Commissioner Nash indicated that Muskegon County has a high opioid rate and substance abuse rate and there is a lack of counselors or license professionals that can work with these people. Commissioner Nash urged everyone to call their legislators to be sure the licensing doesn't change.

2019-399 **ASK THE COUNTY ADMINISTRATOR TO GET LEGAL COUNSEL ON MOVING HEALTHWEST TO AN AUTHORITY AND COME BACK WITH A SOLUTION OR A RECOMMENDATION WITHIN 30 DAYS**

Moved by Vice Chair Foster, seconded by Commissioner Lahring, to ask the County Administrator to get legal counsel on moving HealthWest to an Authority and come back with a solution or a recommendation within 30 days.

Commissioner Mahoney stated he would rather have the study in place before moving forward on making a recommendation. Commissioner Nash stated that it should be discussed by the Board prior to the recommendation.

Roll Call:

Yes: Gary Foster, Zack Lahring, Susie Hughes

No: Kenneth Mahoney, Charles Nash, Bob Scolnik, I. John Snider, II, Rillastine Wilkins,
Marcia Hovey-Wright, **Motion Failed**

Chairman Hughes agreed with Commissioner Nash that there should be a work session about the legal options and what that would do. Commissioner Hovey-Wright asked that Julia Rupp, HealthWest Director, be included in that meeting.

Commissioner Lahring asked that all Commissioners would make it to the meeting on time, stating he takes off work to be at these meetings.

County Administrator Eisenbarth asked Bob Lukens, Community Development Director, to discuss the new flight schedule that is being purposed for the Muskegon Airport. Mr. Lukens stated the United States Department of Transportation and the FAA proposed a schedule for the EAS System at the Muskegon County Airport. There was one airline, SkyWest Airlines (United Express), which submitted a proposal. The proposal allows for a seasonal schedule which would eliminate the return overnight flight. The new proposed schedule would begin on February 1, 2020. It would be a seasonal schedule that would have 11 or 12 flights every day, January 6th through June 3rd and October 1 to December 16. In the summertime, it would be June 4 through August 17, there would be three flights a day on most days.

2019-400 **APPROVE THE SKYWEST AIRLINES EAS PROPOSAL FOR SEASONALLY VARIABLE WEEKLY FLIGHT SCHEDULES FOR THE SERVICE. BETWEEN THE MUSKEGON COUNTY AIRPORT AND CHICAGO O'HARE INTERNATIONAL AIRPORT**

Moved Commissioner Wilkins, seconded by Commissioner Mahoney, to approve the SkyWest Airlines EAS proposal for seasonally variable weekly flight schedules for the service between the Muskegon County Airport and Chicago O'Hare International Airport

Commissioner Snider asked about a cost savings for implementing the proposal. Mr. Lukens indicated there will be a cost savings as there will no longer be a need to have round the clock fire coverage. Although there will be a motion coming through at the next Transportation meeting to increase some of the maintenance staff at the airport because we are down about two positions.

Voice Vote:

Motion Carried

Commissioner Foster asked for an update from Ivan Phillips for an update on the video program to record the Board of Commissioners board meetings. Ivan Phillips, IT Director, gave an update indicating that the shipment will be coming from a New York distributor, which has been closed because of a Jewish holiday (Yom Kippur), but he believes the equipment should be shipped this coming Thursday. Commissioner Scolnik noted that, for Orthodox Jewish people, Yom Kippur is the Holiest day of the year and from Rosh Hashanah (the Jewish New Year) through Yom Kippur (Day of Atonement), Orthodox Jews do not work.

PUBLIC COMMENT

Chris Poniatowski from the Disability Justice League indicated she and several other members have signed a petition because they do not approve the new MATS routing proposal. Ms. Poniatowski stated she presented a unofficial petition stating the proposed MATS routing proposal would not be beneficial.

Shannon Donley, representing the MDP Environment Caucus, addressed the Board of Commissioners in opposition to Communication item A. Baraga County Board of Commissioners Resolution supporting the Enbridge proposed tunnel replacement. Ms. Donley stated she believes a vote of yes on this proposal would be interfering with ongoing litigation with Enbridge and the State of Michigan.

Gail Eichorst and Sandy Glore, addressed the Board members about the lack of recycling facilities available. They would like some suggestions to encourage recycling facilities to come back to Muskegon to provide a recycling system.

Sean Collins, thanks Commissioners for listening to him and also thanked Commissioner Lahring for standing with ICE. Mr. Collins stated he is appalled that there is no support for ICE in Muskegon County. .

Commissioner Nash indicated there was a recycling program through Muskegon County and wondered if that program was still active. Administrator Eisenbarth stated that each municipality has its own recycle program. Matt Farrar, Public Works Director, stated that it is his understanding that City of Muskegon is reinstating Citywide recycling. Administrator Eisenbarth asked that Mr. Farrar report at the next Commissioner meeting when recycling will take effect. It was noted that Cedar Creek Township has received a grant and will be instituting the recycling program. Vice Chair Foster thanked Mr. Farrar for working with Cedar Creek Township to get this program in Cedar Creek.

Commissioner Nash also wanted to address the individual who spoke regarding the MATS bus route indicating they are still taking surveys and that it is a proposal. The MATS survey is available at <https://matsbus.com/>.

Chairman Hughes indicated that Commissioners received the petition and poster regarding the MATS bus routes and thanked the Disability Justice League for their input.

Commissioner Lahring ask if the question and answer session will be added as a regular part of the meeting agendas in the future. Administrator Eisenbarth indicated it is in the board policies they are working on to adopt.

2019-401 **GO INTO CLOSED SESSION: PURSUANT TO MCL 15.268(H): TO DISCUSS
A WRITTEN CONFIDENTIAL LEGAL OPINION**

Moved by Commissioner Mahoney, seconded by Commissioner Scolnik, to go into Closed Session: Pursuant to MCL 15.268(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: 4:13 p.m.

Returned to open session at: 4:29 p.m.

2019-402 **APPROVE THE AGREEMENT TO REDEEM LIABILITY REGARDING THE
WORKERS' COMPENSATION CLAIM OF MR. JOHN JENKINS IN AN
AMOUNT NOT TO EXCEED \$120,000, PLUS REASONABLE AND
CUSTOMARY FILING FEES, COSTS AND EXPENSES, AND TO AUTHORIZE
AND DIRECT CORPORATE COUNSEL AND STAFF TO EXECUTE ANY AND
ALL DOCUMENTS REQUIRED TO RESOLVE CLAIM.**

Moved by Commissioner Scolnik, seconded by Commissioner Nash, to approve the agreement to redeem liability regarding the Workers' Compensation Claim of Mr. John Jenkins in an amount not to exceed \$120,000, plus reasonable and customary filing fees, costs and expenses, and to authorize and direct corporate counsel and staff to execute any and all documents required to resolve claim.

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

No: None

Sheriff Poulin addressed the Board indicating the Deputy Jenkins is an almost 20 year employee who served our County and community very well. In 2013 Deputy Jenkins had a skull fracture during a jail escape and had some short-term memory issues. Deputy Jenkins returned to work and without this current injury, he would have finished his career with the Sheriff's office. Sheriff Poulin indicated this will be a good benefit for Deputy Jenkins and good resolution for the County.

2019-403 **MOVED BY COMMISSIONER MAHONEY, SECONDED BY COMMISSIONER
SNIDER, TO ADJOURN**

Meeting adjourned at 4:32 p.m.

Jeanne Pezet, Deputy County Clerk

JMP/lml

To Be Approved at Full Board Meeting on Tuesday, October 22, 2019