

Muskegon County
Board of Commissioners
Hall of Justice, 990 Terrace, 4th Floor
Muskegon, MI 49442

Susie Hughes, Chairman
Marcia Hovey-Wright
Zach Lahring
Kenneth Mahoney
Charles Nash

Gary Foster, Vice Chair
Robert Scolnik
I. John Snider II
Rillastine R. Wilkins

Board Minutes may be found on the web at <http://co.muskegon.mi.us/clerk>

Full Board Meeting

Tuesday, January 28, 2020
3:30 p.m.

Chairman Susie Hughes, Presiding

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Susie Hughes. An invocation was given by Pastor Nate Parsekian, Living Word Church, 1551 Wood Street, Muskegon, MI 49442. The Pledge of Allegiance was led by Commissioner Scolnik and recited in unison.

Roll Call

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

Also present: Mark Eisenbarth, County Administrator
Nancy A. Waters, County Clerk
Linda Schutter, Deputy County Clerk
Michael D. Homier, Corporate Counsel

2020-28 **APPROVE THE AGENDA**

Moved by Commissioner Wilkins, seconded by Vice-Chair Foster to approve the agenda.

Voice vote

Motion Carried

2020-29 **APPROVE THE REGULAR AND CLOSED BOARD MINUTES OF
JANUARY 14, 2020**

Moved by Vice-Chair Foster, seconded by Commissioner Snider, to approve the Regular and Closed Board Minutes January 14, 2020.

Voice vote

Motion Carried

Chairman Nash commented on the omission of the motion to go back into Open Session in the closed session minutes.

PUBLIC COMMENT (on an agenda item)

Andy Buelow spoke in support of the museum millage renewal on behalf of the arts and culture in Muskegon County.

COMMITTEE/BOARD REPORTS

2020-30 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF
\$3,690,901.75, COVERING THE PERIOD OF DECEMBER 26, 2019
THROUGH JANUARY 10, 2020 FOR CHECKS AS PRESENTED BY
THE COUNTY CLERK**

WM20/01 – 02

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to approve payment of the accounts payable of \$3,690,901.75, covering the period of December 26, 2019 through January 10, 2020 for checks as presented by the County Clerk.

Roll call:

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

No: None

Motion Carries

2020-31 **APPOINT KATHY THARP TO THE POSITION OF ADMINISTRATIVE COORDINATOR POSITION #N04901, PAY GRADE NO-00315 EFFECTIVE JANUARY 28, 2020, AT STEP 4 (\$28.96/HR); RECLASSIFY THE EXECUTIVE ASSISTANT TO THE COUNTY ADMINISTRATOR POSITION #N04503, PAY GRADE NO-00220 (\$19.46/HR - \$24.71/HR) TO EXECUTIVE ASSISTANT/COMMUNITY RELATIONS COORDINATOR PAY GRADE NO-00285 (\$22.31/HR-\$28.12/HR); TEMPORARILY ASSIGN A CURRENT EMPLOYEE ADDING AN ADDITIONAL STEP INCREASE TO THE EMPLOYEE'S CURRENT HOURLY RATE UNTIL THE VACANCY IN ADMINISTRATION IS FILLED**

WM20/01 – 03

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to appoint Kathy Tharp to the position of Administrative Coordinator position #N04901, pay grade NO-00315 effective January 28, 2020, at Step 4 (\$28.96/hr); reclassify the Executive Assistant to the County Administrator position #N04503, pay grade NO-00220 (\$19.46/hr - \$24.71/hr) to Executive Assistant/Community Relations Coordinator pay grade NO-00285 (\$22.31/hr-\$28.12/hr); temporarily assign a current employee adding an additional step increase to the employee's current hourly rate until the vacancy in Administration is filled.

Roll call:

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

No: Zach Lahring

Motion Carries

2020-32 **AUTHORIZE THE SALE OF THE 2005 FORD TAURUS VIN# 1FAFP53205A245713 THROUGH MIEDEMA AUCTIONEERING, INC.**

WM20/01 – 04

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to authorize the sale of the 2005 Ford Taurus VIN# 1FAFP53205A245713 through Miedema Auctioneering, Inc.

Roll call:

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

No: None

Motion Carries

2020-33 **APPROVE THE SELECTION OF HILLTOP SECURITIES INC. TO PERFORM ARBITRAGE REBATE COMPLIANCE SERVICES FOR A PERIOD OF THREE YEARS WITH 2 ONE-YEAR OPTIONAL EXTENSIONS AND AUTHORIZE THE EXECUTION OF A CONTRACT PENDING CORPORATE COUNSEL REVIEW AND APPROVAL**

WM20/01 – 05

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to approve the selection of Hilltop Securities Inc. to perform Arbitrage Rebate Compliance Services for a period of three years with 2 one-year optional extensions and authorize the execution of a contract pending corporate counsel review and approval.

Roll call:

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

No: None

Motion Carries

2020-34 **AUTHORIZE A ONE (1) YEAR EXTENSION WITH GOODTEMPS, INC., STAFFING SERVICES FROM APRIL 1, 2020 THROUGH MARCH 31, 2021**

WM20/01 – 06

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to authorize a one (1) year extension with Goodtemps, Inc., Staffing Services from April 1, 2020 through March 31, 2021.

Roll call:

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

No: None

Motion Carries

2020-35

AUTHORIZE THE MUSKEGON COUNTY MUSEUM (DBA LAKESHORE MUSEUM CENTER) TO PROVIDE THE MUSKEGON COUNTY CLERK WITH THE FOLLOWING MUSEUM MILLAGE RENEWAL LANGUAGE TO BE INCLUDED ON THE MAY 5, 2020 ELECTION BALLOT: SHALL THE MILLAGE PREVIOUSLY AUTHORIZED BY MUSKEGON COUNTY VOTERS IN 1982, 1991, 2001, AND 2011 FOR THE PURPOSE OF PROVIDING FUNDS TO BE APPROPRIATED FOR THE OPERATION, MAINTENANCE AND CONTINUING DEVELOPMENT OF THE MUSKEGON COUNTY MUSEUM DOING BUSINESS AS THE LAKESHORE MUSEUM CENTER AND ITS PROPERTIES, INCLUDING WITHOUT LIMITATION THE HACKLEY AND HUME HISTORIC SITE, THE DEPRESSION ERA HOUSE, THE FIREBARN MUSEUM, AND THE HERITAGE MUSEUM, BE RENEWED AND CONTINUED (AND THE CONSTITUTIONAL LIMITATION ON THE AMOUNT OF TAXES WHICH MAY BE ASSESSED AGAINST ALL PROPERTY IN THE COUNTY OF MUSKEGON CONTINUE TO BE INCREASED) BY AN AMOUNT NOT TO EXCEED THE RATE OF .325 OF A MILL, THE SAME BEING 32-1/2 CENTS ON EACH ONE THOUSAND DOLLARS OF TAXABLE VALUE OF SAID PROPERTY, FOR A PERIOD OF TEN (10) YEARS, BEING 2021 THROUGH 2030, INCLUSIVE? THIS IS A RENEWAL OF THE PREVIOUSLY AUTHORIZED MILLAGE, WHICH, IF APPROVED AND LEVIED IN ITS ENTIRETY ON DECEMBER 2, 2021, WOULD RAISE AN ESTIMATED \$1,434,136

WM20/01 – 07

The Ways & Means Committee recommends, moved by Commissioner Scolnik, seconded by Commissioner Nash, to authorize the Muskegon County Museum (DBA Lakeshore Museum Center) to provide the Muskegon County Clerk with the following Museum Millage Renewal language to be included on the May 5, 2020 election ballot: Shall the millage previously authorized by Muskegon County voters in 1982, 1991, 2001, and 2011 for the purpose of providing funds to be appropriated for the operation, maintenance and continuing development of the Muskegon County Museum doing business as the Lakeshore Museum Center and its properties, including without limitation the Hackley and Hume Historic Site, the Depression Era House, the Firebarn Museum, and the Heritage Museum, be renewed and continued (and the constitutional limitation on the amount of taxes which may be assessed against all property in the County of Muskegon continue to be increased) by an amount not to exceed the rate of .325 of a mill, the same being 32-1/2 cents on each one thousand dollars of taxable value of said property, for a period of ten (10) years, being 2021 through 2030, inclusive? This is a renewal of the previously authorized millage, which, if approved and levied in its entirety on December 2, 2021, would raise an estimated \$1,434,136.

Roll call:

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

No: Gary Foster, Zach Lahring

Motion Carries

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2020-36 **RESOLUTION REQUESTING THE GOVERNOR AND STATE LEGISLATURE DECLARE THE SHORELINE OF THE GREAT LAKES IN THE STATE OF MICHIGAN A DISASTER AREA, AND THAT THE GOVERNOR AND THE STATE LEGISLATURE SEEK ASSISTANCE FROM CONGRESS AND THE PRESIDENT OF THE UNITED STATES**

The Chairman recommends, moved by Commissioner Mahoney, seconded by Vice-Chair Foster, to request the Governor and State Legislature to declare the shoreline of the Great Lakes in the State of Michigan a Disaster Area, and that the Governor and the State Legislature seek assistance from Congress and the President of the United States.

Voice Vote

Motion Carried

2020-37 **APPROVE COMMITTEE APPOINTMENTS/REAPPOINTMENTS**

Solid Waste Planning Committee – term through 12/31/21

- Barbara Marczak (appointment - environmental slot)

Community Corrections Advisory Committee – term through 12/31/22

- Joel Engel (reappointment - business slot)

The Chairman recommends, moved by Commissioner Wilkins, seconded by Vice-Chair Foster, to approve the above committee appointments/reappointments.

Voice Vote

Motion Carried

Commissioner Hovey-Wright indicated that on the previous list of Committee Appointments her name was in the wrong place. Chairman Hughes indicated that the correction will be made.

Chairman Hughes reported that she attended a seminar with 100 Day's Worth of Action and thanked Patrick Finnegan for donating his time regarding the expungement clinic.

COMMITTEE LIAISON REPORT

None.

ADMINISTRATOR'S REPORT

2020-38 **APPROVE TO RECEIVE THE DRAFT FINAL REPORT OF THE MATS ROUTE STUDY AND COMPREHENSIVE OPERATIONAL ANALYSIS AND TO AUTHORIZE ADMINISTRATION TO MOVE FORWARD TOWARD THE DEVELOPMENT OF IMPLEMENTATION TIMELINES AND STEPS, THE HOLDING OF PUBLIC HEARINGS WHERE NECESSARY, AND THE EXPLORATION OF VARIOUS PUBLIC TRANSPORTATION AUTHORITY (PTA) GOVERNANCE AND REGIONAL HARBOR TRANSIT AUTHORITY (RHTA) OPPORTUNITY TO OPERATE THE LOCAL TRANSIT PROGRAM IN THE FUTURE**

The Administrator recommends, moved by Vice-Chair Foster, seconded by Commissioner Lahring, to Receive the Draft Final Report of the MATS Route Study and Comprehensive Operational Analysis and to Authorize Administration to Move Forward Toward the Development of Implementation Timelines and Steps, the Holding of Public Hearings Where Necessary, and the Exploration of Various Public Transportation Authority (PTA) Governance and Regional Harbor Transit Authority (RHTA) Opportunity to Operate the Local Transit Program in the Future.

Voice Vote

Motion Carried

OLD BUSINESS

Commissioner Scolnik spoke regarding not receiving a copy of the minutes of the Closed Session of the January 14, 2020, Board Meeting since he did not attend the meeting. Discussion with Corporate Counsel ensued and it was decided that the Commissioners may review closed minutes in the County Clerk's Office if they were not present at a meeting.

Commissioner Lahring requested an update on the 287G Work Session. Administrator Eisenbarth is waiting on a phone call back from his contact.

NEW BUSINESS

Commissioner Wilkins attended the WMSRDC (West Michigan Shoreline Regional Development Commission) meeting. This is their 50th year of service to the community which they will be celebrating in July. She would like to seek a resolution at that time to honor them.

PUBLIC COMMENT

Patrick Finnegan, District Court Administrator, reminded the Board that Associate Justice of the Michigan Supreme Court Elizabeth Clement will be here on Thursday, February 6, 2020, in the 60th District Court to highlight some of the problem-solving courts, addressing the Eviction Prevention Court and the Adult Mental Health Court. There will be a brief reception for Justice Clement at 8:30 a.m., 2nd Floor, Jury Assembly Room.

Tony Barnes, Dalton Township Supervisor, wanted to inform the Board that today they laid to rest Gary Furman, Dalton Township Fire Chief. Supervisor Barnes also spoke in favor of the bus route study that was done.

BOARD COMMENT

None.

2020-39 **GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(D) TO CONSIDER THE PURCHASE OR LEASE OF REAL PROPERTY**

Moved by Commissioner Nash, seconded by Commissioner Mahoney, to go into Closed Session pursuant to MCL 15.268(d) to consider the purchase or lease of real property.

Roll call:

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

No: None

Motion Carries

Went into closed session at 3:55 p.m.

The doors were opened to the public at 4:09 p.m.

2020-40 **MOVED BY COMMISSIONER HOVEY-WRIGHT, SECONDED BY COMMISSIONER MAHONEY TO RETURN TO OPEN SESSION**

Returned to open session at 4:09 p.m.

Corporate Counsel's advice was that at the completion of the Closed Session, the doors are to be opened (the time of which is reflected in the Open and Closed Session minutes), and then a motion is made to go back into Open Session which is reflected in the Open Session meeting minutes.

2020-41 **MOVED BY COMMISSIONER HOVEY-WRIGHT, SECONDED BY COMMISSIONER LAHRING, TO ACCEPT THE OFFER OF \$800,000 FOR THE SALE OF BROOKHAVEN**

Roll call:

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

No: None

Motion Carries

2020-42 **MOVED BY COMMISSIONER SNIDER, SECONDED BY COMMISSIONER MAHONEY, TO ALLOW ADMINISTRATOR EISENBARTH TO SIGN DOCUMENTS REQUIRED FOR THE SALE OF BROOKHAVEN**

Voice Vote

Motion Carries

2020-43 **MOVED AND SECONDED TO ADJOURN**

Meeting adjourned at 4:11p.m.

Nancy A. Waters, County Clerk

NAW/lss

To Be Approved at Full Board Meeting on Tuesday, February 11, 2020.