MUSKEGON COUNTY BOARD OF COMMISSIONERS
FULL BOARD
REVISED AGENDA

November 12, 2019 – 3:30 PM
Hall of Justice, 4th Floor
990 Terrace, Muskegon, MI

Susie Hughes, Chair
Gary Foster, Vice-Chair

1) Call to Order

2) Invocation: Chris Sanford – Ambassador’s Church

3) Pledge of Allegiance

4) Roll Call

5) Approval of Agenda

6) Approval of the Minutes of October 22, 2019

7) Public Comment (on an agenda item)

8) Communication
   A. Otsego County Resolution: Support of Line 5 Tunnel
   B. Lapeer County Resolution: Support of 4-Year Terms for County Commissioners
   C. Alger County Resolutions: 1) Opposition to Trial Court Funding Commission Interim Report 2) Support Passage of House Bill 4590
   D. Kalkaska County Resolution: Opposing Legislation to Prevent County Commissioner Candidates from Disclosing Party Affiliation on Ballots

9) Committee/Board Reports
   A. Courts & Public Safety Committee
   B. Human Services Committee
   C. Ways & Means Committee

10) Chairman’s Report/Committee Liaison Reports
   A. A ceremony was held at Veteran’s Memorial Park in Honor of Veteran’s Day as well as a Veteran’s Day Salute at Muskegon Community College
   B. Tomorrow, Wednesday, November 13th from 5:30 pm – 7:30 pm everyone is welcome to visit the Muskegon Heights Library as the Lakeshore Museum Center presents the free event, “Hats with History!”

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.
C. From November 5th through December 12th at 7:00 pm feel free to stop in and watch the *Mystery of the Christmas Star* - a 30-minute show at the Carr-Fies Planetarium at Muskegon Community College in Room 1072

D. The Muskegon Museum of Art’s 15th Annual *Festival of Trees* runs from November 20th through December 1st

11) Administrator’s Report

To Approve a Contingent Fee Agreement with Stephen L. Grimm, P.C., and Authorize the Board Chair to Sign

To Approve the Adoption of the Revised 2019 Apportionment Report as Prepared and Submitted by the Muskegon County Equalization Department

To Approve an Increase to the Sheriff’s Purchase Order with Wellpath to Cover an Invoice in the Amount of $76,287

To Approve the Addendum to the June 24, 2003 Veterans Memorial Park Maintenance Agreement between the County of Muskegon, City of Muskegon and City of North Muskegon

12) Old Business

13) New Business

14) Public Comment

15) Closed Session: Pursuant to MCL 15.268(h): To Discuss a Written Confidential Legal Opinion

16) Adjournment
Minutes of a regular meeting of the Otsego County Board of Commissioners, held in Room 100 at the County Building, 225 W. Main St., Gaylord, Michigan on the 22nd day of October, 2019 beginning at 9:30 a.m.

PRESENT: Julie Powers, Henry Mason, Paul Liss, Duane Switalski, Rob Pallarito, Ken Glasser, Doug Johnson, Ken Borton, Bruce Browr.

ABSENT: None.

The following preamble and resolution was offered by Commissioner Rob Pallarito, seconded by Commissioner Ken Glasser.

RESOLUTION NO. OCR 19-23
AUTHORIZING RESOLUTION
OTSEGO COUNTY BOARD OF COMMISSIONERS
October 22, 2019

OTSEGO COUNTY RESOLUTION IN SUPPORT OF LINE 5 TUNNEL

WHEREAS, Enbridge's Line 5 has been operating safely and reliably in Straits of Mackinac for more than 66 years; and

WHEREAS, Enbridge's Line 5, a light crude and natural gas liquids pipeline, helps to safely meet Michigan's energy needs by fulfilling more than half of the propane needs of the state; and

WHEREAS, the products delivered to regional refineries provide jobs and ultimately fuel our lives; and

WHEREAS, multiple and extensive inspections and safety tests over the last several years have confirmed the integrity of Line 5 at the Straits of Mackinac as fit for service.

WHEREAS, Consequences to energy supply, local producers, regional airports and refineries, jobs, local economies and the pocketbook of Michiganders across the entire state are too great for Line 5 to be shut down before the tunnel replacement can be completed;

WHEREAS, Issues have been raised by several concerned parties regarding the possibility and impact of a breach of Line 5 into the Straits of Mackinac. These concerns have resulted in the State of Michigan and Enbridge negotiating an "agreement" for a 5 year $500 million project, to construct a tunnel 100 feet below bedrock to encase Line 5, the entire length of the Straits, in one-foot-thick concrete walls in order to mitigate the chances of any leaks of product into the Great Lakes.

WHEREAS, the recently elected Michigan Attorney General, Dana Nessel, has subsequently opposed the negotiated "agreement" and filed a lawsuit in Ingham County Circuit Court to close down Line 5 immediately effectively canceling all efforts to begin construction of the tunnel; and

WHEREAS, this action may very well provide unintended consequences for all parties as the litigation to close down Line 5 may take years to be resolved in the courts with no assurance of the outcome and;

WHEREAS, the time to resolve the litigation may simply result in the delay of the start of the construction of the tunnel thereby leaving the existing Line 5 in place unnecessarily for several additional years.
WHEREAS, Enbridge has demonstrated a willingness to work with the state to both protect the Great Lakes and ensure the continued safe delivery of energy we all rely on.

NOW, THEREFORE, BE IT RESOLVED that the Otsego County Board of Commissioners hereby joins with Baraga, Delta, Dickinson, Gogebic, Houghton, Iron, Mackinac, Marquette, Ontonagon, Cheboygan, and Grand Traverse Counties and the Michigan Association of Counties (MAC) in extending its support for Enbridge’s proposed tunnel replacement project and urges the State of Michigan to work with Enbridge to complete the tunnel project as quickly as possible and not disrupt Line 5 service before the tunnel can be completed.

AND, BE IT FURTHER RESOLVED that Otsego County sends this resolution to all counties of Michigan as an invitation to join in expressing support for increasing the safety of our current energy infrastructure as our society simultaneously seeks energy efficiencies and energy alternatives that will continue to reduce negative impacts and risks to our environment.

A ROLL CALL VOTE WAS TAKEN AS FOLLOWS:

YES: UNANIMOUS.

NO: NONE.

ABSTAIN: NONE.

THE RESOLUTION WAS DECLARED ADOPTED.

Kenneth C. Borton, Chairman

Susan I. DeFeyter, County Clerk

STATE OF MICHIGAN
COUNTY OF OTSEGO

The undersigned, being the duly qualified and acting Clerk of the County of Otsego, hereby certifies that the foregoing is a true and complete copy of a resolution duly adopted by the Otsego County Board of Commissioners at its regular meeting held on the 22nd day of October, 2019, at which meeting a quorum was present and remained throughout and that an original thereof is on file in the records of the County. I further certify that the meeting was conducted, and public notice thereof was given, pursuant to and in full compliance with Act No. 267, Public Acts of Michigan, 1976, as amended, and that the minutes of such meeting were kept and will be or have been made available as required thereby.

Susan I. DeFeyter, County Clerk

DATED: ________________, 2019
Lapeer County, Michigan

RESOLUTION

SUPPORTING PASSAGE OF LEGISLATION TO ADOPT 4-YEAR TERMS FOR COUNTY COMMISSIONERS

WHEREAS, the 1963 Michigan Constitution stipulated four-year terms for the county Board of Supervisors, the preceding body to today's Board of Commissioners; and,

WHEREAS, the Legislature voted in 1966 to abolish Boards of Supervisors and formally replace them with Boards of Commissioners after the 1968 elections; and,

WHEREAS, Public Act 261 of 1966 promulgated that the length of terms for the new county commissioners shall be concurrent with that of state representatives, as specified in Article IV, section 3 of the Michigan Constitution; and,

WHEREAS, the scope of duties of a county commissioner has greatly increased in the last century – road patrols, indigent defense, mental health treatment and substance abuse prevention programming, solid waste pick-up and disposal, food and water supply safety, park operations, economic development efforts, emergency management and response; and,

WHEREAS, Michigan is one of only five states in the United States that provides for exclusively two-year terms for county commissioners; and,

WHEREAS, all other county and township elected officials in Michigan are elected to terms of at least four years; and,

WHEREAS, the position of county commissioner is a highly complex oversight role that requires years to master; and,

WHEREAS, legislation to amend state law to enact four-year terms has been filed in the form of House Bills 4937-38 and Senate Bills 504-505; and,

WHEREAS, the Michigan Association of Counties supports the legislation as introduced;

NOW THEREFORE BE IT RESOLVED, that the Lapeer County Board of Commissioners supports House Bills 4937-38 and Senate Bills 504-505 to enact four-year terms for county commissioners.

Gary Roy, Chairman (District #2)

Brendan Miller, District #1

Lenny Schneider, District #4

Linda M. Jarvis, District #6

C. Ian Kempf, Vice-Chairman (District #7)

Dyle Henning, District #3

Rick Warren, District #5

I, Theresa M. Spencer, Clerk to the Lapeer County Board of Commissioners, do hereby certify and set my seal to the above resolution as adopted by the Lapeer County Board of Commissioners at their regular meeting held on this 24th day of October, 2018.

Theresa M. Spencer, County Clerk
ALGER COUNTY BOARD OF COMMISSIONERS
Mary Ann Froberg, Clerk
101 COURT STREET, MUNISING, MI 49862

RESOLUTION #2019-21

TRIAL COURT FUNDING COMMISSION INTERIM REPORT

WHEREAS, the County Clerks in Michigan have a constitutional stake in the trial court funding question, but were excluded from participation in the Trial Court Funding Commission. The County Clerks have a unique relationship with the courts and a perspective that should be heard when making recommendations for substantial changes.

WHEREAS, the goal of Public Act 65 of 2017 was to create a Trial Court Funding Commission to "review and recommend changes to the trial court funding system in light of People v. Cunningham".

WHEREAS, the vast majority of the Interim Report deals with the consolidation of all local court staff and operations under state control but does not solve the funding problems that Cunningham created (simply moving collections of fines and costs and payment of court salaries/benefits to the state does not mitigate the fact that we will still not be funded adequately).

WHEREAS, centralized control of our court process does not necessarily serve the best interest of the public. The County Clerks believe that local judges and citizens are better served by local custodial control. It has been proven to be a more responsive method of serving their needs.

WHEREAS, research of other state-funded court systems has shown that state funding creates a culture of complacency that tolerates delay. Accountability is removed from the local level and placed in the hands of bureaucrats in state government who are less connected to the people.

WHEREAS, we are concerned that transferring funding to state control would tether the judicial branch to the short term whims of the legislative and executive branches even more than they exist already. In the event of a lack of state funding (government shutdown) this process would also force the shutdown of the court system, resulting in constitutional violation of due process.

WHEREAS, it is critical to note that the finding of 46th Circuit Trial Court v. County of Crawford, 2006:143 states directly: "In order for the judicial branch to carry out its constitutional responsibilities as envisioned by the Constitution of 1963, art3, SS 2, the judiciary cannot be totally beholden to legislative determinations regarding its budgets."

WHEREAS, this Interim Report recommends altering the Michigan Constitution to provide that circuit court clerks are employed by the court and under the supervision of state government rather than the County Clerk.

WHEREAS, County Clerks serve a critical role in the judicial system. They are constitutionally mandated to ensure the integrity of the records and protecting the best interests of our citizens. Removing County Clerks from the picture would serve as substantial disruption to the purpose that we serve.

NOW, THEREFORE, BE IT RESOLVED, the Alger County Board of Commissioners is opposed to the Trial Court Funding Commission Interim Report dated April 8, 2019. We believe that it is imperative to maintain local control and accountability because that is how our constituents are best served. We strongly oppose this Interim Report and possible pending legislation and encourage the other 82 Michigan counties to join us.
BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to Governor Gretchen Whitmer, Senator Ed McBroom, Representative Sara Cambensy, the Michigan Association of Counties and the other 82 Michigan Counties.

CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Mary Ann Froberg, Alger County Clerk

Dated: October 21, 2019
RESOLUTION #2019-22

COUNTY RESOLUTION ON HOUSE BILL 4590
A BILL TO CREATE A TOURISM REINVESTMENT EXCISE TAX

WHEREAS, Tourism rates have increased steadily across the Upper Peninsula in recent years. This growth is apparent in an almost 20 percent increase in visitor spending in the U.P. between 2011 and 2017, according to the Michigan Economic Development Corporation.

WHEREAS, While this growth in tourism results in positive economic impacts to the private sector and increased state tax revenue, local revenue growth is far more restricted. This local revenue growth is limited to local property taxes, any modest increase of which is insufficient to cover the costs of the growth in tourism.

WHEREAS, Recreational activity by tourists result in measurable increased strain on local services. This is especially true of life-saving medical services that impact not only visitor safety but that of residents as well. Alger County has witnessed a 240 percent growth in non-residential emergency runs between 2012 and 2018. Additionally, the number of out-of-state tickets for traffic violations has more than doubled in the past five years.

WHEREAS, The geographic distances between local services, hospitals and the sites of emergency events can be very large. This places further strain on the ability of EMS to respond in a timely manner when multiple calls are received in one day, putting lives at risk.

WHEREAS, Large numbers of tourists impact the cost of emergency services, public safety, as well as county parks and recreation, in local budgets. There is currently no recourse for County governments to levy taxes that impact visitors only in order to account for these increased costs.

WHEREAS, local residents should not be asked to subsidize with their own limited resources the increased costs of tourism. U.P. residents already pay relatively high property taxes, due in part to greater amounts of non-taxable and tax-restricted properties, which shifts the tax burden onto regular property owners. Local voters have also been asked to approve a greater number of special assessments in recent years, due to constrained local revenue in rural counties.

WHEREAS, House Bill 4590, introduced by State Representative Sara Cambensy, provides for a Tourism Reinvestment Excise Tax that, if approved by local voters, would allow Counties the option to tax local room rentals at rate not to exceed 5 percent of the total room rate. The revenue generated would be designated specifically for emergency services, public safety, and county parks and recreation.

BE IT THEREFORE RESOLVED that, the Alger County Board of Commissioners supports the passage House Bill 4590 and that this resolution will be forwarded to State Representative Sara Cambensy, State Senator Ed McBroom, Governor Gretchen Whitmer, the Michigan Association of Counties and the other 82 Michigan Counties.

Alger County is an Equal Opportunity Employer
CERTIFICATION

I hereby certify that the above is a true copy of a Resolution adopted by the Alger County Board of Commissioners at the time, date, and place specified above pursuant to the required statutory procedures.

Respectfully submitted,

Mary Ann Froberg, Alger County Clerk

Dated: October 21, 2019

Alger County is an Equal Opportunity Employer
KALKASKA COUNTY BOARD OF COMMISSIONERS
RESOLUTION 2019-45
RESOLUTION OPPOSING LEGISLATION TO PREVENT COUNTY COMMISSIONER CANDIDATES FROM DISCLOSING THEIR PARTY AFFILIATION ON BALLOTS PROVIDED TO MICHIGAN VOTERS

WHEREAS, Executive Director of the Michigan Association of Counties (MAC), of which Kalkaska County is a dues paying member, state MAC is considering supporting a change to Michigan election law; and

WHEREAS, this change in Michigan law would force candidates for the office of County Commissioner to run as a "non-partisan" candidate and would prohibit said candidates from disclosing their party affiliation on ballots provided to Michigan voters; and

WHEREAS, preventing disclosure of a candidate's party affiliation needlessly restricts and censors information that Michigan voters have traditionally relied upon to help them select a candidate who shares their values; and

WHEREAS, the proposed change to Michigan election law is not needed as current Michigan law already permits County Commission candidates to withhold information about their party affiliation from being print on ballots provided to Michigan voters; and

WHEREAS, under the current law, Commissioner Candidates are able to run for office without being affiliated with a political party and disclosing their affiliation, by running as an Independent candidate.

THEREFORE, BE IT RESOLVED, that the Kalkaska County Board of Commissioners hereby support providing Michigan voters with full information about their candidates for County Commissioner, and hereby oppose forcing a candidate for County Commissioner to run as a "non-partisan" candidate.

BE IT FURTHER RESOLVED, that the Kalkaska County Board of Commissioners hereby request copies of this resolution be sent to State Senator, State Representative, the Michigan Association of Counties, and all Michigan Counties, within two weeks of the passage of this resolution.

Motion by West. Supported by Comai. Roll call vote:
Yeas: West, Comai, Cox, Crambell, Ngorarsaol, Sweet, Fisher.
Nays: None
Absent: None
Motion Carried. Resolution Passed.
STATE OF MICHIGAN

COUNTY OF KALKASKA

Kohn Fisher,
Chairman of the Board of Commissioners Kalkaska County

I, the undersigned, Clerk of Kalkaska County, do hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Kalkaska County Board of Commissioners, at its Regular meeting on October 16, 2019 the original of which is part of the Board’s minutes.

Deborah L. Hill
Clerk of the Board of Commissioners Kalkaska County
The Courts & Public Safety Committee met on November 5, 2019, it was recommended and I move:

CPS19/11 - 53  To approve the Prosecutor to apply for the STOP Violence Against Women grant.

CPS19/11 – 54  To approve the Muskegon County Sheriff’s Office to accept the FY20 Byrne Justice Assistance Grant (JAG), administered by the Michigan State Police for the purchase of body worn cameras and cruiser cameras in the amount of $213,829.00 from WatchGuard contingent upon the federal grantor agency’s approval otherwise authorize going out for bid for these items.

CPS19/11 – 55  To approve acceptance of the FY2020 Strategic Traffic Enforcement Grant in the amount of $52,190.00 (PT-20-32).
The Human Services Committee met on November 5, 2019, it was recommended and I move:

HS19/11 - 30 To approve allocating 25% of the annual senior millage funds to the local municipalities to coordinate and provide services, programs, and/or activities for seniors in their jurisdiction. Each municipality would receive a base funding of $3,500 and additional funding based on the population of seniors in the municipality. To accept the optional funding each municipality must present a 1-2 page plan approved by their governing entity and endorsed by the jurisdictional County Commissioner(s).

HS19/11 – 31 To approve a FY20 senior millage award to Living Word Church for $80,000 for the initiation, coordination and provision of both snow removal and lawn care services to seniors in Muskegon County who are eligible for the program services; and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

HS19/11 – 32 To approve adjusting FY20 senior millage awards from partial year funding to full year funding for Muskegon Community College/Lakeshore Fitness Center – Next Steps Program to $30,000; YMCA – Veggie Van activities to $55,000; and Trinity Village – Major home repairs (county-wide) to $56,000 effective October 1, 2019 through September 30, 2020; and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

HS19/11 – 33 To authorize Public Health – Muskegon County to award the drinking water laboratory analysis contract to Trace Analytical Laboratories for the period of October 1, 2019 through September 30, 2020, with a one year renewal option, with no effect on county general fund.

HS19/11 – 34 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, 2019 to September 30, 2020; and further authorize the Public Health Director to sign the related agreement.
The Ways & Means Committee met on November 7, 2019, it was recommended and I move:

WM19/11 – 136  To approve payment of the Accounts Payable of $22,862,996.35, covering the period of October 4, 2019 through October 24, 2019 for checks and September 1, 2019 through September 30, 2019 for P-Card and EFT payments as presented by the County Clerk.

WM19/11 – 137  To approve the Resolution Authorizing Issuance of 2019 Refunding Bonds.

WM19/11 – 138  To authorize deletion of Building Maintenance Electrician and create a Building Maintenance Mechanic II position.

WM19/11 – 139  To authorize to waive the Right of First Refusal on vacant lot at 500 E. Ellis Road and authorize Board Chair to sign Waiver.

WM19/11 – 140  To authorize to accept Offer of Purchase of county-owned home at 7875 Whitehall Road and authorize Board Chair to sign Purchase Agreement.

WM19/11 – 141  To approve payment from the Dept. of Veterans Affairs Fund toward the cost of Proposed Water Control Structure at Veterans Memorial Park contingent upon equal commitment from the Cities of Muskegon and North Muskegon and amend the budget accordingly.
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

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SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)

Authorization is being requested for approval of a Contingent Fee Agreement between the County of Muskegon and Stephen L. Grimm, PC. This agreement provides authorization to retain Mr. Grimm to represent the County of Muskegon by investigating a claim of misrepresentation and to determine if there is a basis for such a claim. If it is determined that there is a basis for a claim, Mr. Grimm will proceed with the claim and prosecute the claim through judgment, including trial.

Compensation for such representation will be a contingent fee of one-third (1/3) of all sums received either by settlement or judgment after deducting all costs and expenses properly chargeable.

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

To approve a Contingent Fee Agreement with Stephen L. Grimm, PC. and authorize the Board Chair to sign.

ADMINISTRATIVE ANALYSIS (AS APPLICABLE)

HUMAN RESOURCES ANALYSIS:  

FINANCE & MANAGEMENT ANALYSIS: 

[Signature]

CORPORATE COUNSEL ANALYSIS:  

ADMINISTRATOR RECOMMENDATION: 

[Signature]

If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee

Date

AGENDA DATE: 11-12-19  AGENDA NO.:  
BOARD DATE: 11-12-19  PAGE NO.:  

Revised 11/6/19
CONTINGENT FEE AGREEMENT

THIS AGREEMENT, entered into on the ____________ day of ________, 20__, between ______________________ hereinafter referred to as “Client,” and STEPHEN L. GRIMM, PC, Attorney at law, 3333 Evergreen, NE, Suite 200, Grand Rapids, MI 49525, hereinafter referred to as “Attorney,” the terms of which are as follows:

1. Client sustained damages or was injured on or about the date of ______________________, 20__, as a result of the following: ______________________. The claim is against ______________________. Client desires to retain Attorney to prosecute a claim on Client’s behalf. This Agreement authorizes Attorney to investigate such claim and to determine if there is a basis for such a claim. If it is determined that there is a basis, Attorney will continue to proceed with the claim.

2. Client has been informed prior to entering into this Contingent Fee Agreement of the nature of this contingent fee arrangement. Client has also been informed that Attorney may be employed under other fee arrangements in which the Attorney may be compensated for the reasonable value of the services performed, based upon an hourly, per diem or flat rate basis.

3. Client retains Attorney to represent Client with respect to the Claim. Attorney agrees to perform, or cause to be performed, services necessary or appropriate to investigate and prosecute the Claim through judgment, including any trial.

4. The Claim will not be settled without prior approval of the Client. If, during the prosecution of the Claim, the Claim does not appear reasonably recoverable, or if Attorney recommends as reasonable and advisable any settlement offer by any adverse party and the Client declines to accept said recommendations, Attorney may withdraw from further representation of the Client as long as the Client’s interests are not adversely affected thereby.

5. Client agrees to compensate Attorney with a contingent fee of one-third (1/3) of all sums received either by settlement or collected judgment. The percentage set forth shall be computed on the aggregate net sum recovered after deducting from such amount all costs and expenses properly chargeable to the prosecution or enforcement of the Claim. In computing the fees, costs as taxed and any interest included in or upon the amount of judgment shall be deemed part of the amount recovered.

6. IN THE EVENT OF NO RECOVERY, CLIENT SHALL OWE ATTORNEY NOTHING FOR SERVICES RENDERED HEREUNDER, BUT SHALL STILL BE REQUIRED TO REIMBURSE ATTORNEY FOR THE COSTS AND EXPENSES PAYABLE AS PROVIDED IN PARAGRAPH 7 BELOW.

7. Client further agrees to pay all out-of-pocket costs and expenses incurred in connection with the prosecution of this claim.
8. In the event Client wishes Attorney to stop all prosecution of the Claim, or wishes to obtain another attorney, then Attorney shall be paid for all time at the rate of $300.00 per hour plus any costs and expenses as heretofore stated, or 1/3 of any amount offered plus costs and expenses.

9. CLIENT ACKNOWLEDGES THAT THE ATTORNEY HAS MADE NO PROMISES OR GUARANTEES REGARDING THE OUTCOME OF THE CLAIM.

10. This Agreement shall be binding upon the Client and the successors, heirs, and assigns of the Client.

IN WITNESS WHEREOF, this Contingent Fee Agreement has been executed as of the day, month, and year first above written.

CLIENT:

Signature

Name

Address

Telephone

STEPHEN L. GRIMM, PC

By: Stephen L. Grimm
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

COMMITTEE: Full Board
BUDGETED: X

REQUESTING DEPARTMENT: Equalization
COMMITTEE DATE: Full Board 11/12/19
REQUESTOR SIGNATURE: Dorna VanderVries

SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)

The Equalization Department is requesting adoption of the revised 2019 Apportionment Report for Muskegon County. The Department has prepared this document as authorized by the Muskegon County Board of Commissioners. The report consists of an analysis of Muskegon County millage rates as they relate to the county, townships, villages, cities, public school districts, intermediate school districts, community colleges, and authorities. The report is subject to amendments as authorized by statute. The last report was approved on 10/22/19. This report is being revised due to the unsuccessful millage of the White Lake Fire Authority on 11/05/19 for an additional 1.65 mills. The existing operating millage of 1.4404 mills remains intact until it expires in 2024.

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

Move for adoption of the revised 2019 Apportionment Report as prepared and submitted by the Muskegon County Equalization Department.

ADMINISTRATIVE ANALYSIS (AS APPLICABLE)

HUMAN RESOURCES ANALYSIS:

FINANCE & MANAGEMENT ANALYSIS:

[Signature]

CORPORATE COUNSEL ANALYSIS:

ADMINISTRATOR RECOMMENDATION:

[Signature]

If motion originates from a Statutory Board, Authority or Advisory Committee, please provide the date the motion was approved by that Board/Authority/Committee

Date:

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Revised 11/7/19
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2019 Muskegon County Apportionment Report

November 12, 2019

Board of Commissioners
County of Muskegon
990 Terrace St., Hall of Justice
Muskegon, MI 49442

Honorable Commissioners:

The Muskegon County Equalization Department has prepared this report as authorized by the Ways and Means Committee of the Muskegon County Board of Commissioners. This report presents an in-depth analysis of Muskegon County millage rates as they relate to the County, Townships, Villages, Cities, local school districts, Intermediate School Districts, and the Community Colleges. This report is subject to amendments as dictated by statute.

The statutory responsibility of the County Board of Commissioners is contained in Sec. 37 of the General Property Tax Law, Public Act 206 of 1983 as amended, Sections 211.1 through 211.157:

Sec.37. The county board of commissioners, at its annual session in October of each year, shall ascertain and determine the amount of money to be raised for county purposes, and shall apportion such amount, and also the amount of the state tax and indebtedness of the county to the state among the several townships in the county in proportion to the valuation of the taxable property therein, real and personal, as determined by it, or as determined by the board of the state tax commissioners upon appeal in the manner provided by law, for that year, which determination and apportionment shall be entered at large on its records. It shall also examine all certificates, statements, papers, and records submitted to it, showing the moneys to be raised in the several townships for school, highway, drain, township, and other purposes. It shall hear and duly consider all objections made to raising any such money by any taxpayer to be affected thereby. If it shall appear to the board that any certificate, statement, paper, or record is not properly certified, or that the same is in any way defective, or that any proceeding to authorize the raising of any such moneys has not been had or is in any way imperfect the board shall verify the same, and if the certificate, statement, paper, record or proceeding can then be corrected and the board shall authorize and require the defects or omissions of proceedings to be corrected, supplied, or had. It may refer any or all the certificates, statements, papers, records, and proceedings to the prosecuting attorney, whose duty it shall be to examine the same and without delay report in writing his opinion to the board. It shall direct that the several amounts of money proposed to be raised for township, school, highway, drain, and all other purposes as shall be authorized by law, be spread upon the assessment roll of the proper townships, wards, and cities. Such action and direction shall be entered in full upon the record of the proceedings of the board, and shall be final as to the levy and assessment of all such taxes, except when there is a change made in the equalization of any county by the board of state tax commissioners upon appeal in the manner provided by law. The direction for the spread of taxes shall be expressed in terms of millages to be spread against the state equalized values of properties and shall not direct the raising of any specific amount of money. This section does not apply when section 36(3) applies. Last Am. 1973, Act 135, Immediate effect, Nov. 2, 1972.

Respectfully submitted,

Donna VanderVries, Director
Equalization Department
2019 Muskegon County Apportionment Report

This report presents property millage rates collected by each governmental jurisdiction. Also presented is a summary of the millage rates by taxing justifications such as the County, Townships, Villages, Cities, local school districts, Intermediate School Districts, and the Community College, as well as other agencies, districts, and authorities. The millage rates are presented by general category. If there is more than one rate authorized for a category, the rate presented is an aggregate amount.

Of major significance, Public Act #35 of 2001 directs that starting in the year 2001, the Equalization Director of each county shall file the annual Apportionment Report no later than December 1st of each year.

Table A
Local School District Millage Authorization Chart

<table>
<thead>
<tr>
<th>Type of Millage Levied by Local School District</th>
<th>Properties Against Which the Millages are Levied</th>
</tr>
</thead>
<tbody>
<tr>
<td>Supplemental (Hold Harmless) Millage.</td>
<td>All Properties in the Local School District</td>
</tr>
<tr>
<td>Up to 18 mills of operating millage when there is no Supplemental (Hold Harmless) millage levied or when there is less than 18 mills of Supplemental (Hold Harmless) millage levied.</td>
<td>Non-Principal Residence and Non-Qualified Agricultural Properties in the Local School District</td>
</tr>
<tr>
<td>Millage levied under MCL 380.1212 for the purpose of creating a building and site sinking fund. This levy is subject to the “Headlee” rollback but NOT the “Truth in Taxation” rollback.</td>
<td>All Properties in the Local School District</td>
</tr>
<tr>
<td>Millage levied for operating a community college under Part 25 of the School Code of 1976.</td>
<td>All Properties in the Local School District</td>
</tr>
<tr>
<td>Millage levied under MCL 380.1356(4) for eliminating an operating deficit.</td>
<td>All Properties in the Local School District</td>
</tr>
<tr>
<td>Certain millages levied for the operation of a library. Please see MCL 380.1211(8)(v) for details.</td>
<td>All Properties in the Local School District</td>
</tr>
<tr>
<td>Certain taxes levied for operation of a swimming pool. Please see MCL 380.1211(8)(vi) for details.</td>
<td>All Properties in the Local School District</td>
</tr>
</tbody>
</table>
2019 Muskegon County Apportionment Report

Changes, Additions, and Renewals Effective For This Year

Table B
Cities, Townships, and County

<table>
<thead>
<tr>
<th>Local Unit or Authority</th>
<th>Approval Date</th>
<th>Millage</th>
<th>Purpose or Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Muskegon</td>
<td>6/07/19</td>
<td>0.0752</td>
<td>Veterans Millage</td>
</tr>
<tr>
<td>Blue Lake Township</td>
<td>11/06/2018</td>
<td>2.0000</td>
<td>Fire Operation</td>
</tr>
<tr>
<td>Blue Lake Township</td>
<td>11/06/2018</td>
<td>1.5000</td>
<td>Fire Equipment</td>
</tr>
<tr>
<td>Egelston Township</td>
<td>9/08/19</td>
<td>2.0000</td>
<td>Fire Operation</td>
</tr>
</tbody>
</table>

- M.C.L.A. 211.36 authorizes a current year levy of a referendum until the first Tuesday after the first Monday in November for townships. Cities are subject to the same requirements unless the charter specifies a prior date. Schools are authorized for a current year levy of a referendum until December 7th.

Table C
Schools and Intermediate School Districts

<table>
<thead>
<tr>
<th>District or Taxing Jurisdiction</th>
<th>Approval Date</th>
<th>Millage</th>
<th>Purpose or Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ottawa Area Intermediate School District</td>
<td>11/2018</td>
<td>0.9000</td>
<td>Enhancement</td>
</tr>
<tr>
<td>Montague Area Public Schools</td>
<td>5/07/19</td>
<td>0.8000</td>
<td>Sinking Fund</td>
</tr>
<tr>
<td>Grand Haven Area Public Schools</td>
<td>05/20/19</td>
<td>18.0000</td>
<td>Operating Non-PRE</td>
</tr>
<tr>
<td>Holton Public Schools</td>
<td>11/06/18</td>
<td>18.3121</td>
<td>Operating Non-PRE</td>
</tr>
<tr>
<td>Mona Shores Public</td>
<td>11/06/18</td>
<td>5.8000</td>
<td>Bond Proposal</td>
</tr>
</tbody>
</table>

Table D
Libraries, Authorities, & Colleges

<table>
<thead>
<tr>
<th>District or Taxing Jurisdiction</th>
<th>Approval Date</th>
<th>Millage</th>
<th>Purpose or Designation</th>
</tr>
</thead>
<tbody>
<tr>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>
2019 Muskegon County Apportionment Report

Other Ballot Proposals, Legislative, or Administrative Changes

On September 30, 2004 Public Act (PA) 357 of 2004 was signed into law, providing a funding mechanism to serve as a substitute to county revenue sharing payments. This substitute funding mechanism involves a gradual shift of county property tax millage from a winter tax levy to a summer tax levy and additionally requires the establishment of a restricted fund to be known as the Revenue Sharing Reserve Fund. In 2005, one-third of the county’s allocated mills were levied in the summer. In 2006, two-thirds of the county’s allocated mills were collected in the summer, and for 2007 and every year after 100 percent will be collected during the summer tax levy. Effective in 2004, the Homestead Exemption was renamed the Principal Residence Exemption (PRE). Likewise, Public Act 244 of 2002 amended the State Education Tax Act and requires cities and townships to collect the State Education Tax (SET) in a summer levy, except as otherwise provided by law. If the local collection agency routinely collects a summer levy, the levy is mandatory, and there is no reimbursement. If the local collection agency does not routinely collect a summer levy, reimbursement is $2.50 per parcel. If the local collection agency does not routinely collect a summer levy, the local unit may decline and defer the collection to the county. The county can decline and defer the collection to the State of Michigan.

Taxing authorities must hold a Truth-In-Taxation hearing when proposing the increase its operating tax levy over the maximum amount allowed to be levied without a hearing (MCL 211.24e). Taxing authorities that levied a total operating tax of one mill or less in the immediate preceding year do not need to hold a Truth-In-Taxation hearing. Public Act 42 of 1995 amended the General Property Tax Act to allow a township to combine the Truth-in-Taxation hearing with the township’s budget public hearing. This combined hearing is considered a Truth-In-Taxation hearing.

Taxing authorities must publish a notice of the budget public hearing in a newspaper of general circulation (MCL 42.26). The public hearing notice must include the time and place of the hearing and state the place where a copy of the budget is available for public inspection. To satisfy the requirements of publishing a Truth-in-Taxation hearing notice, the budget public hearing notice must also contain the following statement printed in 11-point boldfaced type: “The property tax millage rate proposed to be levied to support the proposed budget will be a subject of this hearing” (MCL 141.412). If the taxing authority complies with this requirement, it does not need to publish a separate public hearing notice on increasing property taxes. After the taxing authority conducts its public hearing, the millage rate that the budget is based upon must be included in the general appropriations act adopted by the taxing authority.

The rates in the following table are the average millage for principal residence property in the State of Michigan. The rates are applied to properties that have New Facility Neighborhood Enterprise Zone (NEZ) Certificates. The Michigan Department of Treasury annually determines the rates.

IV
### 2019 Muskegon County Apportionment Report

#### Table E
Average Millage Rate - State of Michigan

<table>
<thead>
<tr>
<th>Tax Year</th>
<th>Full Millage-Non-P.R.E</th>
<th>Full Millage-P.R.E</th>
<th>Half Millage-P.R.E.</th>
</tr>
</thead>
<tbody>
<tr>
<td>2019</td>
<td>53.23</td>
<td>34.96</td>
<td>17.480</td>
</tr>
<tr>
<td>2018</td>
<td>52.96</td>
<td>34.56</td>
<td>17.280</td>
</tr>
<tr>
<td>2017</td>
<td>52.95</td>
<td>34.55</td>
<td>17.275</td>
</tr>
<tr>
<td>2016</td>
<td>52.33</td>
<td>34.21</td>
<td>17.105</td>
</tr>
<tr>
<td>2015</td>
<td>51.77</td>
<td>33.92</td>
<td>16.960</td>
</tr>
<tr>
<td>2014</td>
<td>51.47</td>
<td>33.53</td>
<td>16.765</td>
</tr>
<tr>
<td>2013</td>
<td>51.24</td>
<td>33.47</td>
<td>16.735</td>
</tr>
<tr>
<td>2012</td>
<td>50.67</td>
<td>33.10</td>
<td>16.550</td>
</tr>
<tr>
<td>2011</td>
<td>50.40</td>
<td>33.13</td>
<td>16.567</td>
</tr>
<tr>
<td>2010*</td>
<td>48.37</td>
<td>31.33</td>
<td>15.665</td>
</tr>
<tr>
<td>2009</td>
<td>48.39</td>
<td>33.14</td>
<td>16.57</td>
</tr>
<tr>
<td>2008</td>
<td>51.85</td>
<td>33.85</td>
<td>16.93</td>
</tr>
<tr>
<td>2007</td>
<td>51.89</td>
<td>33.89</td>
<td>16.95</td>
</tr>
<tr>
<td>2006</td>
<td>51.71</td>
<td>33.71</td>
<td>16.86</td>
</tr>
<tr>
<td>2005</td>
<td>51.68</td>
<td>33.68</td>
<td>16.84</td>
</tr>
<tr>
<td>2004</td>
<td>50.92</td>
<td>32.92</td>
<td>16.46</td>
</tr>
<tr>
<td>2003</td>
<td>52.04</td>
<td>34.04</td>
<td>17.02</td>
</tr>
<tr>
<td>2002</td>
<td>51.41</td>
<td>33.41</td>
<td>16.71</td>
</tr>
<tr>
<td>2001</td>
<td>50.82</td>
<td>32.82</td>
<td>16.41</td>
</tr>
<tr>
<td>2000</td>
<td>50.43</td>
<td>32.43</td>
<td>16.25</td>
</tr>
<tr>
<td>1999</td>
<td>50.36</td>
<td>32.36</td>
<td>16.18</td>
</tr>
<tr>
<td>1998</td>
<td>50.51</td>
<td>32.51</td>
<td>16.25</td>
</tr>
<tr>
<td>1997</td>
<td>50.85</td>
<td>32.85</td>
<td>16.42</td>
</tr>
<tr>
<td>1996</td>
<td>49.81</td>
<td>31.81</td>
<td>15.90</td>
</tr>
<tr>
<td>1995</td>
<td>49.08</td>
<td>31.08</td>
<td>15.54</td>
</tr>
<tr>
<td>1994</td>
<td>Base</td>
<td>Base</td>
<td>Base</td>
</tr>
</tbody>
</table>

* Beginning in 2010, NEZ tax rates will be calculated to the third decimal place.
Additionally, the electorate of the County of Muskegon approved a fixed allocation of the 15 mills provided by the State Constitution on November 5, 1974. It is as follows:

<table>
<thead>
<tr>
<th>Taxing Authority</th>
<th>Mills</th>
</tr>
</thead>
<tbody>
<tr>
<td>County of Muskegon</td>
<td>6.2</td>
</tr>
<tr>
<td>Townships</td>
<td>1.3</td>
</tr>
<tr>
<td>Intermediate School Districts</td>
<td>0.5</td>
</tr>
<tr>
<td>School Districts</td>
<td>7.0</td>
</tr>
<tr>
<td>Total</td>
<td>15.0</td>
</tr>
</tbody>
</table>

Correspondingly, the constitutional *Fifty Mill Limitation* states that both the fifteen and eighteen mill limitations may be increased but not to exceed fifty mills for a period not to exceed twenty years at any one time. Such millage is generally referred to as extra-voted millage which is in addition to the allocated, either by tax allocation boards or by the voters. The application of present constitutional limitations is summarized on the next page, see Table G.
Table G
Summary of the Fifty Mill Limitation governed by the State Constitution

<table>
<thead>
<tr>
<th>Category</th>
<th>Operating Millage</th>
<th>Debt Millage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Unchartered Counties</td>
<td>Included</td>
<td>Excluded</td>
</tr>
<tr>
<td>Unchartered Townships</td>
<td>Included</td>
<td>Excluded</td>
</tr>
<tr>
<td>School Districts</td>
<td>Included</td>
<td>Excluded</td>
</tr>
<tr>
<td>Intermediate School Districts</td>
<td>Included</td>
<td>Excluded</td>
</tr>
<tr>
<td>(special or vocational education operating millage)</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
<tr>
<td>Cities</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
<tr>
<td>Villages</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
<tr>
<td>Charter Counties</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
<tr>
<td>Charter Townships (incorporated before December 23, 1978)</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
<tr>
<td>(incorporated solely by resolution and without a vote of township electors on or after December 23, 1978)</td>
<td>Included</td>
<td>Excluded</td>
</tr>
<tr>
<td>Charter Authorities, or Other Authorities (such as District Libraries and Community Colleges)</td>
<td>Excluded</td>
<td>Excluded</td>
</tr>
</tbody>
</table>
2019 Muskegon County Apportionment Report

The following table lists the various development or finance authorities in Muskegon County. The Downtown Development Authorities are allowed to spread additional millage on properties within its boundaries. Finance Authorities would receive revenues attributable to assessed values that exceed "Base Value" or original values at the establishment of the district or authority. The assessed value increases beyond the base value, commonly known as "Captured Value", usually are the result of district improvements. This additional revenue is then earmarked or reserved for the repayment of bonds or development costs incurred by the improvements.

**Table H**

*Tax Increment Authority Listing for Muskegon County*

<table>
<thead>
<tr>
<th>Unit</th>
<th>Finance Authority</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ravenna Township</td>
<td>Downtown Development Authority-Tax Increment Finance Authority-Village</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Downtown Development Authority-Tax Increment Finance Authority #1</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Downtown Development Authority-Tax Increment Finance Authority #2</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Local Development Finance Authority #1-Port City Industrial Park</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Local Development Finance Authority #2-Medendorp Industrial Park</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Local Development Finance Authority #3-Smart Zone/Edison Landing</td>
</tr>
<tr>
<td>City of Muskegon</td>
<td>Local Development Finance Authority #4-Seaway Business Park</td>
</tr>
<tr>
<td>City of Muskegon Heights</td>
<td>Downtown Development Authority</td>
</tr>
<tr>
<td>City of Montague</td>
<td>Downtown Development Authority</td>
</tr>
<tr>
<td>City of Norton Shores</td>
<td>Tax Increment Finance Authority-Norton Industrial Center</td>
</tr>
<tr>
<td>City of Roosevelt Park</td>
<td>Downtown Development Authority</td>
</tr>
<tr>
<td>City of Whitehall</td>
<td>Downtown Development Authority</td>
</tr>
</tbody>
</table>

VIII
# 2019 Muskegon County Apportionment Report

**ASSESSING OFFICERS FOR THE COUNTY OF MUSKEGON AS OF OCTOBER 30, 2019**

<table>
<thead>
<tr>
<th>STATE CERTIFICATION REQUIRED</th>
<th>LOCAL UNIT</th>
<th>ASSESSORS</th>
<th>STATE CERTIFICATION HELD</th>
</tr>
</thead>
<tbody>
<tr>
<td>MCAO</td>
<td>Blue Lake Township</td>
<td>Marion Knash</td>
<td>MCAO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Casnovia Township</td>
<td>Carl Schuitema</td>
<td>MCAO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Cedar Creek Township</td>
<td>Martha Hicks</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Dalton Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Egelston Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Fruitland Township</td>
<td>Sue Bowen</td>
<td>MAIO</td>
</tr>
<tr>
<td>MAIO</td>
<td>Fruitport Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Holton Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Laketon Township</td>
<td>Wanda Budnik</td>
<td>MCAO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Montague Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Moorland Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MAIO</td>
<td>Muskegon Township</td>
<td>Penny Good</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Ravenna Township</td>
<td>Dennis Burns</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Sullivan Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>Whitehall Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>White River Township</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>City of Montague</td>
<td>Dennis Burns</td>
<td>MAIO</td>
</tr>
<tr>
<td>MAIO</td>
<td>City of Muskegon</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MAIO</td>
<td>City of Muskegon Heights</td>
<td>Robert Jackson</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>City of North Muskegon</td>
<td>Sue Bowen</td>
<td>MAIO</td>
</tr>
<tr>
<td>MAIO</td>
<td>City of Norton Shores</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>City of Roosevelt Park</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
<tr>
<td>MCAO</td>
<td>City of Whitehall</td>
<td>Donna VanderVries</td>
<td>MAIO</td>
</tr>
</tbody>
</table>

IX
# 2019 Muskegon County Apportionment Report

## EQUALIZATION DEPARTMENT STAFF MEMBERS AS OF OCTOBER 30, 2019

<table>
<thead>
<tr>
<th>NAME &amp; POSITION</th>
<th>CERTIFICATION LEVEL</th>
<th>NAME &amp; POSITION</th>
<th>CERTIFICATION LEVEL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Donna VanderVries, Director</td>
<td>MMAO</td>
<td>Sarah Hansen, Appraiser</td>
<td>MCAO</td>
</tr>
<tr>
<td>Dan VanderKooi, Deputy Director</td>
<td>MAAO</td>
<td>Kelli Navarro, Appraisal Technician</td>
<td>MCAT</td>
</tr>
<tr>
<td>Annette Messenger, Assessment</td>
<td>MAAO</td>
<td>Jonathan Sykes, Appraisal Technician</td>
<td>MCAT</td>
</tr>
<tr>
<td>Equalization Manager</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Justin George, Certified General</td>
<td>MCAT</td>
<td>Benjamin Carter, Appraisal Technician</td>
<td>MCAT</td>
</tr>
<tr>
<td>Appraiser</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Michelle Ercole, Senior Appraiser</td>
<td>MAAO</td>
<td>Isaac Entz, Appraisal Technician</td>
<td>MCAT</td>
</tr>
<tr>
<td>David Becker, Senior Appraiser</td>
<td>MAAO</td>
<td>Derek Endres, Appraisal Technician</td>
<td>MCAT</td>
</tr>
<tr>
<td>Sheryl Moss, Senior Appraiser</td>
<td>MAAO</td>
<td>Skylor Rundle, Appraisal Technician</td>
<td>MCAT</td>
</tr>
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**REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON**

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<th>PARTIALLY BUDGETED</th>
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<th>RESECTOR SIGNATURE</th>
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<td>Sheriff Michael J. Poulin</td>
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**SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)**

Wellpath (formerly Correct Care Solutions) provides inmate inside medical and pharmacy services to the Muskegon County Jail. Due to unforeseen increase in inmate medical care and pharmacy prescriptions in the jail, the Sheriff's Office is requesting an increase to the purchase order with Wellpath to cover the final invoice for the fiscal year of $76,286.64.

Even with this increase to the current purchase order, the jail budget is expected to be under its FY2019 budget amount.

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

Move to approve the increase to the Sheriff's purchase order with Wellpath (formerly Correct Care Solutions) to cover the final invoice for FY2019 of $76,286.64.

**ADMINISTRATIVE ANALYSIS (AS APPLICABLE)**

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<th>HUMAN RESOURCES ANALYSIS:</th>
<th>FINANCE &amp; MANAGEMENT ANALYSIS:</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:** 11-12-19  **AGENDA NO.:**  **BOARD DATE:** November 12, 2019  **PAGE NO.:**

Revised 11/8/19
REQUEST FOR BOARD CONSIDERATION-COUNTY OF MUSKEGON

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SUMMARY OF REQUEST (GENERAL DESCRIPTION, FINANCING, OTHER OPERATIONAL IMPACT, POSSIBLE ALTERNATIVES)

NOAA has tentatively agreed to fund the installation of a water level control structure at Veterans Memorial Park, contingent on the parties (County, City of Muskegon, and City of North Muskegon) paying for the pump and the parties signing an amendment to the 2003 maintenance agreement. The amendment requires the parties to turn on the pump if water levels are at or above 581’ for a period in excess of 4 weeks. The amendment also requires the parties continue park maintenance.

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

Move to approve the Addendum to the June 24, 2003 Maintenance agreement between the County of Muskegon, City of Muskegon, and City of North Muskegon contingent on the approval of the same, and authorize the Administrator to sign the addendum.

ADMINISTRATIVE ANALYSIS (AS APPLICABLE)

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<td>M. Eisenbarth</td>
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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: 11/12/2019 | AGENDA NO.: | BOARD DATE: 11/12/2019 | PAGE NO. |
Addendum to the June 24, 2003 Maintenance Agreement
County of Muskegon, City of Muskegon and City of North Muskegon

The County of Muskegon (as owner of Veterans Memorial Park) acknowledges that the restoration of Veterans Memorial Park has improved water quality, fish and wildlife habitat, scenic views, ease of maintenance and has increased park usage by the public. Funding for the improvements was under a West Michigan Shoreline Regional Development Commission grant through the National Oceanic and Atmospheric Administration / Great Lakes Commission Great Lakes Regional Partnership and the Great Lakes Restoration Initiative.

In light of the significant federal contribution, the County of Muskegon has agreed to contribute to the long-term resiliency of Veterans Memorial Park through the following activities:

A. Contribute a pump to be used in conjunction with a water level control structure on the south pond. NOAA grant funds will pay for installation of the water level control structure.

B. Operate the south pond water level control structure to prevent flooding when sustained periods of Lake Michigan water levels are likely to cause the death or severe decline of trees or damage to memorial monuments. Operation of the control structure can begin when water levels in the park are at or above an elevation of 581.00, NAVD-88 and when NOAA and USACE forecasts indicate that Lake Michigan water elevations will be at or above 581.00 for a period of time in excess of 4 continuous weeks. During pumping, the south pond level will be maintained at 580. At all other times, no water level boards will remain within the structure to allow the bottom opening to be at the natural elevation of the connection between the river and the south pond. No boards will remain in the structure except during the allowable operational periods.

C. Understand that rain events and winter snow melt are considered short term events that normally result in temporary water ponding over low lying areas, including portions of the concrete pathways, lawn and parking areas. These short term precipitation events are not damaging and will not result in operation of the south pond water level control structure.

D. Park maintenance (watering, mowing, and maintenance of vegetation).

E. Partner with community service organizations, volunteers, municipalities and other stakeholder groups to implement the long term management of the park and its restored natural features.

Mark Eisenbarth
Name
County Administrator
Title
12/12/19
Signature

Name

Name

Title

Title

Signature
Date