

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 Regular Full Board Meeting

Tuesday, November 10, 2020
3:43 p.m.

Chairman Susie Hughes, Presiding

The Electronic/Zoom Regular Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes via Zoom. The Pledge of Allegiance was recited by Commissioner Lahring.

Roll Call and Location of Board Members:

Present: Gary Foster, Muskegon County, Michigan
Marcia Hovey-Wright, Muskegon County, Michigan
Susie Hughes, Muskegon Co. Hall of Justice, 4th fl., Muskegon, Michigan
Zach Lahring, Muskegon Co. Hall of Justice, 4th fl., Muskegon, Michigan
Kenneth Mahoney, Muskegon County, Michigan
Charles Nash, Muskegon County Michigan
Robert Scolnik, Muskegon County, Michigan
I. John Snider, Muskegon Co. Hall of Justice, 4th fl., Muskegon, Michigan

Rillastine R. Wilkins, excused due to technical difficulties.

Also

Present: Mark Eisenbarth, County Administrator
Kristin Barnhill, Executive Assistant
Kathy Tharp, Administrative Coordinator
Nancy A. Waters, County Clerk
Linda Sue Schutter, Deputy Clerk
Michael D. Homier, Corporate Counsel

2020-408 **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, Susie Hughes

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-409 **APPROVE REGULAR AND CLOSED FULL BOARD MINUTES OF OCTOBER 27, 2020**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to approve the regular and Closed Full Board minutes of October 27, 2020.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

PRESENTATION

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of November 08, 2020, there have been 3,628 positive cases, 91 COVID-related deaths, and there are 2,012 current/active positive cases. (See attached.)

Ms. Moore reported to the Board that the second wave of the virus seems to be more aggressive. Ms. Moore further indicated that there is a higher rate of close contacts that have transitioned into positive cases. Because of the holidays, Ms. Moore predicts that the numbers will go up before they go down.

PUBLIC COMMENT (on an agenda item)

None.

COMMUNICATION

Resolution Declaring Alcona County a Constitutional Second Amendment Sanctuary County.

This communication will be placed on file.

Commissioner Hovey-Wright indicated that she opposes this resolution.

COMMITTEE/BOARD REPORTS

2020-410 **ACCEPT THE 2018 HOMELAND SECURITY GRANT PROGRAM INTERGOVERNMENTAL AGREEMENT BETWEEN WEST MICHIGAN REGIONAL MEDICAL CONSORTIUM (WMRMC) AND MUSKEGON COUNTY ON BEHALF OF THE MUSKEGON COUNTY EMERGENCY SERVICES/MANAGEMENT, AND AUTHORIZE THE BOARD CHAIR AND APPROPRIATE STAFF TO SIGN THE AGREEMENT**

CPS20/11-38

The Courts and Public Safety Committee recommended, moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to accept the 2018 Homeland Security Grant Program Intergovernmental Agreement between West Michigan Regional Medical Consortium (WMRMC) and Muskegon County on behalf of the Muskegon County Emergency Services/Management, and authorize the Board Chair and appropriate staff to sign the agreement.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-411 **APPROVE OBTAINING REQUESTS FOR PROPOSALS FOR THE SECURE ENCLOSURE OF THE CONTROL CENTER AT THE JUVENILE TRANSITION CENTER UTILIZING APPROXIMATELY \$30,000 IN GENERAL FUND SAVINGS CARRIED OVER FROM FY2020 TO FUND THE PROJECT IN FY2021 AND AMEND THE BUDGET ACCORDINGLY**

CPS20/11-39

The Courts and Public Safety Committee recommended, moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to approve obtaining Requests for Proposals for the secure enclosure of the Control Center at the Juvenile Transition Center utilizing approximately \$30,000 in general fund savings carried over from FY2020 to fund the project in FY2021 and amend the budget accordingly.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-412 **APPROVE A THREE YEAR CONTACT WITH SECURUS TECHNOLOGY TO PROVIDE INMATE COMMUNICATIONS IN THE MUSKEGON COUNTY JAIL. THIS CONTRACT WILL GENERATE A \$50,000 ONE-TIME SIGNING BONUS AND GUARANTEE REVENUE OF \$170,000 PER YEAR UNTIL NOVEMBER 2023. ADDITIONAL REVENUE WILL BE GENERATED FROM THE SECURE-VIEW TABLETS**

CPS20/11-40

The Courts & Public Safety Committee recommended, moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to approve a three year contact with Securus Technology to provide inmate communications in the Muskegon County Jail. This contract will generate a \$50,000 one-time signing bonus and guarantee revenue of \$170,000 per year until November 2023. Additional revenue will be generated from the Secure-view tablets.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-413 **APPROVE THE AWARDING OF CONTRACTS TO BELINDA BARBIER, JENNIE ROACH, AND AMANDA HEYS-WESTENDORP FOR \$25,000 EACH TO REPRESENT CHILDREN ON NEGLECT/ABUSE CASES AND COVER ANY DELINQUENCY CONFLICT CASES NOT HANDLED BY THE PUBLIC DEFENDER OFFICE AND AWARD CONTRACTS TO DAVID KORTERING, ED WASIURA, AND MICHAEL FLYNN FOR \$19,166.67 EACH TO REPRESENT PARENTS ON NEGLECT/ABUSE CASES FOR THE TIME PERIOD DECEMBER 1, 2020 THROUGH SEPTEMBER 30, 2021**

CPS20/11-41

The Courts & Public Safety Committee recommended, moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to approve the awarding of contracts to Belinda Barbier, Jennie Roach, and Amanda Heys-Westendorp for \$25,000 each to represent children on neglect/abuse cases and cover any delinquency conflict cases not handled by the Public Defender office and award contracts to David Kortering, Ed Wasiura, and Michael Flynn for \$19,166.67 each to represent parents on neglect/abuse cases for the time period December 1, 2020 through September 30, 2021.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-414 **APPROVE THE CONTRACT WITH MICHIGAN INDIGENT DEFENSE COMMISSION (MIDC) FOR THE PROVISION OF PUBLIC CRIMINAL DEFENSE SERVICES, ACCEPT A GRANT FOR THAT PURPOSE IN THE AMOUNT OF APPROXIMATELY \$2,283,304.70, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN SAID CONTRACT AND AMEND THE BUDGET ACCORDINGLY**

CPS20/11-42

The Courts & Public Safety Committee recommended, moved by Commissioner Snider, seconded by Commissioner Hovey-Wright, to approve the contract with Michigan Indigent Defense Commission (MIDC) for the provision of public criminal defense services, accept a grant for that purpose in the amount of approximately \$2,283,304.70, and authorize the County Administrator to sign said contract and amend the budget accordingly.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-415 **APPROVE ADDITIONAL FY21 FUNDING FOR THE FOLLOWING CONGREGATE MEAL PROGRAMS; CASNOVIA TOWNSHIP IN THE AMOUNT OF \$8,000, EGELSTON TOWNSHIP IN THE AMOUNT OF \$9,000, AND RAVENNA TOWNSHIP IN THE AMOUNT OF \$4,995, EFFECTIVE JANUARY 1, 2021 THROUGH SEPTEMBER 30, 2021**

HS20/11-31

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to approve additional FY21 funding for the following congregate meal programs; Casnovia Township in the amount of \$8,000, Egelston Township in the amount of \$9,000, and Ravenna Township in the amount of \$4,995, effective January 1, 2021 through September 30, 2021.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-416 **APPROVE EXTENDING THE FY20 SENIOR MILLAGE FUNDING FOR ALZHEIMER ASSOCIATION (BALANCE REMAINING OF \$62,230) THROUGH DECEMBER 31, 2020**

HS20/11-32

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to approve extending the FY20 Senior Millage funding for Alzheimer Association (balance remaining of \$62,230) through December 31, 2020.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-417 **AUTHORIZE PUBLIC HEALTH TO ACCEPT FUNDING FROM THE LAKESHORE REGIONAL ENTITY IN THE AMOUNT OF \$35,000 FOR THE PROVISION OF GAMBLING DISORDER PREVENTION PROJECT ACTIVITIES IN MUSKEGON COUNTY EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021; AND FURTHER AUTHORIZE THE BOARD CHAIR TO SIGN THE RELATED AGREEMENT**

HS20/11 – 33

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to authorize Public Health to accept funding from the Lakeshore Regional Entity in the amount of \$35,000 for the provision of Gambling Disorder Prevention Project activities in Muskegon County effective October 1, 2020 through September 30, 2021; and further authorize the Board Chair to sign the related agreement.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-418 **AUTHORIZE PUBLIC HEALTH TO ACCEPT FUNDING FROM THE LAKESHORE REGIONAL ENTITY IN THE AMOUNT OF \$30,000 TO EXPAND THE PROVISION OF THE PRIME FOR LIFE YOUTH PROGRAM ACTIVITIES IN MUSKEGON COUNTY EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2022; AND FURTHER AUTHORIZE THE BOARD CHAIR TO SIGN THE RELATED AGREEMENT**

HS20/11 – 34

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to authorize Public Health to accept funding from the Lakeshore Regional Entity in the amount of \$30,000 to expand the provision of the Prime for Life youth program activities in Muskegon County effective October 1, 2020 through September 30, 2022; and further authorize the Board Chair to sign the related agreement.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-419 **AUTHORIZE PUBLIC HEALTH TO ACCEPT FUNDING FROM THE LAKESHORE REGIONAL ENTITY IN THE AMOUNT OF \$410,000 FOR SUBSTANCE ABUSE PREVENTION SERVICES IN MUSKEGON COUNTY EFFECTIVE OCTOBER 1, 2020 TO SEPTEMBER 30, 2021; AND FURTHER AUTHORIZE THE BOARD CHAIR TO SIGN THE RELATED AGREEMENT**

HS20/11 – 35

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to authorize Public Health to accept funding from the Lakeshore Regional Entity in the amount of \$410,000 for substance abuse prevention services in Muskegon County effective October 1, 2020 to September 30, 2021; and further authorize the Board Chair to sign the related agreement.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-420 **APPROVE ADDITIONAL FUNDING FOR FY21 IN THE AMOUNT OF \$60,000 FOR LIVING WORD CHURCH FOR SNOW REMOVAL**

HS20/11 – 36

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to approve additional funding for FY21 in the amount of \$60,000 for Living Word Church for snow removal.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-421 **ACCEPT THE CHANGES TO THE COVID-19 PREPAREDNESS AND RESPONSE PLAN AT FULL BOARD ON NOVEMBER 10, 2020**

HS20/11-37

The Human Services Committee recommended, moved by Commissioner Nash, seconded by Vice-Chair Foster, to accept the changes to the COVID-19 Preparedness and Response Plan at Full Board on November 10, 2020.

Moved by Chairman Hughes, seconded by Vice-Chair Foster to amend the above motion by adding that all employees that have a job that can be done remotely shall work remotely.

ACCEPT THE CHANGES TO THE COVID-19 PREPAREDNESS AND RESPONSE PLAN AT FULL BOARD ON NOVEMBER 10, 2020, AND ALL EMPLOYEES THAT HAVE A JOB THAT CAN BE DONE REMOTELY SHALL WORK REMOTELY

Roll call:

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

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2020-422 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$7,129,136.83 COVERING THE PERIOD OF OCTOBER 9, 2020 THROUGH OCTOBER 22, 2020 FOR CHECKS, AND PCARD PAYMENTS COVERING THE PERIOD SEPTEMBER 1, 2020 THROUGH SEPTEMBER 30, 2020 AS PRESENTED BY THE COUNTY CLERK**

WM20/11-105

The Ways & Means Committee recommended, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, approve payment of the accounts payable of \$7,129,136.83 covering the period of October 9, 2020 through October 22, 2020 for checks, and PCard payments covering the period September 1, 2020 through September 30, 2020 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

Excused: Rillastine R. Wilkins **Motion Carried**

2020-423 **APPROVE THE SELECTION OF UNIVERSAL CREDIT SERVICES, INC. FOR THE COUNTY'S DEBT COLLECTION AGENCY (RFP 20-2388) AND UTHORIZE THE NEGOTIATION OF A ONE YEAR CONTRACT WITH TWO OPTIONAL ONE YEAR RENEWALS TO BE EXECUTED BY THE BOARD CHAIR UPON COMPLETION OF A REVIEW BY CORPORATE COUNSEL**

WM20/11-106

The Ways & Means Committee recommended, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to approve the selection of Universal Credit Services, Inc. for the County's Debt Collection Agency (RFP 20-2388) and authorize the negotiation of a one year contract with two optional one year renewals to be executed by the Board Chair upon completion of a review by corporate counsel.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-424 **APPROVE THE "THIRD AMENDED FAIRGROUNDS MANAGEMENT AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND THE MUSKEGON COUNTY FAIR ASSOCIATION" AND AUTHORIZE THE CHAIR TO EXECUTE THE AGREEMENT**

WM20/11-107

The Ways & Means Committee recommended, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to approve the "Third Amended Fairgrounds Management Agreement Between the County of Muskegon and the Muskegon County Fair Association" and authorize the Chair to execute the agreement.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-425 **DIRECT PUBLIC WORKS TO PURSUE GRANTS AND IDENTIFY SOURCES OF MATCHING FUNDS TO MITIGATE THE FLOODING AT VETERANS PARK NORTH.**

WM20/11-108

The Ways & Means Committee recommended, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to direct Public Works to pursue grants and identify sources of matching funds to mitigate the flooding at Veterans Park North.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

2020-426 **DIRECT THE PUBLIC WORKS DIRECTOR TO REPORT AT FULL BOARD ON TUESDAY, NOVEMBER 10, 2020, REGARDING THE COSTS AND FEASIBILITY OF MOVING THE DRAIN COMMISSIONER FROM SOUTH CAMPUS TO OAK STREET AND THE EMERGENCY SERVICES DEPARTMENT FROM OAK STREET TO SOUTH CAMPUS**

WM20/11-109

The Ways & Means Committee recommended, moved by Commissioner Scolnik, seconded by Vice-Chair Foster, to direct the Public Works Director to report at Full Board on Tuesday, November 10, 2020, regarding the costs and feasibility of moving the drain commissioner from South Campus to Oak Street and the Emergency Services Department from Oak Street to South Campus.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Hughes reminded everyone that tomorrow is Veteran's Day, and thanked those who served for our freedom.

2020-427 **AUTHORIZE BOARD CHAIR TO SEND THE ATTACHED LETTER TO THE BUREAU OF INDIAN AFFAIRS IN BLOOMINGTON, MINNESOTA, AGREEING WITH THE CONCLUSION OF THE FEIS THAT THE PROPOSED CASINO AND RELATED DEVELOPMENTS ARE THE BEST CHOICE FOR THIS LAND**

Chairman Hughes moved, seconded by Vice-Chair Foster, to authorize Board Chair to send the attached letter to the Bureau of Indian Affairs in Bloomington, Minnesota, agreeing with the conclusion of the FEIS that the proposed casino and related developments are the best choice for this land.

Roll call:

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

No: None

Excused: Rillastine R. Wilkins

Motion Carried

ADMINISTRATOR'S REPORT

Administrator Mark Eisenbarth reminded the Board that there are no committee or Full Board meetings the weeks of Thanksgiving, Christmas, or New Years.

OLD BUSINESS

Commissioner Hovey-Wright moved, supported by Commissioner Mahoney, to accept a resolution to exempt Muskegon County property tax revenue from capture by Fruitport Charter Twp DDA and that we negotiate in good faith a revenue sharing agreement with DDA subject to approval by Board.

Corporate Counsel Homier informed the Board that Commissioner Hovey-Wright's motion is premature and has to be preceded by a motion for reconsideration under Rule 6, Section 5. Under said Board rule, the motion for reconsideration must be made by a member who voted no at the last preceding meeting and it needs to pass by simple majority.

2020-428 **RECONSIDER THE FAILED FULL BOARD MOTION 2020-403 OF OCTOBER 27, 2020, WHICH SOUGHT ADOPTION OF THE RESOLUTION TO OPT OUT OF THE FRUITPORT DDA AND COME BACK WITH A GOOD-FAITH REVENUE SHARING AGREEMENT AFTER 60 DAYS**

Moved by Commissioner Mahoney, seconded by Commissioner Nash, to reconsider the failed Full Board Motion 2020-403 of October 27, 2020, which sought adoption of the resolution to opt out of the Fruitport DDA and come back with a good-faith revenue sharing agreement after 60 days.

Roll call:

Yes: Gary Foster, Marcia Hovey-Wright, Kenneth Mahoney, Charles Nash, Susie Hughes

No: Zach Lahring, Robert Scolnik, I. John Snider II

Excused: Rillastine R. Wilkins **Motion Carried**

2020-429 **ADOPT A RESOLUTION TO EXEMPT MUSKEGON COUNTY PROPERTY TAX REVENUE FROM CAPTURE BY FRUITPORT CHARTER TOWNSHIP DDA AND THAT MUSKEGON COUNTY BOARD OF COMMISSIONERS NEGOTIATE IN GOOD FAITH A REVENUE SHARING AGREEMENT WITH THE DDA SUBJECT TO APPROVAL BY BOARD**

Moved by Marcia Hovey-Wright, supported by Commissioner Mahoney, to adopt a resolution to exempt Muskegon County property tax revenue from capture by Fruitport Charter Township DDA and that Muskegon County Board of Commissioners negotiate in good faith a revenue sharing agreement with the DDA subject to approval by Board.

Discussion ensued.

Commissioner Wilkins joined the meeting in progress at 4:18 p.m.

Commissioner Scolnik doesn't think it's right to reconsider after telling them yes.

Chairman Hughes indicated that Heidi Tice, Fruitport Charter Township Supervisor, led us to believe that her board would vote for 10-15 years, but last night the board met and there was no restriction.

Commissioner Nash agreed since we leave ourselves vulnerable for a 30-year TIFF. This way we can assure it is within a certain timeframe and a certain amount of dollars. The Board has had to cut a lot when they are also throwing away a lot of money in other DDAs. Commissioner Nash feels that there will still be opportunity for developers in that area.

Commissioner Lahring asked for more information from Public Works Director Matt Farrar. Mr. Farrar indicated that Fruitport submitted a 15 year model. Looking at a 25 year overview (based on historical growth-CPI) the county would net a \$1.7 million increase due to taxable growth stimulated by the DDA. The DDA would build infrastructure big enough and deep enough to serve properties outside the DDA as well, which taxes would then be captured by the County.

Commissioner Lahring informed the Board that one current building project in that area will only build what the developer needs, he will not build bigger infrastructure unless the DDA goes through. The developer is building in a zoned community and has to pay off his loans for the infrastructure; the TIFF would end once the infrastructure is paid for.

Chairman Hughes invited Heidi Tice, Fruitport Charter Township Supervisor, to address the Board. Ms. Tice checked with an attorney to get a Sundown Clause in the DDA, however, she was told that one Board could not bind another board in that manner so that part of the motion would not be valid. The Fruitport Charter Township Board passed the ordinance to adopt the DDA at their meeting last night and there was overwhelming support for it. They are not opposed to a timeframe between 10-15 years. Ms. Tice asked for trust between the two boards.

Corporate Counsel advised the Board that they can always opt back in, but they can't always opt out.

Roll Call:

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

No: Zach Lahring

Motion Carried

Attorney Homier advised the Board that in order for this Resolution to be effective, it needs to be immediately filed with the Fruitport Township Clerk before this Friday. Chairman Hughes agreed and requested that the Resolution be signed and filed on Thursday.

2020-430 **DIRECT CORPORATE COUNSEL TO WORK WITH FRUITPORT
CHARTER TOWNSHIP IMMEDIATELY TO ESTABLISH A DDA THAT
INVOLVES THE TOWNSHIP AND COUNTY**

Moved by Commissioner Nash, seconded by Vice-Chair Foster, to direct Corporate Counsel to work with work with Fruitport Charter Township immediately to establish a DDA that involves the Township and County.

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

Commissioner Lahring informed the Board that Muskegon County Treasurer Tony Moulatsiotis sent out an opinion letter using County letterhead stating his opinion, which isn't an official county-opinion. Commissioner Lahring asked Corporate Counsel if every director is allowed to use county letterhead to state their opinion and send them around the county?

Attorney Homier indicated that he has not seen letter so he can't comment on the content, but did say that in Mr. Moulatsiotis's function as County Treasurer, his opinion or views on the capture of taxes is relevant to his department and is probably an appropriate consideration.

NEW BUSINESS

None.

PUBLIC COMMENT

Tony Barnes, Dalton Township Supervisor, thanked the Board for recognizing that tomorrow is Veteran's Day and thanked all Veterans. Supervisor Barnes noted there is an entirely new board coming into Dalton Township. Supervisor Barnes the thanked Board of Commissioners for their support to Dalton and thanked Commissioner Snider and Commissioner Mahoney for their service on the Board of Commissioners.

Commissioners thanked Mr. Barnes for his service.

FINAL BOARD COMMENTS

None.

Meeting adjourned at 4:54 p.m.

Nancy A. Waters, County Clerk

NAW/lss

To be approved at the next Full Board meeting.