MUSKEGON COUNTY BOARD OF COMMISSIONERS
MUSKEGON COUNTY, MICHIGAN

AGENDA

FULL BOARD
Hall of Justice
990 Terrace, Muskegon, MI
February 12, 2019 - 3:30 PM

Susie Hughes, Chair
Gary Foster, Vice-Chair

1. Call to Order
2. Invocation: Pastor Nate Parsekian, Shores Community Church
3. Pledge of Allegiance
4. Roll Call
5. Approval of Agenda
6. Approval of the Minutes of January 29, 2019
7. Public Comment (on an agenda item)
8. Committee/Board Reports
   A. Courts & Public Safety Committee
   B. Human Services Committee
   C. Ways & Means Committee

Public Comment
Persons may address the Commission during the time set aside for Public Comment or at any time by suspension of the rules. All persons must address the commission and state their name for the record. Comments shall be limited to two (2) minutes for each participant, unless time is extended prior to the public comment period by a vote of a majority of the commission.
9. Chairman’s Report/Committee Liaison Reports
   A. Accommodations Tax Advisory Committee (ATAC) Reappointment (term through 12/31/21)
      • Lisa Grossenbacher – Hotels/Motels (Shoreline Inn) Slot
   B. Solid Waste Planning Committee Reappointment (term through 12/31/20)
      • Kerry Rattinger – Solid Waste Management Slot
   C. Muskegon County Board Rules Committee Appointments

10. Administrator’s Report
   A. Convention Center Update
   B. To Authorize to Accept $5 Million from the Michigan Economic Development Corporation for Environment Remediation Efforts Related to Muskegon Lake and Authorize County Administrator to Sign

11. Old Business

12. New Business

13. Public Comment

14. Closed Session:

   Pursuant to MCL15.268(e) to discuss pending litigation, Case numbers 1:17-CV-1136, 16-000694-CB and 15-50122-AA

15. Adjournment

AMERICAN DISABILITY ACT POLICY FOR ACCESS TO OPEN MEETINGS OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND ANY OF ITS COMMITTEES OR SUBCOMMITTEES

The County of Muskegon will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities who want to attend the meeting upon 24-hours’ notice to the County of Muskegon. Individuals with disabilities requiring auxiliary aids or services should contact the County of Muskegon by writing or calling: Administration, 990 Terrace Street, Muskegon, MI 49442 (231) 724-6520

Board Work Session
Airport Advisory Committee
Tuesday, February 12th – 2:30 PM
Hall of Justice, 990 Terrace
6th Floor, Jury Assembly Room
Public Welcome to Attend
The Courts & Public Safety Committee met on Tuesday, February 5, 2019, it was recommended and I move:

CPS19/02 - 05 To authorize the Sheriff’s Office to replace one (1) 2013 FWD Ford Fusion from Emergency Services with the associated cost covered by insurance reimbursement and by the sale proceeds from the Sheriff’s fleet vehicles.

CPS19/02 - 06 To approve the acceptance of the State of Michigan, Department of Licensing and Regulatory Affairs Bureau, 2019 Medical Marijuana Operations and Oversight funding in the amount of $50,923 for this grant period.

CPS19/02 – 07 To approve the negotiated trade of an aluminum boat with the Sheriff’s Office and Facilities Management and to allow the Sheriff’s Office to use funds from the Marine Safety Fund Balance to outfit the boat with a motor and equipment at a cost of approximately $6,600.00; and amend the budget accordingly.

CPS19/02 – 08 To approve the Sheriff’s request to reclassify job classifications for the Administrative Analyst, X04007, (NX-00220) to a Sheriff Operations Supervisor (NX-00290) and the Sheriff Administrative Secretary, N73501, (NO-00195) to an Administrative Analyst (NX-00220) position at a cost of approximately $4,800.00 for Fiscal Year 2019.

CPS19/02 – 09 To approve and authorize the Sheriff to sign the third amendment to the contract between the Muskegon County Sheriff and Correctional Care Solutions to provide medical services in the jail, to include an increase of $105,00, at a date effective October 1, 2018 through September 30, 2022; and amend the budget accordingly.
The Human Services Committee met on February 5, 2019, it was recommended and I move:

HS19/02 - 01  To approve and adopt the Veterans Advisory Committee By-Laws and authorize the Board Chair to sign.

HS19/02 – 02  To authorize Public Health to accept $5,431 from Muskegon Community Health Project and subcontract with Coalition for Community Development to provide community level technical support and training to help empower the neighborhood groups and/or representatives in the Resilience Zone; and to refer/link them to existing community resources.

HS19/02 – 03  To authorization Public Health to accept $78,000 from the Michigan Department of Health and Human Service’s WIC Division and to create and fill two (2) hourly Breastfeeding Peer Counselor positions at pay scale NO-00060 ($12.536 - $15.29 hourly).

HS19/02 – 04  To authorize the following vendors as sole source supplier of vaccines in FY 2019 for Public Health: Sanofi Pasteur, GlaxoSmithKline, Merck, and PaxVax, and allow immediate release of payment.
The Ways & Means Committee met on February 7, 2019, it was recommended and I move:

WM19/02 - 11 To approve payment of the accounts payable of $27,764,380.35, covering the period of January 12, 2019 through January 24, 2019 for checks and December 1, 2018 through December 31, 2018 for P-Card and EFT payments, as presented by the County Clerk.

WM19/02 – 12 To approve the continuation of the local surcharge rate of $0.42 and to provide proper notification of this to the State 9-1-1 Committee, contingent upon a successful surcharge campaign.

WM19/02 – 13 To approve the following ballot language and to submit to the County Clerk for placement on the May 2019 ballot:

9-1-1 Muskegon Central Dispatch Surcharge
"To provide dedicated capital funding for Muskegon Central Dispatch 9-1-1 for equipment directly related to the delivery of 9-1-1 services which includes; replacing outdated emergency radio equipment, including over 1700 mobiles and portables for all fire, police and local ambulances in Muskegon County, five new radio towers, computers, wireless data backup, and related 9-1-1 costs, shall Muskegon County be authorized to assess a monthly surcharge not to exceed $2.75, against landlines, wireless and VoIP services to users capable of accessing 9-1-1 services within Muskegon County for a period of thirteen (13) years, beginning July 1, 2019 and ending June 30, 2032?"

WM19/02 – 14 To approve a salary range adjustment, effective 3/29/19, for the Seasonal Marine Officer classification to TS-00200, $9.45/hr-$9.95/hr.

WM19/02 – 15 To authorize the adoption of the resolution allowing the County of Muskegon Treasurer to borrow up to twelve million dollars ($12,000,000) against the anticipated 2018 delinquent real property taxes.

WM19/02 – 16 To authorize the adoption of the resolution to waive the monthly interest charge of 1% and the administrative fee of 4% for the period March 1st to April 30th for 2018 delinquent taxes (first year of delinquency) for a senior citizen, paraplegic, hemiplegic, quadriplegic, eligible serviceman, eligible veteran, eligible widow, totally and permanently disabled person, or blind person in accordance with sections 211.59 and 211.51 of the General Property Tax Act 206 of 1893, as amended.
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

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<tr>
<th>COMMITTEE</th>
<th>BUDGETED</th>
<th>NON-BUDGETED</th>
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<th>REQUESTING DEPARTMENT</th>
<th>COMMITTEE</th>
<th>DATE</th>
<th>REQUESTOR SIGNATURE</th>
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<tbody>
<tr>
<td>Administration</td>
<td>February 12, 2019</td>
<td>Mark Eisenbarth</td>
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SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)

During the Michigan Legislature’s 2018 end-of-year session, $2 million was authorized to fund the Food Forward FARM for the food processing initiative, Muskegon Heights was awarded $3 million for the Sherman corridor improvements, the City of Muskegon was awarded $4 million for industrial park expansion, and Muskegon County was awarded $5 million for the 120 acres of contaminated property situated along the south shoreline of Muskegon Lake. Liable party obligations have been met, but existing contamination poses significant obstacles to the safe redevelopment of the property for proposed mixed-use purposes. Contaminants present on the property represent human exposure concerns associated with the proposed redevelopment and threaten the integrity of Muskegon Lake.

Administration is requesting authorization to accept $5 million from the Michigan Economic Development Corporation (MEDC) for environmental remediation efforts related to Muskegon Lake.

SUGGESTED MOTION (STATE EXACTLY AS IT SHOULD APPEAR IN THE MINUTES)

Move to authorize to accept $5 million from the Michigan Economic Development Corporation (MEDC) for environmental remediation efforts related to Muskegon Lake and authorize the County Administrator to sign.

ADMINISTRATIVE ANALYSIS (AS APPLICABLE)

<table>
<thead>
<tr>
<th>HUMAN RESOURCES ANALYSIS:</th>
<th>FINANCE &amp; MANAGEMENT ANALYSIS:</th>
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<tr>
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<td>Concur</td>
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<td></td>
<td>B. Dick</td>
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<tr>
<th>CORPORATE COUNSEL ANALYSIS:</th>
<th>ADMINISTRATOR RECOMMENDATION:</th>
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If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee

AGENDA DATE: 2/12/19
AGENDA NO.: 2/18/19
BOARD DATE: 2/18/19
PAGN NO.

Revised 2/8/19
Michigan Enhancement Grant Application Form

Official Grantee: Muskegon County
Grantee Address: 990 Terrace Street, Muskegon, MI 49442
Grantee Primary Contact: Mark Eisenbarth
Grantee Tax ID #: 
Phone: 231-724-6520
Email: Eisenbarthma@Muskegoncounty.net

Instructions: This form and the proposed budget are due to MEDC by February 15, 2019. If a response is not received as required additional approval from State Budget Office may be required.

1. Please describe the public purpose of the project, demonstrating it is consistent with PA 618 of 2018, Section 759.

Muskegon County is supporting economic development activities related to 120-acres of contaminated property situated along the south shoreline of Muskegon Lake. Environmental remediation is required to prepare this land for future mixed-use development, which will improve the conditions of Muskegon Lake, enable safe reuse of former industrial property, and stimulate private investment in the community.

2. Fill out the anticipated dollar amount for each respective category of the budget, using the excel budget form provided. Please note the general administrative expense cannot exceed 10% of the grant amount.

3. Anticipated timeframe for each cost identified in the budget. (Project must be completed no later than January 31, 2021.)

Environmental Remediation Efforts - Spring 2019 through Winter 2020
General Administration - Spring 2019 through Winter 2020
4. I acknowledge that I will be required to submit quarterly progress reports and a final report including:
   
   i. A summary of the Grant Activities performed over the immediately prior calendar quarter;
   
   ii. An accounting of Grantee’s actual expenditure of all funds on the Project over the immediately prior quarter, including the breakdown of Grantee’s actual use of Grant funds on the Project within each applicable category of the Budget, and corresponding copies of supporting documentation of such expenditures, such as receipts, general ledgers, or other evidence of expenditure activity statements;
   
   iii. the Grantee’s estimated percentage of completion of the Project; and
   
   iv. Any other information deemed relevant by Grantee to support the Grant Activities actually performed.

5. If the Grantee is also a recipient of grant funds under one or more of a prior grant agreement authorized by any of PA 268 of 2016, PA 107 of 2017 and/or PA 207 of 2018, Grantee must first certify in writing to the Grant Administrator that all such grant funds disbursed thereunder have been expended as required under the applicable prior grant agreement, before any Grant funds from PA 618 of 2018 may be disbursed to Grantee.

6. Identify authorized signer(s).

NOTICE: Please be advised any portion of the grant funds paid to grantees and not spent or not spent in accordance with the grant agreement must be returned to the MEDC.

This Grant Application Form is not a legally binding agreement and should not be viewed as such. Moreover, the Grant Application Form does not embody all of the terms and conditions of the grant agreement and neither the MEDC nor the grantees will be bound until there is an executed grant agreement that sets forth all the terms and conditions.

Authorized Signature: ___________________________ Date: ___________________________
Michigan Enhancement Grant Project Budget

Please enter the major cost elements of the project, selecting from the drop down list options. If you select an activity with a ",:" please add a few additional words of description in the "Other/Additional Notes" column. You will be asked to report based on these budget categories. It is recommended that the budget have between 2-5 line items. Keeping the budget at a fairly high-level minimizes the need to amend the budget if the project costs deviate slightly from the plan. The "Local" and "Other" columns are optional. Six line items is the maximum allowed.

1. Grantee: Muskegon County

2. Project Title: Windward Pointe

3. Project Cost Elements

<table>
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<tr>
<th>Activities</th>
<th>Other/Additional Notes</th>
<th>Special Legislative Grant</th>
<th>Local Funding</th>
<th>Other Funding</th>
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4. Funding Sources

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<tr>
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<th>Special Legislative Grant</th>
<th>Local Funding</th>
<th>Other Funding</th>
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<td>$5,000,000.00</td>
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<td>$5,000,000</td>
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Windward Pointe Project Summary

Background and Redevelopment Vision
In July 2016, Pure Muskegon LLC (PM) purchased the 120-acre former Sappi Paper Mill located at 2400 Lakeshore Drive in Muskegon, Muskegon County, Michigan ("Property"). PM is comprised of a dedicated group of local business and community leaders that have come together to drive a major transformational brownfield redevelopment project, Windward Pointe, in the City of Muskegon, Muskegon County, Michigan. It is the vision of PM and the City of Muskegon that the former industrial property be revitalized into a unique mixed-use residential, commercial and community destination offering public access opportunities to Muskegon Lake and providing a major economic development catalyst for the City of Muskegon, North Muskegon, Muskegon County and the greater West Michigan Region. Windward Pointe is expected to create substantial measurable economic benefit in the form of construction, direct and indirect jobs, and significantly increased taxable property values for the applicable taxing jurisdictions, as well as health and safety benefits to the community by addressing real and potential health risks posed by the former industrial use of the Property.

Site History and Environmental Concerns
The Property has been utilized for industrial purposes from approximately 1874 to 2009. Most of the industrial use consisted of paper production operations, which commenced around 1900 and ceased in 2009 when the Sappi paper plant was shut-down. From 2011 to 2018, demolition activities were conducted to remove blighted and functionally obsolete structures from the Property, and environmental investigations were completed to evaluate soil and groundwater conditions. An administrative agreement between the Michigan Department of Environmental Quality (MDEQ), previous Property owners, and PM was executed to address liable party obligations related to known contamination and facilitate PM’s acquisition of the Property.

Liable party obligations have been met, but existing contamination poses significant obstacles to the safe redevelopment of the Property for proposed mixed-use purposes. Contaminants present on the Property represent human exposure concerns associated with the proposed redevelopment and threaten the integrity of Muskegon Lake.

Michigan Enhancement Grant
To assist with advancing the Windward Pointe project forward, a Michigan Enhancement Grant has been appropriated toward environmental remediation efforts on the Property. Use of these grant funds for this purpose will position the Property for safe redevelopment and continue the ongoing efforts to protect Muskegon Lake from the adverse environmental impact of past industrial uses.

Other Funding Resources Leveraged
The City of Muskegon and its Brownfield Authority have partnered with and supported the efforts of PM in several ways, including the adoption of a Brownfield Plan amendment for Windward Pointe in March 2017, approval of two Act 381 Work Plans, securing a $1 million MDEQ Brownfield Grant to demolish two smokestacks, and allocation of over $100,000 in federal EPA Brownfield Assessment grant funds to help fund Due Care investigations.