

AMENDED
MUSKEGON COUNTY BOARD OF COMMISSIONERS
FULL BOARD

June 29, 2021 - 4:00 p.m.
Via Zoom or Hall of Justice,
4th Floor; 990 Terrace, Muskegon, MI
Muskegon, MI 49442



Robert Scolnik, Chairman
Charles Nash, Vice-Chairman

Join Zoom Meeting: <https://zoom.us/j/97047385448?pwd=Q1dxRHFuM1BkOCs1T2l5MTI1OHRaQT09>
Phone: (312) 626-6799 Meeting ID: 970 4738 5448 Passcode: 796536

View on Facebook at:
<https://www.facebook.com/MuskegonCountyMI>

- 1) Call to Order
- 2) Invocation: Commissioner Malinda Pego
- 3) Pledge of Allegiance
- 4) Roll Call
- 5) Approval of Agenda
- 6) Approval of the Regular and Closed Session Minutes of June 15, 2021
- 7) Public Comment (on an agenda item)
- 8) Committee/Board Reports
 - A) Community Development/Strategic Planning
 - B) Transportation
 - 1) TR21/06-19 - Friendly Amendment
 - C) Ways & Means
- 9) Chairman's Report/Committee Liaison Reports

Cell phones may mute & unmute by dialing *6
Raise and lower hand to speak by dialing *9

To raise your digital hand from your PC or
MAC, at the bottom of the window on the right
side of the screen, click the button labeled
"Raise Hand"

The 35th annual Arts Council of White Lake's free summer concert series continues on
Tuesdays at 7:00 p.m. through August 17th at the Montague-Whitehall Rotary Band Shell

4th of July events in Muskegon County:

- We Discover Fest '21 featuring exotic car show, and electronic dance music;
Downtown Muskegon July 2-4
- City of Muskegon firework display July 3 – Morris Street parking lot
- LST393 Fireworks on the Deck July 3
- White Lake 4th of July Parade July 3 at 10:00 a.m. and a fireworks display on July
4 at dusk.

10) Administrator's Report

- Monday, July 5th is the observed Holiday for employees and county offices will be closed. There are no board meetings or motion review meetings scheduled the entire week.
- LEAN Update

11) Unfinished Business

12) New Business

13) Public Comment

14) Final Board Comments

15) Closed Session: I move that we enter into closed session to discuss with our attorneys trial and/or settlement strategies in the pending lawsuits Lori Lynn Heethuis v County of Muskegon and Ryan Boike, Individually Case No: 1:19-CV-00940 and Ledora Ward v Steven A. Holke, Muskegon Community Mental Health and Muskegon County Case No: 20-003294-NI because discussion on the open record will have a detrimental financial effect on the litigating or settlement position of Muskegon County; and also to discuss material exempt from disclosure under the attorney-client privilege, MCL 15.243(1)(g), pursuant to MCL 15.268(e)(h).

16) Adjourn to the call of the Chair

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.

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

*The Community Development/Strategic Planning Committee Summary Sheet
Chairman Doug Brown*

The Community Development/Strategic Planning Committee met on June 17, 2021, it was recommended and I move:

- CDSP21/06 - 14 To approve the resolution and project agreement for grant #TF20-0124 authorizing the Muskegon County Parks Department to accept a grant from the Michigan Natural Resources Trust Fund for the Nugent Sands Property Acquisition South Project (Phase I) located in Norton Shores, Michigan, and to have the Chairman of the Board sign the grant agreement.
- CDSP21/06 - 15 To authorize staff to issue a request for bids for the Dune Harbor Park parking lots on South Pond.
- CDSP21/06 – 16 To remove the language on the agenda regarding capacity limits and remove the mask requirement and follow the recommendations made by the State beginning June 22, 2021.

*Transportation Committee Summary Sheet
Chairman Doug Brown*

The Transportation Committee met on June 17, 2021; it was recommended, and I move:

- TR21/06 - 17 To contract with C&S Engineers, Inc. for professional engineering services for the new airport beacon and tower, crack seal design support (Federal Project # 3-26-0017-4621). This contract is 100% federally funded.

- TR21/06 - 18 To grant permission to the County Airport to provide \$33,737.80 in grant close-out funding that will be fully reimbursed by the FAA/MDOT Aero as part of FAA ACIP grant #3-26-0071-4420.

- TR21/06 – 19 To accept the goals and incentives proposed by F3 Airport and agreed upon by County Administration for meeting certain tasks and milestones for management and operation of the Muskegon County Airport.

- TR21/06 – 20 To approve monthly reimbursement of small purchases under \$3,500 to F3 Airport by Muskegon County through February 28, 2026.

Muskegon County Transportation Committee

Request for Board Consideration

Requestor: Robert M. Lukens

Committee Date: 2021-06-17

Requesting Department: Community Development
- Airport

Full Board Date: 2021-06-29

Budget: Budgeted

Agenda Number: TR21/06 - 19



Suggested Motion: *(State the following exactly as it should appear in the minutes.)*

Move to accept the goals and incentives proposed by F3 Airport and agreed upon by County Administration for meeting certain tasks and milestones for management and operation of the Muskegon County Airport.

Summary of Request: *(General description of financing, other operational impact, possible alternatives.)*

Muskegon County entered into a contract with F3 Airport of Milwaukee, WI to manage and operate the airport beginning on March 1, 2021. At the time the County entered into the contract, F3's Goals and Incentives were still under discussion between the County, F3 Airport, and County Corporate Counsel.

County Administration and Corporate Counsel reviewed and negotiated with F3 Airport to arrive at a mutually beneficial set of Goals and Incentives. The proposed Goals and Incentives are realistic, achievable, and have been agreed upon by all parties.

Kristen Wade, HR Director Analysis Required? No	Beth Dick, Finance Director/Management Analysis: <input checked="" type="checkbox"/> 
Michael Homier, Corporate Counsel Analysis Required? No	Mark Eisenbarth, County Administrator Recommendation: <input checked="" type="checkbox"/> 

ORIGINAL AS PRESENTED JUNE 17, 2021

EXHIBIT C - ATTACHMENT 1
2021 ANNUAL GOALS/MEASURES AND PERFORMANCE
INCENTIVES

Based on 5-Year Goals in Exhibit C – Attachment 2

2021 Annual Goals (to be negotiated each year)	2021 Incentive
<p>Increase passenger load factor by 3.6% over the FY 2019-2020 average for CY 2021, and then 3.6% each subsequent year based on the FY 2019-20 average.</p> <p>Increase enplanements by 3.6% over the CY2019-2020 average for CY21, and then 3.6% each subsequent year based on the previous calendar year.</p>	\$7,500
<p>Organize and implement an airshow that is self-funded (except for airport staff support services for event planning and operation) that is held in 2023. Incentive to be paid in 2023.</p>	\$10,000 (FY 2023)
<p>For the year 2021 only, conduct an evaluation of real estate usage including T-hangers, ground leases and vacant land and formulate a long-term strategy for improving revenue and present to County by end of 2021.</p>	\$5,000
<p>By June 1, 2023, attract another airline to the Muskegon County Airport. This airline can conduct either regularly scheduled commercial service, seasonal charter service (ie. Florida destinations in the winter), or regularly scheduled cargo service.</p>	\$10,000 (payable on or before 6/1/23)
<p>By June 1, 2023, either with MKG's current commercial carrier or an additional commercial carrier, add another destination (other than ORD), to MKG's regularly scheduled air service.</p>	\$10,000 (payable on or before 6/1/23)

Recurring Annual Measures (to remain in place during term of contract unless agreed by both parties)	2021 Incentive
<p>Meet compliance with key FAR Part 139 standards as measured by FAA annual inspection. Key FAR Part 139 standards are defined as those that if not in compliance will put MKG certification at risk. (it is understood by County that the FAA often makes suggestions for improvements for issues that are not considered serious violations that should not be considered non-compliant with Part 139 standards). Incentives will be paid per the schedule below:</p>	(see below)
<p>- No FAR part 139 major discrepancies.</p>	\$5,000 or
<p>- Two or fewer FAR part 139 major discrepancies</p>	\$4,000 or
<p>- Three to five FAR part 139 major discrepancies</p>	\$3,000 or

- More than five FAR part 139 major discrepancies	\$0
Meet or exceed budgeted net revenue projections, provided that the net revenue exceeds the amount of \$5,000.	\$5,000

Five Year Goals	Goal Achieved
<p>Increase Passenger Load Factor enplanements by calendar year 2025 by a total of 18% over the Base Period (average of CY19 and CY20)</p> <p>Base Period Passenger Load Factor Enplanements: 28,170 12,592</p> <p>Goal to achieve incentive by CY25: 33,244 15,026</p>	
<p>Increase Airport Operations (take-offs/landings) by calendar year 2025 by 10% over the Airport Operations during the Base Period.</p> <p>Base Period Aircraft Operations: 25,253</p> <p>Goal to achieve incentive by CY25: 27,778</p>	
<p>Improve annual revenue by 20% by calendar year 2025 over the Base Period through the better use of airport real estate, increased airport usage, and improved fees from tenants and users.</p> <p>Base Period Revenues: \$1,234,850.86</p> <p>Goal to achieve incentive by CY25: \$1,481,821.15</p>	

NOTE: At the June 17 Transportation Committee meeting, a question was asked by Commissioner Cyr regarding the total revenue 3.6% additional passenger enplanements would bring the airport. Total added revenue for 453 passenger enplanements would equate to \$11,320.47 on enplanements of 13,045 for CY21.

CVB Director: _____

County Administrator: _____

For F3 Airport: _____

*Ways & Means Summary Sheet
Chairman Kim Cyr*

The Ways & Means Committee met on June 22, 2021. It was recommended and I move:

- WM21/06 - 60 To approve payment of the accounts payable of \$15,815,297.75 covering the period of May 21, 2021 through June 10, 2021 for checks as presented by the County Clerk.
- WM21/06 - 61 To approve the resolution pledging the county's full faith and credit for the Montague Drainage District bond, series 2021 (General Obligation, Limited Tax) for an amount not to exceed \$1.8 million dollars.
- WM21/06 - 62 To approve the bond ordinance and notice of sale resolution for the Channel Crossing project and authorize the Chair and Clerk to sign the same.
- WM21/60 - 63 To approve the letter to the Clerk of the Board of County Road Commissioners of Muskegon County, expressing the County's approval of abandoning the unpaved northernmost portion of Hilton Park Road in Egelston Township, and authorize the Board Chair to sign same.
- WM21/06 - 64 To amend FY2021 DTE Test and Tune Budget (1010-0175) expenditure budget, increasing it by \$250,000 from \$2,688,254 to \$2,938,254 and revenue budget, increasing it by \$262,500 from \$2,887,065 to \$3,149,565 to cover current and anticipated projects through the end of the fiscal year.
- WM21/06 - 65 To approve the County Clerk's Office to purchase a contactless self-check-in kiosk from Jury Systems Incorporated in the amount of \$5,725.34 to be paid from the Juror Show Cause assigned fund balance in the General Fund.
- WM21/06 – 66 To spend up to \$25,000 using a Pre-Qualified Vendor List for professional services to provide the mandated functions required to conduct the August 3rd and November 2nd elections for Muskegon County and to amend the Elections budget (1010-0191) accordingly.
- WM21/06 – 68 To pass the Resolution to Rescind the Emergency Declaration.
- WM21/06 – 69 To continue using Zoom after the emergency order ends.
- ****
- WM21/06 – 67 *Motion failed and was not brought forth.*