

# MUSKEGON COUNTY BOARD OF COMMISSIONERS FULL BOARD

## REVISED AGENDA

April 6, 2021 - 4:00 p.m.  
Via Zoom



Robert Scolnik, Chairman  
Charles Nash, Vice-Chairman

Connect to Zoom from your computer, tablet or smartphone at:

<https://zoom.us/j/92978504021?pwd=OXJhbHVKd0hkMi93ZFJyeEV0RzZvdz09>

Phone: (312) 626-6799

Meeting ID: 929 7850 4021

Passcode: 760600

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

View on Facebook at:

<https://www.facebook.com/MuskegonCountyMI>

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"

- 1) Call to Order
- 2) Invocation: Commissioner Charles Nash
- 3) Pledge of Allegiance
- 4) Roll Call
- 5) Approval of Agenda
- 6) Approval of the Minutes of March 30, 2021
- 7) Presentations: Director of Public Health Kathy Moore – COVID-19
- 8) Public Comment (on an agenda item)
- 9) Communication to be placed on file (call of the Chair)
  - A) Genesee County Resolution #2021-200 to adopt 4-year terms
  - B) Berrien County Resolution requesting compromise to release COVID relief funds
- 10) Committee/Board Reports
  - A) Courts & Public Safety
  - B) Human Services
  - C) Ways & Means
- 11) Chairman's Report/Committee Liaison Reports
  - Extension of Local State of Emergency

### 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.

- 12) Administrator's Report  
Audit Update – Beth Dick, Finance Director/Deputy County Administrator
- 13) Unfinished Business
- 14) New Business
- 15) Public Comment
- 16) Final Board Comments
- 17) Adjourn (call of the Chair)

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

GENESEE COUNTY BOARD OF  
COMMISSIONERS

**RESOLUTION # 2021-200**

**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 Senate Bills 242 and 245; and

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

**THEREFORE, BE IT RESOLVED that GENESEE COUNTY** supports Senate Bills 242 and 245 to enact four-year terms for county commissioners.

**Adopted this 24 day of March 2021**



**STATE OF MICHIGAN**  
**County of Genesee**

**CERTIFIED COPY OF RECORD**

} **SS.**

I, **JOHN J. GLEASON**, County Clerk/Register of the County of Genesee, Michigan, and Clerk of the Genesee County Board of Commissioners, and Clerk of the Circuit Court for said County, do hereby certify that I have compared the foregoing copy of Resolution approving of a Resolution Supporting the Passage of Legislation to Adopt 4-Year Terms for County Commissioners with original record thereof now remaining in my office, and that the attached is a true and correct copy therefrom, and of the whole of such original record.

In Testimony Whereof, I have hereunto set my hand, and affixed the seal of said Court and County, this 30th day of March A.D. 2021.

**GENESEE COUNTY BOARD  
OF COUNTY COMMISSIONERS**  
Resolution No.: 2021-200  
Date Adopted: March 24, 2021

**JOHN J. GLEASON, Clerk/Register**

BY: *Allea Gardner*  
Deputy County Clerk



**THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY,  
MICHIGAN ADOPTS THE FOLLOWING RESOLUTION:**

**WHEREAS**, it has been three months since the Federal Government allocated nearly \$5 billion dollars in COVID relief funds to Michigan; and

**WHEREAS**, these funds were intended to provide crucial relief to small businesses, public health, and education in our state; and

**WHEREAS**, the state legislature passed legislation appropriating \$3.5 billion towards these priorities, including nearly \$555 million in small business relief funds; and

**WHEREAS**, despite bipartisan support for the small business relief proposals, the Governor line-item vetoed all \$555 million, citing "key points of difference" between her administration and the state legislature; and

**WHEREAS**, these proposals were promptly repackaged into subsequent legislation and sent back to the Governor's desk; and

**WHEREAS**, on Friday, March 26, 2021, these proposals were vetoed by Governor Whitmer for a second time; and

**WHEREAS**, the state is due to receive another \$10 billion from the American Rescue Plan Act; and

**WHEREAS**, Lansing still has not found a path forward on fully appropriating the \$5 billion it already received; and

**WHEREAS**, if there is one thing state leaders should agree on, it is getting help to the struggling small businesses in our state; and

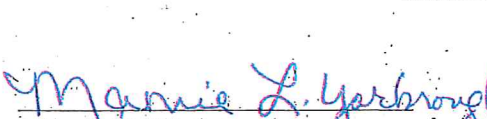
**WHEREAS**, it is imperative these funds be disbursed to job providers who are still fighting for solvency and survival; and


**WHEREAS**, passing state budgets are a shared responsibility between both branches and both political parties.

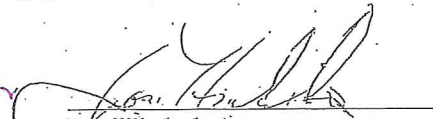
**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Berrien County Board of Commissioners urges the Governor's Administration to reach a compromise with the Michigan Legislature and their recommended relief initiatives, in the very near future, that would release these funds into the hands of the businesses and communities that need it most.

**BE IT FURTHER RESOLVED** that the Board of Commissioners directs staff to forward this resolution to all Michigan counties, our State Legislature, the Governor's office, and the Michigan Association of Counties.


Respectfully submitted,  
Berrien County Board of Commissioners:

  
Mamie L. Yarbrough


  
Robert P. Harrisor


  
Jon Hinkelman


  
Ezra A. Scott

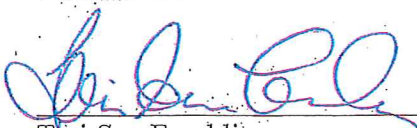
  
Jim Curran

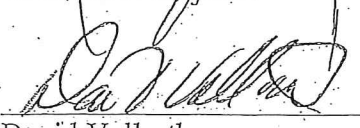
  
Rayonte D. Bell

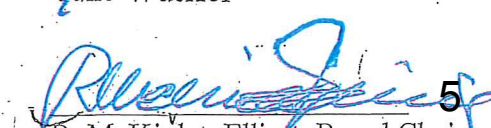
  
Don Meeks

  
Michael J. Mejerck

  
Julie Wuerfel

  
Teri Sue Frechling

  
David Vollrath

  
R. McKinley Elliott, Board Chair

*Courts & Public Safety Summary Sheet  
Chairman Malinda Pego*

The Courts & Public Safety Committee met on April 1, 2021, it was recommended and I move:

CPS21/04 – 20      To authorize the Public Defender's Office to apply for a renewal of the MIDC (Michigan Indigent Defense Commission) grant for FY22 and accept the grant award upon approval by the MIDC.

CPS21/04 – 21      To authorize the Public Defender to change the labor distribution of the Assistant Public Defender III position X09301 from 100% 2600-2994 to 100% 2600-2996 to make the position fully funded by the MIDC grant effective January 1, 2021.

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*Human Services Summary Sheet*  
*Chairman Marcia Hovey-Wright*

The Human Services Committee met on April 1, 2021, it was recommended and I move:

- HS21/04 - 08      To approve additional FY21 Senior Millage funding in the amount of \$7,500 for Disability Network transportation through September 30, 2021.
- HS21/04 - 09      To authorize the Board Chair to sign the 2021 Medical Marihuana Operation and Oversight Grant with the Michigan Department of Licensing and Regulatory Affairs in the amount of \$35,178 effective January 1, 2021 to September 15, 2021.
- HS21/04 - 10      To enter into a 3-year contract agreement with Senior Resources for senior millage grants administration services effective October 1, 2020 through September 30, 2023.

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*Ways & Means Summary Sheet  
Chairman Kim Cyr*

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

- WM21/04 - 36 To approve payment of the accounts payable of \$9,522,460.92 covering the period of March 5, 2021 through March 18, 2021 for checks and P Card and Electronic Funds Transfer (EFT) payments for the period covering February 1 through February 28, 2021 as presented by the County Clerk.
- WM21/04 – 37 To approve the continuation of the local surcharge rate of \$2.75 from July 1, 2021, to June 30, 2022, and authorize Muskegon Central Dispatch to provide proper notification of this to the State 9-1-1 Committee.
- WM21/04 - 38 To authorize Human Resources to adopt the increase in the maximum employee contribution for the Dependent Care FSA from \$5,000 to \$10,500 for calendar year 2021 as allowed by the American Rescue Plan Act. The maximum will revert back to a \$5,000 cap for calendar year 2022.
- WM21/04 - 39 To allow the County Information Technology Department to go out for a Request for Bids for up to 100 laptops/tablets pending future grant funding.

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**Resolution to Extend Local State of Emergency  
by the Muskegon County Board of Commissioners**

To: Commanding Officer – Emergency Management and Homeland Security Division, MSP  
District 6 Emergency Management and Homeland Security Division Coordinator

**WHEREAS**, Michigan is continuing to experience illnesses and deaths due to the COVID-19 pandemic, and the number of cases of COVID-19 within Muskegon County has increased in recent weeks; and

**WHEREAS**, on November 16, 2020, pursuant to Section 10 of the Emergency Management Act ("EMA"), Act 390 of 1976, MCL 30.401 et seq., the Chairperson of the Muskegon County Board of Commissioners declared a local state of emergency and implemented certain measures to provide for the health and safety of persons and property in the County, which would end 7 days after the date of the declaration unless the County Board of Commissioners consented to the continuation of the state of emergency for a designated period of time; and

**WHEREAS**, COVID-19 remains an imminent threat to the public through Muskegon County where cases have been on an upward trend since March 1, 2021; and

**WHEREAS**, from the week of 3/9-3/16/2021, the state of Michigan had the highest rate of increase of COVID-19 cases in the entire country with cases rising 53.3%. Per the Centers for Disease Control and Prevention (CDC), Michigan is currently second in the nation in the number of SARS-CoV-2 B.1.1.7 variant cases.

**WHEREAS**, several COVID-19 vaccines have been released and are being administered, they are not universally available or accepted at this time; and

**WHEREAS**, any widespread outbreak within the County of Muskegon could hinder and/or cease most daily operations within the entire county and overwhelm emergency medical services, hospitals, long term care facilities, public health services, and urgent care facilities; and

**WHEREAS**, public bodies within Muskegon County have complied with orders or have voluntarily elected to meet virtually and may elect to continue such practice under this Local State of Emergency to protect public health consistent with 1976 PA 276, as amended by PA 228 of 2020, hereby known as the "Open Meetings Act"; and

**WHEREAS**, Michigan Department of Health and Human Services (MDHHS) and Michigan Occupational Safety and Health Administration (MIOSHA) rules and orders exist requiring, or advising of, preventative measures to be in place to protect public health, including limitations on gatherings and use of remote technologies; and

**WHEREAS**, over the past year, remote meetings have been held in accordance with the public access requirements in the Governor's former Executive Orders and then Public Act 228 of 2020, with transparency, accountability, and in some cases, greater public participation; and

**WHEREAS**, in the absence of a current State of Michigan declared State of Emergency, it is necessary to declare a local State of Emergency

**WHEREAS**, at an open meeting on April 6, 2021, the County Board of Commissioners consented to the Declaration of the Local State of Emergency and extended it through December 31, 2021.

**THEREFORE**, in accordance with Section 10 of the EMA, a local state of emergency exists within the County.

**BE IT FURTHER DECLARED** that this local state of emergency will expire at 11:59 P.M. on December 31, 2021, unless it is further extended or repealed by the County Board of Commissioners.

**Date: April 6, 2021**

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Robert Scolnik, Chairperson  
Muskegon County Board of Commissioners