

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*  
*Zach Lahring*

*Charles Nash*  
*Malinda Pego*  
*Robert Scolnik*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, January 12, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Vice-Chair Nash.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Laketon Township, Michigan  
Kim Cyr, Muskegon County, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Township, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, City of Norton Shores, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon Heights, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Nancy A. Waters, County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Michael D. Homier, Corporate Counsel

2021- 9 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to approve the agenda.

Commissioner Lahring addressed the Board about the Resolutions on the agenda that have not gone through committee as required in the new board rules.

Corporate Counsel Michael Homier read Board Rule 6.1, and 6.2; Section 2 relates to resolutions.

2021-10 **AMEND THE AGENDA BY REMOVING TWO RESOLUTIONS**

Commissioner Lahring moved, seconded by Commissioner Pego, that the agenda be amended by removing two resolutions because they had not gone to a committee first.

Commissioner Lahring asked for input from Corporate Counsel Homier. Mr. Homier read Board Rule 6, Section 1 and Rule 6, Section 2. Rule 6, Section 2 reads: Resolution, proclamations, and tribute requests submitted by Commissioners or the public will not be acted upon by the Board of Commissioners at the time presented unless time sensitive. All such requests will be referred for Chair/Vice Chair/Administrative review and for recommendations to the Board at a later date regarding a) consideration of the request at a future regular Board meeting; or b) receipt of the request as information only. Submittal of information to the Board or receipt of information by the Board does not constitute approval, endorsement or consent.

Commissioner Lahring stated that pursuant to Rule 6, Section 2, the Resolutions should not be heard until they go through committee.

Discussion ensued.

Commissioner Hovey-Wright shared that the Local State of Emergency ended on January 11 and it is requested to be extended until January 15, 2021, therefore, it is time sensitive. Commissioner Hovey-Wright also stated that the Resolution Condemning Storming of the US Capitol Building is timely because there are threats to our own capital in Lansing.

Chairman Scolnik asked Mr. Homier for further input. Mr. Homier indicated that 1. If the matter is deemed an emergency, like the State of Emergency, then board could vote by 2/3 majority to consider the matter. Mr. Homier's opinion is that this qualifies as timely and sensitive. 2. Regarding other resolutions, etc., when those requests are received, they can be referred to a board meeting, which they have been since it is on this agenda. A motion can be properly made, supported and voted on to remove an item if that is the will of the Board.

Vice-Chair Nash indicated that these items are more urgent than they may seem.

Commissioner Lahring indicated that the State of Emergency could have come up in committee last week since there is no current emergency; also, there is no threat to Muskegon, violence to the County, or to the residence of the County, therefore, both of these resolutions should go back to committee.

Roll Call on amendment:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego,

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

**Motion Failed**

Roll Call on approval of agenda:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

2021-11 **APPROVAL OF THE MINUTES OF DECEMBER 17, 2020, (REGULAR MEETING) AND APPROVAL OF THE MINUTES OF JANUARY 5, 2021, (ORGANIZATIONAL MEETING)**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash to approve the minutes of December 17, 2020, (Regular Meeting) and approval of the minutes of January 5, 2021 (Organizational meeting).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

## **PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of January 12, 2021, there have been 9,670 positive cases, and 267 COVID-related deaths. (See attached.)

Michigan is entering into the next phase of the vaccine beginning Monday, January 11, 2021.

As of Friday, Muskegon County Public Health received and administered 800 doses, leaving none left. The State has assured Muskegon County that there is an additional 800 doses in warehouse for the second dose.

Vice-Chair Nash requested a “jpg” copy of presentation be provided to the Board to share. Vice-Chair Nash inquired of Ms. Moore if they had made steps to vaccinate employees at prison. Ms. Moore shared that yes, they were one of the priority groups. So far, they have 17 medical workers and 89 employees interested in being vaccinated.

Vice-Chair Nash told Ms. Moore that she and her office have done a great job. Vice-Chair Nash inquired of Ms. Moore when new doses will be coming. Ms. Moore indicated that she has not heard and perhaps we need to work more closely with our State Representatives. Ms. Moore knows of one doctor from Mercy who has reached out to his State Representative already.

Commissioner Scolnik inquired if the vaccine was effective and what if they don't get the booster. Ms. Moore replied that the vaccines are more than 50% effective after the first dose. The second dose is given 21-28 days after the first dose. If someone doesn't get the second dose, they are only partially vaccinated. After the second dose, it brings the effectiveness up to 95%.

Commissioner Lahring asked Director Moore how does the drop in numbers reflect upon the State of Emergency resolution in front of them. Commissioner Lahring further inquired about the second dose, where are second doses coming from?

Ms. Moore indicated that people should get second dose from same place they received their first dose. Ms. Moore further answered regarding the first question, that cases are going down, but the virus is still out there in Muskegon County, the vaccine was not tested to see if a person who is vaccinated can transfer the disease without they themselves getting it also. There is a need to continue safety mitigation measures.

### **PUBLIC COMMENT (on an agenda item)**

Mike Trout, Director, Michigan Aeronautics Commission, addressed the Board regarding Item 12A. Mr. Trout has been working with the FAA and the State of Michigan to help work out issues in Muskegon County. There is a sense of urgency to make a decision on moving forward on airport.

Kip Smith addressed the Board regarding Item 12A. Mr. Smith indicated he works with Skywest and opposes privatization. Mr. Smith also addressed the Board regarding the Resolution discussed, that nobody should be throwing mud, we are all Americans.

Chris Kaijala addressed the Board regarding Item 11C and condemns those actions, but does not understand how this was put on the agenda. Mr. Kaijala indicated it was unfair to put things on agenda that late in the day.

Ken Mahoney addressed the Board regarding two items, the Health Department resolution which is important to keep us aligned with what the State of Michigan is doing and to follow the same rules; and also the Resolution condemning the violence in Washington D.C. Each Commissioner took an oath to defend and protect the constitution. All Commissioners should support this Resolution as upholding their oath.

Dan Stout, Muskegon County Airport, addressed the Board regarding Item 12A. The airport has been without a supervisor since February of last year. Administrator Eisenbarth indicated that if all positions were filled, the airport budget would total \$765,000. Per the FAA, they are only required to have an airport manager; the two supervisory positions would not be filled at this time. It would take the new employees about five years to reach the top of their pay scales. The budget with the six airport employees would be \$690,464. F3 stated in the work session meeting that they are looking for a manager since they are not qualified to operate Part 139 Commercial Airports. The FAA will pull their license and they won't be able to get commercial airlines in here. Mr. Stout further shared a text from Community Development Director Bob Lukens that Mr. Lukens sent to the airport staff, "F3 Airport Management would be a very risky proposition."

Donna Pennington, 1418 Lakeshore Drive, addressed the Board in support of Item 11C, and to express her horror at Commissioner Lahring and Commissioner Pego who continue to exhort their followers to contest the results of the 2020 elections. These same officials have been openly defying orders of MDHHS regarding inside dining and exhorting their followers to do the same. Ms. Pennington shared that in 2016 one million women went to the capitol and demonstrated peacefully regarding the election. They didn't file lawsuits, didn't engage in violent behavior that destroyed lives and property. She urged public officials to be responsible in their public statements and to support the election results that have been certified, and also this Resolution.

Derek Sanders, 734 Ruddiman Drive, also addressed the Board in support of Item 11C and echoed Ms. Pennington's thoughts regarding the Commissioners who either participated in or attended that event and who encouraged their supporters to do the same. When you openly call for the overthrow of our government, it disqualifies you from serving in that government.

Michael Del Percio addressed the Board regarding Items 11C and 12C. Mr. Del Percio does not feel we should not be under declaration because since March of 2020, we have been under restrictions from Michigan leadership which are destroying our constitutional freedoms. We have had enough. Even after a year, we have not stopped, mitigated or flattened the curve, but there are now almost no deaths from influenza. Open up Muskegon as other states have opened. Stop the persecution of turning law abiding citizens into criminals. Mr. Del Percio is in support of the Baraga County Resolution. Mr. Del Percio also addressed the Board regarding Item 11C, indicating that he objects to the Resolution.

Dustin Fox, Muskegon County Airport, addressed the Board regarding Item 12A. Muskegon County Airport has 6 guys who are dedicated and bringing in a management company is a disgrace to the County and a horrible idea. The County should help take care of its own.

Don Munski, 1078 Brookway Court, addressed the Board regarding Items 12C and 11C. Extending the State of Emergency is necessary since people are still getting sick. The other Resolution regarding storming the U.S. capitol, Mr. Munski pointed out to Commissioners the key paragraph that states the hope is that this unprecedented event invites productive and civil discussions. Mr. Munski encourages the community to heal and not to take up arms against each other as we have done in the past. This is a Resolution for law and order.

Ryan Bennett, 1538 White Pine Court, addressed the Board stating he was shocked that there was a 5/4 vote to denounce a violent attempted insurrection and it passed by one vote. Mr. Bennett expected Commissioners Lahring and Pego to oppose such a Resolution due to the rhetoric on their social media, and he was shocked that Commissioners Brown and Cyr were going along with them. Mr. Bennett thanked those Commissioners who did the right thing. Mr. Bennett thanked Clerk Waters and her staff, and hardworking election officials throughout the county who have continued to do the work of the people in spite of the attacks on them.

Jason Hall, Maffett Road, addressed the Board in opposition to the Resolution on the basis of how it was written. The capitol building is open to the public Monday through Saturday. These people were representing their inalienable rights, but the Resolution condemns everyone. Every criminal who did an illegal act there should be arrested.

Commissioner Hovey-Wright asked Commissioner Scolnik to remind the public how to get on to be heard through Zoom.

### **COMMUNICATION**

The following Communication was presented to Commissioners for informational purposes and placed on file:

- A. Wexford County Board of Commissioners Resolution Supporting Local Businesses (see attached).

### **COMMITTEE/BOARD REPORTS**

2021-12     **ACCEPT THE 2019 HOMELAND SECURITY GRANT PROGRAM INTERGOVERNMENTAL AGREEMENT BETWEEN THE WEST MICHIGAN REGIONAL MEDICAL CONSORTIUM (WMRMC) AND THE MUSKEGON COUNTY ON BEHALF OF THE MUSKEGON COUNTY EMERGENCY SERVICES/MANAGEMENT, AND DIRECT THE BOARD CHAIR AND APPROPRIATE STAFF TO SIGN THE AGREEMENT**

CPS21/01-01

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to accept the 2019 Homeland Security Grant Program Intergovernmental Agreement between the West Michigan Regional Medical Consortium (WMRMC) and the Muskegon County on behalf of the Muskegon County Emergency Services/Management, and direct the Board Chair and appropriate staff to sign the agreement.

Roll Call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:             None

**Motion Carried**

2021-13 **ACCEPT THE FY21 SNOWMOBILE AND OFF ROAD VEHICLE (ORV) LAW ENFORCEMENT GRANT IN THE AMOUNT OF \$2,000.00 (SNOWMOBILE) AND \$10,000.00 (ORV) FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

CPS21/01-02

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to accept the FY21 Snowmobile and Off Road Vehicle (ORV) Law Enforcement Grant in the amount of \$2,000.00 (Snowmobile) and \$10,000.00 (ORV) from the Michigan Department of natural resources.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-14 **APPROVE THE SHERIFF'S OFFICE TO ACCEPT THEIR PORTION OF THE INNOVATIONS IN SUPERVISION INITIATIVE GRANT IN THE AMOUNT OF \$67,167.00 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/01-03

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve the Sheriff's Office to accept their portion of the Innovations in Supervision Initiative Grant in the amount of \$67,167.00 and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-15 **AUTHORIZE THE SHERIFF'S OFFICE TO PAY THE OUTSTANDING INVOICES TO CONCIERGE CORRECTIONS, LLC AND PROMED TOTALING \$58,711.44 RELATED TO FY2020 BASED ON THE ATTACHED LISTING**

CPS21/01-04

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the Sheriff's Office to pay the outstanding invoices to Concierge Corrections, LLC and ProMed totaling \$58,711.44 related to FY2020 based on the attached listing.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-16 **AUTHORIZE THE BOARD CHAIRPERSON TO SIGN THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF CORRECTIONS AND ACCEPT THE FY21 COMMUNITY CORRECTIONS GRANT IN THE AMOUNT OF \$196,200.00**

CPS21/01-05

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the Board Chairperson to sign the contract with the Michigan Department of Corrections and accept the FY21 Community Corrections grant in the amount of \$196,200.00.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-17 **GRANT PERMISSION FOR THE PUBLIC DEFENDER OFFICE TO APPLY FOR THE OJJDP FY 2021 ENHANCING JUVENILE INDIGENT DEFENSE GRANT**

CPS21/01-06

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to grant permission for the Public Defender Office to apply for the OJJDP FY 2021 Enhancing Juvenile Indigent Defense Grant.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-18     **AUTHORIZE THE PUBLIC DEFENDER TO REASSIGN THE REMAINING BOARD APPROVED CONTRACT WITH AMANDA HEYS-WESTENDORP TO A NEW CONTRACT WITH CARLY MCNEIL FOR CONFLICT ATTORNEY SERVICES ON NEGLECT/ABUSE AND JUVENILE DELINQUENCY CASES FROM JANUARY 1, 2021 THROUGH SEPTEMBER 30, 2021 FOR THE AMOUNT OF \$22,500**

CPS21/01-07

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the Public Defender to reassign the remaining Board approved contract with Amanda Heys-Westendorp to a new contract with Carly McNeil for conflict attorney services on neglect/abuse and juvenile delinquency cases from January 1, 2021 through September 30, 2021 for the amount of \$22,500.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:           None

**Motion Carried**

2021-19     **AUTHORIZE THE PUBLIC DEFENDER'S OFFICE TO CREATE A NEW HOLISTIC MITIGATION SPECIALIST POSITION AND FILL THE POSITION WITH THE BOARD'S APPROVAL. THE HOLISTIC MITIGATION SPECIALIST WILL RECEIVE PAY GRADE NX-00210 (\$22.39-\$28.18/HR)**

CPS21/01-08

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the Public Defender's Office to create a new Holistic Mitigation Specialist position and fill the position with the Board's approval. The Holistic Mitigation Specialist will receive pay grade NX-00210 (\$22.39-\$28.18/hr).

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No:           Zach Lahring, Malinda Pego

**Motion Carried**

2021-20 **AUTHORIZE THE PROSECUTOR TO ACCEPT AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE FY2021 BYRNE JAG – WEMET GRANT (MSP #JAG-70834-W.E.M.E.T.-2021) IN THE AMOUNT OF \$16,284.00 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/01-09

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the Prosecutor to accept and authorize the County Administrator to sign the FY2021 Byrne JAG – WEMET grant (MSP #JAG-70834-W.E.M.E.T.-2021) in the amount of \$16,284.00 and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-21 **ACCEPT AND SIGN THE FY21 BYRNE JAG – WEMET GRANT (MSP #JAG 70834 WEMET-21) IN THE AMOUNT OF \$16,284.00 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/01-10

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to accept and sign the FY21 Byrne JAG – WEMET grant (MSP #JAG 70834 WEMET-21) in the amount of \$16,284.00 and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-22 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$5,451,927.41 COVERING THE PERIOD OF DECEMBER 4, 2020 THROUGH DECEMBER 25, 2020 FOR CHECKS AND P CARD PAYMENTS FOR THE PERIOD COVERING NOVEMBER 1 THROUGH NOVEMBER 30, 2020 AS PRESENTED BY THE COUNTY CLERK**

WM21/01-01

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$5,451,927.41 covering the period of December 4, 2020 through December 25, 2020 for checks and PCard payments for the period covering November 1 through November 30, 2020 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash  
Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-23 **APPROVE THE LEASE AGREEMENT WITH CHERRY STREET SERVICES, INC., FOR A THREE-YEAR TERM BEGINNING APRIL 1, 2021 AND ENDING SEPTEMBER 30, 2024 WITH A BEGINNING LEASE RATE OF \$11.66 PER SQUARE FOOT WITH 3% INCREASES ON OCTOBER 1ST OF EACH YEAR AND AUTHORIZE THE BOARD CHAIR TO SIGN THE LEASE AGREEMENT**

WM21/01-02

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the lease agreement with Cherry Street Services, Inc., for a three-year term beginning April 1, 2021 and ending September 30, 2024 with a beginning lease rate of \$11.66 per square foot with 3% increases on October 1st of each year and authorize the board chair to sign the lease agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-24 **AUTHORIZE THE SALE OF THE 2006 CHEVY IMPALA  
VIN#2G1WB55K969390888 THROUGH MIEDEMA AUCTIONEERING,  
INC.**

WM21/01-03

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize the sale of the 2006 Chevy Impala VIN#2G1WB55K969390888 through Miedema Auctioneering, Inc.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-25 **AUTHORIZE STEVEN REYNOLDS, MUSKEGON COUNTY SHERIFF  
DEPUTY, TO PURCHASE 3 YEARS AND 7 MONTHS OF MERS  
GENERIC SERVICE CREDIT AT A COST OF \$111,899.00 AS  
PROVIDED BY THE MERS PLAN DOCUMENT AND IN KEEPING WITH  
THE COUNTY POLICY REGARDING PURCHASE OF GENERIC  
SERVICE CREDIT WITH 100 PERCENT OF THE TOTAL ACTUARIAL  
COST BEING PAID BY THE EMPLOYEE**

WM21/01-04

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize Steven Reynolds, Muskegon County Sheriff Deputy, to purchase 3 years and 7 months of MERS generic service credit at a cost of \$111,899.00 as provided by the MERS Plan Document and in keeping with the County policy regarding purchase of generic service credit with 100 percent of the total actuarial cost being paid by the employee.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-26 **AUTHORIZE STAFF TO ALLOCATE 775 SQUARE FEET OF VACANT SPACE ON THE SECOND FLOOR OF THE CENTRAL SERVICES BUILDING TO THE PUBLIC DEFENDER AND MOVE FORWARD WITH NECESSARY ALTERATIONS TO ACCOMMODATE THE PUBLIC DEFENDER'S SPACE NEEDS WITH COSTS TO BE PAID BY THE MIDC GRANT**

WM21/01-05

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize staff to allocate 775 square feet of vacant space on the second floor of the Central Services Building to the Public Defender and move forward with necessary alterations to accommodate the Public Defender's space needs with costs to be paid by the MIDC grant.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

2021-27 **APPOINT JACKIE ENGEL TO THE MUSEUM BOARD (TERM THROUGH 12/31/2023)**

Chairman Scolnik recommends, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to appoint Jackie Engel to the Museum Board (term through 12/31/2023).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-28 **APPOINT I. JOHN SNIDER TO THE HEALTHWEST BOARD (TERM THROUGH 12/31/2024)**

Chairman Scolnik recommends, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to appoint I. John Snider to the HealthWest Board (term through 12/31/2024).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-29 **APPROVE THE ATTACHED 2021-2022 COMMISSIONER LIAISON APPOINTMENTS**

Chairman Scolnik recommends, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the attached 2021-2022 Commissioner Liaison Appointments.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-30 **SUPPORT THE RESOLUTION CONDEMNING STORMING OF U.S. CAPITOL BUILDING ON JANUARY 6, 2021**

Moved by Chairman Scolnik, seconded by Commissioner Hughes, to support the Resolution Condemning Storming of U.S. Capitol Building on January 6, 2021 (see attached).

Discussion ensued.

Commissioner Lahring indicated that the Board has already heard from Corporate Counsel regarding this Resolution. There is no state of emergency or crisis that exists in Muskegon County that is requiring this to be moved to the Board for a decision.

Chairman Scolnik indicated that there was provision in the Board Rules to vote on this with 2/3 majority which was received.

Vice-Chair Nash indicated that as County Board Commissioners, they took an oath to uphold the constitution of the U.S. and Michigan. If it were a peaceful protest, we would not be discussing it. It was an attempt to overthrow the will of the people of the United States. This goes against our oath and we as Commissioners have to send strong message that we are here to support the Constitution and people in our community. We need to come together as Americans and make it a better place in our community.

Commissioner Cyr indicated that as Commissioners they are supposed to support the U.S. and Michigan Constitutions, but both Constitutions were violated according to election rules and instructions and that is why the people are somewhat irritated. Commissioner Cyr indicated he had an issue with the words used in the Resolution, but does agree with condemning violence.

Commissioner Brown thanked Commissioner Cyr for his comments and agreed that they all condemn violence.

There was no roll call vote due to the motion to table Agenda Item 11C.

2021-31 **MOTION TO TABLE THE RESOLUTION CONDEMNING STORMING OF  
U.S. CAPITOL BUILDING ON JANUARY 6, 2021**

Moved by Commissioner Brown, seconded by Commissioner Pego to table the Resolution Condemning Storming of U.S. Capitol Building on January 6, 2021.

Discussion ensued.

Commissioner Hovey-Wright addressed Commissioner Lahring's comment that the Resolution does not say anything about Muskegon County, but pointed out that on his website it indicates stay the course and toe the line. One could assume that is referring to things that are threatened at the Lansing Capitol. We need to discourage violence at our own capitol.

Commissioner Pego indicated that Commissioners Lahring, Cyr, and Brown have expressed the same concern as she, that they deeply mourn what happened at the capitol, and we need to focus on unity and peace by exerting ourselves 100% to the issues the people of Muskegon County elected us for.

Commissioner Lahring addressed the Board that a 2/3 vote is actually 6, but this passed by 5 which defies their own Board rules. Commissioner Lahring recommends tabling this issue.

Chairman Scolnik asked for a ruling from Corporate Counsel.

Mr. Homier indicated that the Rules contemplate the Board addressing resolutions that are of a non-substantive matter. The ruling on whether they are substantive or not is the Chair's ruling, subject to appeal under the Board rules. Section 1 of Rule 6 talks about emergency matters and requires a vote of 2/3 of the board, which excludes resolutions under Section 2. Mr. Homier's opinion is that Resolution this has no legal import, it is a public proclamation saying that this is condemning the violence that happened at the capitol.

Chairman Scolnik ruled that this is not a substantive matter.

Roll Call on tabling Resolution:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Rillastine R. Wilkins

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

**Motion to Table Resolution Carried**

## **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth reported to the Board that the Board was sent the Muskegon County Airport's annual goals and annual measures in last week's packet.

### 2021-32 **ACCEPT F3 MANAGEMENT CONTRACT PROPOSAL**

Commissioner Lahring moved, seconded by Commissioner Pego, to accept the F3 Management Contract proposal.

Discussion ensued.

Vice-Chair Nash informed the Board that the budget for the airport already includes operations manager, so it is not an additional cost. The airport has ability to hire a manager and with the dedication of the employees they are cutting them short of opportunity with right person to make a difference with the airport and have hands-on control. Every time the County goes with a firm, we lose money.

Commissioner Cyr is concerned because the airport has been operating under a manager and so far there has been no progress. Commissioner Cyr is concerned that if they hire another manager that down the road we find out he's not making it and we are still losing money.

Commissioner Hovey-Wright addressed the Board that her experience with privatization has not been positive.

Commissioner Lahring indicated that there has been decades of loss at airport, it is time to try something new.

Roll call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego, Robert Scolnik

No: Marcia Hovey-Wright, Charles Nash, Rillastine R. Wilkins **Motion Carried**

Commissioner Wilkins indicated that the last three managers seemed to have too much freedom and they were not any good.

2021-33      **ACCEPT AND CONSENT TO ALLOWING FOSTER SWIFT COLLINS & SMITH PC, THE COUNTY'S CORPORATE COUNSEL AND SEPARATELY, THE MUSKEGON COUNTY AIRPORT'S FIXED BASE OPERATOR'S COUNSEL, TO REPRESENT BOTH EXECUTIVE AIR/FLYBYAIR AND THE COUNTY OF MUSKEGON TO RESOLVE LEASE AND RELATED ISSUES**

Administrator Eisenbarth recommends, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to accept and consent to allowing Foster Swift Collins & Smith PC, the county's corporate counsel and separately, the Muskegon County Airport's fixed base operator's counsel, to represent both Executive Air/FlyByAir and the County of Muskegon to resolve lease and related issues.

Discussion ensued:

Vice-Chair Nash inquired of Corporate Counsel if he believes this can be accomplished.

Mr. Homier indicated that he hoped it could be accomplished, but if not, under rules of professional conduct, he would have to withdraw as attorney for either the County or FlyByAir. If they cannot come to an agreement that satisfies everybody, then they cannot represent anybody.

Commissioner Pego inquired if we have to seek other counsel, we would incur more spending. Mr. Homier replied yes.

Chairman Scolnik confirmed that this is not an adversarial relationship.

Commissioner Lahring inquired when did Corporate Counsel's firm have the contract with Executive Air with Foster Swift.

Mr. Homier indicated that he has not done any work for this client, they are long-term clients of another attorney in the firm, Jim Doezema. Mr. Doezema will not be working on this issue, real estate counsel will be working on it.

Commissioner Hughes indicated she was disappointed that it was not brought to Board that there was a problem for months and months. They should have informed the Board before it goes to court.

Roll Call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash  
                    Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:             Zach Lahring

**Motion Carried**

Administrator Eisenbarth invited Sandra VanderHyde, Circuit Court Administrator, to speak to Item 12C, the Extension of Emergency Declaration.

Ms. VanderHyde informed the Board that the Courts do not fall under MDHHS or the State, they fall under the State Court Administrator's Office's (SCAO) plan which is a 4-Phase approach. Phase 1 has the most limitations, Phase 4 is when the United States declares that the pandemic is over. Last year the Courts were in Phase 2 in June, Phase 3 from July until October, and then went backwards to Phase 1 in November where the Courts remain. The criteria to move forward is the same: the State and local Stay Home Stay Safe Orders have been rescinded; there have been no COVID-19 cases within the Court facility, or that appropriate responses has been taken to any; there is a downward trajectory of positive cases over a 14-day period, and that the regional healthcare facilities have the capacity for the crisis in the area. A group meets every Monday with Court personnel to analyze data. Because they were down to 9.6 positivity rate, now up to 10.9, the Court is not close to a downward trajectory and cannot go into Phase 2. SCAO just updated Phase 3 and added that there must be a 5% positivity rate. In Phases 1 and 2, the Hall of Justice is closed to public except by appointments. The Courts are still operating, either working remotely or in the office. They cannot perform jury trials and those will not happen until they are closer to Phase 3.

2021-34      **SUPPORT THE ATTACHED RESOLUTION TO CONSENT TO EXTEND LOCAL STATE OF EMERGENCY**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to support the attached Resolution to Consent to Extend Local State of Emergency.

Commissioner Lahring stated that he has an issue with this Resolution. The extension has been going on since March. The Emergency Management Team has not done anything since the first month or two and there is no need for Administration to have extra powers. We need to start demobilizing this so that we can move into full business within the County. The Public Health Director has indicated that the numbers have dropped significantly, we have passed the curve. There has not been an emergency since summer.

Roll call:

Yes:            Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No:             Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego                      **Motion Carried**

Corporate Counsel asked Chairman Scolnik to go back to the Chairman's report and the appointments to receive Board approval.

## **UNFINISHED BUSINESS**

Commissioner Lahring indicated he turned in paperwork to County Clerk Waters to request a federal forensic audit and inquired if Clerk Waters has applied for it and if not, why. Clerk Waters responded that Commissioner Lahring turned in that request in his position of Chair of the Muskegon County Republican Party and is now addressing it during a Board of Commissioner's meeting and she did not wish to address the election issue in the County Commissioner meeting. Chairman Scolnik ruled that this inquiry is not appropriate now.

## **NEW BUSINESS**

None.

## **PUBLIC COMMENT**

Kathy P. Mahoney, City Clerk for City of Montague, addressed the Board regarding the recent election that took place. Mrs. Mahoney heard comments by Commissioner Cyr that there were irregularities; however, in her role as a sworn officer, there were no irregularities nor anything untoward, they were the most secure elections in history. The County Board of Commissioners voted unanimously on a Resolution on November 19, 2020, on behalf of all election workers in the Court. Her election workers and colleagues were impeccable and they did a wonderful job in the election.

Ryan Bennett, 1538 White Pine Court, on behalf of Lakeshore Community Labor Council AFL-CIO, addressed the Board regarding the airport privatization. Mr. Bennett asked to keep the workers in mind, treat them fairly and give them a seat at the table when it comes to making decisions about our airport.

James Kelly, MSU Extension Assistant Director, indicated he sent an email to Administrator Eisenbarth with final quarterly report and asked him to pass it along to the Board. Mr. Kelly also asked the Board to pass the report along to constituents. Mr. Kelly commended the new Commissioners for participating in the New Commissioner School that MSU Extension hosted.

Kip Smith addressed the Board in response to Mrs. Mahoney's comments. Mr. Smith indicated that beliefs are okay, but they are not fact and the Board should not put into discussion as fact regarding corruption in elections.

Michael Del Percio addressed the Board regarding the resolution that has been tabled. He finds it unacceptable to single out the incident at the capitol. If the Board is going to do that, they should go back and include all of the divisiveness encountered during summer of 2020. Regarding extending the emergency, our neighboring states have successfully opened up their economies and they are not finding a lot of people all of a sudden with the virus. Regarding the elections, there were a lot of rules abrogated by the Michigan State leadership that were illegal since they were not adopted by the legislator.

For security reasons, not allowing people's hands raised with no names.

Malinda Pego addressed the Board as Muskegon County Republican Party Vice-Chair, and read the letter that was given to Clerk Waters asking for federal audit of election machines and software, including cyber forensic.

### **FINAL BOARD COMMENTS**

Commissioner Lahring indicated he is getting a lot of calls from the press regarding the forensic audit and whether it has been filed with the federal government. Commissioner Lahring talked with the originator and they can have a team here within 24 hours to do the audit, at no cost to the county, and put the election to rest.

County Clerk Waters responded and said that the city and township clerks have their equipment and ballots. They did an excellent job in conducting the elections. The Board of Canvassers has a Democrat and Republican member that canvassed and certified the accuracy of the election. It was noted by Clerk Waters that Pat Camp is the Chair of the Board of Canvassers and is a Republican member. The Dominion equipment is where the problems have been with and is not used in Muskegon County, we use Hart equipment. Clerk Waters has confidence in the work that was done in November and does not plan to ask for a federal forensic audit.

Vice-Chair Nash addressed the Board that there was an audit done of hand-ballots and it was determined that there were no errors and no conspiracy.

Chairman Scolnik shared his disappointment about tabling the resolution regarding storming U.S. Capitol. Chairman Scolnik indicated he has had 100s of people contact him asking why hasn't the Board said anything about this. He promised them, foolishly, it that it would be forthcoming. The Resolution doesn't blame anyone, it just expresses our outrage regarding the violence at the U.S. Capitol.

Commissioner Hovey-Wright encouraged her fellow Commissioners to sign up for a webinar tomorrow, January 13, 2020, regarding evictions.



2021-37      **MOTION TO ADJOURN**

Moved by Vice-Chair Nash, seconded by Commissioner Pego, to adjourn.

Voice Vote

**Motion Carried**

Meeting adjourned at 6:38. p.m.

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Nancy A. Waters, County Clerk

NAW/lss

Approved at the Full Board meeting on January 26, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, February 9, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Commissioner Cyr.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Laketon Township, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Zach Lahring, Cloverville, Sullivan Township, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, City of Norton Shores, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, City of Muskegon Heights, Michigan

Excused: Susie Hughes

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael D. Homier, Corporate Counsel



## **COMMUNICATIONS**

The following Communications were presented to Commissioners for informational purposes and placed on file:

- A. Antrim County Resolution in Support of Local Business (see attached);
- B. Alpena County Pandemic Resolution (see attached);
- C. Tuscola County Resolution Declaring Tuscola County a Constitutional Second Amendment Sanctuary County (see attached).

2021-65      **APPROVE PLACING THE FOLLOWING COMMUNICATIONS ON FILE FOR INFORMATIONAL PURPOSES: A. ANTRIM COUNTY RESOLUTION IN SUPPORT OF LOCAL BUSINESS; B. ALPENA COUNTY PANDEMIC RESOLUTION; C. TUSCOLA COUNTY RESOLUTION DECLARING TUSCOLA COUNTY A CONSTITUTIONAL SECOND AMENDMENT SANCTUARY COUNTY**

Moved by Vice-Chair Nash, second by Commissioner Brown to place the following Communications on file: A. Antrim County Resolution in Support of Local Business; B. Alpena County Pandemic Resolution; C. Tuscola County Resolution Declaring Tuscola County a Constitutional Second Amendment Sanctuary County.

Commissioner Hovey-Wright indicated she is opposed to Communications B and C.

Roll Call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:             None

Excused:      Susie Hughes

**Motion Carried**

## **PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of February 1, 2021, there have been 10,103 positive cases, and 290 COVID-related deaths. (See attached.)

Director Moore also updated the Board regarding vaccinations.

At the request of Commissioner Pego, Director Moore shared information regarding the number of deaths from other causes as provided by the Medical Examiner.

**COMMITTEE/BOARD REPORTS**

2021-66 **PERMIT THE MUSKEGON COUNTY PUBLIC DEFENDERS OFFICE TO CREATE THE POSITION OF LEGAL INVESTIGATOR AT PAY TABLE/GRADE NX-00265, \$24.830/HR - \$31.339/HR. ALL COSTS OF THIS POSITION TO BE FUNDED VIA THE MICHIGAN INDIGENT DEFENSE COMMISSION STATE GRANT**

CPS21/02-11

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to permit the Muskegon County Public Defenders Office to create the position of Legal Investigator at pay table/grade NX-00265, \$24.830/hr - \$31.339/hr. All costs of this position to be funded via the Michigan Indigent Defense Commission state grant.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Charles Nash, Malinda Pego  
Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring

Excused: Susie Hughes **Motion Carried**

2021-67 **PERMIT THE MUSKEGON COUNTY PUBLIC DEFENDERS OFFICE TO CREATE THE POSITION OF OFFICE MANAGER AT PAY TABLE/GRADE NX-00197, \$22.000/HR - \$27.715/HR, PURSUANT TO THE MIDC GRANT CONTRACT**

CPS21/02-12

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to permit the Muskegon County Public Defenders Office to create the position of Office Manager at pay table/grade NX-00197, \$22.000/hr - \$27.715/hr, pursuant to the MIDC grant contract.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Charles Nash, Malinda Pego  
Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring

Excused: Susie Hughes **Motion Carried**

2021-68     **PERMIT THE MUSKEGON COUNTY PUBLIC DEFENDERS OFFICE TO CONTRACT FOR A MANAGED ASSIGNMENT COUNSEL (MAC) TO ADMINISTER CONFLICT ATTORNEY ASSIGNMENTS. COMPENSATION UNDER THE MAC CONTRACT IS TO BE FUNDED BY MICHIGAN INDIGENT DEFENSE COMMISSION STATE GRANT**

CPS21/02-13

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to permit the Muskegon County Public Defenders Office to contract for a Managed Assignment Counsel (MAC) to administer conflict attorney assignments. Compensation under the MAC contract is to be funded by Michigan Indigent Defense Commission state grant.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Charles Nash, Malinda Pego  
Rillastine R. Wilkins, Robert Scolnik

No:            Zach Lahring

Excused:     Susie Hughes

**Motion Carried**

2021-69     **AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS FOR THE PURCHASE OF 10 SELF-CONTAINED BREATHING APPARATUS (SCBA)**

CPS21/02-14

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the release of a request for proposals for the purchase of 10 self-contained breathing apparatus (SCBA).

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash,  
Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:            None

Excused:     Susie Hughes

**Motion Carried**

2021-70 **APPLY AND ACCEPT THE FY2020-2021 HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) GRANT FOR THE MUSKEGON COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**

CPS21/02-15

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to apply and accept the FY2020-2021 Hazardous Material Emergency Preparedness (HMEP) grant for the Muskegon County Local Emergency Planning Committee (LEPC).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes **Motion Carried**

2021-71 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$15,785,474.51 COVERING THE PERIOD OF JANUARY 8, 2021 THROUGH JANUARY 21, 2021, FOR CHECKS AND P CARD AND EFT PAYMENTS FOR THE PERIOD COVERING DECEMBER 1 THROUGH DECEMBER 31, 2020 AS PRESENTED BY THE COUNTY CLERK**

WM21/02-10

The Ways and Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to WM21/02 - 10 To approve payment of the accounts payable of \$15,785,474.51 covering the period of January 8, 2021 through January 21, 2021 for checks and P Card and EFT payments for the period covering December 1 through December 31, 2020 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

Recommended by Chairman Scolnik, moved by Vice-Chair Nash, supported by Commissioner Brown to recognize Mona Shores High School and Montague High School varsity football teams for their state victories.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes

**Motion Carried**

**ADMINISTRATOR'S REPORT**

2021-72 **APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2021 STOP VIOLENCE AGAINST WOMEN GRANT ONE-TIME FUNDING ENHANCEMENT**

Admin 12-A

Administrator Eisenbarth recommends, moved by Vice-Chair Nash, seconded by Commissioner Wilkins, to approve the Prosecutor to apply for and accept the FY2021 STOP Violence Against Women Grant one-time funding enhancement.

Prosecutor Hilson informed the Board the reason for the time-sensitivity of this motion indicating his office had just become aware of extra funding available but would not have enough time to bring it to committee before the deadline.

Corporate Counsel Michael Homier shared with the Board the Board Rule that provides avenues for bringing motions directly to Full Board. Because the County Administrator has brought it forward under his report with his recommendation, these are proper motions.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes

**Motion Carried**

2021-73 **APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE  
FY2021 STOP VIOLENCE AGAINST WOMEN GRANT ONGOING  
FUNDING ENHANCEMENT**

Admin 12-B

Administrator Eisenbarth recommends, moved by Vice-Chair Nash, supported by Commissioner Hovey-Wright, to approve the Prosecutor to apply for and accept the FY2021 STOP Violence Against Women Grant ongoing funding enhancement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes

**Motion Carried**

Admin 12-C

Administrator Eisenbarth addressed the Board regarding the 2021 Strategic Planning Workshop since the current Plan is due to expire at the end of this year. Administration has sent out three dates to consider: Wednesday, March 3, 2021, Thursday, March 11, 2021, or Friday, March 12, 2021, from 8:30 a.m. – 10:30 a.m. via Zoom. James Kelly, District 5 Director, MSU Extension, has indicated that they will facilitate the first work session at no cost to the County.

Administrator Eisenbarth also indicated that on Tuesday, March 2, 2021, at 3:30 p.m., there will be a Public Defender work session; and reminded the Board that this Thursday, February 11, 2021, there will be a work session at 3:00 p.m., and a public hearing at 3:30 p.m. regarding Dune Harbor, and the Community Development and Transportation Committee Meeting at 4:00 p.m.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Commissioner Cyr addressed the Board regarding additional seniors who are in need of snow removal and he requests more funding for Senior Services.

Chairman Scolnik indicated that the problem is that while they may not need the money today, if it continues to snow, they would need to know if there is money available to pay for the work.

Commissioner Hovey-Wright indicated she would like to wait to see the financial figures since there is a Senior Activities Committee meeting next Thursday.

Commissioner Hovey-Wright asked to table the motion and refer it to the Senior Activities Committee. No time was allowed to second her motion.

2021-74      **EXTEND \$8085 FOR EMERGENCY FUNDS TO PROVIDE SNOW  
PLOWING FOR 30 ADDITIONAL SENIORS**

Commissioner Lahring moved, supported by Commissioner Pego, to extend \$8,085 for emergency funds to provide snow plowing for 30 additional seniors.

Discussion ensued.

Per Corporate Counsel Homier, under Board Rule 6, Section 1, the chairperson can decide whether a matter is a substantive County matter in order to vote without a 2/3 majority and declaring it an emergency. Chairman Scolnik decided it is not a substantive matter.

Commissioner Hovey-Wright indicated that Living Word is fully funded and again requested that this be tabled until the committee meeting next week.

Commissioner Lahring responded that if tabled, this would then have to go to Ways & Means, then Full Board, it would be almost March before it is decided.

Chris Cross, Program Administrator, Living Word Senior Services, shared with the Board that they were given full funding and after reducing their rate they were able to cover 100 seniors with 20 plows. There are now 30 people on a waiting list. The additional funds will cover those 30 people on the waiting list with 7 plows each.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash,  
                    Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:             None

Excused:      Susie Hughes

**Motion Carried**

Public Health Director Kathy Moore confirmed that there were funds available for this motion.

Commissioner Pego indicated that other areas of the County are not being serviced; she would like to see this County program expanded to the rural areas in the County.

**PUBLIC COMMENT**

Chris Cross addressed the Board regarding the service area of the plowing provided by Senior Services indicating they serve the entire County from Montague to Ravenna, to Fruitport and Lakeside, even if it means extra cost in gas to get there.

Commissioner Wilkins asked about the beach parking passes and how to purchase. Vice-Chair Nash said tickets do not sell out. Tickets can be purchased from the City of Muskegon on their website (<https://www.muskegon-mi.gov/parkingpass/>) or the kiosk for the day. If you live in the City of Muskegon, you get two free passes. Administrator Eisenbarth will check on this information and report back to the Board.

### **FINAL BOARD COMMENTS**

Commissioner Pego thanked Public Health Director Kathy Moore for answering her additional questions during her presentation.

Commissioner Hovey-Wright shared that Chairman Scolnik's post regarding Dune Harbor Park was very well written and provided good information. Chairman Scolnik indicated there will be a public hearing on Phase 2 of Dune Harbor Park coming up on Thursday.

### 2021-75      **MOTION TO ADJOURN**

Moved by Commissioner Pego, seconded by Vice-Chair Nash, to adjourn.

Voice Vote

**Motion Carried**

Meeting adjourned at 5:06 p.m.

---

Nancy A. Waters, County Clerk

NAW/lss

Approved at the Full Board meeting on February 23, 2021

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, February 23, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Commissioner Hovey-Wright.

**Roll Call and Location of Board Members:**

Present: Doug Brown, City of Muskegon, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Charter Township, Michigan  
Zach Lahring, Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Holton Township, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Building, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael D. Homier, Corporate Counsel





**COMMITTEE/BOARD REPORTS**

2021-80     **ADOPT THE REVISED ACCOMMODATIONS TAX ADVISORY  
COMMITTEE BYLAWS**

CDSP21/02-03

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to adopt the revised Accommodations Tax Advisory Committee Bylaws.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:           None

**Motion Carried**

2021-81     **ADJUST THE HERITAGE LANDING RENTAL FEES FOR ONE YEAR  
ONLY, FROM \$2,500 PER FESTIVAL DAY TO \$1,500 PER FESTIVAL  
DAY, TO PROVIDE RELIEF TO OUR FESTIVALS, ALL OF WHICH  
HAVE BEEN ADVERSELY AFFECTED BY THE COVID-19 CRISIS**

CDSP21/02-04

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to adjust the Heritage Landing rental fees for one year only, from \$2,500 per festival day to \$1,500 per festival day, to provide relief to our festivals, all of which have been adversely affected by the Covid-19 crisis.

Roll Call:

Yes:           Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No:           Kim Cyr, Zach Lahring, Malinda Pego

**Motion Carried**















2021-96     **AUTHORIZE STAFF TO ISSUE A REQUEST FOR PROPOSAL FOR  
THE SALE OF SURPLUS COUNTY ITEMS INCLUDING BUT NOT  
LIMITED TO VEHICLES AND EQUIPMENT**

WM21/02 – 18

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize staff to issue a Request for Proposal for the sale of surplus county items including but not limited to vehicles and equipment.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:           None

**Motion Carried**

2021-97     **AUTHORIZE THE SALE OF 902 PINE STREET TO THE CITY OF  
MUSKEGON FOR \$24,000 CONTINGENT ON THE 425 AGREEMENT  
BETWEEN THE CITY OF MUSKEGON AND DALTON TOWNSHIP  
BEING TERMINATED AND AUTHORIZE CORPORATE COUNSEL TO  
DRAFT THE PURCHASE AGREEMENT**

WM21/02 – 19

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize the sale of 902 Pine Street to the City of Muskegon for \$24,000 contingent on the 425 Agreement between the City of Muskegon and Dalton Township being terminated and authorize Corporate Counsel to draft the purchase agreement.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:           None

**Motion Carried**

2021-98     **SET THE SALE PRICE OF LOTS 14, 16, 17, 18, AND 19 AT THE  
COUNTY'S BUSINESS PARK NORTH AT \$5,000 PER ACRE**

WM21/02 – 20

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to set the sale price of lots 14, 16, 17, 18, and 19 at the County's Business Park North at \$5,000 per acre.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:           None

**Motion Carried**

2021-99 **AMEND THE FY2021 GENERAL FUND BUDGET AS PRESENTED**

WM21/02 – 21

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to amend the FY2021 General Fund budget as presented.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

Commissioner Lahring reported that the Fair Board discussed trying the farmer's market again for the summer fair. The Fair Board chair has started a fund at the Community Foundation for an indoor riding arena. <https://muskegonfoundation.org/give/give-now/>

Commissioner Hovey-Wright reported that HealthWest finances are turning around, they hired a new LRE Director. HealthWest is expecting a debt payment to be issued soon.

**ADMINISTRATOR'S REPORT**

2021-100 **RETURN TO PHASE III AND REOPEN GOVERNMENT OFFICES TO THE PUBLIC ON MONDAY, MARCH 1, 2021, FROM 10:00 A.M. TO 4:00 P.M.**

Admin 12 (A)

The Administrator recommends, moved by Commissioner Lahring, seconded by Commissioner Pego, to return to Phase III and reopen Government Offices to the public on Monday, March 1, 2021, from 10:00 a.m. to 4:00 p.m.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Commissioner Hovey-Wright inquired about the anticipated date for in-person meetings. Administrator Eisenbarth indicated that there are two sets of rules those meetings fall under, MDHHS and the state legislation under OMA (Open Meetings Act), both of which currently prohibit such meetings until March 30.



2021-103 **TO LIVE-STREAM TO FACEBOOK ALL COMMITTEE AND FULL BOARD MEETINGS**

WM21/02-22

The Ways & Means Committee recommended, moved by Commissioner Lahring, seconded by Commissioner Cyr, to live-stream to Facebook all committee and full board meetings.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: Susie Hughes, Rillastine R. Wilkins **Motion Carried**

2021-104 **TO LIVE-STREAM TO FACEBOOK BOARD OF PUBLIC WORKS COMMITTEE MEETINGS, SUBJECT TO THEIR APPROVAL**

Moved by Commissioner Pego, seconded by Commissioner Lahring, to live-stream to Facebook Board of Public Works Committee meetings, subject to their approval.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Susie Hughes **Motion Carried**

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

Michael Del Percio addressed the Board regarding his concerns of the actions of the current administration in Washington DC and would like to urge the Commission to come up with an ordinance to protect our rights, such as 2<sup>nd</sup> amendment rights.

Director Lukens informed the Board that the Twin Lake Park caretakers receive \$1,000 per year and also the house utilities are paid for. The caretakers have the option to run the concession stand and retain the profits from there if they choose.

## **FINAL BOARD COMMENTS**

Commissioner Brown informed the Board that on Thursday, February 25, 2021, the Strategic Planning Committee is starting a group to help plan how to develop the waterfront. Commissioner Brown indicated they have also reached out to stakeholders to be involved.

Chairman Scolnik shared with the Board his post regarding the convention center. Chairman Scolnik indicated Muskegon County has come so far and he appreciates Commissioner Brown reaching out to promote our County.

2021-105     **RESCIND THE MOTION TO APPROVE THE MINUTES OF FEBRUARY 9, 2021, AS CORRECTED SINCE NO CORRECTIONS WERE NECESSARY**

Moved by Commissioner Lahring, seconded by Vice-Chair Nash, to rescind the motion to approve the Minutes of February 9, 2021, as corrected since no corrections were necessary.

No objections received.

**Motion Carried**

Commissioner Lahring shared with the Board that Catholic Charities is opening a detox center at 1713 7<sup>th</sup> Street, Muskegon. There will be a ribbon-cutting ceremony on Friday, March 12, 2021, at 1:00 p.m. <https://ccwestmi.org/category/news/>

Administrator Eisenbarth and Director Lukens shared with the Board that the convention center ribbon cutting and small tour has been moved to April 12, 2021.

Commissioner Pego inquired regarding going back to in-person meetings and also continuing via zoom for those who do not wish to physically attend. Per Corporate Counsel, the current wording of the OMA may preclude zoom attendance in the future. Corporate Counsel will look into this and report back to the Board.

2021-106     **MOTION TO ADJOURN**

Moved by Commissioner Cyr, seconded by Vice-Chair Nash, to adjourn.

Voice Vote

**Motion Carried**

Meeting adjourned at 5:26p.m.

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Nancy A. Waters, County Clerk

NAW/lss

Approved at the Full Board Meeting on March 9, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, March 9, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Vice-Chair Nash.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Muskegon County Hall of Justice, Michigan  
Kim Cyr, Muskegon County, Michigan  
Marcia Hovey-Wright, City of Muskegon, Hall of Justice, Michigan  
Susie Hughes, Muskegon County, Michigan  
Zach Lahring, Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, City of Norton Shores, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael D. Homier, Corporate Counsel

2021- 107 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-108 **APPROVAL OF THE REGULAR SESSION MINUTES OF FEBRUARY 23, 2021**

Moved by Commissioner Hovey-Wright seconded by Commissioner Wilkins, to approve the Regular Session minutes of February 23, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

Jeanette Hoyer, President and CEO of Goodwill Industries and GoodTemps Staffing, addressed the Board regarding Item 9B. Ms. Hoyer outlined concerns regarding awarding temporary staffing to a non-local company.

Pat Camp addressed the Board regarding Item 10, thanking the Board for considering her appointment to the Jury Commission. Mrs. Camp informed the Board that she was personally invited by the Supreme Court of Michigan to work on the virtual jury trial project.

Clerk Waters addressed the Board in support of Item 9B.

**COMMUNICATIONS**

The following Communications were presented to Commissioners for informational purposes and placed on file:

- A. Berrien County Resolution to Implement New Mitigation
- B. Crawford County Resolution Supporting Local Businesses
- C. Livingston County Resolution to retract SVI Social Factor Based Plan
- D. Otsego County Pandemic Resolution

**COMMITTEE/BOARD REPORTS**

2021-109 **APPROVE THE SHERIFF'S OFFICE ACCEPTING THE HURON-MANISTEE NATIONAL FOREST COOPERATIVE LAW ENFORCEMENT AGREEMENT (21-LE-11090400-018) BETWEEN THE MUSKEGON COUNTY SHERIFF'S OFFICE AND THE USDA, FOREST SERVICE AND TO HAVE THE SHERIFF SIGN THIS AGREEMENT**

CPS21/03-16

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Sheriff's Office accepting the Huron-Manistee National Forest Cooperative Law Enforcement Agreement (21-LE-11090400-018) between the Muskegon County Sheriff's Office and the USDA, Forest Service and to have the Sheriff sign this agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-110 **APPROVE THE SHERIFF TO UTILIZE SALARY SAVINGS TO RECLASSIFY THE COMMUNICATION DISPATCHER, G22001, PAY TABLE/GRADE GU00070 (\$12.93/HR - \$15.79/HR) TO A COMMUNICATIONS DISPATCHER II POSITION, PAY TABLE/GRADE GU-00160 (\$15.16/HR - \$18.70/HR) AT A COST OF \$2,586.80 FOR FY20-21**

CPS21/03-17

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Sheriff to utilize salary savings to reclassify the Communication Dispatcher, G22001, pay table/grade GU00070 (\$12.93/hr - \$15.79/hr) to a Communications Dispatcher II position, pay table/grade GU-00160 (\$15.16/hr - \$18.70/hr) at a cost of \$2,586.80 for FY20-21.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Susie Hughes **Motion Carried**

2021-111 **APPROVE THE SHERIFF TO UTILIZE SALARY SAVINGS TO IMPLEMENT A SALARY RANGE ADJUSTMENT TO THE MARINE OFFICER – SEASONAL JOB CLASSIFICATION, TY150, TO PAY TABLE/GRADE TS-00430, \$15.50/HR - \$16.75/HR**

CPS21/03-18

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Sheriff to utilize salary savings to implement a salary range adjustment to the Marine Officer – Seasonal job classification, TY150, to pay table/grade TS-00430, \$15.50/hr - \$16.75/hr.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Susie Hughes **Motion Carried**

2021-112 **AUTHORIZE THE SHERIFF TO LEASE FOUR (4) 2021 FORD POLICE INTERCEPTOR UTILITY AWD VEHICLES AND TO UTILIZE EMERGENCY SERVICES TO COORDINATE THE LEASING, EQUIPMENT PURCHASES AND UP FITTING USING MIDEAL PRICING OF \$35,849 PER VEHICLE WITH ADDITIONAL EQUIPMENT COST OF \$11,227.08 PER VEHICLE. FURTHER AUTHORIZE OBTAINING QUOTES FOR LEASING AND AMEND THE BUDGET ACCORDINGLY**

CPS21/03-19

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to authorize the Sheriff to lease four (4) 2021 Ford Police Interceptor Utility AWD vehicles and to utilize Emergency Services to coordinate the leasing, equipment purchases and up fitting using MiDeal pricing of \$35,849 per vehicle with additional equipment cost of \$11,227.08 per vehicle. Further authorize obtaining quotes for leasing and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-113 **AUTHORIZE THE COUNTY ADMINISTRATOR TO CREATE THE POSITION OF VETERANS RESOURCE ASSISTANT, TABLE/GRADE NO-00180 (\$16.966/HR TO \$21.376/HR), AND TO APPOINT AMY RABIDOUX TO THE POSITION EFFECTIVE MAY 1, 2021; PROVIDED SHE PASSES A PRE-EMPLOYMENT PHYSICAL**

HS21/03-01

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize the County Administrator to create the position of Veterans Resource Assistant, table/grade NO-00180 (\$16.966/hr to \$21.376/hr), and to appoint Amy Rabidoux to the position effective May 1, 2021; provided she passes a pre-employment physical.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-114 **AUTHORIZE PUBLIC HEALTH TO ACCEPT FUNDING IN THE AMOUNT OF \$51,459 EFFECTIVE OCTOBER 1, 2020 TO SEPTEMBER 30, 2021; AND AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RELATED CONTRACT AGREEMENT WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES, AND ENERGY TO PERFORM ROUTINE ENVIRONMENTAL HEALTH INSPECTIONS, ACTIVITIES AND SERVICES**

HS21/03 – 02

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to accept funding in the amount of \$51,459 effective October 1, 2020 to September 30, 2021; and authorize the Public Health Director to sign the related contract agreement with the Michigan Department of Environment, Great Lakes, and Energy to perform routine environmental health inspections, activities and services.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-115 **APPROVE EXTENDING THE FY20 SENIOR MILLAGE FUNDING IN THE AMOUNT OF \$40,005 TO THE ALZHEIMER ASSOCIATION THROUGH JUNE 30, 2021**

HS21/03 – 03

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve extending the FY20 Senior Millage funding in the amount of \$40,005 to the Alzheimer Association through June 30, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-116 **AUTHORIZE PUBLIC HEALTH TO PARTICIPATE IN THE WIC PROJECT FRESH PROGRAM AS THE STATE AUTHORIZED WIC MARKET MASTER, AND TO ENTER INTO AGREEMENTS WITH THE PARTICIPATING FARMERS; FURTHER AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN MARKET MASTER AND RELATED PROJECT FRESH AGREEMENTS, WITH NO CHANGE IN THE GENERAL FUND APPROPRIATION**

HS21/03 – 04

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to participate in the WIC Project FRESH Program as the state authorized WIC Market Master, and to enter into agreements with the participating farmers; further authorize the Public Health Director to sign Market Master and related Project Fresh agreements, with no change in the general fund appropriation.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-117 **APPROVE REFUNDING 90% OF THE FOOD SERVICE LICENSING FEES COLLECTED IN FY20 AND DISCOUNTING THE FOOD SERVICE LICENSING FEES TO BE PAID IN FY21 BY 50%**

HS21/03 – 05

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve refunding 90% of the food service licensing fees collected in FY20 and discounting the food service licensing fees to be paid in FY21 by 50%.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-118 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY21 BUDGET FROM \$7,398,712 TO \$9,254,543, WHICH INCLUDES CHANGES IN GRANT FUNDING, PROGRAM LINE ITEM ADJUSTMENTS, STAFF/FUNDING TRANSFERS, TEMPORARY COVID-19 COMMUNITY RESPONSE WORKERS, AND GRANT FUNDED REIMBURSEMENT OF A COVID-19 TESTING/VACCINATION MOBILE UNIT OPERATED BY HEALTHWEST (PURCHASE APPROVED BY HEALTHWEST BOARD ON 1/15/21) WITH NO CHANGE IN THE GENERAL FUND APPROPRIATION**

HS21/03 – 06

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize the Public Health Department to amend its FY21 budget from \$7,398,712 to \$9,254,543, which includes changes in grant funding, program line item adjustments, staff/funding transfers, temporary COVID-19 community response workers, and grant funded reimbursement of a COVID-19 testing/vaccination mobile unit operated by HealthWest (purchase approved by HealthWest Board on 1/15/21) with no change in the general fund appropriation.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-119 **APPROVE EXTENDING THE FY20 SENIOR MILLAGE FUNDING IN THE AMOUNT OF \$38,456.50 FOR AGEWELL SERVICES FOR THE SAFE SENIORS PROGRAM THROUGH SEPTEMBER 30, 2021.**

HS21/03 – 07

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve extending the FY20 Senior Millage funding in the amount of \$38,456.50 for AgeWell Services for the Safe Seniors program through September 30, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Due to technical difficulties, Commissioner Hughes was unavailable to vote.

2021-120 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$9,903,560.50 COVERING THE PERIOD OF FEBRUARY 5, 2021 THROUGH FEBRUARY 18, 2021 FOR CHECKS AND P CARD AND EFT PAYMENTS FOR THE PERIOD COVERING JANUARY 1 THROUGH JANUARY 31, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/03-23

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$9,903,560.50 covering the period of February 5, 2021 through February 18, 2021 for checks and P Card and EFT payments for the period covering January 1 through January 31, 2021 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-121 **APPROVE THE SALE OF LOTS 14, 18, AND PART OF LOT 19 IN THE COUNTY'S BUSINESS PARK NORTH FOR \$5,000 PER ACRE TO ACCURATE EXCAVATORS LLC AND AUTHORIZE THE CHAIR TO SIGN THE PURCHASE AGREEMENT CONTINGENT ON CORPORATE COUNSEL APPROVAL**

WM21/03-24

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the sale of Lots 14, 18, and part of Lot 19 in the County's Business Park North for \$5,000 per acre to Accurate Excavators LLC and authorize the Chair to sign the purchase agreement contingent on Corporate Counsel approval.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-122 **APPROVE THE SALE OF LOTS 16 AND 17 IN THE COUNTY'S BUSINESS PARK NORTH FOR \$5,000 PER ACRE TO RYERSON BROTHERS EXCAVATING LLC, AND AUTHORIZE THE CHAIR TO SIGN THE PURCHASE AGREEMENT CONTINGENT ON CORPORATE COUNSEL APPROVAL**

WM21/03-25

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the sale of Lots 16 and 17 in the County's Business Park North for \$5,000 per acre to Ryerson Brothers Excavating LLC, and authorize the Chair to sign the purchase agreement contingent on Corporate Counsel approval.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Discussion regarding WM21/03-26:

Commissioner Lahring indicated that Global Solutions Group does not have a West Michigan branch and would like GoodTemps to come back. Commissioner Lahring requested the Board make amendment to this motion or create another motion to put this back in front of the Board to take a serious look at GoodTemps. Commissioner Lahring believes changing would cause significant problems with some departments.

2021-123 **AMEND WM21/03-26 TO AUTHORIZE THE TEMPORARY STAFFING SERVICES RFP 21-2409 BE AWARDED TO GOODTEMPS, EFFECTIVE APRIL 1, 2021, FOR A ONE (1) YEAR CONTRACT WITH TWO (2) SUBSEQUENT ONE (1) YEAR EXTENSIONS AND AUTHORIZE THE NEGOTIATION OF THE CONTRACT PENDING FINAL APPROVAL BY CORPORATE COUNSEL**

Moved by Commissioner Brown, seconded by Commissioner Pego, to amend WM21/03-26 to authorize the temporary staffing services RFP 21-2409 be awarded to GoodTemps, effective April 1, 2021, for a one (1) year contract with two (2) subsequent one (1) year extensions and authorize the negotiation of the contract pending final approval by corporate counsel.

Discussion on amendment:

Commissioner Hovey-Wright indicated that Ms. Hoyer made the best point that Public Health uses most of the temporary services at this time and to disrupt this and replace employees with brand new people does not make sense. Commissioner Hovey-Wright indicated that only one director would like to see a different organization, but most of the rest of them would like GoodTemps to stay.

Commissioner Cyr researched the scoring used to determine the award. Commissioner Cyr found that the majority of the agencies involved are in the Detroit area and have no representation in this area. Commissioner Cyr believes that when dealing with job seekers, it's helpful to sit in person with people to discuss the details.

Vice-Chair Nash believes that due to the pandemic situation, it is an error to cut off GoodTemps with the Health Department; but GoodTemps has serious issues when it comes to more professional and clerical staffing. Vice-Chair Nash offered two solutions, either GoodTemps could take more care in vetting since there have been a few terminations in a couple of departments including the Public Defender's Office and Clerk's Office, or possibly if this contract could exclude the Clerk's Office so the Clerk could seek temporary staffing from other sources.

Chairman Scolnik added that part of the solution could be for Ms. Hoyer or other Goodwill staff to meet with Clerk Waters and work together to figure out what the Clerk needs.

Vice-Chair Nash asked Corporate Counsel about excluding an office within this contract. Corporate Counsel indicated it may make a change in the RFP itself, therefore he recommended not doing it so as not to change the character of the RFP.

Commissioner Hovey-Wright agreed that getting together should help resolve concerns. Commissioner Hovey-Wright added that she participated in a panel that reviewed the RFP for senior millage administrator and saw how one person could skew the average dramatically. Even though the numbers established Global Solutions, she feels it is best that they consider the other options more heavily.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Susie Hughes **Motion Carried**

Vice-Chair Nash would like a follow-up date regarding communicating with Goodwill/GoodTemps and with Corporate Counsel looking into excluding the Clerk's Office from the staffing contract.

2021-124 **AUTHORIZE THE TEMPORARY STAFFING SERVICES RFP 21-2409 BE AWARDED TO GOODTEMPS EFFECTIVE APRIL 1, 2021, FOR A ONE (1) YEAR CONTRACT WITH TWO (2) SUBSEQUENT ONE (1) YEAR EXTENSIONS AND AUTHORIZE THE NEGOTIATION OF THE CONTRACT PENDING FINAL APPROVAL BY CORPORATE COUNSEL**

WM21/03-26

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize the temporary staffing services RFP 21-2409 be awarded to GoodTemps effective April 1, 2021, for a one (1) year contract with two (2) subsequent one (1) year extensions and authorize the negotiation of the contract pending final approval by corporate counsel.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Susie Hughes **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

2021-125 **APPROVE THE JUDICIAL APPOINTMENT BY 14<sup>TH</sup> CIRCUIT COURT CHIEF JUDGE THE HONORABLE TIMOTHY G. HICKS OF PAT CAMP FOR A 6-YEAR TERM TO THE MUSKEGON COUNTY JURY COMMISSION BEGINNING 05/01/2021**

Recommended by Chairman Scolnik, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to approve the Judicial Appointment by 14<sup>th</sup> Circuit Court Chief Judge the Honorable Timothy G. Hicks of Pat Camp for a 6-year term to the Muskegon County Jury Commission beginning 05/01/2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**ADMINISTRATOR'S REPORT**

2021-126 **AUTHORIZE THE MUSKEGON CONSERVATION DISTRICT TO PREPARE A GRANT APPLICATION TO THE MDNR FISHERIES HABITAT GRANT PROGRAM ON BEHALF OF MUSKEGON COUNTY FOR THE REMOVAL OF THE PATTERSON PARK DAM ON RIO GRANDE CREEK WITHIN THE PARK**

Admin 11

The Administrator recommends, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to authorize the Muskegon Conservation District to prepare a grant application to the MDNR Fisheries Habitat Grant Program on behalf of Muskegon County for the removal of the Patterson Park Dam on Rio Grande Creek within the park.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of March 8, 2021, there have been 10,412 positive cases and 296 COVID-related deaths. Director Moore shared that Muskegon County is in a really good position regarding COVID numbers, below 3% again, showing a continuous trend. Director Moore also updated the Board on timelines regarding vaccinations. (See attached.)

**FINAL BOARD COMMENTS**

Commissioner Brown shared with the Board that the Rotary Club of Muskegon has a youth program called the Interact Club which provides leadership for youth and that many high school students participate. Commissioner Brown indicated that on Saturday, April 24, they are expecting 50 students to help clean Pioneer Park Beach. <https://muskegonrotary.org/Page/youth-programs>

Commissioner Hovey-Wright reminded the Board that when they were sworn in, they each pledged to represent the whole county, not just their own districts, and they should not be divisive.

2021-127 **GO INTO CLOSED SESSION TO DISCUSS WITH OUR ATTORNEY TRIAL AND/OR SETTLEMENT STRATEGY IN THE PENDING LAWSUITS: 1. BMA LIEGENSCAFT LLC V CITY OF MONTAGUE, ET AL; AND 2. GRAINGER ET AL V COUNTY OF OTTAWA ET AL AND THE EFFECT OF RAFAELI ET AL V OAKLAND COUNTY ET AL PURSUANT TO MCL 15.268(E), BECAUSE DISCUSSION ON THE OPEN RECORD WILL HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATION 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(H)**

Moved by Commissioner Wilkins, seconded by Vice-Chair Nash, to go into Closed Session to discuss with our attorney trial and/or settlement strategy in the pending lawsuits: 1. BMA Liegenscaft LLC v City of Montague et al; and 2. Grainger et al v County of Ottawa et al and the effect of Rafaeli et al v Oakland County et al pursuant to MCL 15.268(e) because discussion on the open record will have a detrimental financial effect on the litigation 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(h).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes

**Motion Carried**

Went into closed session at 5:11 p.m.

Returned to open session at 5:35 p.m.

2021-128 **RETURN TO OPEN SESSION**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to return to open session.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

Excused: Susie Hughes **Motion Carried**

2021-129 **AUTHORIZE SETTLEMENT IN CASE OF BMA LIEGENSCAFT LLC V CITY OF MONTAGUE ET AL IN THE AMOUNT OF \$6,500**

Moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize settlement in case of BMA Liegenscaft LLC v City of Montague et al in the amount of \$6,500.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

Excused: Susie Hughes **Motion Carried**

2021- 130 **MOTION TO ADJOURN**

Moved by Vice-Chair Nash, seconded by Commissioner Brown, to adjourn.

Voice Vote **Motion Carried**

Meeting adjourned at 5:39 p.m.

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Nancy A. Waters, County Clerk

NAW/lss

Approved at the Full Board meeting on March 30, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, March 30, 2021  
4:07 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Cyr. The Pledge of Allegiance was recited by Vice-Chair Nash.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Laketon Township, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, Muskegon County Hall of Justice, Michigan  
Susie Hughes, Muskegon Charter Township, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Linda M. Larsen, Chief Deputy County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael D. Homier, Corporate Counsel

2021- 131 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-132 **APPROVAL OF THE REGULAR SESSION AND CLOSED SESSION MINUTES OF MARCH 9, 2021**

Moved by Commissioner Hughes seconded by Vice-Chair Nash, to approve the Regular Session and Closed Session minutes of March 9, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of March 29, 2021, there have been 10,906 positive cases and 299 COVID-related deaths. Director Moore also provided information to the Board regarding the vaccine status. (See attached.)

Commissioner Lahring inquired if there were another word for the vaccination since it is not a traditional vaccine. Director Moore indicated she did not know but she will look it up.

Vice-Chair Nash gave kudos to the Health Department, hospitals, clinics, and others for vaccinating almost half of the county population.

Chairman Scolnik asked Director Moore if she foresees another surge coming. Director Moore indicated there are more COVID positive cases in the younger age group since they had to have tests prior to playing sports, but she does not anticipate another surge due to the presence of vaccinations.

**PUBLIC COMMENT (on an agenda item)**

Tim Klein, Lt. Colonel, United States Air Force, Michael Del Percio, Karen Palmer, and Chris Kaijala all addressed the Board in support of the Resolutions in agenda item 9.

**COMMUNICATIONS**

The following Communications were presented to Commissioners for informational purposes and placed on file:

- A. Tuscola County Board of Commissioners Resolution Regarding Virtual Participation in Board Meetings
- B. Cheboygan County Resolution 2021-06
- C. Cheboygan County Resolution 2021-07
- D. Hillsdale County Resolution 21-035

**COMMITTEE/BOARD REPORTS**

2021-133     **ACCEPT THE LAND DONATION OF TWO SMALL PARCELS BORDERING MEINERT COUNTY PARK WITH CLOSING COSTS ON THE TWO PROPERTIES TO BE FUNDED BY THE WHITE LAKE COMMUNITY FUND FROM THE LAND CONSERVANCY OF WEST MICHIGAN'S MEINERT PARK ENDOWMENT FUND**

CDSP21/02-08

The Community Development/Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to accept the land donation of two small parcels bordering Meinert County Park with closing costs on the two properties to be funded by the White Lake Community Fund from the Land Conservancy of West Michigan's Meinert Park Endowment Fund.

Discussion:

Commissioner Lahring indicated by taking these off the tax rolls it will decrease the property tax the county receives.

Administrator Eisenbarth informed the Board that the tax revenue in 2020 for parcel one was approximately \$830, and \$184 for parcel two.

Commissioner Pego inquired if these parcels were put up for sale before the County had the opportunity to purchase. Bob Lukens Community Development Director replied that those properties were not up for sale, they were donated by the family to the county.

Roll Call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
                    Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No:             Zach Lahring

**Motion Carried**

2021-134 **GRANT AN EASEMENT TO DTE GAS COMPANY TO INSTALL AN ABOVEGROUND GATE VALVE AND ASSOCIATED INFRASTRUCTURE ON PROPERTY OWNED BY THE MUSKEGON COUNTY AIRPORT. THIS EASEMENT REQUEST HAS BEEN REVIEWED AND APPROVED BY THE FEDERAL AVIATION ADMINISTRATION**

TR21/03-09

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to grant an easement to DTE Gas Company to install an aboveground gate valve and associated infrastructure on property owned by the Muskegon County Airport. This easement request has been reviewed and approved by the Federal Aviation Administration.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-135 **APPROVE ACCEPTANCE OF A GRANT OFFER FROM THE FAA IN THE AMOUNT OF \$1,006,702 AND AUTHORIZE THE BOARD CHAIR TO SIGN AND AUTHORIZE THE COUNTY CLERK TO EXECUTE ANY NECESSARY RESOLUTIONS FOR THE GRANT OFFER**

TR21/03-10

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to approve acceptance of a Grant Offer from the FAA in the amount of \$1,006,702 and authorize the Board Chair to sign and authorize the County Clerk to execute any necessary resolutions for the grant offer.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-136 **AUTHORIZE THE BOARD CHAIR TO EXECUTE MDOT AERONAUTICS ARFF GRANT 2021-0156 IN THE AMOUNT OF \$2,000 AND AUTHORIZE THE COUNTY CLERK TO EXECUTE THE REQUIRED RESOLUTION**

TR21/03-11

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to authorize the Board Chair to execute MDOT Aeronautics ARFF grant 2021-0156 in the amount of \$2,000 and authorize the County Clerk to execute the required resolution.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-137 **AUTHORIZE MATS TO AWARD RFP 21-2403 FOR A MICROTRANSIT TURNKEY DEMAND RESPONSE SERVICE FOR THE MUSKEGON AREA TRANSIT SYSTEM TO HIGHEST-RATED VENDOR RIVER NORTH TRANSIT, LLC, A WHOLLY OWNED SUBSIDIARY OF VIA TRANSPORTATION, INC., CONTINGENT ON CORPORATE COUNSEL REVIEW OF THE CONTRACT TERMS, AND TO AUTHORIZE THE TRANSIT SYSTEMS MANAGER TO WORK WITH RIVER NORTH TRANSIT, LLC, TO FINALIZE, AND CONTINUOUSLY MODIFY AS NECESSARY, THE SERVICE PARAMETERS OF A MATS MICROTRANSIT PROGRAM FOR A THREE-YEAR PERIOD, FOR A NOT-TO-EXCEED PRICE OF \$2,705,611.**

TR21/03-12

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to authorize MATS to award RFP 21-2403 for a Microtransit Turnkey Demand Response Service for the Muskegon Area Transit System to highest-rated vendor River North Transit, LLC, a wholly owned subsidiary of Via Transportation, Inc., contingent on Corporate Counsel review of the contract terms, and to authorize the Transit Systems Manager to work with River North Transit, LLC, to finalize, and continuously modify as necessary, the service parameters of a MATS microtransit program for a three-year period, for a not-to-exceed price of \$2,705,611.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-138 **AUTHORIZE MATS TO EXTEND ITS OPERATION OF THE  
TEMPORARY RESERVE-A-RIDE PROGRAM UNTIL JULY 31, 2021**

TR21/03-13

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to authorize MATS to extend its operation of the temporary Reserve-A-Ride program until July 31, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-139 **AUTHORIZE MATS TO REMOVE BUS #0703 FROM THE ROSTER OF  
ACTIVE REVENUE VEHICLES AND TO PERMIT MATS TO DISPOSE  
OF THE BUS IN A FUTURE VEHICLE/ EQUIPMENT AUCTION TO BE  
CONDUCTED USING COUNTY SURPLUS GOODS PROCEDURES, OR  
A SCRAP SALE IF A BUYER IS NOT FOUND AT AUCTION**

TR21/03-14

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to authorize MATS to remove bus #0703 from the roster of active revenue vehicles and to permit MATS to dispose of the bus in a future vehicle/equipment auction to be conducted using County surplus goods procedures, or a scrap sale if a buyer is not found at auction.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-140 **AUTHORIZE MATS TO TRANSFER OWNERSHIP OF MATS MINIVANS 1303, 1304, 1305, 1306, 1307, 1308, AND 1309, AND SMALL BUSES 1904 AND 1905, TO SAGINAW TRANSIT AUTHORITY REGIONAL SERVICES (STARS) USING THE MDOT VEHICLE TRANSFER PROCESS**

TR21/03-15

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hovey-Wright, to authorize MATS to transfer ownership of MATS minivans 1303, 1304, 1305, 1306, 1307, 1308, and 1309, and small buses 1904 and 1905, to Saginaw Transit Authority Regional Services (STARS) using the MDOT vehicle transfer process.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-141 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$8,265,429.10 COVERING THE PERIOD OF FEBRUARY 19, 2021 THROUGH MARCH 4, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/03-27

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$8,265,429.10 covering the period of February 19, 2021 through March 4, 2021 for checks as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-142 **APPROVE THE AGREEMENT TO SHARE TAX INCREMENT FINANCING REVENUE FROM MUSKEGON COUNTY MILLAGE BY AND BETWEEN MUSKEGON COUNTY, FRUITPORT CHARTER TOWNSHIP, AND FRUITPORT TOWNSHIP DOWNTOWN DEVELOPMENT AUTHORITY, UPON REVIEW AND APPROVAL BY THE COUNTY'S CORPORATE COUNSEL, AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

WM21/03-28

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the Agreement to Share Tax Increment Financing Revenue from Muskegon County Millage by and between Muskegon County, Fruitport Charter Township, and Fruitport Township Downtown Development Authority, upon review and approval by the County's corporate counsel, and authorize the Board Chair to sign the agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-143 **APPROVE A REDUCTION IN MORGAN STANLEY'S ANNUAL PLAN FEES FROM 0.20% TO 0.10% EFFECTIVE APRIL 1, 2021 AND TO AUTHORIZE THE HUMAN RESOURCES DIRECTOR TO SIGN THE AMENDMENT ACCORDINGLY**

WM21/03-29

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve a reduction in Morgan Stanley's annual plan fees from 0.20% to 0.10% effective April 1, 2021 and to authorize the Human Resources Director to sign the amendment accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-144 **APPROVE ENTERING INTO A YEARLY SERVICE AGREEMENT WITH BONFIRE SOFTWARE BEGINNING APRIL 1, 2021 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT WITH THE COST OF \$9,500 ANNUALLY**

WM21/03-30

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve entering into a yearly service agreement with Bonfire Software beginning April 1, 2021 and authorize the Board Chair to sign the agreement with the cost of \$9,500 annually.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-145 **AUTHORIZE THE INFORMATION TECHNOLOGY DEPARTMENT TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR A VENDOR TO SERVICE AND MAINTAIN THE SECURITY EQUIPMENT AND SOFTWARE AT THE JUVENILE TRANSITION CENTER AND THE MUSKEGON COUNTY JAIL**

WM21/03-31

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize the Information Technology Department to issue a Request for Proposal (RFP) for a vendor to service and maintain the security equipment and software at the Juvenile Transition Center and the Muskegon County Jail.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-146 **AUTHORIZE INFORMATION TECHNOLOGY TO PURCHASE THE NEEDED CISCO PHONE SYSTEM UPGRADE IN THE AMOUNT OF \$222,350.00 AND FURTHER AUTHORIZE THE BOARD CHAIR TO SIGN THE 50-MONTH AGREEMENT FROM CDW-G**

WM21/03-32

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to authorize Information Technology to purchase the needed Cisco phone system upgrade in the amount of \$222,350.00 and further authorize the Board Chair to sign the 50-month agreement from CDW-G.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-147 **AUTHORIZE INFORMATION TECHNOLOGY TO PURCHASE A RENEWAL OF VEEAM BACKUP SOFTWARE AT A COST OF \$30,433 FOR 5 YEARS (\$6,086 PER YEAR) AND AUTHORIZE THE BOARD CHAIR TO SIGN THE 5-YEAR RENEWAL CONTRACT**

WM21/03-33

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to amend WM21/03-26 to authorize Information Technology to purchase a renewal of Veeam Backup Software at a cost of \$30,433 for 5 years (\$6,086 per year) and authorize the Board Chair to sign the 5-year renewal contract.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-148 **APPROVE THE AGREEMENT BETWEEN THE COUNTY BOARD OF COMMISSIONERS AND THE WATER RESOURCES COMMISSIONER**

WM21/03-26

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the agreement between the County Board of Commissioners and the Water Resources Commissioner.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-149 **APPROVE THE RESOLUTION AUTHORIZING NOTICE OF INTENT AND DECLARING INTENT TO REIMBURSE FOR WATER SUPPLY SYSTEM REVENUE BONDS NOT EXCEED \$15,000,000 AND AUTHORIZE THE CLERK TO SIGN THE RESOLUTION**

WM21/03-26

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the Resolution Authorizing Notice of Intent and Declaring Intent to Reimburse for Water Supply System Revenue Bonds not exceed \$15,000,000 and authorize the Clerk to sign the resolution.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

2021-150     **APPROVE THE HEALTHWEST BOARD REAPPOINTMENTS (TERMS THROUGH MARCH 31, 2024): A. STEPHANIE UMLOR; B. THOMAS HARDY; AND HEALTHWEST BOARD REAPPOINTMENTS (TERMS THROUGH MARCH 31, 2025): A. JANET THOMAS; B. JEFF FORTENBACHER; C. REMINGTON SPRAGUE**

Recommended and moved by Chairman Scolnik, seconded by Vice-Chair Nash, to approve the HealthWest Board reappointments (terms through March 31, 2024): a. Stephanie Umlor; b. Thomas Hardy; and HealthWest Board reappointments (terms through March 31, 2025): a. Janet Thomas; b. Jeff Fortenbacher; c. Remington Sprague.

Commissioner Cyr inquired about the appointment process. Administrator Eisenbarth explained that the names are received from HealthWest Director Julia Rupp. Director Rupp further explained that the HealthWest Board has a nominating committee.

Roll Call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
                     Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No:               Zach Lahring, Malinda Pego

**Motion Carried**

Commissioner Lahring informed the Board that the Veteran's Advisory Board met this morning and discussed the Congressional Medal of Honor 5k Run fundraiser that was approved last year to benefit the Veteran's Center food bank. The run was subsequently canceled and postponed to later this year, pending decisions by the Governor. The Board also voted unanimously to support changing the fixed route service to go to state veterans facility by the airport.

## **ADMINISTRATOR'S REPORT**

2021-151     **AUTHORIZE THE CONTINUATION OF THE FEDERAL WORKSHARE PROGRAM AND STAFF FURLOUGHS AT A MINIMUM OF 20% PER WEEK (8 HOURS PER WEEK)**

Admin 12-A

The Administrator recommends, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to authorize the continuation of the Federal Workshare Program and staff furloughs at a minimum of 20% per week (8 hours per week).

Commissioner Lahring shared his concerns that if employees are not needed 40 hours a week, then they should go to part time status or be laid off.

Commissioner Hughes inquired if the money saved will stay within the same department. Administrator Eisenbarth indicated that it will and it is an incentive for each department to participate.

Commissioner Brown thanked Administration for looking into this.

Chairman Scolnik indicated that employees do not have to take a Furlough day if there is too much work and it is up to the employees' direct supervisor to make that determination.

Commissioner Cyr inquired about the Federal CARES Act. Administrator Eisenbarth explained the Furlough process and the extra \$300 and indicated it is up to the direct supervisor when employees can participate in the Workshare Program or when they should come back to work fulltime.

Roll Call:

Yes:           Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No:            Kim Cyr, Zach Lahring, Malinda Pego

**Motion Carried**

2021-152 **ADOPT THE SIGNATURE RESOLUTION AUTHORIZING AND DIRECTING THE ADMINISTRATOR OF MUSKEGON COUNTY TO EXECUTE AND SIGN THE MICHIGAN DEPARTMENT OF TRANSPORTATION SERVICES MAST AGREEMENT 2017-0104 ON BEHALF OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS**

Admin 12-B

The Administrator recommends, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to adopt the Signature Resolution authorizing and directing the Administrator of Muskegon County to execute and sign the Michigan Department of Transportation services Master Agreement 2017-0104 on behalf of the Muskegon County Board of Commissioners.

Commissioner Lahring asked for an explanation of the resolution. Administrator Eisenbarth explained that any agreement that needs a signature can go to the Administrator. Commissioner Lahring suggested it is the Board Chair's responsibility, not Administration. This agreement is with Michigan Department of Transportation which is over the airport and MATS.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

2021-153 **APPROVE THE ADDED LANGUAGE OF THE INTERGOVERNMENTAL CONTRACT WITH THE LAKESHORE REGIONAL ENTITY FOR SUBSTANCE ABUSE TREATMENT AND SERVICE THROUGH DECEMBER 31, 2022, AND AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN**

Admin 12-C

The Administrator recommends, moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the added language of the Intergovernmental Contract with the Lakeshore Regional Entity for Substance Abuse Treatment and Service through December 31, 2022, and authorize the County Administrator to sign.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**UNFINISHED BUSINESS**

A. Additional Information for TR21/03-10 Airport Coronavirus Response Grant Program - \$1 million allocation. Item was passed under Transportation Committee report.

B. Update from Veteran's Manager Mike Baauw regarding TR21/03-16, to approve rerouting the MATS bus to go by the veteran's facility and out to the airport which was tabled by unanimous vote at the Transportation committee meeting on March 11, 2021, to a date certain of March 30, 2021 at Full Board.

Michael Baauw informed the Board that when asked to find out if there was a need for public transportation to the VA Clinic, he reached out to a prior intake supervisor and was informed that the clinic services 5000 veterans per month and roughly 10% of them were using public transportation. Mr. Baauw also reached out to Hiram Zayas, from Public Affairs in Battle Creek, and was informed that if there were an expansion to the clinic in Muskegon, the availability of transportation would be a factor in determining where the expansion would occur. Mr. Baauw had informed Mr. Zayas that Mr. Baauw's department provides transportation to and from the Clinic at no cost and that MATS will soon have a micro-transit system in place that veterans can use for the Clinic.

2021-154 **REMOVE FROM THE TABLE TR21/03-10 AND BRING BACK TO BOARD FOR CONSIDERATION**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to remove from the table TR21/03-10 and bring back to Board for consideration.

Roll Call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Marcia Hovey-Wright **Motion Carried**

Discussion ensued:

Commissioner Cyr asked if the new micro-transit could take care of this need.

Jim Koens, Muskegon Area Transit System Manager, informed the Board that it is their intent that as the micro-transit goes live, it will include this area on demand.

Commissioner Hovey-Wright shared that this service will be taken care of by the Veteran's minivan and the micro transportation and once MATS starts expanding bus routes it may open a can of worms.

Commissioner Lahring shared three points: 1. At 500 rides per month, the micro-transit system cannot support that number of rides; 2. There is already a bus stop there and it will give access to airport that Muskegon County is trying to revitalize; and 3. It will benefit the industrial park business community as it would provide transportation to employees.

Commissioner Hughes asked Mr. Koens what the cost would be for the new fixed route and the estimated amount of riders. Mr. Koens replied that he could not estimate the amount of riders, but the numbers that are spoken of has not been their experience, which is not to say that isn't the potential. Mr. Koens further indicated that regarding the cost, it depends on how it's addressed and how the route is realigned and how many hours a day, if they have to add a vehicle or a route, it could cost up to \$150,000 per year depending on how many hours a day it operates. The usual route is one per hour.

Commissioner Lahring inquired about the current route to the mall. Mr. Koens responded that if the new route went in, it would add 15 minutes to the route which means they may have to cut something else from the route to make it work.

Chairman Scolnik indicated that as a 4-year veteran, he supports veterans and is in favor of buses to get out to the Clinic. Chairman Scolnik further explained that the problem is we do not need the route right now, but if nobody is going to ride the bus, then why do it.

Mr. Koens shared that he used sample surveys and data collected from the previous route study and did not see ridership to that stop. However, a benefit of the micro-transit system will be the collection of new data for this area to provide alternatives.

Commissioner Hughes inquired if the Clinic is open right now and serving people. Mr. Baauw indicated that the Clinic is open and has been open and seeing people.

Commissioner Hovey-Wright pointed out that the transportation need is being met between the Veteran's Center van and the micro-transit system when it gets here. Commissioner Hovey-Wright requests that the Board put off any changes to the bus system until Muskegon County can justify the need.

Vice-Chair Nash shared that he feels it is important that Muskegon County provide benefits for our community and veterans, but to change a fixed route will take a lot of time until it is seen what the need is.

Commissioner Lahring indicated that the Veteran's Administration has announced that they have an RFP for a location for a larger Clinic operation site and the letter read suggests that a fixed route service is a part of their search. Mr. Lahring further indicated that if Muskegon County cannot provide the fixed route service, then we may lose this location in Muskegon when the lease is up in 2022.

Vice-Chair Nash indicated that there is no guarantee that Muskegon County is getting a new building; it is all hypothetical at this point.

Commissioner Lahring indicated that if the Commissioners are managing routes, this is what Muskegon County gets. If the management is moved to Administration or Transportation, then Administration or Transportation can manage it.

2021-155 **REROUTE THE MATS BUS TO GO BY THE VETERANS FACILITY AND OUT TO THE AIRPORT**

TR21/03-16

It was moved and seconded to reroute the MATS bus to go by the Veterans Facility and out to the airport.

Roll Call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins,  
Robert Scolnik **Motion Failed**

Administrator Eisenbarth indicated that Corporate Counsel had a follow-up answer regarding the hotel tax and the Fruitport Township tax collection. Corporate Counsel Michael Homier indicated that the question had come up whether or not there would be a capture of the accommodations tax that the County levies by ordinance, but the statute is not clear. The motion was to approve the agreement subject to review and approval by Corporate Counsel. Mr. Homier proposed an addition to the agreement that the accommodations tax would not be subject to capture under the Fruitport Township DDA TIF plan.

## **NEW BUSINESS**

### 2021-156 **ADOPT THE SAME RESOLUTION AS ADOPTED BY CHEBOYGAN COUNTY SUPPORTING SENATE BILL 1-2021**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to adopt the same Resolution as adopted by Cheboygan County supporting Senate Bill 1-2021.

Discussion ensued.

Commissioner Hovey-Wright opposed this resolution because she feels it encourages lawlessness and is disrespectful.

Commissioner Lahring questioned how supporting a senate bill promotes lawlessness.

Corporate Counsel Michael Homier pointed out that Board Rule 6, Section 1 indicates except in the case of a motion that is deemed an emergency matter by 2/3 of vote, no commissioner may make any motion and the board will not consider any action on any resolution unless the subject matter has first been referred to committee for consideration and recommendation by that committee. The Board chair shall decide whether a matter is substantive subject to this section. Rule 6 Section 2 indicates that resolutions submitted by commissioners will not be acted on by the Board at the time it is presented unless time sensitive; all such requests shall be referred to the Board Chair for review and for recommendation to the board at a later date. The Chairman can either decide that this is a substantive county matter or if it is a time sensitive matter.

Vice-Chair Nash asked to postpone and refer this Resolution back to committee.

Chairman Scolnik decided to vote on this matter today.

Roll Call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins,  
Robert Scolnik

**Motion Failed**

## **PUBLIC COMMENT**

Andrew Buelow, Kevin Schmidt, Donna Pennington, Josie James, Haley VandenBranden, Norm Kittleson, Autionzo Smith of BAM Organization, Destinee Keener, Gemini DaPoet, Karen Buie, Annie Koon, Tracey French, all spoke against Commissioner Zach Lahring and asked for an apology, his resignation, or his removal from the Board of Commissioners.

Kerry Knight, Chris Kaijala, Brian Allred, Teresa Enschwiller, Brenda Widarski, Jennifer Hynricks, Pete Kardos, Tammy Jager, DeAnna H, Amanda Clarke, a representative of Health Freedom all spoke of Commissioner Zach Lahring in a favorable manner.

Kerry Knight, Dirk Chilcote, and Mike Glancy addressed the Board to reconsider their decision on the bus route for the Veteran's Clinic.

Teresa Enschwiller, Brenda Widarski, Tim Klein, Jason Hall, Kerry Knight, Dirk Chilcote, and a representative from Health Freedom addressed the Board in favor of the Muskegon Resolution in support of Senate Bill 1-2021 that failed.

Karen Palmer addressed the Board regarding the investigations and lawsuits regarding the November 2020 elections, that she had heard illegal activity happened in the City of Muskegon elections, and wants the County Clerk to provide information to the public regarding contracts before the May election.

Aaron Young addressed the Board concerning the November 2020 election and that two weeks ago a judge ruled against the Secretary State indicating that she had given all County Clerks the ability to loosen up on looking at signatures of absentee ballots. Mr. Young asked for a forensic audit of Muskegon County to look at absentee ballots to see if they were they truly signed by people, or if the County followed the advice of the Secretary of State.

Michael Del Percio addressed the Board regarding cancel culture, that it is a fancy way to stifle the first amendment and rewrite our entire society; political correctness is taking over.

Sean Mullally addressed the Board regarding the CARES act money; he stated he does not know what stipulations or restrictions are coming but encouraged commissioners to put priority on debt pay down, giving the gift to future generations of debt free government such as fully funded pensions and no bonds.

Michelle Mixa, resident of District 9, addressed the Board regarding her concern about vaccine passports, that it is in violation of medical privacy rights and it is the duty of local government to protect rights of citizens, including rights to medical privacy.

Jason Hall addressed the Board that they had an opportunity with the resolution to stand up and let the community know what direction it was going to go; that Commissioners took an oath to protect rights of every constituents, and if the Commissioners do not follow their oath, their constituents have a right to remove them from office.

Darwin Smith inquired as to when the next live Commissioner's meeting was going to be. Chairman Scolnik replied that it will be on April 6.

Deandra Johnson addressed the Board that the taxes she paid to the Muskegon County Treasurer's Office came up missing; she had spoken to Tony Moulatsiotis and Jeniffer Matthews and they told her to call the police. Ms. Johnson has not heard back from the police yet. Chairman Scolnik recommended she call administration.

Pete Boeschof, constituent of Zach Lahring, former elected official in Fruitport Village, has been observing the Commissioners and indicated that the measure of any elected official is their voting record.

### **FINAL BOARD COMMENTS**

Commissioner Hovey-Wright addressed the Board that in May 2020, this Commission passed a resolution recommitting to Love Lives Here and addressing racism. Commissioner Hovey-Wright indicated that Commissioner Lahring has a history of showing a lack of sensitivity in his social media posts which started the firestorm as was seen today. Commissioner Hovey-Wright denounced Commissioner Lahring's behavior and supports those asking for his resignation.

Commissioner Lahring addressed the Board regarding the Cheboygan resolution and others that they've tried to pass that didn't. He challenged Commissioners to look up the doctrine of the lesser magistrate. Commissioner Lahring said the commissioners can stand in the gap to protect citizens against unjust rules, not laws.

Commissioner Cyr addressed the Board regarding the people making comments who are anti-Zach Lahring, that if they got to know him face to face, their opinion may change dramatically, he is not a racist.

Commissioner Pego read a comment from Steven Rockman since he couldn't get through at Public Comment. Mr. Rockman spoke regarding "wokeness", simply denying you are a racist is racism.

Chairman Scolnik shared that he was pleased with the meeting. There were more than one hundred people that attended the Zoom meeting and he thanked everybody for being civilized and respectful.

Vice-Chair Nash commented on some actions that if it is not peaceful, leave it alone. Vice-Chair Nash indicated too many people that look up to the County Commissioners. Vice-Chair Nash stated we are leaders and that there are some who have broken several laws. The Commissioners are constantly having this discussion about one board member who disregards following the oath of office and that person should resign or apologize, and until that is done, he does not want to get to know Commissioner Lahring, he just has to work with him.

Commissioner Pego stated that she is assuming several Commissioners are Christians, and we are called to be the salt in the world and appreciates Commissioner Lahring's saltiness.

2021- 157    **MOTION TO ADJOURN**

By call of the Chair, the meeting was adjourned at 6:50 p.m.

---

Linda M. Larsen, Chief Deputy County Clerk

LML/lss

Approved at the Full Board meeting on April 6, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, April 6, 2021  
4:04 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Vice-Chair Nash. The Pledge of Allegiance was recited by Commissioner Hughes.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Hall of Justice, City of Muskegon, Michigan  
Kim Cyr, City of Muskegon, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Charter Township, Michigan  
Zach Lahring, Hall of Justice, City of Muskegon, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Hall of Justice, City of Muskegon, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Hall of Justice, City of Muskegon, Michigan

Also

Present: Beth Dick, Finance Director/Assistant County Administrator  
Linda M. Larsen, Chief Deputy County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Laura Genovich Corporate Counsel

2021- 158 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-159 **APPROVAL OF THE REGULAR SESSION MINUTES OF MARCH 30, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the Regular Session minutes of March 30, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of April 5, 2021, there have been 11,347 positive cases and as of April 2, 2021, 299 COVID-related deaths. Director Moore also provided information to the Board regarding the vaccine status. (See attached.)

Commissioner Lahring inquired about a new report that came out regarding the effectiveness of the vaccine.

Director Moore indicated that the vaccine does not protect completely, it is meant to prevent severe illness and death. Director Moore further indicated that with the vaccine, the survival rate is high and approximately 85% do not have severe symptoms.

**PUBLIC COMMENT (on an agenda item)**

Karen Palmer, Tim Klein, Debbie Null, Nathan Silva, Michelle Mixa, Tobi Hildebrand, Sondra Cross, Christina Parks (Oceana Co. resident), Brenda Wodarski, Robert Smith, Angela Bush, Ken Hildebrand, Mia Hahn, Chad Simpson (Newago Co. resident), Chris Kaijala, June Cook, Sandra Kempf, Tammy Jager, Kerry Knight, Angela Klein, Lyn Sample, Ann Derouin, Tammy Barnhard, and Jason Hall spoke against State of Emergency.

Karen Palmer, Tim Klein, Nathan Silva, Christina Parks, Chris Kaijala, Tammy Jager, and Ann Derouin, although against the State of Emergency, were in favor of also having a virtual option to attend meetings.

Tony Barnes, Jennifer Hodges, Heidi Sytsema, Horia Neagos, and Ken Mahoney spoke in favor of the State of Emergency.

Karen Palmer, Tony Barnes, Debbie Null, Michelle Mixa, Tobi Hildebrand, Robert Smith, Carrie Westbrook, Angela Bush, Chris Kaijala, Sandra Kempf, Tammy Jager, Kerry Knight, Angela Klein, and Jason Hall addressed the Board opposing 4-year terms for Commissioners.

Karen Palmer and Michelle Mixa addressed the Board in favor of the Governor releasing relief funds.

Tim Klein, Alan Gerwitz, Debbie Null, Kerry Knight, Ann Derouin, and Tammy Barnhard addressed the Board against vaccine passports.

Alan Gerwitz, Daniel Maynard, Carrie Westbrook, and June Cook addressed the Board regarding miscellaneous COVID concerns, including the effect of the State of Emergency and also the use of marijuana.

**COMMUNICATIONS**

The following Communications were presented to Commissioners for informational purposes and placed on file:

- A. Genesee County Resolution #2021-200 to adopt 4-year terms
- B. Berrien County Resolution requesting compromise to release COVID relief funds

**COMMITTEE/BOARD REPORTS**

2021-160 **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**

CPS21/04-20

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-161 **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**

CPS21/04-21

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-162 **APPROVE ADDITIONAL FY21 SENIOR MILLAGE FUNDING IN THE AMOUNT OF \$7,500 FOR DISABILITY NETWORK TRANSPORTATION THROUGH SEPTEMBER 30, 2021**

HS21/04-08

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes, to approve additional FY21 Senior Millage funding in the amount of \$7,500 for Disability Network transportation through September 30, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-163 **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**

HS21/04-09

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-164 **ENTER INTO A 3-YEAR CONTRACT AGREEMENT WITH SENIOR RESOURCES FOR SENIOR MILLAGE GRANTS ADMINISTRATION SERVICES EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2023**

HS21/04-10

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes, 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.

Corporate Counsel Laura Genovich addressed the Board regarding the discussion at the Thursday, April 1, 2021, Human Services Committee meeting. Ms. Genovich indicated that this motion is just to enter into a Grants Administrator contract; this does not approve any allocation of any senior millage funds to senior resources.

Vice-Chair Nash indicated that at the Thursday, April 1, 2021, Committee meeting, there was an amendment proposed to this motion regarding contract negotiations.

Commissioner Hovey-Wright stated that the amendment added the condition of reaching an agreement regarding allocation of funds.

2021-165 **TABLE HUMAN SERVICES MOTION HS21/04-10 AND RETURN TO FULL BOARD AS SOON AS POSSIBLE**

It was moved by Commissioner Hughes, seconded by Commissioner Pego, to table Human Services motion HS21/04-10 and return to Full Board as soon as possible.

Roll Call on Motion to Table:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-166 **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**

WM21/04-36

The Ways & Means Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-167 **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**

WM21/04-37

The Ways & Means Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring **Motion Carried**

2021-168 **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**

WM21/04-38

The Ways & Means Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Commissioner Hughes requested an update from IT Director Ivan Phillips regarding WM21/04-39 which had been tabled until Tuesday, May 4, 2021. Director Phillips indicated he only had two departments report back regarding laptops and is waiting on two other departments.

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

2021-169 **APPROVE THE EXTENSION OF THE LOCAL STATE OF EMERGENCY THROUGH DECEMBER 31, 2021**

It was moved by Chairman Scolnik, seconded by Commissioner Hughes, to approve the Extension of the Local State of Emergency through December 31, 2021.

Corporate Counsel Laura Genovich provided the Board with the statutory background regarding the Board Chair's powers of a Local State of Emergency. Ms. Genovich further informed the Board regarding the State of Emergency as it relates to in-person, hybrid, or full electronic meetings and the Open Meetings Act. Ms. Genovich stated that the existence of a Local State of Emergency would provide the option, but not the obligation, to hold electronic meetings. Ms. Genovich indicated that in the absence of a Local State of Emergency, during an in-person meeting people could not be turned away if the Fire Marshall capacity limit was met; the meeting would have to be cancelled or moved to a venue that could accommodate more people. Ms. Genovich further shared that in-person meetings would also require each Board member to be in attendance unless the Board member is medically unable to attend in-person, and face coverings and social distancing rules would apply.

Chairman Scolnik asked Ms. Genovich what would happen if a Commissioner refused to wear a mask during an in-person meeting. Ms. Genovich replied that the MDHHS Order requires masks and there are penalties such as misdemeanor charges which are enforced at the local level.

Chairman Scolnik clarified that this Local State of Emergency does not affect schools, businesses, vaccine passport/requirement; this order does not do anything but allow the Board and other public bodies to meet electronically under the Open Meetings Act. Chairman Scolnik further explained that this Order can be revoked at any time.

Discussion ensued.

Roll Call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

### **ADMINISTRATOR'S REPORT**

Beth Dick, Finance Director/Assistant County Administrator, shared the audit update with the Board. Ms. Dick indicated that the County audit was completed by the Wednesday, March 31, 2021, deadline. Ms. Dick stated that the Board received an electronic copy of the audit last week and a hard copy of the audit report will be delivered before the Ways and Means Committee meeting on Tuesday, April 13, 2021.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

Angela Bush, Karen Palmer, Ken Hildebrand, Jason Hall, Christina Parks, Brenda Wodarski, Robert Smith, Dirk Chilcote, Nathan Silva, Mia Hahn, Chad Simpson (Newaygo Co. resident), Chris Kaijala, Kerry Knight, Tim Klein, Debbie Null, Ann Derouin, Allan Jager, Tammy Barnhard, and Arlene Townsend addressed the Board in opposition to the Local State of Emergency.

Karen Palmer asked if the County Clerk would clarify regarding grant money.

Patrick Finnegan, 60<sup>th</sup> District Court Administrator, informed the Board of the executed Local Administrative Order returning the courts to Phase I effective tomorrow, Wednesday, April 7, 2021.

Chris Kaijala requested that the County Clerk clean up the voter rolls.

Karen Palmer, Nathan Silva, Michelle Mixa, Sondra Cross, Tim Klein, Debbie Null, Paul Mixa, and Tammy Barnhard addressed the Board in opposition to vaccine passports and recommended passing a resolution banning the passports.

Ryan Bennett, Kathy J. Pellorin Mahoney, Lynn Frisinger, Tony Barnes, and Horia Neagos addressed the Board in favor of the State of Emergency.

Ellen Beal requested that people provide their addresses during public comment and addressed the Board regarding Commissioner Lahring.

Allan Jager addressed the Board and stated that when he was a County Commissioner he earned \$44,000 per year, so the current County Commissioners should show up to the meetings.

### **FINAL BOARD COMMENTS**

Commissioner Hovey-Wright apologized to the Board and public for swearing during the meeting on Thursday, April 1, 2021, on the discussion of Commissioner Pego's motion for Districts 5, 7, 8, and 9 to secede from Muskegon County. Commissioner Hovey-Wright did not realize that her microphone had picked up her voice.

Commissioner Lahring addressed the Board in opposition to the Local State of Emergency and the ideas of mask-wearing and districts seceding from Muskegon County.

Chairman Scolnik informed the Board that there were thirty-one people who spoke during Public Comments on an Agenda Item: twenty-three people spoke against the Local State of Emergency, and eight people spoke for it. Chairman Scolnik also informed the Board that in response to Mr. Kaijala's comments regarding the number of voters, Chairman Scolnik found there were 92,444 voters in November of 2020. Chairman Scolnik indicated that using these numbers, 3.5 people out of 10,000 do not agree with the Local State of Emergency, which does not represent the entire county.

Chairman Scolnik responded to allegations of phone calls not being returned. Chairman Scolnik shared that he received 154 text, phone or Facebook messages regarding the Local State of Emergency issue and has tried to address them all. Chairman Scolnik also addressed a comment regarding the Commissioners earning \$44,000 per year and indicated Commissioners earn \$16,359 and average 24-40 hours per week.

2021- 170 **ADJOURNED BY CALL OF THE CHAIR**

By call of the Chair, the meeting was adjourned at 7:07 p.m.

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Linda M. Larsen, Chief Deputy County Clerk

LML/lss

Approved at the Full Board meeting on Tuesday, April 20, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, April 20, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Pastor Tim Cross. The Pledge of Allegiance was recited by Commissioner Cyr.

**Roll Call and Location of Board Members:**

Present: Doug Brown, City of Muskegon, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Township, Michigan  
Zach Lahring, Muskegon County, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

2021- 170 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-171 **APPROVAL OF THE REGULAR SESSION MINUTES OF APRIL 6, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Wilkins, to approve the Regular Session minutes of April 6, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego

**Motion Carried**

**PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of April 19, 2021, there have been 1,985 positive cases and as of April 15, 2021, 305 COVID-related deaths. Director Moore also provided information to the Board regarding the vaccine status. (See attached.)

**PUBLIC COMMENT (on an agenda item)**

Don Munski, Norton Shores, addressed the Board regarding the invocation.

Tammy Barnhard and Don Munski addressed the Board regarding Item 10B.

Karen Palmer, Cedar Creek, addressed the Board regarding verbatim public comments not being reflected in the Board Minutes.

Point of Order from Commissioner Hovey-Wright, people need to state their residence before they speak.

Margot Haynes, Montague, addressed the Board regarding enforcement of the public health regulations and wanted to know where the Public Health Department stands on vaccine passports.

**COMMITTEE/BOARD REPORTS**

2021-172 **APPROVE THE AMENDED BYLAWS OF THE LAKESHORE MUSEUM CENTER BOARD AS PRESENTED**

CDSP21/04-09

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the amended bylaws of the Lakeshore Museum Center Board as presented.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-173 **APPROVE THE STAFF RECOMMENDATION TO HIRE ERIC CARBALLIDO FOR THE POSITION OF TWIN LAKE COUNTY PARK CARETAKER**

CDSP21/04-10

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the staff recommendation to hire Eric Carballido for the position of Twin Lake County Park caretaker.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-174 **ENGAGE THE SERVICES OF AZAVAR, A COMPANY SPECIALIZING IN SHORT TERM RENTAL IDENTIFICATION AND COMPLIANCE, AT A NOT-TO-EXCEED CONTRACT COST OF \$9,000 ANNUALLY, AND TO AUTHORIZE THE BOARD CHAIR TO SIGN THE CONTRACT**

CDSP21/04-11

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, engage the services of Azavar, a company specializing in short term rental identification and compliance, at a not-to exceed contract cost of \$9,000 annually, and to authorize the Board Chair to sign the contract.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-175 **APPROVE THE STAFF RECOMMENDATION TO AWARD BERGMAN ASSOCIATES THE CONTRACT TO PERFORM ARCHITECTURE AND ENGINEERING SERVICES FOR THE AIRPORT TERMINAL ROOF REPLACEMENT**

TR21/04-17

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the staff recommendation to award Bergman Associates the contract to perform architecture and engineering services for the Airport Terminal Roof replacement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-176 **AUTHORIZE STAFF TO PARTICIPATE IN DISCUSSIONS OF A TRANSIT-RELATED PARKING FACILITY PROJECT IN DOWNTOWN MUSKEGON, TO PURSUE FEDERAL AND STATE TRANSIT CAPITAL GRANT FUNDING TO SUPPORT THE TRANSIT PORTIONS OF SUCH A PROJECT, AND TO PREPARE PARTNERSHIP AGREEMENTS FOR BOARD CONSIDERATION IF TRANSIT PROJECT FUNDING IS AWARDED FOR SUCH A DEVELOPMENT**

TR21/04-18

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to authorize staff to participate in discussions of a transit-related parking facility project in downtown Muskegon, to pursue federal and state transit capital grant funding to support the transit portions of such a project, and to prepare partnership agreements for Board consideration if transit project funding is awarded for such a development.

Discussion ensued.

Commissioner Lahring addressed the Board with his concerns about what would happen if MATS becomes its own Authority.

Bob Lukens, Director of Community Development, responded that this is just in the discussion level.

Administrator Eisenbarth also responded that this would not lock in the County during the grant if MATS becomes an Authority.

Commissioner Pego addressed the Board regarding her concerns that during discussions at the Transportation Committee level, her recollection was that Jim Koens, Transit Systems Manager, indicated that whoever received the grant would have to maintain it for six years.

Roll Call:

Yes: Doug Brown, Marcia Hovey-Wright, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego **Motion Carried**

2021-177 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$2,970,284.71 COVERING THE PERIOD OF MARCH 19, 2021 THROUGH APRIL 1, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/04-41

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$2,970,284.71 covering the period of March 19, 2021 through April 1, 2021 for checks as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-178 **WAIVE THE PROCUREMENT POLICY AND AUTHORIZE DLZ TO PROVIDE A FACILITY CONDITION ASSESSMENT ON COUNTY OWNED BUILDINGS AND GROUNDS FOR A NOT TO EXCEED COST OF \$50,000 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

WM21/04-43

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to waive the procurement policy and authorize DLZ to provide a facility condition assessment on County owned buildings and grounds for a not to exceed cost of \$50,000 and authorize the Board Chair to sign the agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-179 **ALLOW THE IT DEPARTMENT TO RENEW TRENDMICRO ANTIVIRUS SOFTWARE AGREEMENT FOR THREE YEARS AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE AGREEMENT**

WM21/04-44

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to allow the IT Department to renew TrendMicro AntiVirus software agreement for three years and authorize the Board Chair to execute the agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

2021-180 **APPOINT TO THE SOLID WASTE PLANNING COMMITTEE (TERMS THROUGH 12/31/2022) DAVE KENDRICK (PUBLIC SLOT), AND DAVID BAKER (PLANNING SLOT)**

It was recommended by Chairman Scolnik, moved by Commissioner Hughes, seconded by Chairman Hovey-Wright, to appoint to the Solid Waste Planning Committee (terms through 12/31/2022) Dave Kendrick (Public Slot), and David Baker (Planning slot).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Chairman Scolnik proposed a Work Session on Thursday, May 13, 2021, at 3:00 p.m. on Parliamentary Procedure and Board Rules before the Community Development and Transportation Committee meetings.

Chairman Scolnik informed the Board that there are plans to have district libraries remodeled and there will also be another branch opening in one of the schools.

Commissioner Hughes informed the Board that a new library branch has opened in Muskegon Township next to Mr. B's Restaurant.

[https://www.madl.org/hours\\_locations/muskegon\\_township\\_branch/index.php](https://www.madl.org/hours_locations/muskegon_township_branch/index.php)

## **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth addressed the Board regarding Senior Activities/In-Home Support and Services and turned the discussion over to Public Health Director, Kathy Moore, who updated the Board regarding the contract agreement with Senior Resources.

Discussion ensued.

## **UNFINISHED BUSINESS**

### 2021-181 **TABLE HUMAN SERVICES MOTION HS21/04-10 UNTIL THE NEXT FULL BOARD MEETING ON TUESDAY, MAY 11, 2021**

It was moved by Commissioner Hughes, seconded by Commissioner Pego, to table Human Services Motion HS21/04-10 until the next Full Board meeting on Tuesday, May 11, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

### 2021-182 **APPROVE THE RESOLUTION ADOPTING THE 2021 EQUALIZED VALUATION FOR MUSKEGON COUNTY AS DETERMINED AND SUBMITTED BY THE MUSKEGON COUNTY EQUALIZATION DEPARTMENT**

WM21/04-42

The Ways & Means Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to approve the resolution adopting the 2021 equalized valuation for Muskegon County as determined and submitted by the Muskegon County Equalization Department (see attached).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

## **NEW BUSINESS**

None.

## **PUBLIC COMMENT**

Michelle Hazekamp, Karen Palmer, Sondra Cross, Carol Voigts, Davina Davies, Richard Mapes, Anne Whiteford, Dirk Chilcote, Angela Dulang (Plainfield Township), Tammy Barnhard, Michelle Mixa, Toby Hildebrand, and Audrey Rogers addressed the Board in opposition to the vaccine passport and several people requested a Resolution to ban the use of vaccine passports.

Orville Crain and Josie James addressed the Board in favor of vaccine passports.

Mary Valentine addressed the Board regarding vaccine passport misinformation.

Kerry Knight addressed the Board against socialism.

Margot Haynes addressed the Board regarding the Senior Resources contract.

Karen Palmer again addressed the Board regarding the information she previously requested of Clerk Waters.

Donald Munski, Norton Shores, suggested that people submit FOIA requests, and stated that a resolution has no rule of law and no enforcement provisions.

Dirk Chilcote, Laketon Township, addressed Board regarding adding public comments in the Board minutes and also asked what lessons have been learned through the pandemic.

Commissioner Lahring asked the Chairman to have the public address the Board and not other public comments.

Kip Smith suggested that people submit a FOIA request for information.

Jason Hall, Moorland Township, suggested that Public Health Director Kathy Moore provide a final answer regarding the vaccine passport and HIPAA laws; and also addressed the Board regarding the Closed Session that pursuant to Election Laws, the Treasurer shall give a personal bond so if there is wrongdoing, the County is not responsible.

Tammy Barnhard, Muskegon County, addressed the Board regarding the Closed Session since she couldn't find any information on it; and also suggested the Board make a motion to open up the County Building.

Toby Hildebrand, Sullivan Township, spoke in favor of having the public comments in the Board minutes, if requested.

Chris Kaijala, Muskegon Township, addressed the Board in support of Commissioner Hughes' comments on the Senior Resources contracts; Mr. Kaijala is also concerned about elections and that there were not enough inspectors and workers in the past and now people are being turned away and told that there are enough workers; Mr. Kaijala also requested that the County Clerk comment on the size of the voter rolls.

Commissioner Wilkins was excused from the meeting during Public Comment.

### **FINAL BOARD COMMENTS**

Commissioner Hughes reminded the public that this is a County Board meeting and not a County Clerk meeting and recommended that people contact the Clerk directly if they have questions. Commissioner Hughes also reminded the public to state their name and where they live, such as the township or city, and not their full address.

Commissioner Hovey-Wright addressed the Board that it is society's, as well as this Board's, collective responsibility to reduce the spread of COVID-19.

2021-183 **GO INTO CLOSED SESSION TO DISCUSS WITH OUR ATTORNEY TRIAL AND/OR SETTLEMENT STRATEGY IN THE PENDING LAWSUIT JASON MCCARTHY V MUSKEGON COUNTY AND TONY MOULATSIOTIS, IN HIS CAPACITY AS MUSKEGON COUNTY TREASURER, BECAUSE DISCUSSION ON THE OPEN RECORD MAY HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATION 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(H)**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to go into Closed Session to discuss with our attorney trial and/or settlement strategy in the pending lawsuit Jason McCarthy v Muskegon County and Tony Moulatsiotis, in his capacity as Muskegon County Treasurer, because discussion on the open record may have a detrimental financial effect on the litigation 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(h).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine R. Wilkins

**Motion Carried**

Went into closed session at 6:05 p.m.

Returned to open session at 6:48 p.m.

2021-184 **RETURN TO OPEN SESSION**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to return to open session.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine R. Wilkins **Motion Carried**

2021-185 **SETTLE THE CASE OF JASON MCCARTHY V MUSKEGON COUNTY AND TONY MOULATSIOTIS, IN HIS CAPACITY AS MUSKEGON COUNTY TREASURER, WITHIN THE PARAMETERS AS DISCUSSED IN CLOSED SESSION AND PURSUANT TO THE RAFAELI V OAKLAND COUNTY, ET AL, DECISION**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to settle the case of Jason McCarthy v Muskegon County and Tony Moulatsiotis, in his capacity as Muskegon County Treasurer, within the parameters as discussed in Closed Session and pursuant to the Rafaeli v Oakland County, et al, decision.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

No: Zach Lahring, Malinda Pego

Excused: Rillastine R. Wilkins **Motion Carried**

2021-186 **PURSUE PAYMENT OF THE SETTLEMENT OF THE PENDING LAWSUIT JASON MCCARTHY V MUSKEGON COUNTY AND TONY MOULATSIOTIS, IN HIS CAPACITY AS MUSKEGON COUNTY TREASURER, THROUGH THE BLANKET SURETY BOND HELD BY THE COUNTY AND THE TREASURER'S PERSONAL BOND**

Moved by Commissioner Pego, seconded by Commissioner Lahring, to pursue payment of the settlement of the pending lawsuit Jason McCarthy v Muskegon County and Tony Moulatsiotis, in his capacity as Muskegon County Treasurer, through the blanket surety bond held by the County and the Treasurer's personal bond.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine R. Wilkins

**Motion Carried**

2021-187 **ADJOURNED BY CALL OF THE CHAIR**

By call of the Chair, the meeting was adjourned at 6:55 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

To be approved at the next Full Board meeting on Tuesday, May 11, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, May 11, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Lahring. The Pledge of Allegiance was recited by Commissioner Hovey-Wright.

**Roll Call and Location of Board Members:**

Present: Doug Brown, City of Muskegon, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Township, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Nancy A. Waters, County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

2021- 188 **APPROVAL OF THE AGENDA**

Moved by Commissioner Cyr, seconded by Commissioner Hovey-Wright, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-189 **APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF  
APRIL 20, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the Regular and Closed Session minutes of April 20, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. As of May 9, 2021, there have been 14,698 positive cases and as of May 10, 2021, 330 COVID-related deaths. Director Moore also provided information to the Board regarding the vaccine status. (See attached.)

**PUBLIC COMMENT (on an agenda item)**

Many citizens addressed the Board regarding the proposed vaccine passport resolution and the Senior Resources contract.

Director of the Public Defender's Office Fred Johnson updated the Board regarding Expungements.

**COMMITTEE/BOARD REPORTS**

2021-190 **PERMIT THE MUSKEGON COUNTY PROSECUTOR'S OFFICE TO  
CREATE A NEW ASSISTANT PROSECUTOR II POSITION AT THE  
PAY TABLE/GRADE NX-00308, \$29.233/HOUR - \$37.160/HOUR,  
EFFECTIVE APRIL 19, 2021, TO BE FULLY FUNDED BY THE STOP  
(STOP VIOLENCE AGAINST WOMAN) GRANT**

CPS21/05-23

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hovey-Wright, to permit the Muskegon County Prosecutor's Office to create a new Assistant Prosecutor II Position at the pay table/grade NX-00308, \$29.233/hour - \$37.160/hour, effective April 19, 2021, to be fully funded by the STOP (STOP Violence Against Woman) Grant.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-191 **AUTHORIZE THE SHERIFF'S OFFICE TO UTILIZE THE SHERIFF'S CONTRACTED VEHICLE MAINTENANCE PROVIDER TO BROKER SELLING USED VEHICLES FOR THIS OFFICE**

CPS21/05-24

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hovey-Wright, to authorize the Sheriff's Office to utilize the Sheriff's contracted vehicle maintenance provider to broker selling used vehicles for this office.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-192 **TABLE CPS21/05-25, WHICH READS AS FOLLOWS: APPROVE ENTERING INTO A 5-YEAR LEASE AGREEMENT WITH REV FINANCIAL SERVICES FOR 4 SUV INTERCEPTOR VEHICLES FOR A VALUE OF \$188,304.32 AT AN INTEREST RATE OF 2.70% PENDING CORPORATE COUNSEL REVIEW OF THE LEASE AGREEMENT AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT UPON COMPLETION OF THAT REVIEW**

It was moved by Commissioner Hughes, seconded by Commissioner Pego, to table CPS21/05-25, which reads as follows: to approve entering into a 5-year lease agreement with REV Financial Services for 4 SUV interceptor vehicles for a value of \$188,304.32 at an interest rate of 2.70% pending corporate counsel review of the lease agreement and authorize the board chair to sign the agreement upon completion of that review.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Malinda Pego, Rillastine R. Wilkins,

No: Charles Nash, Robert Scolnik **Motion Carried**

2021-193 **ADOPT THE MUSKEGON COUNTY RESOLUTION OPPOSING  
VACCINE PASSPORTS**

HS21/05-11

The Human Services Committee recommended, moved by Commissioner Lahring, seconded by Commissioner Brown, to adopt the Muskegon County Resolution Opposing Vaccine Passports (see attached).

Roll Call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Robert Scolnik

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins

**Motion Carried**

2021-194 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF  
\$12,717,840.90 COVERING THE PERIOD OF APRIL 2, 2021 THROUGH  
APRIL 15, 2021 FOR CHECKS AND P CARD AND EFT PAYMENTS  
FOR THE PERIOD COVERING MARCH 1 THROUGH MARCH 31, 2021  
AS PRESENTED BY THE COUNTY CLERK**

WM21/05-46

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$12,717,840.90 covering the period of April 2, 2021 through April 15, 2021 for checks and P Card and EFT payments for the period covering March 1 through March 31, 2021 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-195 **APPROVE THE SETTING OF THE PUBLIC HEARING DATE TO DISCUSS THE AVAILABILITY OF \$55,274.51 IN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM INCOME FUNDS FOR HOMEOWNER REPAIR FOR INCOME QUALIFIED FAMILIES IN MUSKEGON COUNTY IN NON-ENTITLEMENT COMMUNITIES FOR MAY 18, 2021**

WM21/05-47

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the setting of the public hearing date to discuss the availability of \$55,274.51 in Community Development Block Grant program income funds for homeowner repair for income qualified families in Muskegon County in non-entitlement communities for May 18, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-196 **AMEND FY2021 DTE TEST AND TUNE BUDGET (1010-0175) TO INCREASE EXPENDITURES BY \$950,000 AND REVENUES BY \$1,020,000 TO COVER DTE FUNDED PROJECTS THROUGH THE END OF THE FISCAL YEAR**

WM21/05-48

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to Amend FY2021 DTE Test and Tune Budget (1010-0175) to increase expenditures by \$950,000 and revenues by \$1,020,000 to cover DTE funded projects through the end of the Fiscal Year.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-197 **APPROVE THE REVISED COMMITTEE AND FULL BOARD MEETING CALENDAR FOR JULY 2021**

WM21/05-49

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the revised committee and full board meeting calendar for July 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

2021-197 **REASSIGN THE GROUND LEASE FOR THE HANGAR CURRENTLY OWNED BY ELLIS ONE LLC TO MPD AVIATION LLC AT A COST OF \$0.26 PER SQUARE FOOT WITH CPI INCREASES EVERY FIVE (5) YEARS FOR A TERM FROM 2021 TO 2039, AT WHICH TIME THE HANGAR WILL REVERT TO COUNTY OWNERSHIP AND MPD AVIATION WILL HAVE THE FIRST RIGHT OF REFUSAL TO LEASE THE GROUND AND HANGAR BUILDING FROM THE COUNTY THROUGH 2049 AND BEYOND, IN 10-YEAR INCREMENTS**

WM21/05-50

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to reassign the ground lease for the hangar currently owned by Ellis One LLC to MPD Aviation LLC at a cost of \$0.26 per square foot with CPI increases every five (5) years for a term from 2021 to 2039, at which time the hangar will revert to County ownership and MPD Aviation will have the first right of refusal to lease the ground and hangar building from the County through 2049 and beyond, in 10-year increments.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

- A. The 2021 Muskegon Police Officers Memorial Service will be held tomorrow, Wednesday, May 12, 2021, at 6:30 p.m. at the Michael E. Kobza Hall of Justice.
- B. The Muskegon Heritage Museum invites you to attend FREE Community Days. The Saturday, May 15<sup>th</sup> theme is "It Runs in the Family: 50+ Years of Black Owned Business" from 11:00 am – 4:00 pm, no RSVP required (561 W. Western Avenue). <https://lakeshoremuseum.org/it-runs-in-the-family/>

### **ADMINISTRATOR'S REPORT**

- A. The Board Work Session on the Muskegon County Board Rules will begin at 3:00 p.m. on Thursday, May 13, 2021, prior to scheduled committee meetings.
- B. The next Strategic Planning Session will be held on Monday, May 24, 2021, from 8:30 a.m. to 10:30 a.m. and will be facilitated by James Kelly of the MSU Extension Office.

### **UNFINISHED BUSINESS**

- 2021-198 **REMOVE FROM THE TABLE 2021-181, HS21/04-10, ENTER INTO A 3-YEAR CONTRACT AGREEMENT WITH SENIOR RESOURCES FOR SENIOR MILLAGE GRANTS ADMINISTRATION SERVICES EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2023. CONDITIONED UPON REACHING AN AGREEMENT WITH SENIOR RESOURCES UPON AN ALLOCATION OF FUNDS**

It was moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to remove from the Table 2021-181, 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. Conditioned upon reaching an agreement with Senior Resources upon an allocation of funds.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

- 2021-199 **ENTER INTO A 1-YEAR CONTRACT AGREEMENT WITH SENIOR RESOURCES FOR SENIOR MILLAGE GRANTS ADMINISTRATION SERVICES EFFECTIVE OCTOBER 1, 2020 THROUGH SEPTEMBER 30, 2021**

HS21/04-10

It was moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to enter into a 1-year contract agreement with Senior Resources for senior millage grants administration services effective October 1, 2020 through September 30, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

## **NEW BUSINESS**

2021-200 **AUTHORIZE STAFF TO SOLICIT BIDS FOR UP TO A THREE-YEAR CONTRACT FOR FY22, FY23, AND FY24 FOR THE SENIOR MILLAGE FUNDING AWARDS FOR CONTINUATION OF THE IN-HOME CARE AND SUPPORTS COORDINATION. THE RFP IS OPEN TO ALL POTENTIAL PROVIDERS INCLUDING SENIOR RESOURCES**

It was moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to authorize staff to solicit bids for up to a three-year contract for FY22, FY23, and FY24 for the senior millage funding awards for continuation of the In-Home Care and Supports Coordination. The RFP is open to all potential providers including Senior Resources.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

## **PUBLIC COMMENT**

Several citizens addressed the Board regarding Senior Resources and the vaccine passport resolution.

## **FINAL BOARD COMMENTS**

Vice-Chair Nash would like to refer to committee a resolution in support of the County Clerk's staff for their tireless efforts they performed during this pandemic season and for going above and beyond the call of duty in supporting and providing services to our community.

2021-201 **GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(H) TO DISCUSS A CONFIDENTIAL OPINION WITH THE COUNTY'S ATTORNEY**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to go into Closed Session pursuant to MCL 15.268(h) to discuss a confidential opinion with the County's Attorney.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None

**Motion Carried**

Went into closed session at 7:01 p.m.  
Returned to open session at 7:32 p.m.

2021-202 **RETURN TO OPEN SESSION**

Moved by Vice-Chair Nash, seconded by Commissioner Cyr to return to open session.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None **Motion Carried**

2021-203 **APPROVE CORPORATE COUNSEL TO FILE SUIT AND ENTER INTO LITIGATION AS DISCUSSED IN CLOSED SESSION**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to approve Corporate Counsel to file suit and enter into litigation as discussed in closed session.

Roll call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins **Motion Failed**

2021-204 **APPROVE CORPORATE COUNSEL TO MOVE FORWARD AND PURSUE POSSIBLE SETTLEMENT AS DISCUSSED IN CLOSED SESSION**

It was moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to approve Corporate Counsel to move forward and pursue possible settlement as discussed in closed session.

Roll Call:

Yes: Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins, Robert Scolnik

No: Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

2021-205 **ADJOURNED BY CALL OF THE CHAIR**

By call of the Chair, the meeting was adjourned at 7:39 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, May 25, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, May 25, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Wilkins. The Pledge of Allegiance was recited by Commissioner Pego.

**Roll Call and Location of Board Members:**

Present: Doug Brown, City of Muskegon, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, City of Muskegon, Michigan  
Susie Hughes, Muskegon Township, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Nancy A. Waters, County Clerk  
Linda M. Larsen, Chief Deputy County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

2021- 206 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-207 **APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF MAY 11, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the Regular and Closed Session minutes of May 11, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. (See attached.)

**PUBLIC COMMENT (on an agenda item)**

None.

**COMMITTEE/BOARD REPORTS**

2021-208 **ADOPT THE HERITAGE LANDING EVENT AGREEMENT WITH UNITY CHRISTIAN EVENTS/ALIVE ON THE LAKESHORE TO PROVIDE A LICENSE FOR THE USE OF HERITAGE LANDING AUGUST 11-14, 2021 FOR THE UNITY CHRISTIAN MUSIC FESTIVAL, AND TO AUTHORIZE THE CHAIRPERSON OF THE COUNTY BOARD TO EXECUTE THE AGREEMENT**

CDSP21/05 - 12

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Cyr, adopt the Heritage Landing Event Agreement with Unity Christian Events/Alive On The Lakeshore to provide a license for the use of Heritage Landing August 11-14, 2021 for the Unity Christian Music Festival, and to authorize the Chairperson of the County Board to execute the agreement.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021- 209 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$5,669,212.82 COVERING THE PERIOD OF APRIL 16, 2021 THROUGH MAY 6, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/05-51

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$5,669,212.82 covering the period of April 16, 2021 through May 6, 2021 for checks as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-210 **APPROVE THE TRUTH IN TAXATION PUBLIC HEARING SCHEDULE AND TO ADOPT THE RESOLUTION SETTING JUNE 15, 2021 AS THE DATE FOR THE TRUTH IN TAXATION PUBLIC HEARING FOR THE PURPOSE OF DISCUSSING AND RECEIVING TESTIMONY REGARDING THE PROPOSED TENTATIVE LEVY OF 5.6601 MILLS FOR MUSKEGON COUNTY GENERAL OPERATING IN JULY 2021, THE PROPOSED TENTATIVE LEVY OF 0.3198 MILLS FOR LAKESHORE MUSEUM CENTER OPERATING IN DECEMBER 2021, THE PROPOSED TENTATIVE LEVY OF 0.0746 MILLS FOR DEPARTMENT OF VETERANS AFFAIRS OPERATING IN DECEMBER 2021, THE PROPOSED TENTATIVE LEVY OF 0.2979 MILLS FOR MUSKEGON COUNTY CENTRAL DISPATCH OPERATING IN DECEMBER 2021 AND THE PROPOSED TENTATIVE LEVY OF .4966 MILLS FOR PA 39 OF 1976 (ACTIVITIES OR SERVICES FOR OLDER PERSONS ACT) IN DECEMBER 2021**

WM21/05-52

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the Truth In Taxation public hearing schedule and to adopt the resolution setting June 15, 2021 as the date for the Truth In Taxation public hearing for the purpose of discussing and receiving testimony regarding the proposed tentative levy of 5.6601 mills for Muskegon County general operating in July 2021, the proposed tentative levy of 0.3198 mills for Lakeshore Museum Center operating in December 2021, the proposed tentative levy of 0.0746 mills for Department of Veterans Affairs operating in December 2021, the proposed tentative levy of 0.2979 mills for Muskegon County Central Dispatch operating in December 2021 and the proposed tentative levy of .4966 mills for PA 39 of 1976 (Activities or Services for Older Persons Act) in December 2021. (See attached.)

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Malinda Pego, Rillastine R. Wilkins

No: None

**Motion Carried**

2021-211 **AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO SELECT MORGAN STANLEY AS THE 457 RETIREMENT PLAN BROKER FOR A FIVE (5) YEAR PERIOD THROUGH MAY 31, 2026**

WM21/05-53

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize the Human Resources Department to select Morgan Stanley as the 457 Retirement Plan Broker for a five (5) year period through May 31, 2026.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-212 **APPROVE CREATING ONE (1) NEW POSITION FOR AN INFO SYSTEMS TECH II POSITION AT PAY TABLE/GRADE NX-00210 (\$22.393 - \$28.188/HR.) AND ALLOW IT TO POST POSITION WITH HUMAN RESOURCES AND AMEND THE BUDGET ACCORDINGLY**

WM21/05-54

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve creating one (1) new position for an Info Systems Tech II position at pay table/grade NX-00210 (\$22.393 - \$28.188/hr.) and allow IT to post position with Human Resources and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

Commissioner Cyr also shared with the Board that he attended the West Michigan Shoreline Regional Development Commission (WMSRDC) meeting. WMSRDC has received final MDOT approval for the regional transportation governance study subcontract with SRF Consulting and has executed the contract. They are on schedule to begin the study process on Tuesday, June 1, 2021.

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

- A. The Midwest Professional Volleyball Association Tournament #1 of 2021 will be held Saturday, May 29th beginning at 9:00 a.m. through Sunday, May 30th at 6:00 p.m. at Pere Marquette Beach. <https://mpva.com/>
- B. On Sunday, May 30th, at 12:30 p.m. the annual Blessing of the Boats will be held. Boats will head up the Muskegon channel towards Lake Michigan to the South Breakwater Cove. Enjoy the ceremonial lighthouse washing representing the start of boating season. <https://www.westmichiganoffshore.com/blessingoftheboats>

2021-213 **APPROVE THE CONTINUED APPOINTMENT OF MARK EISENBARTH AS THE ADMINISTRATOR OF MUSKEGON COUNTY EFFECTIVE MAY 26, 2021 FOR 1 YEAR WITH NO RAISE AND AUTHORIZES BOARD CHAIRMAN ROBERT SCOLNIK TO SIGN THE EMPLOYMENT CONTRACT**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to approve the continued appointment of Mark Eisenbarth as the Administrator of Muskegon County effective May 26, 2021 for 1 year with no raise and authorizes Board Chairman Robert Scolnik to sign the Employment Contract.

Discussion ensued. Commissioner Lahring requested a copy of each Director's salary.

Roll Call:

Yes: Zach Lahring, Malinda Pego

No: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Rillastine R. Wilkins, Robert Scolnik **Motion Failed**

2021-214 **APPROVE THE CONTINUED APPOINTMENT OF MARK EISENBARTH AS THE ADMINISTRATOR OF MUSKEGON COUNTY EFFECTIVE MAY 26, 2021 FOR 3 YEARS AND AUTHORIZES BOARD CHAIRMAN ROBERT SCOLNIK TO SIGN THE EMPLOYMENT CONTRACT**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the continued appointment of Mark Eisenbarth as the Administrator of Muskegon County effective May 26, 2021 for 3 years and authorizes Board Chairman Robert Scolnik to sign the Employment Contract.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

## **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth thanked the Board for their support.

2021-215 **AUTHORIZE COUNTY STAFF TO PURSUE FUNDING UNDER THE AMERICAN RESCUE PLAN - CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS AND DESIGNATE THE BOARD CHAIR AS THE AUTHORIZED REPRESENTATIVE**

It was moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to authorize County staff to pursue funding under the American Rescue Plan - Coronavirus State and Local Fiscal Recovery Funds and designate the Board Chair as the Authorized Representative.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego

**Motion Carried**

## **UNFINISHED BUSINESS**

2021-216 **REMOVE FROM THE TABLE CPS21/05-25, TO APPROVE ENTERING INTO A 5-YEAR LEASE AGREEMENT WITH REV FINANCIAL SERVICES FOR 4 SUV INTERCEPTOR VEHICLES FOR A VALUE OF \$188,304.32 AT AN INTEREST RATE OF 2.70% PENDING CORPORATE COUNSEL REVIEW OF THE LEASE AGREEMENT AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT UPON COMPLETION OF THAT REVIEW**

It was moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to remove from the Table CPS21/05-25, to approve entering into a 5-year lease agreement with REV Financial Services for 4 SUV interceptor vehicles for a value of \$188,304.32 at an interest rate of 2.70% pending corporate counsel review of the lease agreement and authorize the board chair to sign the agreement upon completion of that review.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

Discussion ensued.

2021-217 **APPROVE PURCHASING 4 SUV INTERCEPTOR VEHICLES FOR A VALUE OF \$188,304.32 OUTRIGHT FROM THE CASH POOL**

HS21/04-10

It was moved by Commissioner Hughes, seconded by Commissioner Pego, to purchase 4 SUV interceptor vehicles for a value of \$188,304.32 outright from the cash pool.

Discussion ensued. Finance Director Beth Dick indicated that this would be paid from the Equipment Revolving Fund which is the internal financing fund for capital purchases.

Roll Call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Charles Nash, Rillastine R. Wilkins,

No: Marcia Hovey-Wright, Zach Lahring, Malinda Pego, Robert Scolnik

**Motion Carried**

2021-218 **APPROVE ADDING TO THE FULL BOARD MEETING AGENDA THE LOCATION OF THE MUSKEGON COUNTY HALL OF JUSTICE**

It was moved by Commissioner Lahring, seconded by Commissioner Cyr, to approve adding to the Full Board Meeting agenda the location of the Muskegon County Hall of Justice.

Discussion ensued.

Roll Call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Charles Nash, Malinda Pego, Rillastine Wilkins

No: Marcia Hovey-Wright, Susie Hughes, Robert Scolnik

**Motion Carried**

2021-219 **ANY PERSON WHO ATTENDS AN IN-PERSON MEETING IN THE HALL OF JUSTICE MUST WEAR A MASK**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, that any person who attends an in-person meeting in the Hall of Justice must wear a mask.

Discussion ensued.

Roll Call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**  
Commissioner Hovey-Wright asked Corporate Council how it should be handled if one extra person shows up over the capacity limit.

Corporate Counsel indicated that the options are that if it's only one person, then they can be redirected to Zoom. If there are several people, then the meeting can be recessed for a short period of time for the excess people to be redirected to Zoom. The meeting can also be recessed to another day.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

Citizens addressed the Board and read a document.

A citizen addressed the Board regarding in-person meetings and public comments.

**FINAL BOARD COMMENTS**

Commissioner Hughes shared with the Board that the Lost Boat Ceremony will be held at the Silversides this Sunday, May 30, 2021, at 11:00 a.m.

Commissioner Hughes also informed the public that they can call their Commissioners individually and not be limited to two minutes.

Commissioner Lahring shared with the Board that recently there were State Representatives, elected officials and fellow commissioners mingling in large groups not social distancing and not wearing masks.

Commissioner Hovey-Wright pointed out the difference between outdoor and indoor activities.

2021-220 **GO INTO CLOSED SESSION TO DISCUSS CONFIDENTIAL SETTLEMENT STRATEGY WITH THE COUNTY'S ATTORNEY ON CASE NO. 1:19-CV-940, HEETHUIS V COUNTY OF MUSKEGON, ET AL., BECAUSE DISCUSSION ON THE OPEN RECORD WILL HAVE A DETRIMENTAL FINANCIAL EFFECT ON THE LITIGATION OR SETTLEMENT POSITION OF MUSKEGON COUNTY, PURSUANT TO MCL 15.268(E) AND MCL 15.243(1)(G)**

Moved by Vice-Chair Nash, seconded by Commissioner Cyr, to enter into closed session to discuss confidential settlement strategy with the County's attorney on Case No. 1:19-cv-940, Heethuis v. County of Muskegon, et al., because discussion on the open record will have a detrimental financial effect on the litigation or settlement position of Muskegon County, pursuant to MCL 15.268(e) and MCL 15.243(1)(g).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None

**Motion Carried**

Went into closed session at 5:42 p.m.

Returned to open session at 6:14 p.m.

2021-221 **RETURN TO OPEN SESSION**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to return to open session.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine R. Wilkins

No: None

**Motion Carried**

2021-222 **ADJOURNED BY CALL OF THE CHAIR**

By call of the Chair, the meeting was adjourned at 6:15 p.m.

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Linda M. Larsen, Chief Deputy County Clerk

LML/lss

Approved at the Full Board meeting on Tuesday, June 15, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, June 15, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Pastor Tim Cross. The Pledge of Allegiance was recited by Vice-Chair Nash.

**Roll Call and Location of Board Members:**

Present: Doug Brown, City of Muskegon, Michigan  
Kim Cyr, Twin Lake, Michigan  
Marcia Hovey-Wright, Muskegon State Park, Michigan  
Susie Hughes, Muskegon Township, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, City of Muskegon, Michigan  
Malinda Pego, Grand Haven, Michigan  
Robert Scolnik, City of Norton Shores, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Nancy A. Waters, County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

2021- 223 **APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego

**Motion Carried**

## **PRESENTATION**

Director of Public Health Kathy Moore updated the Board regarding COVID-19. (See attached.)

### 2021-224 **APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF MAY 25, 2021**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the Regular and Closed Session minutes of May 25, 2021.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

## **PUBLIC COMMENT (on an agenda item)**

Several citizens spoke in favor of Item 10A (specifically CPS motions 30-36).  
One citizen spoke against offering incentives for vaccinations.  
One citizen requested explanations regarding agenda items.

## **PUBLIC HEARINGS**

### 2021-225 **OPEN TRUTH IN TAXATION PUBLIC HEARING**

It was moved by Commissioner Hughes, seconded by Vice-Chair Nash, to open the Truth in Taxation Public Hearing.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Finance Director Beth Dick shared with the Board information regarding the Truth in Taxation Public Hearing (see attached).

Discussion ensued.

Jeff Marcinkowski asked how this will impact the level of services in the public sector.

Chairman Scolnik and Ms. Dick explained that due to the SEV and taxable value increasing, there shouldn't be a reduction in services.

2021-226 **CLOSE TRUTH IN TAXATION PUBLIC HEARING**

It was moved by Vice-Chair Nash, seconded by Commissioner Wilkins, to close the Truth in Taxation Public Hearing.

Roll Call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Due to technical difficulties, the vote for Marcia Hovey-Wright was not heard.

2021-227 **OPEN TIMBERLAND CHARTER ACADEMY 501(C)(3) BOND PUBLIC HEARING**

It was moved by Commissioner Hughes, seconded by Commissioner Cyr, to open the Timberland Charter Academy 501(c)(3) Bond Public Hearing.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Corporate Counsel Michael Homier explained that this is not a debt obligation by the County, there are no bonds being issued by the County, the County has no other involvement other than holding this Public Hearing pursuant to the Internal Revenue Code because the charter school is located within the County. Mr. Homier introduced Holly Horsley, the attorney involved regarding the bond issue.

Commissioner Hughes indicated that the Muskegon Township Supervisors were not aware of this Public Hearing. Ms. Horsley indicated that there is no responsibility by the Township or County regarding this Public Hearing.

Ms. Horsley explained how the bond payments and lease payments will work, including that there is no taxpayer money involved.

Commissioner Nash asked if these funds were going to be used for the Muskegon Township facility only. Ms. Horsley indicated that the acquisition price was for that facility only.

Commissioner Lahring asked who the current owner was. Ms. Horsley indicated that it is an affiliate of National Heritage Academy.

Ms. Horsley further explained that Muskegon County is not obligating itself in this transaction; it is just that the facility is located in this County so therefore a public hearing is necessary.

Tammy Barnhard asked if the Board would be voting on something since she did not understand.

Mr. Homier explained that the issuance of bonds is not by Muskegon County, the County is incurring no debt, it is not executing any documents, and is not liable for any of the bond debt. It is a real estate transaction between two other entities but because the facility is located in Muskegon County, pursuant to the Internal Revenue Code, there has to be a Public Hearing conducted within the County.

Commissioner Pego inquired if the Board were to vote no on the Resolution would they be able to proceed with the transaction. Mr. Homier indicated that they would not be able to proceed if the Board voted no.

2021-228 **CLOSE TIMBERLAND CHARTER ACADEMY 501(C)(3) BOND PUBLIC HEARING**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes, to close the Timberland Charter Academy 501(c)(3) Bond Public Hearing.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**COMMITTEE/BOARD REPORTS**

2021-229 **PURCHASE 10 SELF CONTAINED BREATHING APPARATUS (SCBA) FROM 5 ALARM FIRE AND SAFETY LLC FOR THE PROPOSAL PRICE OF \$88,350.00 AND TO AMEND THE BUDGET ACCORDINGLY IF HOMELAND SECURITY GRANT FUNDING IS APPROVED**

CPS21/06-26

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to purchase 10 Self Contained Breathing Apparatus (SCBA) from 5 Alarm Fire and Safety LLC for the proposal price of \$88,350.00 and to amend the budget accordingly if Homeland Security Grant funding is approved.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-230 **APPLY AND ACCEPT THE FY2020-21 HAZARDOUS MATERIAL EMERGENCY PREPAREDNESS (HMEP) GRANT FOR MUSKEGON COUNTY LOCAL EMERGENCY PLANNING COMMITTEE (LEPC)**

CPS21/06-27

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to apply and accept the FY2020-21 Hazardous Material Emergency Preparedness (HMEP) Grant for Muskegon County Local Emergency Planning Committee (LEPC).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-231 **APPROVE ALLOCATING \$7,320.99 OF THE MUSKEGON COUNTY HOMELAND SECURITY PORTION OF THE REGION 6 HOMELAND SECURITY REGIONAL ALLOCATION TO SUPPORT THE LAW ENFORCEMENT TERRORIST PREVENTION ACT (LETPA) AND PRIORITY AREA PROJECTS**

CPS21/06-28

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve allocating \$7,320.99 of the Muskegon County Homeland Security portion of the Region 6 Homeland Security regional allocation to support the Law Enforcement Terrorist Prevention Act (LETPA) and Priority Area projects.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-232 **APPROVE THE SHERIFF TO DELETE TWO HOURLY SHERIFF INTAKE CLERK POSITIONS, G73201 AND G73202, AND CREATE A FULL TIME SHERIFF INTAKE CLERK POSITION AT PAY TABLE/GRADE GU-00173, \$14.19/HR - \$20.27/HR, AND APPOINT GILLIAN BENTZ TO THIS POSITION AT STEP 9, \$20.27/HR, FOR NO ADDITIONAL COSTS FOR FY2021 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/06-29

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, approve the Sheriff to delete two hourly Sheriff Intake Clerk positions, G73201 and G73202, and create a Full Time Sheriff Intake Clerk position at Pay Table/Grade GU-00173, \$14.19/hr - \$20.27/hr, and appoint Gillian Bentz to this position at Step 9, \$20.27/hr, for no additional costs for FY2021 and amend the budget accordingly.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-233 **APPROVE THE ONE-YEAR EXTENSION OF THE AGREEMENT FOR THE PARTNERSHIP IN NEIGHBORHOOD SAFETY PROGRAM BETWEEN EGLESTON TOWNSHIP, THE MUSKEGON COUNTY SHERIFF AND THE BOARD OF COMMISSIONERS WITH THE COUNTY'S SHARE OF THE COST BEING 50% OR \$64,471.00 AND AUTHORIZE THE BOARD CHAIR AND SHERIFF TO SIGN THE DOCUMENT**

CPS21/06-30

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, approve the one-year extension of the agreement for the Partnership in Neighborhood Safety Program between Egelston Township, the Muskegon County Sheriff and the Board of Commissioners with the County's share of the cost being 50% or \$64,471.00 and authorize the Board Chair and Sheriff to sign the document.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

2021-234 **APPROVE THE ONE-YEAR EXTENSION OF THE AGREEMENT FOR THE PARTNERSHIP IN NEIGHBORHOOD SAFETY PROGRAM BETWEEN LAKETON TOWNSHIP, THE MUSKEGON COUNTY SHERIFF AND THE BOARD OF COMMISSIONERS WITH THE COUNTY'S SHARE OF THE COST BEING 50% OR \$51,547.00 AND AUTHORIZE THE BOARD CHAIR AND SHERIFF TO SIGN THE DOCUMENT WITH AN EFFECTIVE DATE OF APRIL 1, 2021 THROUGH MARCH 31, 2022**

CPS21/06-31

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the one-year extension of the agreement for the Partnership in Neighborhood Safety Program between Laketon Township, the Muskegon County Sheriff and the Board of Commissioners with the County's share of the cost being 50% or \$51,547.00 and authorize the Board Chair and Sheriff to sign the document with an effective date of April 1, 2021 through March 31, 2022.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

2021-235 **APPROVE THE ONE-YEAR EXTENSION OF THE AGREEMENT FOR THE PARTNERSHIP IN NEIGHBORHOOD SAFETY PROGRAM (PINS) BETWEEN FRUITLAND TOWNSHIP, THE MUSKEGON COUNTY SHERIFF AND THE BOARD OF COMMISSIONERS WITH THE COUNTY'S SHARE OF THE COST BEING 50% OR \$59,681.50 AND AUTHORIZE THE BOARD CHAIR AND SHERIFF TO SIGN THE DOCUMENT WITH AN EFFECTIVE DATE OF APRIL 1, 2021 THROUGH MARCH 31, 2022**

CPS21/06-32

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the one-year extension of the agreement for the Partnership in Neighborhood Safety Program (PINS) between Fruitland Township, the Muskegon County Sheriff and the Board of Commissioners with the County's share of the cost being 50% or \$59,681.50 and authorize the Board Chair and Sheriff to sign the document with an effective date of April 1, 2021 through March 31, 2022.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

2021-236 **APPROVE ACCEPTANCE OF THE FY2021 STRATEGIC TRAFFIC ENFORCEMENT GRANT IN THE AMOUNT OF \$56,079.00. (PT-21-32)**

CPS21/06-33

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve acceptance of the FY2021 Strategic Traffic Enforcement Grant in the amount of \$56,079.00. (PT-21-32)

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-237 **APPROVE THE REQUEST TO APPLY FOR \$200,200 FROM THE OFFICE OF COMMUNITY CORRECTIONS IN LANSING FOR FY 2022**

CPS21/06-34

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the request to apply for \$200,200 from the Office of Community Corrections in Lansing for FY 2022.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-238 **AMEND THE SHERIFF'S CORRECTION OFFICER TRAINING BUDGET (1010-0350) FROM \$59,652 TO \$119,652 REPRESENTING AN INCREASE OF \$60,000 THAT WILL COME FROM THE GENERAL FUND RESTRICTED FUND BALANCE TO COVER INVOICES, SALARY AND FRINGE BENEFITS ASSOCIATED WITH THIS BUDGET**

CPS21/06-35

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to amend the Sheriff's Correction Officer Training budget (1010-0350) from \$59,652 to \$119,652 representing an increase of \$60,000 that will come from the General Fund restricted fund balance to cover invoices, salary and fringe benefits associated with this budget.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021-239 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE MARINE SAFETY SLOW-NO WAKE GRANT IN THE AMOUNT OF \$72,000.00 FOR PERSONNEL AND OPERATING COSTS FOR THE 2021 CALENDAR YEAR AND AMEND THE BUDGET ACCORDINGLY**

CPS21/06-36

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, authorize the Sheriff's Office to accept the Marine Safety Slow-No Wake Grant in the amount of \$72,000.00 for personnel and operating costs for the 2021 calendar year and amend the budget accordingly

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

2021- 240 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$17,166,927.93 COVERING THE PERIOD OF MAY 7, 2021 THROUGH MAY 20, 2021 FOR CHECKS AND P CARD AND ELECTRONIC FUNDS TRANSFER (EFT) PAYMENTS FOR THE PERIOD COVERING APRIL 1 THROUGH APRIL 30, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/06 – 55

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$17,166,927.93 covering the period of May 7, 2021 through May 20, 2021 for checks and P Card and Electronic Funds Transfer (EFT) payments for the period covering April 1 through April 30, 2021 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-241 **APPROVE THE RESOLUTION REGARDING THE COUNTY REVENUE SHARING FUND AND RESTORATION OF LOST FUNDING**

WM21/06-56

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the resolution regarding the County Revenue Sharing Fund and restoration of lost funding. (See attached.)

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Malinda Pego, Rillastine R. Wilkins

No: None **Motion Carried**

2021-242 **APPROVE THE OPERATING LEVY OF 5.6601 MILLS FOR MUSKEGON COUNTY TO BE LEVIED IN JULY 2021, THE OPERATING LEVY OF 0.3198 MILLS FOR THE LAKESHORE MUSEUM CENTER TO BE LEVIED IN DECEMBER 2021, THE OPERATING LEVY OF 0.0746 MILLS FOR THE DEPARTMENT OF VETERAN'S AFFAIRS TO BE LEVIED IN DECEMBER 2021, THE OPERATING LEVY OF 0.2979 MILLS FOR MUSKEGON COUNTY CENTRAL DISPATCH TO BE LEVIED IN DECEMBER 2021 AND THE OPERATING LEVY OF 0.4966 MILLS FOR PA 39 OF 1976 (ACTIVITIES OR SERVICES FOR OLDER PERSONS ACT) TO BE LEVIED DECEMBER 2021 AND TO AUTHORIZE THE MUSKEGON COUNTY CLERK AND THE CHAIR OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS TO SIGN THE ASSOCIATED FORMS REQUIRED BY THE STATE OF MICHIGAN WHICH WILL BE SUBMITTED TO THE STATE OF MICHIGAN BY THE MUSKEGON COUNTY EQUALIZATION DEPARTMENT**

WM21/06 – 57

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the operating levy of 5.6601 mills for Muskegon County to be levied in July 2021, the operating levy of 0.3198 mills for the Lakeshore Museum Center to be levied in December 2021, the operating levy of 0.0746 mills for the Department of Veteran's Affairs to be levied in December 2021, the operating levy of 0.2979 mills for Muskegon County Central Dispatch to be levied in December 2021 and the operating levy of 0.4966 mills for PA 39 of 1976 (Activities or Services for Older Persons Act) to be levied December 2021 and to authorize the Muskegon County Clerk and the Chair of the Muskegon County Board of Commissioners to sign the associated forms required by the State of Michigan which will be submitted to the State of Michigan by the Muskegon County Equalization Department.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego

**Motion Carried**

2021-243 **AWARD THE RFP 21-2420 INDIRECT AND ALLOCATED COST CONSULTING SERVICES TO MAXIMUS US SERVICES, INC. AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE CONTRACT UPON COMPLETION OF CORPORATE COUNSEL REVIEW AND APPROVAL**

WM21/06-58

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to award the RFP 21-2420 Indirect and Allocated Cost Consulting Services to Maximus US Services, Inc. and authorize the Board Chair to execute the contract upon completion of corporate counsel review and approval.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-244 **AWARD THE CONTRACT FOR AIRFIELD BEACON REPLACEMENT (FAA PROJECT NO. B-26-0071-4721, MDOT JOB NO. 212766) AT THE MUSKEGON COUNTY AIRPORT TO THE LOW BIDDER, KORTHASE AND SONS CO. OF MONTAGUE, MI. THE PROJECT WILL BE REIMBURSED AT 100% WITH FEDERAL AND STATE FUNDS**

WM21/06-59

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to award the contract for airfield beacon replacement (FAA Project No. B-26-0071-4721, MDOT Job No. 212766) at the Muskegon County Airport to the low bidder, Korthase and Sons Co. of Montague, MI. The project will be reimbursed at 100% with federal and state funds.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-245 **ISSUE A PROCLAMATION HONORING MR. DANIEL BECKEMAN  
RETIREMENT FROM REETHS-PUFFER SCHOOLS**

WM21/06-60

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to issue a Proclamation honoring Mr. Daniel Beckeman retirement from Reeths-Puffer Schools.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

2021-246 **TO POSTPONE TO FULL BOARD ON JUNE 29, 2021, WM21/06-61: TO  
ISSUE A PROCLAMATION IN SUPPORT OF THE NOMINATION FOR  
MUSKEGON COUNTY TO BE RECOGNIZED BY THE NATIONAL  
PARKS SERVICE AS AN AMERICAN "WORLD WAR II HERITAGE  
CITY"**

WM21/06-61

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to postpone to Full Board on June 29, 2021, WM21/06-61: to issue a Proclamation in support of the nomination for Muskegon County to be recognized by The National Parks Service as an American "World War II Heritage City".

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

None.

**ADMINISTRATOR'S REPORT**

2021-246 **APPROVE THE SETTLEMENT AGREEMENT BETWEEN THE UNITED STATES OF AMERICA AND THE COUNTY OF MUSKEGON, MICHIGAN, WHICH OPERATES THE MUSKEGON AREA TRANSIT SYSTEM (MATS), MUSKEGON COUNTY'S PUBLIC TRANSIT SYSTEM REGARDING PARATRANSIT SERVICE TO ADA PARATRANSIT ELIGIBLE PERSON**

Admin 12.A

It was recommended by Administrator Eisenbarth, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the settlement agreement between the United States of America and the County of Muskegon, Michigan, which operates the Muskegon Area Transit System (MATS), Muskegon County's public transit system regarding paratransit service to ADA paratransit eligible person.

Mr. Homier explained the background of this case which was filed several years ago. Settlement of the issue was resolved by MATS providing service to ADA paratransit eligible persons. There were no fines or penalties, only an obligation to comply with the ADA and reporting data to the Department of Justice for three years, which is being done by MATS.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

2021-247 **APPROVE THE RESOLUTION APPROVING, IN ACCORDANCE WITH SECTION 147(F) OF THE INTERNAL REVENUE CODE OF 1986, AS AMENDED, THE ISSUANCE OF BONDS TO FINANCE A PROJECT FOR CAMPUS PARTNERS 1 (TIMBERLAND ACADEMY)**

Admin 12.B

It was recommended by Administrator Eisenbarth, moved by Commissioner Hughes, seconded by Commissioner Lahring, to approve the Resolution Approving, in Accordance with Section 147(f) of the Internal Revenue Code of 1986, as Amended, the Issuance of Bonds to Finance a Project for Campus Partners 1 (Timberland Academy). (See attached.)

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

Admin 12.C

Administrator Eisenbarth updated the Board regarding the American Rescue Plan. Mr. Eisenbarth indicated that the County has received \$16.4 million so far and it will sit until the Board decides what is best. The Federal Government is still taking public comment until the middle of July after which they will send out clarification. Administration has already received requests from the community. There are a lot of steps to work through, such as how much the County will qualify for, how the Board wants to handle requests, and if the projects qualify for funding. There is no rush to spend money. The County has three years to identify projects and five years to spend the money.

Vice-Chair Nash suggested there be a work session.

The Administrator indicated that the requests should be sent to Administration to decide if the projects qualify, including internal projects. The Administration office is working on a presentation for the work session.

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

2021-248 **DECLARE THE MOTION TO APPROVE AN ADDITIONAL \$30,000 IN OVERTIME FOR THE MUSKEGON COUNTY SHERIFF'S OFFICE BUDGET AN EMERGENCY IN ORDER TO BRING BEFORE THE FULL BOARD**

It was moved by Commissioner Hughes, seconded by Vice-Chair Nash to declare the motion to approve an additional \$30,000 in overtime for the Muskegon County Sheriff's Office budget an emergency in order to bring before the Full Board.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring **Motion Carried**

2021-249 **APPROVE AN ADDITIONAL \$30,000 IN OVERTIME FOR THE MUSKEGON COUNTY SHERIFF'S OFFICE BUDGET**

It was moved by Commissioner Hughes, seconded by Vice-Chair Nash to approve an additional \$30,000 in overtime for the Muskegon County Sheriff's Office budget.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

## **PUBLIC COMMENT**

A member of the public inquired regarding the bond issue and receiving answers. She also wanted to know when the County Building would be open and when employees would be returning to work.

A member of the public thanked the Commissioners for passing the PINS programs.

## **FINAL BOARD COMMENTS**

Commissioner Pego shared with the Board information regarding the Social Justice Commission that has resumed meeting (<https://www.co.muskegon.mi.us/660/Social-Justice>). Within the Community Faith Initiative are faith-based programs which give disadvantaged kids something to do during the summer. Ms. Pego informed the Commissioners regarding Pilots for Christ International, Michigan Chapter, which has an aviation day camp July 12-16, from 9:00 a.m. - 1:00 p.m. for youth ages 8-18. There will be activities such as bible study, science, building a drone, and aviation training. Ms. Pego indicated that sponsorship for one student is \$125 and encouraged the Commissioners to contact the Social Justice Commission. <http://www.pilotsforchristmi.com/>

Chairman Scolnik was excused at 6:14 p.m.

2021-250 **GO INTO CLOSED SESSION TO DISCUSS WITH OUR ATTORNEY TRIAL AND/OR SETTLEMENT STRATEGY IN THE PENDING LAWSUIT JOHN BULHOUSE V COUNTY OF MUSKEGON ET AL CASE NO: 1:21-CV-281 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)**

Moved by Commissioner Hughes, seconded by Commissioner Cyr, to enter into closed session to discuss with our attorney trial and/or settlement strategy in the pending lawsuit John Bulhouse v County of Muskegon et al Case No: 1:21-CV-281 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).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins

No: None

Excused: Robert Scolnik

**Motion Carried**

Went into closed session at 6:15 p.m.

Returned to open session at 6:52 p.m.

2021-251 **RETURN TO OPEN SESSION**

Moved by Commissioner Hovey-Wright, seconded by Commissioner Brown to return to open session.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins

No: None

Excused: Robert Scolnik **Motion Carried**

2021-252 **ACCEPT THE RECOMMENDATION OF CORPORATE COUNSEL REGARDING SETTLEMENT IN JOHN BULHOUSE V COUNTY OF MUSKEGON ET AL CASE NO: 1:21-CV-281**

It was moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to accept the recommendation of corporate counsel regarding settlement in John Bulhouse v County of Muskegon et al Case No: 1:21-CV-281.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins,

No: Zach Lahring, Malinda Pego

Excused: Robert Scolnik **Motion Carried**

2021-253 **MOTION TO ADJOURN**

It was moved by Commissioner Hovey-Wright, seconded by Commissioner Wilkins to adjourn.

Voice Vote **Motion Carried**

Meeting adjourned at 6:58 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, June 29, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Tuesday, June 29, 2021  
4:07 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik via Zoom. The Invocation was given by Commissioner Pego. The Pledge of Allegiance was led by Commissioner Cyr.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Laketon Township, Michigan  
Kim Cyr, Muskegon County Hall of Justice, Michigan  
Marcia Hovey-Wright, Muskegon County Hall of Justice, Michigan  
Susie Hughes, Muskegon County Hall of Justice, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, Muskegon County Hall, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, Muskegon County Hall of Justice, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Also

Present: Mark Eisenbarth, County Administrator  
Beth Dick, Finance Director/Assistant County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Nancy A. Waters, County Clerk  
Linda M. Larsen, Chief Deputy County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel



**COMMITTEE/BOARD REPORTS**

**2021-256 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**

CDSP21/06-14

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, 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. (See attached.)

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-257 AUTHORIZE STAFF TO ISSUE A REQUEST FOR BIDS FOR THE DUNE HARBOR PARK PARKING LOTS ON SOUTH POND**

CDSP21/06-15

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to authorize staff to issue a request for bids for the Dune Harbor Park parking lots on South Pond.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-258 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**

CDSP21/06-16

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021-259 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**

TR21/06-17

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**



**2021-262 APPROVE MONTHLY REIMBURSEMENT OF SMALL PURCHASES UNDER \$3,500 TO F3 AIRPORT BY MUSKEGON COUNTY THROUGH FEBRUARY 28, 2026**

TR21/06-20

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve monthly reimbursement of small purchases under \$3,500 to F3 Airport by Muskegon County through February 28, 2026.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021- 263 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**

WM21/06-60

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021-264 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**

WM21/06-61

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Malinda Pego, Rillastine R. Wilkins

No: None **Motion Carried**

**2021-265 APPROVE THE BOND ORDINANCE AND NOTICE OF SALE RESOLUTION FOR THE CHANNEL CROSSING PROJECT AND AUTHORIZE THE CHAIR AND CLERK TO SIGN THE SAME**

WM21/06-62

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021-266 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**

WM21/06-63

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021-267 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**

WM21/06-64

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-268 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**

WM21/06-65

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

**2021-269 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**

WM21/06-66

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, 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.

Roll Call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

**2021-270 PASS THE RESOLUTION TO RESCIND THE EMERGENCY DECLARATION**

WM21/06-68

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to pass the Resolution to Rescind the Emergency Declaration.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None **Motion Carried**

**2021-271 CONTINUE USING ZOOM AFTER THE EMERGENCY ORDER ENDS**

WM21/06-69

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to continue using Zoom after the emergency order ends.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Rillastine R. Wilkins, Robert Scolnik

No: None

**Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

- A. The 35<sup>th</sup> Annual Arts Council of White Lake's free summer concert series continues on Tuesdays at 7:00 p.m. through August 17<sup>th</sup> at the Montague-Whitehall Rotary Band Shell. <https://www.artswhitelake.org/free-summer-concert-series>
- B. Fourth of July events:
- We Discover Fest '21 featuring exotic car show and electronic dance music, Downtown Muskegon, July 2-4. <https://www.pasmag.com/events/event-news/we-discover-fest-2021-wdf-downtown-muskegon-michigan>
  - LST 393 Fireworks on the Deck, July 3. <https://www.lst393.org/>
  - White Lake 4<sup>th</sup> of July Parade, July 3 at 10:00 a.m. and a fireworks display on July 4 at dusk. <https://www.whitelake.org/events/chamber-events/>
- C. Moment of silence for a friend and co-worker Alvin Maat who succumbed to the effects of a house fire over the weekend.

**ADMINISTRATOR'S REPORT**

- A. Monday, July 5, 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.
- B. LEAN update (a business improvement methodology). The County is on a waiting list for the training. The County can either wait or find another vendor. This training has not yet been paid for.

**UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

Commissioner Hovey-Wright read to the Board a Censure of County Commissioner Resolution due to the actions of Commissioner Lahring. (See attached.)

Discussion ensued.

### **2021-272     REFER TO THE HUMAN SERVICES COMMITTEE THE CENSURE OF COUNTY COMMISSIONER RESOLUTION**

It was moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash to refer to the Human Services Committee the Censure of County Commissioner Resolution.

Roll Call:

Yes:            Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine R. Wilkins,  
                     Robert Scolnik

No:             Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego            **Motion Carried**

## **PUBLIC COMMENT**

Several citizens addressed the Board regarding DEI (Diversity, Equity, and Inclusion). Several citizens addressed the Board regarding Facebook posts, the infighting, and the censure resolution.

Several citizens addressed the Board regarding the overspending going on and getting back to their job descriptions.

One citizen requested that additional time be given for public comment.

Several citizens spoke in favor of a few of the Commissioners individually.

## **FINAL BOARD COMMENTS**

Commissioner Cyr indicated that if people have an issue with someone they should go to that person and that he and Zach did just that.

Commissioner Hovey-Wright informed the Board that CRT is not connected with DEI, there is no reference to CRT, they are not the same, and it is not included in DEI. Commissioner Hovey-Wright also agreed with the comments regarding the Board getting on with the business of the County.



**2021-275 ACCEPT THE RECOMMENDATION OF CORPORATE COUNSEL REGARDING SETTLEMENT ACTIVITIES REGARDING LEDORA WARD V STEVEN A. HOLKE, MUSKEGON COMMUNITY MENTAL HEALTH AND MUSKEGON COUNTY, CASE NO: 20-003294-NI**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes to accept the recommendation of corporate counsel regarding settlement activities regarding Ledora Ward v Steven A. Holke, Muskegon Community Mental Health and Muskegon County, Case No: 20-003294-NI.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

**2021-276 ACCEPT THE RECOMMENDATION OF CORPORATE COUNSEL REGARDING SETTLEMENT ACTIVITIES REGARDING LORI LYNN HEETHUIS V COUNTY OF MUSKEGON AND RYAN BOIKE, INDIVIDUALLY, CASE NO: 1:19-CV-00940**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes to accept the recommendation of corporate counsel regarding settlement activities regarding Lori Lynn Heethuis v County of Muskegon and Ryan Boike, Individually, Case No. 1:19-cv-00940.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Rillastine R. Wilkins, Robert Scolnik

No: Malinda Pego **Motion Carried**

**2021-277 MOTION TO ADJOURN**

It was moved to adjourn.

Voice Vote **Motion Carried**

Meeting adjourned at 6:47 p.m.

---

Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Thursday, July 15, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Full Board Meeting**

Thursday, July 15, 2021  
4:00 p.m.

The Electronic/Zoom Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik. The Invocation was given by Pastor Tim Cross. The Pledge of Allegiance was led by Vice-Chair Nash.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Muskegon County Hall of Justice, Michigan  
Kim Cyr, Muskegon County Hall of Justice, Michigan  
Marcia Hovey-Wright, Muskegon County Hall of Justice, Michigan  
Susie Hughes, Muskegon County Hall of Justice, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, Muskegon County Hall of Justice, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, Muskegon County Hall of Justice, Michigan

Excused: Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Beth Dick, Finance Director/Assistant County Administrator  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda M. Larsen, Chief Deputy County Clerk  
Linda Sue Schutter, Deputy County Clerk  
Alexander Thibodeau, Corporate Counsel

**2021- 278 APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-279     APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF JUNE 29, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the Regular and Closed Session minutes of June 29, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**COMMITTEE/BOARD REPORTS**

**2021-280     ACCEPT THE 2020 HOMELAND SECURITY GRANT PROGRAM INTERGOVERNMENTAL AGREEMENT BETWEEN THE WEST MICHIGAN REGIONAL MEDICAL CONSORTIUM (WMRMC) AND THE MUSKEGON COUNTY ON BEHALF OF THE MUSKEGON COUNTY EMERGENCY SERVICES/MANAGEMENT, AND DIRECT THE BOARD CHAIR AND APPROPRIATE STAFF TO SIGN THE AGREEMENT**

CPS21/07-37

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to accept the 2020 Homeland Security Grant Program Intergovernmental Agreement between the West Michigan Regional Medical Consortium (WMRMC) and the Muskegon County on behalf of the Muskegon County Emergency Services/Management, and direct the Board Chair and appropriate staff to sign the agreement.

Roll Call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No:             None

Excused:      Rillastine Wilkins

**Motion Carried**

**2021-281 ALLOW MUSKEGON COUNTY EMERGENCY SERVICES TO SOLICIT AN RFP TO CONTRACT A VENDOR TO UPDATE THE MUSKEGON COUNTY HAZARD MITIGATION PLAN**

CPS21/07-38

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to allow Muskegon County Emergency Services to solicit an RFP to contract a vendor to update the Muskegon County Hazard Mitigation Plan.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-282 APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2022 CRIME VICTIM RIGHTS GRANT IN THE AMOUNT OF \$325,871.00 AND AFFIX THE SIGNATURE OF THE BOARD CHAIRPERSON TO THE LETTER OF AUTHORIZATION REQUIRED BY THE MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES**

CPS21/07-39

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve the Prosecutor to apply for and accept the FY2022 Crime Victim Rights Grant in the amount of \$325,871.00 and affix the signature of the Board Chairperson to the letter of authorization required by the Michigan Department of Health and Human Services.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-283 APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2022 CRIME VICTIM RIGHTS NAVIGATOR PILOT PROGRAM GRANT IN THE AMOUNT OF \$77,608.00 AND AUTHORIZE THE BOARD CHAIR TO SIGN**

CPS21/07-40

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve the Prosecutor to apply for and accept the FY2022 Crime Victim Rights Navigator Pilot Program grant in the amount of \$77,608.00 and authorize the Board Chair to sign.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-284 AUTHORIZE THE MODIFICATION OF BOARD MOTION 2021-145 (WM-21/03-31) TO INCLUDE THE REQUESTED RFP VENDOR TO "MAKE RECOMMENDATIONS FOR EQUIPMENT REPLACEMENT AND SYSTEM UPGRADES"**

CPS21/07-41

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to authorize the modification of Board Motion 2021-145 (WM- 21/03-31) to include the requested RFP Vendor to "make recommendations for equipment replacement and system upgrades".

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-285 APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF MUSKEGON, CITY OF MUSKEGON HEIGHTS AND THE COUNTY OF MUSKEGON FOR THE FY21 JUSTICE ASSISTANCE GRANT AWARD PROGRAM AND AUTHORIZES THE BOARD CHAIR TO SIGN THE MEMORANDUM**

CPS21/07-42

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve the Memorandum of Understanding between the City of Muskegon, City of Muskegon Heights and the County of Muskegon for the FY21 Justice Assistance Grant Award Program and authorizes the Board Chair to sign the Memorandum.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-286 AUTHORIZE PUBLIC HEALTH TO ACCEPT THE GREAT LAKES BEACH MONITORING GRANT FROM THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL, GREAT LAKES AND ENERGY IN THE AMOUNT OF \$9,014; AND TO CONTRACT WITH GRAND VALLEY STATE UNIVERSITY - ANNIS WATER RESOURCE INSTITUTE NOT TO EXCEED \$8,320 FOR RELATED SAMPLING AND TESTING SERVICES, WITH NO EFFECT ON COUNTY GENERAL FUND; AND FURTHER AUTHORIZE PUBLIC HEALTH DIRECTOR TO SIGN THE AGREEMENTS**

HS21/07-12

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to accept the Great Lakes Beach Monitoring Grant from the Michigan Department of Environmental, Great Lakes and Energy in the amount of \$9,014; and to contract with Grand Valley State University - Annis Water Resource Institute not to exceed \$8,320 for related sampling and testing services, with no effect on county general fund; and further authorize Public Health Director to sign the agreements.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-287 AUTHORIZE PUBLIC HEALTH TO ACCEPT ADDITIONAL FUNDING IN THE AMOUNT OF \$19,200 AND TO EXTEND THE EFFECTIVE DATE UNTIL DECEMBER 31, 2022; SUBCONTRACT WITH GVSU ANNIS WATER RESOURCES INSTITUTE (AWRI) TO CONDUCT FY21 AND FY22 INLAND BEACH MONITORING IN THE AMOUNT OF \$17,773; AND AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RELATED AMENDMENTS WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENT, GREAT LAKES AND ENERGY AND GVSU ANNIS WATER RESOURCES INSTITUTE**

HS21/07-13

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to accept additional funding in the amount of \$19,200 and to extend the effective date until December 31, 2022; subcontract with GVSU Annis Water Resources Institute (AWRI) to conduct FY21 and FY22 Inland Beach Monitoring in the amount of \$17,773; and authorize the Public Health Director to sign the related amendments with the Michigan Department of Environment, Great Lakes and Energy and GVSU Annis Water Resources Institute.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-288 APPROVE THE PROSECUTOR'S REQUEST CHANGE OF THE REIMBURSEMENT COST PER UNIT FOR THE SAFE SENIORS TASK FORCE AND COLLABORATIVE TO \$47.07 TO SUPPORT 4110 UNITS OF SERVICE, AND MAKE IT RETROACTIVE TO OCTOBER 1, 2020**

HS21/07-14

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve the Prosecutor's request change of the reimbursement Cost Per Unit for the Safe Seniors Task Force and Collaborative to \$47.07 to support 4110 units of service, and make it retroactive to October 1, 2020.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-289 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$11,861,331.85 COVERING THE PERIOD OF JUNE 11, 2021 THROUGH JUNE 24, 2021 FOR CHECKS AND P CARD AND EFT PAYMENTS FOR THE PERIOD COVERING MAY 1 THROUGH MAY 31, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/07-70

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$11,861,331.85 covering the period of June 11, 2021 through June 24, 2021 for checks and P Card and EFT payments for the period covering May 1 through May 31, 2021 as presented by the County Clerk.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins

**Motion Carried**

**2021-290 APPROVE RENEWAL OF ASSESSMENT ADMINISTRATION SERVICES PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE CITY OF MUSKEGON AND AUTHORIZE THE CHAIR OF THE COUNTY BOARD OF COMMISSIONERS TO EXECUTE AN AGREEMENT PREPARED BY THE EQUALIZATION DEPARTMENT TO PROVIDE THE SERVICES**

WM21/07-71

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve renewal of Assessment Administration Services provided by the Equalization Department to the City of Muskegon and authorize the Chair of the County Board of Commissioners to execute an agreement prepared by the Equalization Department to provide the services.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins

**Motion Carried**

**2021-291 AUTHORIZE MUSKEGON COUNTY DEPARTMENT OF VETERANS AFFAIRS PERSONNEL TO APPLY FOR THE FY2022 STATE OF MICHIGAN COUNTY VETERAN SERVICE FUND GRANT**

WM21/07-72

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Muskegon County Department of Veterans Affairs personnel to apply for the FY2022 State of Michigan County Veteran Service Fund Grant.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-292 APPROVE THE MUSKEGON COUNTY RESOLUTION SUPPORTING LITTLE RIVER BAND OF OTTAWA INDIANS CASINO IN MUSKEGON COUNTY URGING GOVERNOR GRETCHEN WHITMER, THE MICHIGAN SENATE, AND THE MICHIGAN HOUSE OF REPRESENTATIVES TO APPROVE THE TRIBE'S REQUEST TO BUILD THEIR CASINO IN MUSKEGON COUNTY**

WM21/07-73

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the Muskegon County Resolution Supporting Little River Band of Ottawa Indians Casino in Muskegon County urging Governor Gretchen Whitmer, the Michigan Senate, and the Michigan House of Representatives to approve the tribe's request to build their casino in Muskegon County. (See attached.)

Roll Call:

Yes: Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

No: Kim Cyr, Zach Lahring

Recused: Malinda Pego (due to conflict of interest)

Excused: Rillastine Wilkins **Motion Carried**

### **CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

- A. The 4-day annual Muskegon Bike Time event will be held July 15 – July 18 at Hot Rod Harley Davidson ending with a non-stop police escort Patriot ride Sunday morning at 11:00 a.m. and Rebel Road will be held July 16 – July 18 on Western Avenue. <https://muskegonbiketime.com/>
- B. The Muskegon Clippers have a home baseball game against the Michigan Monarchs at 7 o'clock on July 16th. It's a great way to see Muskegon's historic Marsh Field and some exciting and high quality baseball. Vice-Chair Nash added that the field has had upgrades in recent years. <http://muskegonclippers.com/view/clippers/>
- C. The Muskegon Astronomical Society Star Party will be held at the Muskegon County Resource Recovery Center at 702 North Maple Island Road on July 17th beginning at 9:30 p.m. Bring your telescope and enjoy. Commissioner Hughes indicated that they also have telescopes for the public to use. <http://www.stargazing.net/mas/>

### **ADMINISTRATOR'S REPORT**

- A. Airport – Executive Air Agreement/Flight Level Aviation Agreement

Discussion ensued.

**2021-293 SCHEDULE A SPECIAL BOARD MEETING ON TUESDAY, JULY 20, 2021, AT 3:30 P.M. TO CONSIDER THE EXECUTIVE AIR AGREEMENT/FLIGHT LEVEL AVIATION AGREEMENT**

It was moved by Commissioner Pego, seconded by Commissioner Hughes to schedule a Special Board Meeting on Tuesday, July 20, 2021, at 3:30 p.m. to consider the Executive Air Agreement/Flight Level Aviation Agreement.

Voice vote.

**Motion Carried**

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

Commissioner Brown indicated to the Board indicating that he and Commissioner Hughes attended a meeting facilitated by Administrator Mark Eisenbarth regarding the gypsy moth situation. The meeting was well-attended by surrounding municipalities. Mr. Eisenbarth indicated that Rob Ribbens of Public Works did a lot of work on this issue gathering information. Attendees from the municipalities indicated they will go back to their own boards to see what funding they can come up with.

**2021-294     REFER TO HUMAN SERVICES COMMITTEE MOTION TO KEEP  
PERSONAL BUSINESS OUT OF OFFICIAL COUNTY BUSINESS**

It was moved by Commissioner Cyr, seconded by Commissioner Pego, to refer to Human Services Committee motion to keep personal business out of official county business.

Roll call:

Yes:            Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No:             Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

**Motion Failed**

**PUBLIC COMMENT**

One citizen addressed the board regarding Motion 2021-294 failing.

**FINAL BOARD COMMENTS**

Commissioner Hughes shared with the Board that she put up a free library with kid's books in the Muskegon Township Park which was well-received and also has had requests for non-children's books.

Commissioner Brown asked if the Board could be updated regarding the status of Commissioner Wilkins.

**2021-295     ADJOURNED BY CALL OF THE CHAIR**

Meeting adjourned at 4:45 p.m.

---

Linda M. Larsen, Chief Deputy County Clerk

LML/lss

Approved at the Special Full Board meeting on Tuesday, July 20, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Electronic/Zoom Special Full Board Meeting**

Tuesday, July 20, 2021  
3:30 p.m.

The Electronic/Zoom Special Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik.

**Roll Call and Location of Board Members:**

Present: Doug Brown, Muskegon County Hall of Justice, Michigan  
Kim Cyr, Muskegon County Hall of Justice, Michigan  
Marcia Hovey-Wright, Muskegon County Hall of Justice, Michigan  
Susie Hughes, Muskegon County Hall of Justice, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, Muskegon County Hall of Justice, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Excused: Malinda Pego

Also

Present: Mark Eisenbarth, County Administrator  
Beth Dick, Finance Director/Assistant County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda Sue Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

**2021- 296 APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the agenda.

Voice vote (one opposed – Zach Lahring)

**Motion Carried**

**2021-297 APPROVAL OF THE REGULAR MINUTES OF JULY 15, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the Regular minutes of July 15, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**2021-298 APPROVE THE AGREEMENT FOR LEASE OF PREMISES AND PROVIDING OF FIXED BASE OPERATOR SERVICES FOR THE MUSKEGON COUNTY AIRPORT**

It was moved by Vice-Chair Nash, seconded by Commissioner Wilkins to approve the agreement for lease of premises and providing of Fixed Base Operator Services for the Muskegon County Airport.

(3:35 Commissioner Pego arrived.)

Discussion ensued including input from Joel Burgess, Airport Manager from F3.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**PUBLIC COMMENT**

Administrator Mark Eisenbarth indicated that he would be bringing before the Board the termination agreement for the current Airport Fixed Base Operator, Flybyair.

**2021-299 ADJOURNED BY CALL OF THE CHAIR**

Meeting adjourned at 4:01 p.m.

---

Linda S. Schutter, Deputy County Clerk

/lss

To be approved at the Full Board meeting on Tuesday, July 27, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, July 27, 2021  
4:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and available via Zoom. The Invocation was given by Commissioner Cyr. The Pledge of Allegiance was recited in unison.

**Roll Call and Location of Board Members:**

Present: Kim Cyr, Muskegon County Hall of Justice, Michigan  
Marcia Hovey-Wright, Muskegon County Hall of Justice, Michigan  
Susie Hughes, Muskegon County Hall of Justice, Michigan  
Zach Lahring, Muskegon County Hall of Justice, Michigan  
Charles Nash, Muskegon County Hall of Justice, Michigan  
Malinda Pego, Muskegon County Hall of Justice, Michigan  
Robert Scolnik, Muskegon County Hall of Justice, Michigan  
Rillastine R. Wilkins, Muskegon County Hall of Justice, Michigan

Excused: Doug Brown

Also

Present: Mark Eisenbarth, County Administrator  
Beth Dick, Finance Director/Assistant County Administrator  
Nancy A. Waters, County Clerk  
Kathy Tharp, Administrative Coordinator  
Linda M. Larsen, Chief Deputy County Clerk  
Michael Homier, Corporate Counsel

**2021- 300 APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-301     APPROVAL OF THE SPECIAL BOARD MINUTES OF JULY 20, 2021**

Moved by Commissioner Lahring, seconded by Commissioner Hovey-Wright, to approve the Special Board minutes of July 20, 2021.

Commissioner Pego pointed out a typographical error on the Closed Session Minutes from June 29, 2021. Corporate Council Homier provided an explanation regarding corrections to closed session minutes. Administrator Eisenbarth indicated that the word “not” should have been removed.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**PRESENTATION**

Dr. Joyce deJong, Muskegon County Medical Examiner, updated the Board regarding Medical Examiner statistics for Muskegon County. Attached is page 71 of the report, Comparison of All Medical Examiner Counties, 2020.

**COMMITTEE/BOARD REPORTS**

**2021- 302     APPROVE THE SALE OF LOT 15 IN THE COUNTY’S BUSINESS PARK NORTH FOR \$5,000 PER ACRE TO D & J SEWER CLEANING, AND AUTHORIZE THE CHAIR TO SIGN THE PURCHASE AGREEMENT CONTINGENT ON CORPORATE COUNSEL APPROVAL, AND FURTHER AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN THE NOTICE OF PROBABLE SALE TO EPA AND EGLE AND THE CLOSING DOCUMENTS**

CDSP21/07-17

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the sale of Lot 15 in the County’s Business Park North for \$5,000 per acre to D & J Sewer Cleaning, and authorize the Chair to sign the purchase agreement contingent on Corporate Counsel approval, and further authorize the Public Works Director to sign the Notice of Probable Sale to EPA and EGLE and the closing documents.

Roll Call:

Yes:           Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
                  Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:            None

Excused:     Doug Brown

**Motion Carried**

**2021- 303     AUTHORIZE STAFF TO CONTRACT WITH LISA VELA OF FIVE STAR REAL ESTATE TO SELL PROPOSED LOTS 25 AND 26 OF BUSINESS PARK NORTH CONTINGENT ON CORPORATE COUNSEL'S APPROVAL OF THE CONTRACT AND FURTHER AUTHORIZE THE CHAIR TO SIGN THE AGREEMENT**

CDSP21/07-18

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Wilkins, to authorize staff to contract with Lisa Vela of Five Star Real Estate to sell proposed lots 25 and 26 of Business Park North contingent on corporate counsel's approval of the contract and further authorize the Chair to sign the agreement.

Roll call:

Yes:           Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
                  Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:            None

Excused:     Doug Brown

**Motion Carried**

**2021- 304     PRESENT A PROCLAMATION IN RECOGNITION OF HOLTON'S 150<sup>TH</sup> ANNIVERSARY CELEBRATION**

CDSP21/07-19

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Hughes, seconded by Commissioner Wilkins, to present a Proclamation in Recognition of Holton's 150<sup>th</sup> Anniversary Celebration. (See attached.)

Roll call:

Yes:           Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
                  Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:            None

Excused:     Doug Brown

**Motion Carried**

**2021- 305 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,313,058.68 COVERING THE PERIOD OF JUNE 23, 2021 THROUGH JULY 8, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/07-74

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$3,313,058.68 covering the period of June 23, 2021 through July 8, 2021 for checks as presented by the County Clerk.

Roll call:

Yes: Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Doug Brown

**Motion Carried**

**2021- 306 APPROVE THE WOLF LAKE RESOLUTION, AUTHORIZING THE PRELIMINARY LAKE LEVEL STUDY AND FURTHER AUTHORIZING CORPORATE COUNSEL AND THE WATER RESOURCES COMMISSIONER TO CAUSE A PRELIMINARY LAKE STUDY AND TAKE THE MATTER TO MUSKEGON COUNTY CIRCUIT COURT TO FORMALIZE THE ESTABLISHED LAKE LEVEL OF WOLF LAKE PURSUANT TO MCL 324.30704, CONTINGENT UPON THE WATER RESOURCES COMMISSIONER SIGNING THE AGREEMENT**

WM21/07-75

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the Wolf Lake Resolution, authorizing the preliminary lake level study and further authorizing Corporate Counsel and the Water Resources Commissioner to cause a preliminary lake study and take the matter to Muskegon County Circuit Court to formalize the established lake level of Wolf Lake pursuant to MCL 324.30704, contingent upon the Water Resources Commissioner signing the agreement.

Roll call:

Yes: Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Doug Brown

**Motion Carried**

**2021- 307 HAVE ALL COMMITTEE AND BOARD MEETINGS START AT 3:00 P.M.**

WM21/07-76

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to have all committee and board meetings start at 3:00 p.m.

Roll call:

Yes: Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: Marcia Hovey-Wright, Charles Nash

Excused: Doug Brown

**Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

Commissioner Cyr shared with the Board that the WMSRDC (West Michigan Shoreline Regional Development Commission) met yesterday; they are celebrating their 50<sup>th</sup> Anniversary and have made up new pamphlets with a lot of helpful information in them.

Chairman Scolnik indicated that the Muskegon County Fair has started this week and that the Sheriff's steak fry will be Thursday, July 29, 2021.

**ADMINISTRATOR'S REPORT**

**2021- 308 ENTER INTO THE TERMINATION AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND EXECUTIVE AIR TRANSPORT, INC. EFFECTIVE JULY 31, 2021, AT 11:59 P.M., AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

It was recommended by Administrator Eisenbarth, moved by Commissioner Pego, seconded by Commissioner Hughes, to enter into the Termination Agreement between the County of Muskegon and Executive Air Transport, Inc. effective July 31, 2021, at 11:59 p.m., and authorize the Board Chair to sign the agreement.

Roll call:

Yes: Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Doug Brown

**Motion Carried**

**UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

Administrator Eisenbarth provided the Board with a calendar of options for work sessions regarding the use of the American Rescue Plan funds. Discussion ensued regarding possible dates and times, and the possibility of using Zoom. Corporate Counsel indicated that the work sessions of the Board are covered under the Open Meetings Act; therefore, Zoom is not a possibility. Administrator Eisenbarth will email options for dates and times to the Commissioners for consideration.

## **PUBLIC COMMENT**

State Representative Greg VanWoerkom addressed the Board regarding revenue sharing, which is also being debated on the State level. Representative VanWoerkom also provided information regarding the Unemployment Insurance Agency and lack of employees.

Judge Pittman addressed the Board as Chairman of the Muskegon/Oceana Community Action Partnership (MOCAP) regarding distribution of the CARES Act funds. Judge Pittman asked the Board for their assistance in finding out why these funds are not being provided to MOCAP as was approved last year and provided the name of Kristine Schoenow, Executive Director of the Bureau of Community Action and Economic Opportunity in Lansing ([https://www.michigan.gov/mdhhs/0,5885,7-339-71551\\_5460\\_41977-348206--,00.html](https://www.michigan.gov/mdhhs/0,5885,7-339-71551_5460_41977-348206--,00.html)). The Board requested Judge Pittman send them an email with additional information. Judge Pittman thanked the Board for allowing him more than the normal two minutes for his comments.

## **FINAL BOARD COMMENTS**

None.

## **CLOSED SESSION**

### **2021- 309 GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(C) FOR STRATEGIC AND NEGOTIATION SESSIONS CONNECTED WITH NEGOTIATIONS OF A COLLECTIVE BARGAINING AGREEMENT IF EITHER PARTY REQUESTS A CLOSED HEARING**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins to go into closed session pursuant to MCL 15.268(c) for strategic and negotiation sessions connected with the negotiations of a collective bargaining agreement if either party requests a closed hearing.

Roll Call:

Yes: Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Doug Brown

**Motion Carried**

Went into closed session at 5:00 p.m.

Returned to open session at 5:58 p.m.

**2021- 310    RETURN TO OPEN SESSION**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright to return to open session.

Voice vote.

**Motion Carried**

**2021- 311    ADJOURNED BY CALL OF THE CHAIR**

Meeting adjourned at 5:59 p.m.

---

Linda M. Larsen, Chief Deputy County Clerk

LML

Approved at the Full Board meeting on Tuesday, August 10, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, August 10, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and available via Zoom. The Invocation was given by Vice-Chair Nash. The Pledge of Allegiance was led by Commissioner Lahring.

**Roll Call and Location of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also  
Present: Mark Eisenbarth, County Administrator  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Leslie Dickinson, Corporate Counsel

**2021- 312 APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-313 APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF JULY 27, 2021, (CLOSED SESSION AS CORRECTED INDICATING ON PAGE 18 THAT COMMISSIONER HUGHES MADE THE COMMENT INSTEAD OF COMMISSIONER HOVEY-WRIGHT)**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the Regular and Closed Session minutes of July 27, 2021, (Closed Session as corrected indicating on Page 18 that Commissioner Hughes made the comment instead of Commissioner Hovey-Wright).

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**COMMITTEE/BOARD REPORTS**

**2021- 314 AUTHORIZE THE PUBLIC DEFENDER'S OFFICE TO ENTER INTO A CONTRACT WITH TRANSUNION FOR WEB-BASED INVESTIGATIVE SOFTWARE SERVICES NOT TO EXCEED THE COST OF \$3,000 ANNUALLY**

CPS21/08-43

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to authorize the Public Defender's Office to enter into a contract with TransUnion for web-based investigative software services not to exceed the cost of \$3,000 annually.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021- 315     ADVANCE ELISE ELZINGA FROM ASSISTANT PUBLIC DEFENDER I, POSITION X09211, PAY TABLE/GRADE NX-00288, PAY STEP 3, \$27.866/HR, TO ASSISTANT PUBLIC DEFENDER I AT PAY TABLE/GRADE NX-00288, PAY STEP 7, \$33.755/HR EFFECTIVE MAY 10, 2021 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/08-44

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to advance Elise Elzinga from Assistant Public Defender I, Position X09211, Pay Table/Grade NX-00288, Pay Step 3, \$27.866/hr, to Assistant Public Defender I at Pay table/Grade NX-00288, Pay step 7, \$33.755/hr effective May 10, 2021 and amend the budget accordingly.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

**2021- 316     ADVANCE ALEXA HANCOCK, POSITION X09210, FROM ASSISTANT PUBLIC DEFENDER I, PAY TABLE/GRADE NX-00288, STEP 2, \$26.57/HR, TO ASSISTANT PUBLIC DEFENDER I, PAY TABLE/GRADE NX-00288, STEP 3, \$27.866/HR EFFECTIVE MAY 10, 2021 AND AMEND THE BUDGET ACCORDINGLY**

CPS21/08-45

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to advance Alexa Hancock, Position X09210, from Assistant Public Defender I, Pay Table/Grade NX-00288, Step 2, \$26.57/hr, to Assistant Public Defender I, Pay Table/Grade NX-00288, Step 3, \$27.866/hr effective May 10, 2021 and amend the budget accordingly.

Roll Call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

**2021- 317 APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2022 STOP VIOLENCE AGAINST WOMEN GRANT IN THE AMOUNT OF \$190,729.00**

CPS21/08-46

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Prosecutor to apply for and accept the FY2022 STOP Violence Against Women grant in the amount of \$190,729.00.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021- 318 APPROVE THE PROSECUTOR TO APPLY FOR AND ACCEPT THE FY2022 VOCA GRANT IN THE AMOUNT OF \$70,791.00**

CPS21/08-47

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Prosecutor to apply for and accept the FY2022 VOCA grant in the amount of \$70,791.00.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021- 319 MAKE AN EXCEPTION AND ALLOW SENIOR MILLAGE GRANTS ADMINISTRATOR TO ALSO RECEIVE SENIOR ACTIVITIES AND SERVICE GRANTS (IN-HOME CARE AND SUPPORTS COORDINATION AND MEDICARE/MEDICAID ASSISTANCE PROGRAM)**

HS21/08-16

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to make an exception and allow Senior Millage Grants Administrator to also receive senior activities and service grants (In-Home Care and Supports Coordination and Medicare/Medicaid Assistance Program).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Susie Hughes, Malinda Pego

**Motion Carried**

**2021- 320 APPROVE 41 SENIOR MILLAGE FUNDING AWARDS TOTALING \$1,776,820 FOR FY22, EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022 AS RECOMMENDED BY THE SENIOR ACTIVITIES COMMITTEE; AND TO AUTHORIZE THE DESIGNATED SENIOR MILLAGE GRANTS ADMINISTRATOR TO PROCEED WITH THE ADMINISTRATION OF THE PROGRAMS**

HS21/08-17

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve 41 senior millage funding awards totaling \$1,776,820 for FY22, effective October 1, 2021 through September 30, 2022 as recommended by the Senior Activities Committee; and to authorize the designated Senior Millage Grants Administrator to proceed with the administration of the programs.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 321 APPROVE SENIOR MILLAGE GRANT FUNDING TO BE AWARDED TO SENIOR RESOURCES FOR CONTINUATION OF THE MEDICARE/MEDICAID ASSISTANCE PROGRAM IN THE AMOUNT OF \$22,400 FOR FY22, EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022**

HS21/08-18

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve senior millage grant funding to be awarded to Senior Resources for continuation of the Medicare/Medicaid Assistance Program in the amount of \$22,400 for FY22, effective October 1, 2021 through September 30, 2022.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 322 AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO CHANGE THE VACANT ACCOUNTING TECHNICIAN POSITION G03007 FROM HOURLY TO FULL-TIME TO BETTER ALIGN WITH CURRENT PROGRAMING NEEDS AND FUNDING REQUIREMENTS, WITH NO CHANGE IN GENERAL FUND ALLOCATION**

HS21/08-19

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize the Public Health Department to change the vacant Accounting Technician position G03007 from hourly to full-time to better align with current programing needs and funding requirements, with no change in general fund allocation.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 323 ENTER INTO A CONTRACT AGREEMENT WITH SENIOR RESOURCES OF WEST MICHIGAN FOR IN-HOME CARE ADMINISTRATION AND COORDINATION SERVICES FOR SENIORS EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022, WITH TWO ONE-YEAR RENEWAL OPTIONS, AT A COST NOT TO EXCEED \$386,000 FOR THE FIRST YEAR OF THE GRANT CYCLE (\$300,000 FOR IN-HOME SERVICES AND \$86,000 FOR SUPPORT COORDINATION)**

HS21/08-20

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to enter into a contract agreement with Senior Resources of West Michigan for In-Home Care Administration and Coordination Services for Seniors effective October 1, 2021 through September 30, 2022, with two one-year renewal options, at a cost not to exceed \$386,000 for the first year of the grant cycle (\$300,000 for In-Home Services and \$86,000 for Support Coordination).

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 324 AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY21 BUDGET FROM \$9,254,543 TO \$9,195,710 TO REFLECT CHANGES IN GRANTS, FEES AND OTHER LINE ITEMS WITH NO CHANGE IN GENERAL FUND ALLOCATION**

HS21/08-21

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize the Public Health Department to amend its FY21 budget from \$9,254,543 to \$9,195,710 to reflect changes in grants, fees and other line items with no change in general fund allocation.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 325 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$17,143,012.56 COVERING THE PERIOD OF JULY 9, 2021 THROUGH JULY 22, 2021 FOR CHECKS AND P CARD AND EFT PAYMENTS FOR THE PERIOD COVERING JUNE 1 THROUGH JUNE 30, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/08-77

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$17,143,012.56 covering the period of July 9, 2021 through July 22, 2021 for checks and P Card and EFT payments for the period covering June 1 through June 30, 2021 as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 326 AUTHORIZE HUMAN RESOURCES TO EXTEND THE AGREEMENT WITH UNITED HEALTH CARE AS THE INSURANCE CARRIER FOR THE MEDICARE ADVANTAGE PLAN FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022**

WM21/08-78

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Human Resources to extend the agreement with United Health Care as the insurance carrier for the Medicare Advantage Plan from January 1, 2022 through December 31, 2022.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 327 AUTHORIZE HUMAN RESOURCES TO EXERCISE THE FIRST ONE-YEAR CONTRACT EXTENSION WITH THE ASU GROUP FOR WORKERS COMPENSATION THIRD PARTY ADMINISTRATOR SERVICES FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 AT A FIXED RATE OF \$8,500.00 PAID ANNUALLY WITH A PER CLAIM FEE OF \$150.00 FOR NEW/TAKE OVER MEDICAL ONLY CLAIMS AND \$750.00 FOR NEW/TAKE OVER INDEMNITY CLAIMS**

WM21/08-79

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Human Resources to exercise the first one-year contract extension with The ASU Group for Workers Compensation Third Party Administrator services from January 1, 2022 through December 31, 2022 at a fixed rate of \$8,500.00 paid annually with a per claim fee of \$150.00 for New/Take over Medical only claims and \$750.00 for New/Take over Indemnity claims.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021- 328 APPROVE SETTING THE PUBLIC HEARING DATE FOR THE FY2022 PROPOSED MUSKEGON COUNTY BUDGET FOR TUESDAY, AUGUST 31, 2021 AT 3:00 P.M. AT THE BOARD OF COMMISSIONERS ROOM ON THE 4TH FLOOR OF THE MICHAEL E. KOBZA HALL OF JUSTICE AND TO AUTHORIZE THE PUBLICATION OF A NOTICE OF PUBLIC HEARING IN A NEWSPAPER OF GENERAL CIRCULATION ON OR BEFORE AUGUST 22, 2021**

WM21/08-80

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve setting the Public Hearing date for the FY2022 Proposed Muskegon County Budget for Tuesday, August 31, 2021 at 3:00 P.M. at the Board of Commissioners room on the 4th floor of the Michael E. Kobza Hall of Justice and to authorize the publication of a Notice of Public Hearing in a newspaper of general circulation on or before August 22, 2021.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

- A. Unity Christian Music Festival, Wednesday, August 11, 2021, through Saturday, August 14, 2021, at Heritage Landing. <https://www.unitymusicfestival.com/>
- B. Saturday, August 14, 2021, from 8:00 a.m. until 10:00 a.m., join the Hey 5K Run/Walk which takes you through downtown Muskegon. All paved, all flat, and 95% right hand turns. <https://runsignup.com/Race/Mi/Muskegon/Hey5KRunWalk>
- C. The Great Lakes Surf Festival 2021 will be held on Saturday, August 14, 2021, from 12:30 p.m. until 7:00 p.m. at Pere Marquette Beach. <https://www.greatlakessurffestival.com/>
- D. Visitors can tour the cylindrical, ironclad, 48' tall Muskegon South Pierhead built in 1903. Climb two spiral staircases and a shipman's ladder to find unparalleled views from the lantern room. Fridays and Saturdays from 1:00 p.m. until 5:00 p.m. <https://visitmuskegon.org/event/muskegon-south-pierhead-light-tours-2/2021-07-05/>

**ADMINISTRATOR'S REPORT**

Administrator Eisenbarth shared with the Board an updated Resolution for Holton's 150<sup>th</sup> Anniversary Proclamation with additions and highlights. (See attached.)

**2021 - 329 APPROVE THE RECLASSIFICATION OF THE FINANCE DIRECTOR/ASSISTANT COUNTY ADMINISTRATOR POSITION Y18001, PAY TABLE/GRADE ND-00050, \$51.72/HR - \$64.273/HR, TO A FINANCE DIRECTOR AT PAY TABLE/GRADE ND-00040, \$46.188/HR - \$57.572/HR, EFFECTIVE SEPTEMBER 6, 2021**

Admin 10-B

It was recommended by Administrator Eisenbarth, moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the reclassification of the Finance Director/Assistant County Administrator position Y18001, Pay Table/Grade ND-00050, \$51.72/hr - \$64.273/hr, to a Finance Director at Pay Table/Grade ND-00040, \$46.188/hr - \$57.572/hr, effective September 6, 2021.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021 - 330 APPROVE THE CREATION OF A TEMPORARY SENIOR FISCAL ANALYST POSITION EFFECTIVE AUGUST 16, 2021 THROUGH AUGUST 29, 2021 AND TO APPOINT JUSTIN ROBILLARD TO THAT POSITION AT PAY TABLE/GRADE NX-00294, STEP 1, \$25.712/HR**

Admin 10-C

It was recommended by Administrator Eisenbarth, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the creation of a temporary Senior Fiscal Analyst position effective August 16, 2021 through August 29, 2021 and to appoint Justin Robillard to that position at Pay Table/Grade NX-00294, step 1, \$25.712/hr.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021 - 331 ACCEPT THE FAA'S AIRPORT CORONAVIRUS RESPONSE GRANT PROGRAM (ACRGP) CONCESSIONS RELIEF ADDENDUM OFFER, ADDENDUM NO. 3-26-0071-048-2021, TO THE MUSKEGON COUNTY AIRPORT FOR \$4,225 AND TO RATIFY THE BOARD CHAIR'S DIGITAL SIGNATURE. THE GRANT WILL PROVIDE RELIEF TO AIRPORT CONCESSIONAIRES, INCLUDING AIRPORT CAR RENTAL AND IN-TERMINAL AIRPORT CONCESSION OPERATORS**

Admin 10-D

It was recommended by Administrator Eisenbarth, moved by Vice-Chair Nash, seconded by Commissioner Wilkins, to accept the FAA's Airport Coronavirus Response Grant Program (ACRGP) Concessions Relief Addendum Offer, Addendum No. 3-26-0071-048-2021, to the Muskegon County Airport for \$4,225 and to ratify the Board Chair's digital signature. The grant will provide relief to airport concessionaires, including airport car rental and in-terminal airport concession operators.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

None.

**PUBLIC COMMENT**

Linda Wierengo addressed the Board regarding the state of the jury room in Judge Hicks courtroom. Ms. Wierengo served on a one-week jury and found the jury room to be very small, including the table that only sat 10 of the 13 jurors. Ms. Wierengo also commented that it was impossible for the jurors to hear the audio and see the videos while sitting in their juror seats. Ms. Wierengo commented that Judge Hicks and his staff tried to make them as comfortable as possible.

Public Health Director Kathy Moore updated the Board with current COVID numbers (see attached). The numbers for Muskegon County were not being interpreted fairly regarding Bike Time and an indoor event at the Frauenthal.

**FINAL BOARD COMMENTS**

Commissioner Cyr shared with the Board that a constituent had shared with him glowing comments and kudos for whoever was in charge of the work done on the constituent's road. Administrator Eisenbarth indicated that the County Highway Engineer from the Road Commission is Paul Bouman.

**2021- 332    ADJOURNED BY CALL OF THE CHAIR**

Meeting adjourned at 3:34 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, August 31, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, August 31, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and available via Zoom. The Invocation was given by Commissioner Hovey-Wright. The Pledge of Allegiance was led by Commissioner Lahring.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also  
Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda S. Schutter, Deputy County Clerk  
Laura Genovich, Corporate Counsel

**2021-333 APPROVAL OF THE AGENDA**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-334     APPROVAL OF THE MINUTES OF AUGUST 10, 2021**

Moved by Commissioner Hughes, seconded by Commissioner Lahring, to approve the minutes of August 10, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**PRESENTATIONS**

1. Director Jim Edmondson and Morgan Carroll, Director of Business Development, from Greater Muskegon Economic Development (formerly Muskegon Area First) presented their Board of Commissioners Update (see attached).
2. Public Health Director Kathy Moore updated the Board regarding COVID-19 (see attached).

**2021-335     OPEN BUDGET PUBLIC HEARING**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes, to open the Budget Public Hearing.

Voice vote.

**Motion Carried**

Finance Director Beth Dick gave a presentation for the Budget Public Hearing (see attached). The final budget amendments will be presented to the Ways & Means Committee on Tuesday, September 21 (as opposed to September 24 as indicated in the presentation), and the final budget will go before the Full Board on Thursday, September 30 for adoption.

**2021-336     CLOSE BUDGET PUBLIC HEARING**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes, to close the Budget Public Hearing.

Voice vote.

**Motion Carried**

**COMMITTEE/BOARD REPORTS**

**2021-337 AUTHORIZE REIMBURSEMENT TO THE MUSKEGON COUNTY FAIR ASSOCIATION OF \$26,281 FOR HALF OF THE COST TO REPLACE THE ROOFS ON HORSE BARN 4, UPDYKE SCHOOL BUILDING, AND FAIR OFFICE/GARAGES AND REIMBURSE 100% OF THE TOTAL PROJECT COST FOR HORSE BARN 5 NOT TO EXCEED \$30,000 WHEN IT IS COMPLETED**

CDSP21/08-20

The Community Development/Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to authorize reimbursement to the Muskegon County Fair Association of \$26,281 for half of the cost to replace the roofs on horse barn 4, Updyke school building, and fair office/garages and reimburse 100% of the total project cost for horse barn 5 not to exceed \$30,000 when it is completed.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-338 APPROVE THE AGREEMENT REGARDING DALTON TOWNSHIP PROPERTY AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

CDSP21/08-21

The Community Development/Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the Agreement Regarding Dalton Township Property and authorize the Board Chair to sign the agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-339 ACCEPT THE FOURTH AMENDMENT TO THE SERVICE FACILITY LEASE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND SAFELITE FULFILLMENT, INC. TO EXTEND THE LEASE FROM AUGUST 1, 2021 – JULY 31, 2023 OF THE TWO-STALL GARAGE AND SMALL OFFICE LOCATED AT 102 SINCLAIR DRIVE, NORTON SHORES, MI 49441, ON THE GROUNDS OF THE MUSKEGON COUNTY AIRPORT. THIS LEASE AMENDMENT INCLUDES A CPI ADJUSTMENT AND HAS BEEN AGREED TO BY THE LESSEE**

TR21/08-21

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to accept the Fourth Amendment to the Service Facility Lease Agreement between the County of Muskegon and Safelite Fulfillment, Inc. to extend the lease from August 1, 2021 – July 31, 2023 of the two-stall garage and small office located at 102 Sinclair Drive, Norton Shores, MI 49441, on the grounds of the Muskegon County Airport. This lease amendment includes a CPI adjustment and has been agreed to by the lessee.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-340 APPROVE A CONSTRUCTION CONTRACT WITH KORTHASE AND SONS CO IN THE AMOUNT OF \$122,189.00 TO REMOVE THE EXISTING AIRPORT ROTATING BEACON STRUCTURE AND LIGHT, AND REPLACE IT WITH A NEW BEACON TOWER AND CONTROLS. THE BID WAS AWARDED AT THE JUNE 15, 2021 FULL BOARD MEETING, MOTION 2021-244**

TR21/08-22

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to approve a construction contract with Korthase and Sons Co in the amount of \$122,189.00 to remove the existing airport rotating beacon structure and light, and replace it with a new beacon tower and controls. The bid was awarded at the June 15, 2021 Full Board meeting, Motion 2021-244.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-341 AMEND THE C&S ENGINEERS LUMP SUM CONSULTANT AGREEMENT FOR PROFESSIONAL DESIGN AND ENGINEERING SERVICES FOR THE AIRPORT BEACON REPLACEMENT PROJECT TO INCLUDE CONSTRUCTION ADMINISTRATION AND OBSERVATION SERVICES. THE ADDITIONAL SERVICES WILL INCREASE THE CONTRACT VALUE IN THE AMOUNT OF \$25,017 TO AN AMENDED TOTAL COST OF \$44,891**

TR21/08-23

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to amend the C&S Engineers Lump Sum Consultant Agreement for professional design and engineering services for the Airport Beacon replacement project to include construction administration and observation services. The additional services will increase the contract value in the amount of \$25,017 to an amended total cost of \$44,891.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-342 AUTHORIZE MATS TO DISPOSE OF THE BUS SHELTER LOCATED AT THE MUSKEGON HEIGHTS FARMERS MARKET SITE, BY PROVIDING THE CITY OF MUSKEGON HEIGHTS THE OPTION TO TAKE POSSESSION OF IT FOR MARKET USE, OR BY REMOVING IT IF THE CITY DOES NOT DESIRE IT**

TR21/08-24

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize MATS to dispose of the bus shelter located at the Muskegon Heights Farmers Market site, by providing the City of Muskegon Heights the option to take possession of it for market use, or by removing it if the City does not desire it.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-343 AUTHORIZE MATS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HARBOR TRANSIT MULTI MODAL TRANSPORTATION SYSTEM TO FACILITATE CONNECTION OF THE MATS GO2 PROGRAM AND THE HARBOR TRANSIT PROGRAM AT SPRING LAKE FIRE STATION 2 ON 174TH AVENUE**

TR21/08-25

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, authorize MATS to enter into an interlocal agreement with Harbor Transit Multi Modal Transportation System to facilitate connection of the MATS Go2 program and the Harbor Transit program at Spring Lake Fire Station 2 on 174th Avenue.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-344 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$4,066,562.78 COVERING THE PERIOD OF JULY 23, 2021 THROUGH AUGUST 5, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/08-81

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$4,066,562.78 covering the period of July 23, 2021 through August 5, 2021 for checks as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-345 APPROVE THE FINAL ONE YEAR OPTIONAL RENEWAL WITH REHMANN ROBSON AS THE COUNTY'S INDEPENDENT AUDITOR FOR THE FY2021 AUDIT AT A COST OF \$67,100 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE ENGAGEMENT LETTER**

WM21/08-82

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the final one year optional renewal with Rehmann Robson as the County's independent auditor for the FY2021 audit at a cost of \$67,100 and authorize the Board Chair to sign the engagement letter.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-346 APPROVE ENTERING INTO AN AGREEMENT WITH LEAN ADVISORS, INC., TO PROVIDE LEAN GOVERNMENT TRAINING AND TECHNICAL ASSISTANCE AT A COST NOT TO EXCEED \$24,000 FOR THE PUBLIC HEALTH DEPARTMENT AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

WM21/08-83

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve entering into an agreement with Lean Advisors, Inc., to provide Lean government training and technical assistance at a cost not to exceed \$24,000 for the Public Health Department and authorize the Board chair to sign the agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS**

Commissioner Lahring attended the meeting of the Fair Board where a motion was passed to have the Muskegon County Sheriff's Department vacate Barn #5 and turn it over to the Fair Board.

- A. The Muskegon Polish Festival is taking place at Hackley Park on September 3-4, 2021. <https://www.muskegonpolishfest.com/>

- B. The StandUp for the Cure in-person paddle board event will be taking place at Ross Park in Norton Shores on Saturday, September 4, 2021. <https://www.suafc.org/standup-muskegon>

### **ADMINISTRATOR'S REPORT**

- A. Upcoming American Rescue Plan Work Sessions. Administrator Eisenbarth informed the Board that there will be no work sessions this week. Administrator Eisenbarth also indicated that next Tuesday, September 7, the Sheriff's Department and Veteran's Affairs will be considered; and DLZ and Facilities will be considered next Thursday, September 9.

### **2021-347 AUTHORIZE STAFF TO HIRE SILL APPRAISAL GROUP TO PERFORM THE SECOND APPRAISAL FOR DUNE HARBOR PARK FOR A NOT-TO-EXCEED COST OF \$7,850**

Admin 11-B

It was recommended by Administrator Eisenbarth, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to authorize staff to hire Sill Appraisal Group to perform the second appraisal for Dune Harbor Park for a not-to-exceed cost of \$7,850.

Bob Lukens, Community Development Director, gave the Board an explanation regarding this motion. The second appraisal is required by the Michigan Department of Natural Resources.

Chairman Scolnik indicated that there is a group who has raised almost \$500,000 for this project.

Commissioner Lahring asked where the funds would come from for this. Administrator Eisenbarth indicated that the funds would come from Parks but then reimbursed by the group that has raised money.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring, Malinda Pego

**Motion Carried**

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

Several citizens addressed the Board regarding the substandard condition of the roads in Holton Township, as well as the poor relationship between the Township and the Muskegon County Road Commissioner and managing director, Ken Hulka.

Several citizens addressed the Board regarding the pandemic and children wearing masks in school.

One citizen, after watching the Board meetings in Kent and Ottawa Counties, appealed to the Board for Muskegon to be better than other counties and to respect others.

### **FINAL BOARD COMMENTS**

Vice-Chair Nash would like to recommend a resolution to declare September 2021 as National Recovery Month in Muskegon County regarding mental health issues to come before the Human Services Committee.

### **2021-348     DIRECT CORPORATE COUNSEL TO DRAFT A LEGAL OPINION DESCRIBING THE MUSKEGON COUNTY BOARD OF COMMISSIONERS' AUTHORITY OVER SCHOOL DISTRICTS**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to direct Corporate Counsel to draft a legal opinion describing the Muskegon County Board of Commissioners' authority over school districts.

Discussion ensued.

Roll call:

Yes:            Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Robert Scolnik

No:             Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins

**Motion Carried**



**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Special Full Board Meeting**

Thursday, September 9, 2021  
3:00 p.m.

The Special Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and available via Zoom.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Kathy Tharp, Administrative Coordinator  
Linda S. Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

**2021-351 APPROVAL OF THE AGENDA**

Moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-352     APPROVAL OF THE MINUTES OF AUGUST 31, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the minutes of August 31, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**CHAIRMAN'S REPORT**

1. Chairman Scolnik requested we pause as a Nation to remember September 11, 2001, and all those who lost their lives.
2. Roosevelt Park Day will be this weekend, Saturday, September 11, 2021.  
<https://rooseveltpark.org/events-and-recreation/>
3. Sportsmen for Youth Day will be this weekend, Saturday, September 11, 2021.  
<https://sportsmenforyouth.com/events/>

**WAYS & MEANS COMMITTEE REPORTS**

**2021-353     APPROVE THAT THE MUSKEGON COUNTY COURTS' COURT RECORDING SYSTEM PROJECT (RFP 21-2397) BE FULLY FUNDED IN THE AMOUNT OF \$858,586.10, IN ACCORDANCE WITH THE BID PROPOSAL SUBMITTED BY THE SELECTED VENDOR, BUSINESS INFORMATION SYSTEMS (BIS) AND TO AMEND THE FY 22 BUDGET ACCORDINGLY**

WM21/08-84

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve that the Muskegon County Courts' Court Recording System Project (RFP 21-2397) be fully funded in the amount of \$858,586.10, in accordance with the bid proposal submitted by the selected vendor, Business Information Systems (BIS) and to amend the FY 22 budget accordingly.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
                    Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             Zach Lahring

**Motion Carried**

**2021-354 APPROVE THE ATTACHED CIRCUIT/FAMILY COURT POSITION  
TRANSITION & REORGANIZATION PLAN**

WM21/08-85

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the attached Circuit/Family Court Position Transition & Reorganization Plan.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes,  
Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-355 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF  
\$13,767,414.96 COVERING THE PERIOD OF AUGUST 6, 2021  
THROUGH AUGUST 26, 2021 FOR CHECKS AND P CARD AND EFT  
PAYMENTS FOR THE PERIOD COVERING JULY 1 THROUGH JULY  
31, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/09-86

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$13,767,414.96 covering the period of August 6, 2021 through August 26, 2021 for checks and P Card and EFT payments for the period covering July 1 through July 31, 2021 as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-356 AMEND THE FY2021 BUDGET AS PRESENTED**

WM21/09-87

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to amend the FY2021 budget as presented.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-357 APPROVE THE CIVICCLERK AGENDA AND MEETING MANAGEMENT SOFTWARE PURCHASE AT A PRICE NOT TO EXCEED \$64,560 FOR A 5-YEAR TERM AND AUTHORIZE THE BOARD CHAIR TO EXECUTE THE AGREEMENT AND AMEND THE BUDGET ACCORDINGLY**

WM21/09-88

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the CivicClerk Agenda and Meeting Management Software purchase at a price not to exceed \$64,560 for a 5-year term and authorize the Board Chair to execute the agreement and amend the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-358 APPOINT SARA HOUGH, HUMAN RESOURCES MANAGER, AS EMPLOYER DELEGATE TO THE 2021 MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING OCTOBER 7-8, 2021 AND AUTHORIZE JEANNE REENDERS TO ATTEND AS THE EMPLOYEE DELEGATE AND COMMISSIONER SCOLNIK AND ANNE JAMES TO ATTEND AS GUESTS**

WM21/09-89

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to appoint Sara Hough, Human Resources Manager, as employer delegate to the 2021 Municipal Employees Retirement System (MERS) annual meeting October 7-8, 2021 and authorize Jeanne Reenders to attend as the employee delegate and Commissioner Scolnik and Anne James to attend as guests.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-359 WAIVE THE PROCUREMENT LEVEL QUOTES AND AUTHORIZE THE PURCHASE OF UPS'S (UNINTERRUPTABLE POWER SUPPLY) FROM CDW TO REPLACE THE EXISTING EOL (END OF LIFE) UNITS AT BOTH DATA CENTERS FOR A COST OF \$81,404.54 BASED ON DEPARTMENT LEVEL QUOTES. IN ADDITION, CONTRACT WITH NEWKIRK ELECTRIC TO INSTALL THE EQUIPMENT FOR A COST NOT TO EXCEED \$23,930.73 AND INCREASE THE BUDGET ACCORDINGLY FOR THIS PURCHASE AND INSTALLATION**

WM21/09-90

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to waive the procurement level quotes and authorize the purchase of UPS's (Uninterruptable Power Supply) from CDW to replace the existing EOL (End of Life) units at both data centers for a cost of \$81,404.54 based on department level quotes. In addition, contract with Newkirk Electric to install the equipment for a cost not to exceed \$23,930.73 and increase the budget accordingly for this purchase and installation.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-360 ALLOW THE MUSKEGON COUNTY'S IT DEPARTMENT TO PROVIDE IT SERVICES TO EMPOWERING EX-OFFENDERS IN TRANSITION (EXIT), A MUNICIPAL NON-PROFIT FOR AN ANNUAL FEE OF \$8,363.16 PLUS A ONE-TIME SET-UP FEE OF \$1,000 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE CONTRACT AGREEMENT**

WM21/09-91

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to allow the Muskegon County's IT department to provide IT services to Empowering Ex-Offenders in Transition (Exit), a municipal non-profit for an annual fee of \$8,363.16 plus a one-time set-up fee of \$1,000 and authorize the Board Chair to sign the contract agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-361 AUTHORIZE THE CHAIR'S AND COUNTY CORPORATE COUNSEL'S SIGNATURES TO ACCEPT FAA GRANT OFFER 3-26-0071-047-2021 FOR THE MUSKEGON COUNTY AIRPORT IN THE AMOUNT OF \$406,469**

WM21/09-92

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize the Chair's and County Corporate Counsel's signatures to accept FAA Grant Offer 3-26-0071-047-2021 for the Muskegon County Airport in the amount of \$406,469.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-362 ACCEPT A LEASE BETWEEN THE COUNTY OF MUSKEGON AND THE UNITED STATES OF AMERICA FOR A HANGAR LOCATED AT THE MUSKEGON COUNTY AIRPORT CURRENTLY OCCUPIED BY THE US COAST GUARD. THE RENTAL RATE FOR THE NEW AGREEMENT IS SET AT \$24,456.00, WITH ANNUAL RENEWALS THROUGH 2026**

WM21/09-93

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to accept a lease between the County of Muskegon and The United States of America for a hangar located at the Muskegon County Airport currently occupied by the US Coast Guard. The rental rate for the new agreement is set at \$24,456.00, with annual renewals through 2026.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**UNFINISHED BUSINESS**

None.

**NEW BUSINESS**

Commissioner Hughes cancelled the Community Development and Strategic Planning Committee meeting on Thursday, September 16, 2021, due to lack of action items.

**PUBLIC COMMENT**

None.

**FINAL BOARD COMMENTS**

None.

**2021-363     ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 3:10 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, September 14, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, September 14, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and available via Zoom. The Invocation was given by Commissioner Lahring. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Laura Genovich, Corporate Counsel

**2021-364     APPROVAL OF THE AGENDA**

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

Voice vote.

**Motion Carried**

**2021-365     APPROVAL OF THE MINUTES OF SEPTEMBER 9, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the minutes of September 9, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

Several citizens addressed the Board who opposed or supported the Resolution to Promote General Welfare.

**COMMUNICATION**

None.

**COMMITTEE/BOARD REPORTS**

**2021-353     APPROVE THE SHERIFF'S OFFICE TO ACCEPT FOR THE FISCAL YEAR 2022 THE SECONDARY ROAD PATROL (SRP) GRANT FROM THE OFFICE OF HIGHWAY SAFETY PLANNING (OHSP) IN THE AMOUNT OF \$76,320.00**

CPS21/09-48

The Courts & Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hovey-Wright, to approve the Sheriff's Office to accept for the Fiscal Year 2022 the Secondary Road Patrol (SRP) grant from the Office of Highway Safety Planning (OHSP) in the amount of \$76,320.00.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:              Zach Lahring, Malinda Pego

**Motion Carried**

**2021-354 APPROVE THE PURCHASE OF 43 BODY WORN CAMERAS THROUGH WATCH GUARD VIDEO FOR THE SHERIFF'S OFFICE AND TO AMEND THE BUDGET ACCORDINGLY. THE PROJECT AMOUNT IS QUOTED AT \$68,732.00**

CPS21/09-49

The Courts & Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hovey-Wright, to approve the purchase of 43 Body Worn Cameras through Watch Guard Video for the Sheriff's Office and to amend the budget accordingly. The project amount is quoted at \$68,732.00.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: Susie Hughes, Zach Lahring **Motion Carried**

**2021-355 ACCEPT THE RFP FROM NEWAYGO COUNTY EMERGENCY SERVICES TO WRITE THE UPDATE FOR THE MUSKEGON COUNTY HAZARD MITIGATION PLAN AND HAVE CORPORATE COUNSEL DRAFT THE CONTRACT USING FEMA GRANT AGREEMENT GUIDELINES**

CPS21/09-50

The Courts & Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hovey-Wright, to accept the RFP from Newaygo County Emergency Services to write the update for the Muskegon County Hazard Mitigation Plan and have corporate counsel draft the contract using FEMA grant agreement guidelines.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**



**2021-358 AUTHORIZE PUBLIC HEALTH TO REQUEST BIDS FOR DRINKING WATER LABORATORY ANALYSIS FOR THE PERIOD OF OCTOBER 2021 THROUGH SEPTEMBER 2022 WITH THE OPTION FOR TWO ONE-YEAR RENEWALS, WITH NO CHANGE IN GENERAL FUND APPROPRIATION**

HS21/09-22

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to request bids for drinking water laboratory analysis for the period of October 2021 through September 2022 with the option for two one-year renewals, with no change in general fund appropriation.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-359 APPROVE ENTERING INTO A CONTRACT AGREEMENT WITH SENIOR RESOURCES FOR SENIOR MILLAGE GRANTS ADMINISTRATION SERVICES EFFECTIVE OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2023**

HS21/09-23

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve entering into a contract agreement with Senior Resources for Senior Millage Grants Administration Services effective October 1, 2021 through September 30, 2023.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-360     APPROVE THE RESOLUTION TO DECLARE SEPTEMBER 2021 AS NATIONAL RECOVERY MONTH IN MUSKEGON COUNTY; AND THAT A COPY OF THIS RESOLUTION BE SENT TO GOVERNOR WHITMER, SENATOR JON BUMSTEAD, REPRESENTATIVE TERRY SABO, REPRESENTATIVE GREG VANWOERKOM, THE MICHIGAN SENATE, THE MICHIGAN HOUSE OF REPRESENTATIVES, MICHIGAN ASSOCIATION OF COUNTIES AND TO THE CLERK OF EACH COUNTY IN THE STATE OF MICHIGAN**

HS21/09-24

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve the Resolution to declare September 2021 as National Recovery Month in Muskegon County; and that a copy of this Resolution be sent to Governor Whitmer, Senator Jon Bumstead, Representative Terry Sabo, Representative Greg VanWoerkom, the Michigan Senate, the Michigan House of Representatives, Michigan Association of Counties and to the Clerk of each County in the State of Michigan.

Roll call:

Yes:            Marcia Hovey-Wright, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:             Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego

**Motion Failed**

**CHAIRMAN'S REPORT**

1. The Michigan Irish Music Festival will host "Hackley Hooley" at Hackley Park on September 18, 2021, from 11:00 a.m. to 8:00 p.m.  
<https://visitmuskegon.org/event/michigan-irish-music-festival-hackley-hooley/>
2. Board of Canvassers Election (four-year terms commencing November 1, 2021): Paper ballots were passed out to the Board of Commissioners for completion and were then collected. The signed ballots were read and a tally was made. Carole M. Carter was unanimously elected for the Democratic position on the Board of Canvassers. There were eight votes for Patricia J. Camp, and one vote for Fred Michael Glancy, therefore Patricia J. Camp was elected for the Republican position on the Board of Canvassers.

**ADMINISTRATOR'S REPORT**

**2021-361 AUTHORIZE STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS FROM A QUALIFIED CIVIL ENGINEER TO PERFORM A LAKE LEVEL STUDY ON WOLF LAKE PURSUANT TO PART 307, INLAND LAKE LEVELS, OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT, 1994 PA 451**

Admin 11

The Administrator recommended, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to authorize staff to issue a request for qualifications from a qualified civil engineer to perform a lake level study on Wolf Lake pursuant to Part 307, Inland Lake Levels, of the Natural Resources and Environmental Protection Act, 1994 PA 451.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

Administrator Eisenbarth updated the Board regarding the search for a new Finance Director. Mr. Eisenbarth indicated that the advertisement had been out for three weeks in several places, both local and national, which produced five applicants; two were questionable and three were qualified. Mr. Eisenbarth recommended hiring a company to advertise to find more qualified candidates. Discussion ensued.

**2021-362 AUTHORIZE ADMINISTRATION TO HIRE A COMPANY TO SEARCH FOR A FINANCE DIRECTOR**

Administrator Eisenbarth recommends, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to authorize Administration to hire a company to search for a Finance Director.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego

**Motion Carried**

**UNFINISHED BUSINESS**

**2021-363 AUTHORIZE ACCEPTANCE OF MEDIATION AWARD**

It was moved by Commissioner Hughes, seconded by Vice-Chair Nash, to authorize acceptance of mediation award.

Attorney Steve Grimm updated the Board regarding the mediation award. Mr. Grimm indicated that although the case did not settle, the mediator gave a number which was the full amount available of Doug Hughes' insurance, \$1,000,000.00 (minus attorney fees). The County has until October 1, 2021, to reject or accept this award. Accepting this award will either settle the case, or it will set up the County for a bad-faith claim against the insurance company. There is no reason not to accept this.

Discussion ensued.

**2021-364 MOVE TO TABLE ITEM 2021-363**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to table item 2021-363.

Roll call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine Wilkins **Motion Failed**

**2021-363 Continued**

Discussion continued. Mr. Grimm indicated that if this award were rejected, there would be more than two years of costly litigation due to legal experts and no guarantee that the County would win. Mr. Grimm recommends the Board accept the \$1,000,000.00.

Roll call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik,  
Rillastine Wilkins

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

**2021-365 AUTHORIZE CHAIRMAN ROBERT SCOLNIK TO EXECUTE CLOSING DOCUMENTS REGARDING MEDIATION**

It was moved by Vice-Chair Nash, seconded by Commissioner Hughes, to authorize Chairman Robert Scolnik to execute closing documents regarding mediation.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-366 APPROVE AUTHORIZATION OF THE AGREEMENT REGARDING THE ESTABLISHMENT OF LAKE LEVEL FOR WOLF LAKE PURSUANT TO PART 307 OF THE NATURAL RESOURCES AND ENVIRONMENTAL PROTECTION ACT AND THE VACATION OF THE WOLF LAKE DRAIN AND WOLF LAKE SAD PURSUANT TO THE DRAIN CODE UNTIL SEPTEMBER 14, 2021, IN WHICH BOTH THE WATER RESOURCE COMMISSIONERS ATTORNEY AND MUSKEGON COUNTY CORPORATE COUNSEL WILL HAVE REVIEWED THE DOCUMENT**

WM21/09-94

The Ways & Means Committee recommended, moved by Commissioner Wilkins, seconded by Commissioner Hughes to approve authorization of the agreement regarding the establishment of lake level for Wolf Lake pursuant to Part 307 of the Natural Resources and Environmental Protection Act and the vacation of the Wolf Lake Drain and Wolf Lake SAD pursuant to the Drain Code until September 14, 2021, in which both the Water Resource Commissioners attorney and Muskegon County Corporate Counsel will have reviewed the document.

Corporate Counsel Genovich indicated that she cannot recommend that the Board approve this agreement because there is no agreement at this point and due to the fact that the Board had just approved a lake level study on Wolf Lake under item 2021-361.

Commissioner Hughes withdrew her support, therefore Commissioner Lahring seconded the motion.

Discussion ensued. Chair Scolnik invited Brenda Moore, Water Resources Commissioner to speak on this issue.

Commissioner Wilkins withdrew her motion. Motion failed.

**2021-367 APPROVE THE RESOLUTION TO PROMOTE GENERAL WELFARE IN MUSKEGON COUNTY; AND THAT A COPY OF THIS RESOLUTION BE SENT TO GOVERNOR WHITMER, SENATOR JON BUMSTEAD, REPRESENTATIVE TERRY SABO, REPRESENTATIVE GREG VANWOERKOM, THE MICHIGAN SENATE, THE MICHIGAN HOUSE OF REPRESENTATIVES, MICHIGAN ASSOCIATION OF COUNTIES AND TO THE CLERK OF EACH COUNTY IN THE STATE OF MICHIGAN**

CPS21/09-53

The Courts & Public Safety Committee recommends, moved by Commissioner Lahring, seconded by Commissioner Wilkins, to approve the Resolution to promote general welfare in Muskegon County; and that a copy of this Resolution be sent to Governor Whitmer, Senator Jon Bumstead, Representative Terry Sabo, Representative Greg VanWoerkom, the Michigan Senate, the Michigan House of Representatives, Michigan Association of Counties and to the Clerk of each County in the State of Michigan. (See attached.)

Discussion ensued.

Roll call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Rillastine Wilkins

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

**Motion Carried**

**NEW BUSINESS**

Commissioner Brown mentioned the events at Veteran's Memorial Park and thanked Veterans Affairs Director Mike Baauw for the information he put together.

**PUBLIC COMMENT**

Two members of the public addressed the Board regarding the Road Commission regarding the ATV ordinance and road conditions.

Four members of the public addressed the Board in support of the General Welfare Resolution passing.

**FINAL BOARD COMMENTS**

Commissioner Lahring indicated he does not care to have more work sessions regarding the Covid Relief Funds as he has indicated previously that he wants to spend the money on county-owned buildings and infrastructure.

Commissioner Hovey-Wright indicated that she would prefer more work sessions.

Commissioner Hughes indicated that she has attended Road Commission meetings where they have discussed the ORV ordinance. Commissioner Hughes also thanked her Township who gave their input to vote no on the General Welfare Resolution.

Commissioner Pego indicated that the County has received double the number of requests for money than is available and does not believe that more work sessions are a good use of their time.

Commissioner Cyr agreed with Commissioner Pego.

Commissioner Pego indicated that the Sheriff sat through a previous meeting and was not able to be heard and now has to wait a while before getting back on their list. The Sheriff should come before other outside entities who are requesting funds.

Administrator Eisenbarth shared with the Board that other Counties are hiring firms to manage the distribution of the Covid funds.

Commissioner Brown shared that there are good causes out there, but the County needs to take care of our own infrastructure.

**2021-368     ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 5:02 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Thursday, September 30, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Thursday, September 30, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Pastor Tim Cross, Living Word Church, 1551 Wood Street, Muskegon MI 49442. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Linda M. Larsen, Chief Deputy County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

**2021-369     APPROVAL OF THE AGENDA**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-370     APPROVAL OF THE MINUTES OF SEPTEMBER 14, 2021**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the minutes of September 14, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

A citizen addressed the Board regarding the Sheriff's Department storage and restoring the building at the Fairground for the youth.

Sheriff Poulin addressed the Board regarding having adequate storage for County assets in his department.

**COMMITTEE/BOARD REPORTS**

**2021-371     ACCEPT A FIRST AMENDMENT OF OFFICE LEASE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND SAFECUTTERS, INC., FOR ADDITIONAL OFFICE SPACE IN THE MUSKEGON COUNTY AIRPORT ADMINISTRATION BUILDING, 99 SINCLAIR DRIVE, NORTON SHORES, MICHIGAN, 49441**

TR21/09-26

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to accept a First Amendment of Office Lease Agreement between the County of Muskegon and Safecutters, Inc., for additional office space in the Muskegon County Airport Administration Building, 99 Sinclair Drive, Norton Shores, Michigan, 49441.

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None

**Motion Carried**

**2021-372 APPROVE THE LEASE AGREEMENT BETWEEN MUSKEGON COUNTY AND JCP HOLDINGS, INC., FOR A 3,660 SQ. FT. BOX HANGAR WITH OFFICE LOCATED AT 4776 STARIHA DRIVE AT THE MUSKEGON COUNTY AIRPORT, FOR A TWO-YEAR PERIOD WITH THREE (3) ONE-YEAR OPTIONS**

TR21/09-27

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the lease agreement between Muskegon County and JCP Holdings, Inc., for a 3,660 sq. ft. box hangar with office located at 4776 Stariha Drive at the Muskegon County Airport, for a two-year period with three (3) one-year options.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-373 AUTHORIZE MATS TO REMOVE BUS #905 FROM THE ROSTER OF ACTIVE REVENUE VEHICLES AND TO PERMIT MATS TO DISPOSE OF THE BUS IN A FUTURE VEHICLE / EQUIPMENT AUCTION TO BE CONDUCTED USING COUNTY SURPLUS GOODS PROCEDURES, OR A SCRAP SALE IF A BUYER IS NOT FOUND AT AUCTION**

TR21/09-28

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to authorize MATS to remove bus #905 from the roster of active revenue vehicles and to permit MATS to dispose of the bus in a future vehicle / equipment auction to be conducted using County surplus goods procedures, or a scrap sale if a buyer is not found at auction.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-374 STOP ENTERTAINING OUTSIDE ENTITIES FROM REQUESTING AMERICAN RESCUE PLAN FUNDING**

TR21/09-29

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to stop entertaining outside entities from requesting American Rescue Plan funding.

Roll call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: Marcia Hovey-Wright, Charles Nash **Motion Carried**

**2021-375 REMOVE TR21/09-30 FROM TRANSPORTATION COMMITTEE REPORT**

It was moved by Commissioner Hughes, seconded by Malinda Pego, to remove TR21/09-30 from Transportation Committee report.

Voice vote **Motion Carried**

**2021-376 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$7,107,333.88 COVERING THE PERIOD OF AUGUST 27, 2021 THROUGH SEPTEMBER 9, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/09-96

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$7,107,333.88 covering the period of August 27, 2021 through September 9, 2021 for checks as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**





**2021-381 APPROVE THE NOTICE OF RESCISSION OF LAND AND RESOURCE USE RESTRICTIONS (MDEQ REFERENCE NO: RC-RRD-312-17-067) AND THE DECLARATION OF RESTRICTIVE COVENANT FOR A RESTRICTED NONRESIDENTIAL CORRECTIVE ACTION (EGLE REFERENCE NO: RC-RRD-213-21-102) AND AUTHORIZE THE CHAIR TO SIGN BOTH DOCUMENTS**

WM21/09-101

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the Notice of Rescission of Land and Resource Use Restrictions (MDEQ Reference no: RC-RRD-312-17-067) and the Declaration of Restrictive Covenant for a Restricted Nonresidential Corrective Action (EGLE Reference No: RC-RRD-213-21-102) and authorize the chair to sign both documents.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-382 APPROVE THE SALARY RANGE ADJUSTMENT FOR THE IT MANAGER POSITION X44101 FROM NX-00390 \$35.728-\$45.428 TO NX-00422 \$37.482-\$50.027 AND START AT STEP 6 AT \$47.67 EFFECTIVE OCTOBER 1, 2021**

WM21/09-102

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve the salary range adjustment for the IT Manager position X44101 from NX-00390 \$35.728-\$45.428 to NX-00422 \$37.482-\$50.027 and start at Step 6 at \$47.67 effective October 1, 2021.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-383     APPROVE ADAMS REMCO'S PROPOSAL FOR RFP 21-2432 COUNTY COPIERS, LEASE, MAINTENANCE AND PRINTER MAINTENANCE AGREEMENT FOR A TERM OF FIVE YEARS. AUTHORIZED THE BOARD CHAIR TO SIGN THE 3 AGREEMENTS LISTED BELOW CONTINGENT UPON CORPORATE COUNSEL APPROVAL:**  
**1. THE MAINTENANCE PLAN AGREEMENT FOR THE PRINTERS**  
**2. THE MAINTENANCE PLAN AGREEMENT FOR THE COPIERS**  
**3. THE LEASE OR PURCHASE AGREEMENT FOR NEW COPIERS**

WM21/09-103

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve Adams Remco's proposal for RFP 21-2432 County Copiers, Lease, Maintenance and Printer Maintenance agreement for a term of Five Years. Authorized the board chair to sign the 3 agreements listed below contingent upon Corporate Counsel Approval: 1. The maintenance plan agreement for the Printers; 2. The maintenance plan agreement for the Copiers; 3. The lease or purchase agreement for new Copiers.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:                None **Motion Carried**

**2021-384     HAVE THE SHERIFF VACATE HORSE BARN NO. 5 AT THE MUSKEGON COUNTY FAIRGROUNDS WITHIN 30 DAYS**

WM21/09-104

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to have the sheriff vacate horse barn No. 5 at the Muskegon County Fairgrounds within 30 days.

Discussion ensued.

Sheriff Poulin addressed the Board and answered questions.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:                Charles Nash **Motion Carried**

Commissioner Hughes indicated that due to lack of agenda items, the West Michigan Shoreline Regional Development Commission canceled their October meeting.

### **CHAIRMAN'S REPORT**

- A. The Lakeshore Museum Center has a new exhibit celebrating 150 years of Jewish history in Muskegon County. <https://lakeshoremuseum.org/>
- B. On Saturday, October 2 from 10:00 a.m. to 5:00 p.m. head down to the Shop Lakeside Day event and join in the celebration of the new social district and all the fabulous business in Lakeside.  
<https://visitmuskegon.org/event/shop-lakeside-day/>
- C. Take flight from the top of a Lake Michigan sand dune and through the white pines on the 1400 ft. zip line at Muskegon Luge Adventure Sports Park or ride on the 320 ft. one-of-a-kind wheeled luge track where you can enjoy the fall weather and colors. <https://msports.org/>
- D. Enjoy views of the Muskegon Channel and Lake Michigan from wherever you are on the live webcam from the USS Silversides Museum by going to the Visit Muskegon website at [visitmuskegon.org/recreation](http://visitmuskegon.org/recreation) or following this link: [api.wetmet.net/a4ce60b9-d03f-4986-8920-1fd69e45448b](http://api.wetmet.net/a4ce60b9-d03f-4986-8920-1fd69e45448b)

### **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth yielded his time until Agenda Item 15.

### **UNFINISHED BUSINESS**

**2120-385     HAVE THE SHERIFF'S DEPARTMENT MOVE THE ITEMS OUT FROM THE AIRPORT OR PAY THE FAIR MARKET VALUE FOR RENT**

TR21/09-30

It was moved by Commissioner Lahring, seconded by Commissioner Hughes, to have the Sheriff's Department move the items out from the airport or pay the fair market value for rent.

**2120-386     AMEND TR21/09-30 TO READ "HAVE THE SHERIFF'S DEPARTMENT PAY THE FAIR MARKET VALUE FOR RENT AT THE AIRPORT"**

It was moved by Vice-Chair Nash, seconded by Commissioner Cyr, to amend TR21/09-30 to read "have the Sheriff's Department pay the fair market value for rent at the airport."

Discussion ensued.

Sheriff Poulin addressed the Board and answered questions.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:              Zach Lahring, Malinda Pego

**Motion Carried**

**2120-387 HAVE THE SHERIFF'S DEPARTMENT PAY THE FAIR MARKET VALUE FOR RENT AT THE AIRPORT**

TR21/09-30

It was moved by Commissioner Lahring, seconded by Commissioner Hughes, to have the Sheriff's Department pay the fair market value for rent at the airport.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**NEW BUSINESS**

Commissioner Pego requested that Administration look into the purchase/acquisition policy.

**2120-388 HAVE CORPORATE COUNSEL LOOK INTO COMBINING THE REGISTER OF DEEDS OFFICE AND THE CLERK'S OFFICE**

It was moved by Commissioner Lahring, seconded Commissioner Pego, to have Corporate Counsel look into combining the Register of Deeds Office and the Clerk's Office. Administrator Eisenbarth indicated it wouldn't be able to happen until the new election term which is three years out.

Roll call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Charles Nash, Rillastine Wilkins, Robert Scolnik  
**Motion Carried**

**PUBLIC COMMENT**

A citizen addressed the Board regarding her concern over marijuana businesses expanding in Muskegon.

A citizen addressed the Board indicating that he had very good experiences with the Board members.

A citizen addressed the Board regarding a decision not to fly the Christian flag for Day of Prayer yet other organizations are being promoted.

Chairman Scolnik recognized Paul Baade in the audience. Mr. Baade, former member of the House of Representatives and the County Board of Commissioners, addressed the Board that he appreciates this Board, along with the City of Muskegon Commission, and what they are doing for Muskegon since Muskegon's potential is finally appearing.

One citizen addressed the Board regarding the bus system and the issues he's been having with it and would like the Go Bus to be brought back.

### **FINAL BOARD COMMENTS**

Commissioner Hughes indicated that it was not the County Board that made the decision not to fly the Christian flag.

Vice-Chair Nash wanted the Board to come up with a more convincing resolution to send to the Governor regarding the casino. Chairman Scolnik indicated that a draft will be in next week's committee packet.

### **2021-389 HAVE THE COUNTY FLY THE CHRISTIAN FLAG FOR THE MONTH OF MAY**

It was moved by Commissioner Pego, seconded by Commissioner Lahring, to fly the Christian flag for the month of May.

Discussion ensued.

Roll call:

Yes: Zach Lahring, Malinda Pego

No: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash,  
Rillastine Wilkins, Robert Scolnik **Motion Failed**

### **CLOSED SESSION**

### **2021-390 GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(D) TO CONSIDER THE PURCHASE OR LEASE OF REAL PROPERTY; AND PURSUANT TO MCL 15.268(C) FOR STRATEGIC AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATIONS OF A COLLECTIVE BARGAINING AGREEMENT IF EITHER PARTY REQUESTS A CLOSED HEARING**

Moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright to go into closed session pursuant to MCL 15.268(d) to consider the purchase or lease of real property; and pursuant to MCL 15.268(c) for strategic and negotiation sessions connected with the negotiations of a collective bargaining agreement if either party requests a closed hearing.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

The Board took a break at 4:12.

Went into closed session at 4:20 p.m.

Returned to open session at 4:46 p.m.

**2021-391 RETURN TO OPEN SESSION**

Moved by Commissioner Hughes, seconded by Commissioner Pego to return to open session.

Voice vote.

**Motion Carried**

**2021-392 APPROVE PURCHASE AGREEMENT FOR THE FACILITIES LOCATED AT 1903 MARQUETTE AVENUE AND DIRECT CORPORATE COUNSEL TO FINALIZE THE PURCHASE AGREEMENT CONSISTENT WITH THE CLOSED SESSION DIRECTIONS OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS ON 09-30-2021, AND AUTHORIZE THE CHAIR AND CLERK TO SIGN THE AGREEMENT (WITH THE USUAL TERMS) FOLLOWING FINAL CONCURRENCE OF CORPORATE COUNSEL AND THE COUNTY ADMINISTRATOR**

It was moved by Vice-Chair Nash, seconded by Commissioner Pego, to approve purchase agreement for the facilities located at 1903 Marquette Avenue and direct Corporate Counsel to finalize the purchase agreement consistent with the closed session directions of the Muskegon County Board of Commissioners on 09-30-2021, and authorize the Chair and Clerk to sign the agreement (with the usual terms) following final concurrence of Corporate Counsel and the County Administrator.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-393 APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE MICHIGAN NURSES ASSOCIATION FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, approve the Tentative Agreement negotiated with the Michigan Nurses Association for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**  
**2021-394** **APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE TEAMSTERS DISTRICT COURT UNIT FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, approve the Tentative Agreement negotiated with the Teamsters District Court Unit for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**  
**2021-395** **APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE TEAMSTERS GENERAL EMPLOYEES UNIT FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, approve the Tentative Agreement negotiated with the Teamsters General Employees Unit for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**  
**2021-396** **APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE TEAMSTERS CIRCUIT/PROBATE COURT UNIT FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, approve the Tentative Agreement negotiated with the Teamsters Circuit/Probate Court Unit for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-397 APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE SEIU FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Hovey-Wright, approve the Tentative Agreement negotiated with the SEIU for the FY2022 wage reopener.

Roll Call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-398 APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE FOP CORRECTIONS OFFICERS FOR THE FY2022 WAGE REOPENER**

It was moved by Chairman Scolnik, seconded by Commissioner Hovey-Wright, approve the Tentative Agreement negotiated with the FOP Corrections Officers for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-399 APPROVE A 2.5% ACROSS THE BOARD WAGE INCREASE AND PAY TABLE/GRADE ADJUSTMENTS TO REFLECT A MINIMUM OF \$15/HR FOR ALL COUNTY NON-BARGAINING EMPLOYEES EXCLUDING HEALTHWEST EMPLOYEES AND SEASONAL WORKERS TO BE EFFECTIVE THE FIRST FULL PAY PERIOD FOLLOWING OCTOBER 1, 2021**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, approve a 2.5% across the board wage increase and pay table/grade adjustments to reflect a minimum of \$15/hr for all County non-bargaining employees excluding HealthWest employees and seasonal workers to be effective the first full pay period following October 1, 2021.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-400 APPROVE A 2.5% ACROSS THE BOARD WAGE INCREASE FOR COUNTY ELECTED OFFICIALS AND COMMISSIONERS TO BE EFFECTIVE JANUARY 1, 2022**

It was moved by Chairman Scolnik, seconded by Commissioner Pego, to approve a 2.5% across the board wage increase for County Elected Officials and Commissioners to be effective January 1, 2022.

Roll call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Robert Scolnik

**Motion Failed**

**2021-401 APPROVE A 2.5% INCREASE FOR FULL-TIME COUNTY ELECTED OFFICIALS TO BE EFFECTIVE JANUARY 1, 2022**

It was moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve a 2.5% increase for full-time County Elected Officials to be effective January 1, 2022.

Roll call:

Yes: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Rillastine Wilkins, Robert Scolnik

No: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

**Motion Carried**

**2021-402 INCREASE COMMISSIONERS' ANNUAL SALARY BY \$1500 ONE TIME BEGINNING JANUARY 1, 2022**

It was moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to increase Commissioners' annual salary by \$1500 one time beginning January 1, 2022.

Roll call:

Yes: Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Rillastine Wilkins

No: Doug Brown, Susie Hughes, Malinda Pego, Robert Scolnik

**Motion Carried**

**2021-403 ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 5:11 p.m.

---

Linda M. Larsen, Chief Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, October 12, 2021.

**Muskegon County**  
**Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor*  
*Muskegon, MI 49442*

*Robert Scolnik, Chairman*  
*Doug Brown*  
*Kim Cyr*  
*Marcia Hovey-Wright*  
*Susie Hughes*

*Charles Nash, Vice-Chair*  
*Zach Lahring*  
*Malinda Pego*  
*Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, October 12, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Commissioner Cyr. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Robert Scolnik

Excused: Malinda Pego  
Rillastine R. Wilkins

Also  
Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Laura Genovich, Corporate Counsel

**2021-404 APPROVAL OF THE AGENDA**

Moved by Commissioner Hughes, seconded by Commissioner Hovey-Wright, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-405 APPROVAL OF THE REGULAR AND CLOSED MINUTES OF SEPTEMBER 30, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Brown, to approve the minutes of September 30, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

None.

**COMMITTEE/BOARD REPORTS**

**2021-406 ACCEPT THE "AGREEMENT FOR EXTENSION SERVICES" SUBMITTED BY MICHIGAN STATE UNIVERSITY (MSU) EXTENSION FOR FY22 PROGRAMS AND SERVICES, WITH NO CHANGE IN GENERAL FUND ALLOCATION; AND AUTHORIZE THE BOARD CHAIR TO SIGN**

HS21/10-25

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes, to accept the "Agreement for Extension Services" submitted by Michigan State University (MSU) Extension for FY22 programs and services, with no change in general fund allocation; and authorize the Board Chair to sign.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: None

Excused: Malinda Pego, Rillastine Wilkins

**Motion Carried**



**2021-409 AUTHORIZE HUMAN RESOURCES TO MAINTAIN AFLAC AS THE VOLUNTARY INSURANCE BENEFIT PROVIDER FROM JANUARY 1, 2022 THROUGH DECEMBER 31, 2022**

WM21/10-106

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Human Resources to maintain Aflac as the voluntary insurance benefit provider from January 1, 2022 through December 31, 2022.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-410 AUTHORIZE HUMAN RESOURCES TO CONTRACT WITH DELTA DENTAL ON A SELF-INSURED BASIS FOR ACTIVE EMPLOYEES AND A FULLY-INSURED BASIS FOR RETIREES, EFFECTIVE JANUARY 1, 2022-DECEMBER 31, 2022**

WM21/10-107

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Human Resources to contract with Delta Dental on a self-insured basis for active employees and a fully-insured basis for retirees, effective January 1, 2022-December 31, 2022.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-411 SUPPORT THE MUSKEGON COUNTY RESOLUTION SUPPORTING WEST MICHIGAN AGRICULTURE TECHNOLOGIES AND REGIONAL FOOD SYSTEMS INITIATIVE**

WM21/10-108

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to support the Muskegon County Resolution Supporting West Michigan Agriculture Technologies and Regional Food Systems Initiative. (See attached.)

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

No: Zach Lahring, Malinda Pego

Excused: Rillastine Wilkins **Motion Carried**

**2021-412 AMEND THE PURCHASING AND PROCUREMENT PROCESS POLICY TO SAY, THE COUNTY SHALL NOT ACQUIRE ANY ASSETS WHOSE ORIGINAL VALUE IS MORE THAN \$5,000 WITHOUT APPROVAL OF THE BOARD OF COMMISSIONERS EVEN IF SUCH ASSET WAS ACQUIRED BY GRANT, GIFT OR TEMPORARY TRANSFER FROM ANOTHER GOVERNMENT AGENCY**

WM21/10-109

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to amend the purchasing and procurement process policy to say, the County shall not acquire any assets whose original value is more than \$5,000 without approval of the Board of Commissioners even if such asset was acquired by grant, gift or temporary transfer from another government agency.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

Administrator Eisenbarth addressed the Board regarding CPS 21/10-57 and requested that this motion be discussed separately.

**2021-413 ACCEPT THROUGH THE FY22 MICHIGAN STATE POLICE – EMERGENCY MANAGEMENT & HOMELAND SECURITY DIVISION (EMPG) INITIAL GRANT AGREEMENT**

CPS21/10-54

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to accept through the FY22 Michigan State Police – Emergency Management & Homeland Security Division (EMPG) Initial Grant Agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-414 ACCEPT THROUGH THE FY21 MICHIGAN STATE POLICE – EMERGENCY MANAGEMENT & HOMELAND SECURITY DIVISION (EMPG) REIMBURSEMENT FOR UP TO 32.86% OF THE MUSKEGON COUNTY EMERGENCY SERVICES DIRECTOR'S SALARY AND FRINGE BENEFITS**

CPS21/10-55

The Courts & Public Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to accept through the FY21 Michigan State Police – Emergency Management & Homeland Security Division (EMPG) reimbursement for up to 32.86% of the Muskegon County Emergency Services Director's Salary and fringe benefits.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins **Motion Carried**

**2021-415 APPROVE THE MUSKEGON COUNTY SHERIFF'S DEPARTMENT TO INITIATE THE PROPOSAL PROCESS FOR COGNITIVE BEHAVIORAL SERVICES IN THE MUSKEGON COUNTY JAIL AND IN THE COMMUNITY AND ALLOW THE SHERIFF'S DEPARTMENT TO ENTER INTO A CONTRACT WITH THE MOST QUALIFIED VENDOR**

CPS21/10-56

The Courts & Public Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Muskegon County Sheriff's Department to initiate the proposal process for cognitive behavioral services in the Muskegon County Jail and in the community and allow the Sheriff's Department to enter into a contract with the most qualified vendor.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins

**Motion Carried**

Administrator Eisenbarth provided the Board with the proposed County Property Flag Policy. (See attached.) Discussion ensued.

**2021-416 AMEND THE COUNTY FLAG POLICY TO STATE, THAT ONLY THE STATE FLAG, NATIONAL FLAG, COUNTY FLAG, AND POW FLAG BE FLOWN ON ANY COUNTY PROPERTY**

CPS21/10-57

The Courts & Public Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to amend the County Flag Policy to state, that only the state flag, national flag, county flag, and POW flag be flown on any county property.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Rillastine Wilkins

**Motion Carried**

**CHAIRMAN'S REPORT**

Commissioner Hughes informed the Board that the Emergency Management meeting was very well-attended, that BASF has no more chemicals on the property, and that there is a buyer looking at that property.

## **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth reminded the Board that they will be meeting at the Airport today at 4:30 to discuss the Airport terminal roof design with Bergmann Architects/ Engineers/ Planners.

Administrator Eisenbarth also updated the Board regarding the Director of Finance position and that after meeting with the Manager of Finance, Angela Gasiewski, he will be bringing a proposal to the Ways & Means Committee.

## **UNFINISHED BUSINESS**

### **2021-417 LIQUIDATE THE HUMVEE AND MAXPRO PER THE SURPLUS PROPERTY DISPOSAL POLICY**

It was moved by Commissioner Lahring, seconded by Commissioner Hughes, to liquidate the Humvee and MaxPro per the Surplus Property Disposal Policy.

Discuss ensued, including input from Sheriff Poulin.

Commissioner Wilkins arrived at 3:31 p.m.

Roll call:

Yes: Doug Brown, Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Charles Nash, Rillastine Wilkins, Robert Scolnik

**Motion Carried**

## **NEW BUSINESS**

None.

## **PUBLIC COMMENT**

Several citizens addressed the Board in favor of disposing of the armored vehicles.

A citizen addressed the Board regarding people in local government having their responsibilities usurped by this Board since this Board has no law enforcement background or experience.

One citizen addressed the Board regarding the Board minimizing and sacrificing the health and safety of the law enforcement community by disposing of equipment used by the multi-jurisdictional team, not just Sheriff's Department equipment, and the County's need to be prepared.

### **FINAL BOARD COMMENTS**

Commissioner Hughes commented that public comments should be directed to the Board Chair and comments against single commissioners should be stopped.

Commissioner Pego indicated that a prior SWAT team had been disbanded.

### **CLOSED SESSION**

**2021-418     GO INTO CLOSED SESSION PURSUANT TO MCL 15.268(C) FOR STRATEGIC AND NEGOTIATION SESSIONS CONNECTED WITH THE NEGOTIATIONS OF A COLLECTIVE BARGAINING AGREEMENT IF EITHER PARTY REQUESTS A CLOSED HEARING**

Moved by Commissioner Hughes, seconded by Commissioner Wilkins to go into closed session pursuant to MCL 15.268(c) for strategic and negotiation sessions connected with the negotiations of a collective bargaining agreement if either party requests a closed hearing.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None

**Motion Carried**

Went into closed session at 3:58 p.m.

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

**2021-419     RETURN TO OPEN SESSION**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash to return to open session.

Voice vote.

**Motion Carried**

**2021-420 APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE FOP SHERIFF DEPUTY UNIT PENDING RATIFICATION FOR THE FY2022 WAGE REOPENER**

It was moved by Vice-Chair Nash, seconded by Commissioner Pego, to approve the Tentative Agreement negotiated with the FOP Sheriff Deputy Unit pending ratification for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-421 APPROVE THE TENTATIVE AGREEMENT NEGOTIATED WITH THE FOP SHERIFF COMMAND UNIT FOR THE FY2022 WAGE REOPENER**

It was moved by Vice-Chair Nash, seconded by Commissioner Pego, to approve the Tentative Agreement negotiated with the FOP Sheriff Command Unit for the FY2022 wage reopener.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-422 ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 4:13 p.m.

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Linda S Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, October 26, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, October 26, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Reverend Diane Stark. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Linda M. Larsen, Chief Deputy County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Leslie Abdoo, Corporate Counsel

**2021-423 APPROVAL OF THE AGENDA**

Moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-424     APPROVAL OF THE REGULAR AND CLOSED MINUTES OF OCTOBER 12, 2021**

Moved by Commissioner Wilkins, seconded by Commissioner Hughes, to approve the minutes of October 12, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

Several law enforcement officials, including Police Chiefs and a Fire Chief, spoke in favor of WM21/10-116, postponing the return of the police vehicles for 60 days.

Several citizens, including Registers of Deeds from other counties and a realtor, spoke against TR21/10-37, consolidating the Register of Deeds Office and the County Clerk's Office.

Once citizen spoke against the casino resolution.

**COMMITTEE/BOARD REPORTS**

**2021-425     AUTHORIZE THE CONVENTION AND VISITORS BUREAU TO SOLICIT FOR A PART-TIME CVB SALES EXECUTIVE (NX00275, \$25.455/HOUR - \$32.39/HOUR) TO PERFORM SALES ACTIVITIES AND DEVELOP PROGRAMS FOR MEETINGS AND CONVENTIONS, SPORTS, AND SMERF (SOCIAL, MILITARY, EDUCATION, RELIGIOUS, FRATERNAL) MARKETS**

CDSP21/10-31

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize the Convention and Visitors Bureau to solicit for a Part-Time CVB Sales Executive (NX00275, \$25.455/hour - \$32.39/hour) to perform sales activities and develop programs for meetings and conventions, sports, and SMERF (Social, Military, Education, Religious, Fraternal) markets.

Roll call:

Yes:            Doug Brown, Marcia Hovey-Wright, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:             Kim Cyr, Susie Hughes, Zach Lahring, Malinda Pego     **Motion Carried**

**2021-426 APPROVE THE RESOLUTION SUPPORTING LITTLE RIVER BAND OF OTTAWA INDIANS CASINO IN MUSKEGON COUNTY AS AMENDED**

CDSP21/10-32

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to approve the Resolution Supporting Little River Band of Ottawa Indians Casino in Muskegon County as amended. (See attached.)

Roll call:

Yes: Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Kim Cyr, Zach Lahring

Recused: Malinda Pego

**Motion Carried**

**2021-427 AUTHORIZE AWARD OF RFP 21-2425 FOR A FIVE-YEAR PERIOD OF HOSTED INTELLIGENT TRANSPORTATION SYSTEM (ITS), SERVICES AND SUPPORT FOR THE MUSKEGON AREA TRANSIT SYSTEM TO HIGHEST-RATED VENDOR CONNEXIONZ, FOR THE AMOUNT OF \$590,508.70, CONTINGENT ON CORPORATE COUNSEL REVIEW OF THE CONTRACT TERMS**

TR21/10-31

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize award of RFP 21-2425 for a five-year period of Hosted Intelligent Transportation System (ITS), Services and Support for the Muskegon Area Transit System to highest-rated vendor Connexionz, for the amount of \$590,508.70, contingent on Corporate Counsel review of the contract terms.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego, Rillastine Wilkins

**Motion Carried**

**2021-428 AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REGARDING THE FEDERAL TRANSIT ADMINISTRATION ARPA OPERATING ASSISTANCE APPLICATION AND TO AUTHORIZE STAFF TO EXECUTE THE ELECTRONIC GRANT APPLICATION**

TR21/10-32

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash to authorize the Muskegon Area Transit System to publish the public notice regarding the Federal Transit Administration ARPA Operating Assistance application and to authorize staff to execute the electronic grant application.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego, Rillastine Wilkins **Motion Carried**

**2021-429 APPROVE THE LIST OF PROJECTS SUBMITTED BY MATS TO THE WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT COMMISSION FOR CONSIDERATION IN DEVELOPMENT OF THE FY2024-FY2026 CONGESTION MITIGATION AIR QUALITY PROGRAM OF PROJECTS**

TR21/10-33

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to approve the list of projects submitted by MATS to the West Michigan Shoreline Regional Development Commission for consideration in development of the FY2024-FY2026 Congestion Mitigation Air Quality program of projects.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Robert Scolnik

No: Susie Hughes, Malinda Pego, Rillastine Wilkins **Motion Carried**

**2021-430 APPROVE MDOT MASTER AGREEMENT 2022-0110 AND THE SIGNATURE RESOLUTION AUTHORIZING THE COUNTY ADMINISTRATOR TO EXECUTE THE MASTER AGREEMENT AND ASSOCIATED PROJECT AUTHORIZATIONS UNDER THE AGREEMENT**

TR21/10-34

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to approve MDOT Master Agreement 2022-0110 and the Signature Resolution authorizing the County Administrator to execute the Master Agreement and associated Project Authorizations under the agreement (see attached).

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego, Rillastine Wilkins **Motion Carried**

**2021-431 AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REGARDING THE FEDERAL TRANSIT ADMINISTRATION FY2022 CMAQ APPLICATION AND TO AUTHORIZE STAFF TO EXECUTE THE ELECTRONIC GRANT APPLICATION**

TR21/10-35

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize the Muskegon Area Transit System to publish the public notice regarding the Federal Transit Administration FY2022 CMAQ application and to authorize staff to execute the electronic grant application.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego, Rillastine Wilkins **Motion Carried**

**2021-432 APPROVE STAFF ISSUING A REQUEST FOR QUALIFICATIONS (RFQ) AND CONDUCTING A QUALIFICATION-BASED SELECTION PROCESS TO HIRE A CONSULTANT TO PERFORM AIRPORT ENGINEERING SERVICES FOR FISCAL YEARS 2022-2024, WITH TWO ADDITIONAL 1-YEAR EXTENSIONS**

TR21/10-36

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to approve staff issuing a Request for Qualifications (RFQ) and conducting a qualification-based selection process to hire a consultant to perform airport engineering services for fiscal years 2022-2024, with two additional 1-year extensions.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego, Rillastine Wilkins **Motion Carried**

**2021-433 ADMINISTRATION PURSUE CONSOLIDATING THE COUNTY CLERK'S OFFICE AND REGISTER OF DEEDS OFFICES**

TR21/10-37

The Transportation Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to have Administration pursue consolidating the County Clerk's Office and Register of Deeds offices.

Discussion ensued.

Roll call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins **Motion Failed**

**2021-434 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$18,570,633.41 COVERING THE PERIOD SEPTEMBER 24, 2021 THROUGH OCTOBER 7, 2021 FOR CHECKS AS PRESENTED BY THE COUNTY CLERK**

WM21/10-110

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve payment of the accounts payable of \$18,570,633.41 covering the period September 24, 2021 through October 7, 2021 for checks as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-435 ADOPT THE 2021 APPORTIONMENT REPORT AS PREPARED AND SUBMITTED BY THE MUSKEGON COUNTY EQUALIZATION DEPARTMENT**

WM21/10-111

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to adopt the 2021 Apportionment Report as prepared and submitted by the Muskegon County Equalization Department.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-436 AUTHORIZE STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS FOR A CONSULTANT TO ADMINISTER THE TRACKING, REPORTING, AND COMPLIANCE WITH THE AMERICAN RESCUE PLAN GRANT DOLLARS**

WM21/10-112

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize Staff to issue a Request for Qualifications for a consultant to administer the tracking, reporting, and compliance with the American Rescue Plan grant dollars.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-437 APPROVE AN INCREASE TO PURCHASE ORDER 21183583 WITH DLZ BY AN AMOUNT NOT-TO-EXCEED \$65,000 FOR A FACILITY CONDITION ASSESSMENT AT 1903 MARQUETTE AVENUE, AUTHORIZE THE CHAIR TO SIGN THE CONTRACT AMENDMENT, AND AMEND THE BUDGET ACCORDINGLY**

WM21/10-113

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to approve an increase to purchase order 21183583 with DLZ by an amount not-to-exceed \$65,000 for a facility condition assessment at 1903 Marquette Avenue, authorize the Chair to sign the contract amendment, and amend the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-438 AUTHORIZE STAFF TO ISSUE A REQUEST FOR QUALIFICATIONS FOR PROFESSIONAL SERVICES FOR THE REMODEL OF THE 6TH FLOOR, 4TH FLOOR COURTROOM, AND REPLACEMENT OF THE CURTAIN WALL AT THE HALL OF JUSTICE**

WM21/10-114

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize staff to issue a Request for Qualifications for professional services for the remodel of the 6th floor, 4th floor courtroom, and replacement of the curtain wall at the Hall of Justice.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-439 AUTHORIZE STAFF TO CONTINUE ADMINISTERING THE DTE TEST AND TUNE-UP PROGRAM THROUGH DECEMBER 31, 2023, UTILIZING APPROVED CONTRACTORS**

WM21/10-115

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to authorize staff to continue administering the DTE Test and Tune-Up Program through December 31, 2023, utilizing approved contractors.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-440 POSTPONE THE RETURN OF THE POLICE VEHICLES FOR 60 DAYS TO ALLOW OUR LOCAL LAW ENFORCEMENT COMMUNITIES TO VOICE THEIR OPINIONS AND POSSIBLE OPTIONS FOR THE VEHICLES**

WM21/10-116

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Commissioner Hughes, to postpone the return of the police vehicles for 60 days to allow our local law enforcement communities to voice their opinions and possible options for the vehicles.

Discussion ensued.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring, Malinda Pego

**Motion Carried**

**COMMITTEE LIAISON REPORT/CHAIRMAN'S REPORT**

Commissioner Pego shared an update from the West Michigan Works! meeting that was held on Monday, October 25. Ms. Pego reported that West Michigan Works! voted not to change their by-laws, a vote which comes up every few years, but they did change the wage steps and grades to bring them up to fair market wages in hopes of providing more employment.

Commissioner Brown shared an update from the Department of Health and Human Services advisory committee. Mr. Brown will provide the Board with the DHHS strategic plan; the file was too large to email to the Commissioners.

Commissioner Pego shared an update from the WEMET policy board which met Tuesday, October 26. Ms. Pego indicated that the policy board applied for the FY22 Byrne Grant which was accepted along with an increase that was achieved last year.

Commissioner Hovey-Wright shared an update from the HealthWest board that a final resolution of the \$12 million that is owed to the County will happen by the week of November 23.

Chairman Scolnik is on the Muskegon Area District Library Board and shared that the current Director, Kelly Richards, has accepted a new position as the Director and President of the Free Library of Philadelphia, PA, which has 760 employees, 53 branches, and a \$45 million budget.

**2021-441     APPROVE THE CITIZEN APPOINTMENT OF DONALD AMES TO THE SOLID WASTE PLANNING COMMITTEE (TERM THROUGH 12/31/2023)**

It was recommended by Chairman Scolnik, moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the citizen appointment of Donald Ames to the Solid Waste Planning Committee (term through 12/31/2023).

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

**2021-442     APPROVE THE APPOINTMENT OF ROBERT SCOLNIK TO THE MUSKEGON AREA DISTRICT LIBRARY (TERM THROUGH 12/31/2024)**

It was recommended by Chairman Scolnik, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve the appointment of Robert Scolnik to the Muskegon Area District Library (term through 12/31/2024).

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           Zach Lahring **Motion Carried**

**2021-443     APPROVE THE APPOINTMENT OF ANGELA GASIEWSKI TO THE MUSKEGON COUNTY BUILDING AUTHORITY BOARD (TERM THROUGH 12/31/2024)**

It was recommended by Chairman Scolnik, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to approve the appointment of Angela Gasiewski to the Muskegon County Building Authority Board (term through 12/31/2024).

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

### **ADMINISTRATOR'S REPORT**

Administrator Eisenbarth shared with the Board that the City of Muskegon Heights is working on organizing a rally in Lansing in support of the Little River Band of Ottawa Indians Casino the morning of Tuesday, November 9.

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

None.

### **FINAL BOARD COMMENTS**

Vice-Chair Nash commented that this Board should look into keeping the Sheriff's vehicles in the current storage facilities and paying for that storage.

Commissioner Cyr indicated he thought the reason the Sheriff had to vacate the airport so that it could create revenue from renting the space.

Chairman Scolnik indicated that the point of contention was that the Sheriff and other departments were not paying rent for storing equipment which was costing the airport money, and the County is subsidizing the airport. Mr. Scolnik further indicated that if rent was paid it would negate that problem.

Administrator Eisenbarth indicated that he would bring numbers back to the Board.

### **2021-444 ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 4:24 p.m.

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Linda M. Larsen, Chief Deputy County Clerk

LML/lss

Approved at the Full Board meeting on Tuesday, November 9, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, November 9, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Commissioner Pego. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel via Zoom

**2021-445 APPROVAL OF THE AGENDA**

Moved by Commissioner Wilkins, seconded by Commissioner Brown, to approve the agenda.

Discussion ensued.

**2021-446     REMOVE ITEM 11 FROM AGENDA**

Moved by Commissioner Hughes, seconded by Vice-Chair Nash to remove Item 11 from the agenda.

Voice vote.

**Motion Carried**

**2021-447     APPROVAL OF THE AGENDA AS AMENDED**

Moved by Commissioner Wilkins, seconded by Commissioner Brown, to approve the agenda as amended.

Voice vote.

**Motion Carried**

**2021-448     APPROVAL OF THE MINUTES OF OCTOBER 26, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the minutes of October 26, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

Chair Scolnik requested MSP GR Post Commander Chris McIntire speak. F/Lt. McIntire addressed the Board in support of the equipment the Emergency Response Team needs to operate. F/Lt McIntire feels it is irresponsible to not have that equipment for the job they have to do; he has 35 years of law enforcement and said it is imperative to have that equipment.

Public Health Director Kathy Moore provided the Board additional information that was requested at the last Human Services Committee meeting. (See attached.)

**COMMITTEE/BOARD REPORTS**

**2021-449     APPROVE THE SHERIFF'S OFFICE EXTENDING THE EXISTING CONTRACT BETWEEN SECURUS TECHNOLOGIES AND THE MUSKEGON COUNTY SHERIFF'S OFFICE UNTIL NOVEMBER 14, 2025. TO APPROVE THE SHERIFF'S OFFICE TO ACCEPT THE \$10,000 TECHNOLOGY GRANT FROM SECURUS AND HIRE AN ELECTRICAL CONTRACTOR TO ADD OUTLETS IN THE JAIL FOR CHARGING STATIONS FOR THE TABLETS. TO AUTHORIZE THE SHERIFF/OR DESIGNEE TO SIGN THE CONTRACT EXTENSION**

CPS21/11-58

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Sheriff's Office extending the existing contract between Securus Technologies and the Muskegon County Sheriff's Office until November 14, 2025. To approve the Sheriff's Office to accept the \$10,000 technology grant from Securus and hire an electrical contractor to add outlets in the jail for charging stations for the tablets. To authorize the Sheriff/or designee to sign the contract extension.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None

**Motion Carried**

**2021-450     APPROVE THE RESOLUTION FOR AN ADDITIONAL 14<sup>TH</sup> CIRCUIT COURT JUDGE**

CPS21/11-59

The Courts and Public Safety Committee recommended, moved by Commissioner Pego, seconded by Commissioner Hughes, to approve the Resolution for an additional 14<sup>th</sup> Circuit Court Judge. (See attached.)

Discussion ensued.

Commissioner Lahring requested information on the additional costs associated with the new judge.

Judge Timothy Hicks thanked the Board for the privilege of working with them over the years as he will be retiring at the end of this year. Judge Hicks explained to the Board that the new judge would be devoted to civil and probate matters so they will not require a prosecutor, public defender, or sheriff's deputy. The new judge will require only a judicial assistant and court officer.

Sandra VanderHyde, Circuit Court Administrator, informed the Board that a Judicial Assistant's salary and benefits is approximately \$70,700, and the recorder/bailiff is approximately \$72,000, for a total of \$142,700. The State pays for the salary of the new judge only, not staff.

Angela Gasiewski, Accounting Manager, indicated that she has not yet spent time on this matter regarding future funding, but she is working closely with Ms. VanderHyde.

Hovey-Wright pointed out that this would be in the next fiscal year, FY23.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash,  
                     Robert Scolnik, Rillastine Wilkins

No:             Zach Lahring, Malinda Pego

**Motion Carried**

**2021-451 APPROVE ADDITIONAL FUNDING FOR FY22 IN THE AMOUNT OF \$21,250 FOR LIVING WORD CHURCH FOR SNOW REMOVAL; TO AMEND THE BUDGET ACCORDINGLY AND TO AUTHORIZE THE DESIGNATED SENIOR MILLAGE GRANTS ADMINISTRATOR, SENIOR RESOURCES TO PROCEED WITH THE ADMINISTRATION OF THE PROGRAMS**

HS21/11-27

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve additional funding for FY22 in the amount of \$21,250 for Living Word Church for Snow Removal; to amend the budget accordingly and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

Discussion ensued. Director of Public Health Kathy Moore went over some of the information that she had handed out during Public Comment. Mrs. Moore also indicated that some of the service schedules had been interrupted due to COVID but they are scheduled to resume January 3, so it may not follow the printed schedule.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-452 APPROVE ADDITIONAL FUNDING FOR FY22 IN THE AMOUNT OF \$17,875 FOR LIVING WORD CHURCH FOR LAWN CARE; TO AMEND THE BUDGET ACCORDINGLY AND TO AUTHORIZE THE DESIGNATED SENIOR MILLAGE GRANTS ADMINISTRATOR, SENIOR RESOURCES TO PROCEED WITH THE ADMINISTRATION OF THE PROGRAMS**

HS21/11-28

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash to approve additional funding for FY22 in the amount of \$17,875 for Living Word Church for Lawn Care; to amend the budget accordingly and to authorize the designated Senior Millage Grants Administrator, Senior Resources to proceed with the administration of the programs.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-453 APPROVE ADDITIONAL SENIOR MILLAGE FUNDING FOR FY22 IN THE AMOUNT OF \$8,228 FOR A TOTAL OF \$613,074 FUNDS TO THE LOCAL MUNICIPALITIES TO COORDINATE AND PROVIDE SERVICES, PROGRAMS AND/OR ACTIVITIES FOR SENIORS IN THEIR JURISDICTION; AND AMEND THE BUDGET ACCORDINGLY**

HS21/11-29

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve additional Senior Millage funding for FY22 in the amount of \$8,228 for a total of \$613,074 funds to the local municipalities to coordinate and provide services, programs and/or activities for seniors in their jurisdiction; and amend the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-454 AUTHORIZE PUBLIC HEALTH TO ACCEPT FUNDING FROM THE LAKESHORE REGIONAL ENTITY IN THE AMOUNT OF \$336,000 FOR SUBSTANCE ABUSE PREVENTION SERVICES IN MUSKEGON COUNTY EFFECTIVE OCTOBER 1, 2021 TO SEPTEMBER 30, 2022; ADJUST THE BUDGET ACCORDINGLY AND FURTHER AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RELATED AGREEMENT**

HS21/11-30

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to accept funding from the Lakeshore Regional Entity in the amount of \$336,000 for substance abuse prevention services in Muskegon County effective October 1, 2021 to September 30, 2022; adjust the budget accordingly and further authorize the Public Health Director to sign the related agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-455 AUTHORIZE PUBLIC HEALTH TO FY22 LAKESHORE REGIONAL ENTITY GAMBLING DISORDER PREVENTION PROJECT GRANT IN THE AMOUNT OF \$35,000; ADJUST THE BUDGET ACCORDINGLY AND FURTHER AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RELATED AGREEMENT**

HS21/11-31

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to FY22 Lakeshore Regional Entity Gambling Disorder Prevention Project Grant in the amount of \$35,000; adjust the budget accordingly and further authorize the Public Health Director to sign the related agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-456 AUTHORIZE PUBLIC HEALTH TO ACCEPT THE LAKESHORE REGIONAL ENTITY COVID-19 BLOCK GRANT FUNDING IN THE AMOUNT OF \$55,785; ADJUST THE BUDGET ACCORDINGLY AND FURTHER AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RELATED AGREEMENT**

HS21/11-32

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to accept the Lakeshore Regional Entity COVID-19 Block Grant funding in the amount of \$55,785; adjust the budget accordingly and further authorize the Public Health Director to sign the related agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**





**2021-461 APPROVE THE SALE OF LOT #7 IN THE COUNTY'S BUSINESS PARK NORTH FOR \$8,000 PER ACRE FOR A TOTAL PURCHASE PRICE OF \$32,000, TO DALE'S TREE SERVICE, LLC., AND AUTHORIZE THE CHAIR TO SIGN THE PURCHASE AGREEMENT AND AUTHORIZE THE PUBLIC WORKS DIRECTOR TO SIGN ALL NECESSARY DOCUMENTS RELATED TO CLOSING**

WM21/10-121

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the sale of lot #7 in the County's Business Park North for \$8,000 per acre for a total purchase price of \$32,000, to Dale's Tree Service, LLC., and authorize the Chair to sign the purchase agreement and authorize the Public Works Director to sign all necessary documents related to closing.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-462 WAIVE THE PROCUREMENT POLICY AND EXTEND THE TWO SERVICE CONTRACTS WITH OTIS ELEVATOR EXPIRING FEBRUARY 28, 2022 FOR A 5-YEAR TERM STARTING MARCH 1, 2022 AND AUTHORIZE THE CHAIR TO SIGN THE EXTENSION**

WM21/10-122

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to waive the Procurement Policy and extend the two service contracts with Otis Elevator expiring February 28, 2022 for a 5-year term starting March 1, 2022 and authorize the Chair to sign the extension.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-463 REORGANIZE THE FINANCE DEPARTMENT AS PRESENTED AND ADJUST THE BUDGET ACCORDINGLY**

WM21/10-123

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to reorganize the finance department as presented and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**COMMITTEE LIAISON REPORT/CHAIRMAN'S REPORT**

**2021-464 REAPPOINT BRIAN MULNIX AND JEFF AUCH TO THE WHITE RIVER ZONING BOARD FOR 3-YEAR TERMS (01/01/2022 THROUGH 12/31/2024)**

It was recommended by Chair Scolnik, moved by Commissioner Hughes, seconded by Vice-Chair Nash, to reappoint Brian Mulnix and Jeff Auch to the White River Zoning Board for 3-year terms (01/01/2022 through 12/31/2024).

Voice vote.

**Motion Carried**

Chair Scolnik shared coming events.

- Veteran's Day is November 11<sup>th</sup>:
  - 4:00 p.m. – 5:00 p.m. Heroes Tribute Parade along Western Avenue
  - 5:00 p.m. – 5:30 p.m. Budweiser Clydesdales at Mercy Health Arena
  - 6:00 p.m. – 9:00 p.m. Celebration Concert featuring Westside Soul Surfers & Brena
- Child Abuse Council's 30<sup>th</sup> Annual Holiday Dazzle is scheduled for November 11<sup>th</sup> at the Delta by Marriott.

Administrator Eisenbarth added that there will be an event at the north end of Veteran's Memorial Park at 11:00 a.m. on Thursday, November 11, with guest speaker Rep. Sabo, and music provided by the Reeths-Puffer Middle School Band.

**ADMINISTRATOR'S REPORT**

**2021-465     AUTHORIZE THE BOARD CHAIR TO SIGN THE PARTICIPATION AGREEMENTS RELATIVE TO SETTLEMENT OF THE COUNTY OF MUSKEGON CIVIL SUIT AGAINST THOSE LEGALLY RESPONSIBLE FOR THE WRONGFUL MARKETING, SALE AND DISTRIBUTION OF PRESCRIPTION OPIATES/OPIOIDS AND DAMAGES CAUSED THEREBY**

It was recommended by Administration, moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to authorize the Board Chair to sign the participation agreements relative to settlement of the County of Muskegon civil suit against those legally responsible for the wrongful marketing, sale and distribution of prescription opiates/opioids and damages caused thereby.

Discussion ensued. Corporate Counsel Homier spoke regarding the class action suit which the County opted into three or four years ago, and that any legal fees, which have to be approved by the court, would be taken out of the potential settlement. Mr. Homier indicated that the Settlement Agreements have not been prepared but they would be reviewed by Corporate Counsel before signing. Mr. Homier further indicated that there should not be any strings attached to the settlement money.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None

**Motion Carried**

**2021-466     AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSAL (RFP)  
FOR THE MEDICAL CARE SERVICES OF INMATES OF THE  
MUSKEGON COUNTY JAIL AND JUVENILE TRANSITION CENTER**

It was recommended by Administration, moved by Commissioner Hovey-Wright, seconded by Commissioner Hughes, to authorize the release of a Request for Proposal (RFP) for the medical care services of inmates of the Muskegon County Jail and Juvenile Transition Center.

Discussion ensued. Sheriff Michael Poulin explained to the Board that HealthWest, the current contract holder for medical care services, is having problems meeting the staffing demands to adequately cover the medical care services. Sheriff Poulin suggested using a sole-source nation-wide vendor which he has been in contact with, since going through the RFP process could take months.

Julia Rupp, HealthWest Director, addressed the Board that HealthWest is understaffed, having more than 80 vacancies. Ms. Rupp would prefer to cancel the contract so that she can keep the current HealthWest employees employed in another area.

Corporate Counsel Homier addressed the Board regarding the procurement policy and sole-source vendors. Mr. Homier indicated that the Board may waive any provisions regarding a directed proposal, which is the more appropriate term rather than sole-source provider.

Commissioner Lahring reminded the Board that the Board was the one who picked HealthWest to provide these services in the first place right before COVID started.

Sheriff Poulin would like to get this provider in place and if necessary, go out for the RFP in a few months. Sheriff Poulin indicated that he has met with the other provider who not just local and therefore, will be able to bring people in from all over; they also provide services for six other counties in Michigan. Sheriff Poulin further stated that it takes approximately 20 people to provide medical service. Sheriff Poulin indicated that if this motion passes and the vendor applies, the Sheriff's Department will no longer be able to have conversations with them.

Roll call:

Yes:             Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring,  
Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None

**Motion Carried**

Administrator Eisenbarth added that in an emergency situation, a new vendor would be put in place until they go through RFP process.

### **UNFINISHED BUSINESS**

Commissioner Pego addressed the Board regarding her concerns about the end of the discussions with a possible new jail medical service provider when HealthWest has stated they do not have enough staff. Administrator Eisenbarth indicated that discussions could continue until the RFP goes out, which will be about a week.

Commissioner Lahring indicated that since HealthWest still has the contract, they are obligated to fulfill this contract.

Commissioner Lahring requested an update on the case against Doug Hughes. Corporate Counsel Homier informed the Board that the Settlement Agreement has been drafted and Administrator Eisenbarth confirmed it has been executed.

### **NEW BUSINESS**

Commissioner Cyr addressed the Board regarding the City of Muskegon's Mayoral race in last week's election. Commissioner Cyr stated that in the 13 On Your Side interview with Clerk Waters, Clerk Waters made statements regarding some of the modem connections not working but that they had all been tested the previous week and they all performed as expected, specifically with the City of Muskegon. Commissioner Cyr also brought up a memo from IT Director Ivan Phillips which indicated that the precinct clerks did not test the four modems when they ran the rest of the testing the previous week. Commissioner Cyr would like Clerk Waters to address this.

### **2021-467     RECOMMEND THAT COUNTY CLERK WATERS MOVE FORWARD WITH TESTING I.T. EQUIPMENT FOR ELECTIONS**

It was moved by Commissioner Pego, seconded by Commissioner Cyr, to recommend that County Clerk Waters move forward with testing I.T. equipment for elections.

Discussion ensued. Corporate Counsel addressed the Board that the Chair has the obligation to decide whether this is a substantive county matter, otherwise it has to go to committee first. Chair Scolnik indicated that this is not a substantive matter, but is willing to ask Clerk Waters and IT Director Ivan Phillips for their input. Administrator Eisenbarth indicated he would get a report from both Clerk Waters and Director Phillips. Commissioner Pego refused to withdraw her motion, Chair Scolnik agreed to go ahead and take roll call.

Roll call:

Yes: Doug Brown, Kim Cyr, Zach Lahring, Malinda Pego, Rillastine Wilkins

No: Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik

**Motion Carried**

**PUBLIC COMMENT**

Captain Shane Brown, MSCD, addressed the Board regarding some concerns he thought the Board had with the Sheriff's previous comments regarding an incident in 2011. Captain Brown indicated that the Sheriff obtained Captain Brown's permission before sharing information with the Board and the Sheriff has never been disrespectful toward him. Captain Brown shared with the Board that when the perpetrators were heading toward Grand Rapids, he was comforted by the fact that he knew the Grand Rapids police had a Bearcat vehicle (like an MRAP) and that GRPD would be ready for them unless the perpetrators turned around.

**FINAL BOARD COMMENTS**

Commissioner Cyr thanked Judge Hicks for his service to the people of Muskegon County.

Commissioner Lahring addressed the Board regarding comments from other members of the Board that he has been providing false information, that he is a racist, and that he obtained this position in order to gain insurance. Commissioner Lahring indicated that there is no basis for these charges. Commissioner Lahring further indicated that he forwarded to the Board supporting information, citing sources, for his decision against Teleworking.

**2021-468 ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 4:19 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, November 30, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, November 30, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Reverend Kristen Orion, Pilgrim Manor, a United Church Homes Community, 2000 Leonard St, NE, Grand Rapids, Michigan. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown, via Zoom due to medical condition, City of Muskegon  
Kim Cyr  
Marcia Hovey-Wright  
Zach Lahring, via Zoom due to medical condition, Muskegon County  
Charles Nash  
Malinda Pego  
Robert Scolnik

Excused: Susie Hughes  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Leslie Abdoo, Corporate Counsel  
Michael Homier, Corporate Counsel via Zoom

**2021-469 APPROVAL OF THE AGENDA**

Moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to approve the agenda.

Voice vote.

**Motion Carried**

**2021-470     APPROVAL OF THE MINUTES OF NOVEMBER 9, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the minutes of November 9, 2021.

Voice vote.

**Motion Carried**

**PRESENTATION**

Public Health Director provided the Board with a COVID update and provided a hand-out (see attached).

**PUBLIC COMMENT (on an agenda item)**

A citizen addressed the Board in support of a county-wide mask mandate in school and for county employees which she feels our County Health Department should set up.

A citizen addressed the Board against mask and vaccine mandates.

**COMMITTEE/BOARD REPORTS**

**2021-471     WAIVE THE STANDARD PROCUREMENT POLICY AND CHANGE THE PARKS DEPARTMENT CREDIT CARD PROCESSING VENDOR FROM ETS (ELECTRONIC TRANSACTIONS SYSTEMS), TO VERMONT SYSTEMS' PAYTRAC, WHICH IS FULLY INTEGRATED WITH THE RECTRAC PARK RESERVATIONS SOFTWARE.**

CDSP21/11-33

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to waive the standard procurement policy and change the Parks Department credit card processing vendor from ETS (Electronic Transactions Systems), to Vermont Systems' PayTrac, which is fully integrated with the RecTrac park reservations software.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No:             None

Excused:      Susie Hughes, Rillastine Wilkins

**Motion Carried**

**2021-472 AWARD THE BID FOR PARKING LOT CONSTRUCTION AT DUNE HARBOR PARK TO HOSSINK INC. FOR \$154,354.10 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE CONSTRUCTION CONTRACT ONCE THE CLOSING OF PHASE 1 OF THE SOUTH LAKE PROPERTY IS COMPLETE**

CDSP21/11-34

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, award the bid for parking lot construction at Dune Harbor Park to Hossink Inc. for \$154,354.10 and authorize the Board Chair to sign the construction contract once the closing of Phase 1 of the South Lake Property is complete.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-473 AUTHORIZE MATS TO CREATE AN ADDITIONAL TRANSIT MAINTENANCE MECHANIC POSITION, PAY TABLE/GRADE GU-00220 \$18.78/HR - \$23.90/HR, EFFECTIVE DECEMBER 1, 2021, AND TO SUBSEQUENTLY ELIMINATE TRANSIT MAINTENANCE MECHANIC POSITION G86001 UPON THE RETIREMENT OF THE INCUMBENT IN THAT POSITION**

TR21/11-38

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize MATS to create an additional Transit Maintenance Mechanic position, Pay Table/Grade GU-00220 \$18.78/hr - \$23.90/hr, effective December 1, 2021, and to subsequently eliminate Transit Maintenance Mechanic position G86001 upon the retirement of the incumbent in that position.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-474 AUTHORIZE STAFF TO ENGAGE THE FEDERAL TRANSIT ADMINISTRATION REGARDING THE NECESSARY STEPS AND/OR COSTS TO SETTLE THE FEDERAL TRANSIT ADMINISTRATION'S REMAINING GRANT-FUNDED INTEREST IN PAST IMPROVEMENTS AND RENOVATIONS MADE TO THE UNION DEPOT FACILITY**

TR21/11-39

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash to authorize staff to engage the Federal Transit Administration regarding the necessary steps and/or costs to settle the Federal Transit Administration's remaining grant-funded interest in past improvements and renovations made to the Union Depot facility.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-475 ACCEPT THE REVISED BYLAWS OF THE AIRPORT DEVELOPMENT ADVISORY COMMITTEE**

TR21/11-40

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to accept the revised bylaws of the Airport Development Advisory Committee.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-476 AUTHORIZE MATS TO ENTER INTO AN INTERLOCAL AGREEMENT WITH HARBOR TRANSIT MULTI MODAL TRANSPORTATION SYSTEM TO FACILITATE CONNECTION OF THE MATS PROGRAM AND THE HARBOR TRANSIT PROGRAM AT A MUTUALLY BENEFICIAL LOCATION NEAR THE SERVICE AREA BOUNDARY**

TR21/11-41

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to authorize MATS to enter into an interlocal agreement with Harbor Transit Multi Modal Transportation System to facilitate connection of the MATS program and the Harbor Transit program at a mutually beneficial location near the service area boundary.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-477 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$7,914,498.47 COVERING THE PERIOD OCTOBER 23, 2021 THROUGH NOVEMBER 4, 2021 AS PRESENTED BY THE COUNTY CLERK**

WM21/11-126

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve payment of the accounts payable of \$7,914,498.47 covering the period October 23, 2021 through November 4, 2021 as presented by the County Clerk.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Robert Scolnik

No: Malinda Pego

Excused: Susie Hughes, Rillastine Wilkins **Motion Carried**

**2021-478 REORGANIZE THE HUMAN RESOURCES DEPARTMENT AS PRESENTED AND ADJUST THE BUDGET ACCORDINGLY**

WM21/11-127

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to reorganize the Human Resources Department as presented and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik

No: None

Excused: Susie Hughes, Rillastine Wilkins

**Motion Carried**

**COMMITTEE LIAISON REPORT/CHAIRMAN'S REPORT**

**2021-479 APPROVE THE FOLLOWING REAPPOINTMENTS TO THE SOLID WASTE PLANNING COMMITTEE FOR 2-YEAR TERMS (1/1/2022 THROUGH 12/31/2023): SIDNEY SHAW (ENVIRONMENTAL SLOT), BARBARA MARCZAK (ENVIRONMENTAL SLOT), WILLIAM CRABTREE (INDUSTRIAL SLOT), SCOTT HEUBLER (CITY SLOT), LINDA AERTS (TOWNSHIP SLOT), DOUG WOOD (SOLID WASTE MANAGEMENT SLOT), RUSS JONES (SOLID WASTE MANAGEMENT SLOT)**

Item 10.A

It was recommended by Chairman Scolnik, moved by Vice-Chair Nash, seconded by Commissioner Pego, to reappoint to the Solid Waste Planning Committee for 2-year terms (01/01/2022 through 12/31/2023): Sidney Shaw (Environmental slot), Barbara Marczak (Environmental slot), William Crabtree (Industrial slot), Scott Huebler (City slot), Linda Aerts (Township slot), Doug Wood (Solid Waste Management slot), Russ Jones (Solid Waste Management slot).

Voice Vote

**Motion Carried**

**2021-480**     **APPROVE THE APPOINTMENT TO THE ACCOMMODATIONS TAX ADVISORY COMMITTEE FOR 3-YEAR TERMS (1/1/2022 THROUGH 12/31/2024): DEBBIE HILLEBRAND (THE LEWIS HOUSE B&B – HOTELS/MOTELS SLOT), PATRICIA SCHROEDER (OLD CHANNEL INN – FOOD & BEVERAGE SLOT), DONELLE JOHNSON (THE PIDGE INN – HOTELS/MOTELS SLOT), KIRK HALLMAN (MUSKEGON MUSEUM OF ART – ATTRACTION SLOT)**

Item 10.B

It was recommended by Chairman Scolnik, moved by Vice-Chair Nash, seconded by Commissioner Pego, to approve the appointment to the Accommodations Tax Advisory Committee for 3-year terms (1/1/2022 through 12/31/2024): Debbie Hillebrand (The Lewis House B&B – Hotels/Motels slot), Patricia Schroeder (Old Channel Inn – Food & Beverage slot), Donelle Johnson (The Pidge Inn – Hotels/Motels slot), Kirk Hallman (Muskegon Museum of Art – Attraction slot).

Voice Vote

**Motion Carried**

**2021-481**     **APPROVE THE REAPPOINTMENT OF COMMISSIONER HOVEY-WRIGHT AND COMMISSIONER CYR TO THE SENIOR ACTIVITIES COMMITTEE FOR A 1-YEAR TERM (1/1/2022 THROUGH 12/31/2022)**

Item 10.C

It was moved by Chairman Scolnik, seconded by Vice-Chair Nash, to approve the reappointment of Commissioner Hovey-Wright and Commissioner Cyr to the Senior Activities Committee for a 1-year term (1/1/2022 through 12/31/2022).

Voice Vote

**Motion Carried**

**2021-482**     **APPROVE THE APPOINTMENT OF CHAIRMAN SCOLNIK TO THE SENIOR ACTIVITIES COMMITTEE FOR A 1-YEAR TERM (1/1/2022 THROUGH 12/31/2022)**

Item 10.D

It was moved by Vice-Chair Nash, seconded by Commissioner Hovey-Wright, to approve the appointment of Chairman Scolnik to the Senior Activities Committee for a 1-year term (1/1/2022 through 12/31/2022).

Voice Vote

**Motion Carried**

**2021-483**     **APPROVE THE REAPPOINTMENT OF ROBERT SEWICK TO THE SENIOR ACTIVITIES COMMITTEE FOR A 3-YEAR TERM (1/1/2022 THROUGH 12/31/2024)**

Item 10.E

It was moved by Chairman Scolnik, seconded by Commissioner Hovey-Wright, to approve the reappointment of Robert Sewick to the Senior Activities Committee for a 3-year term (1/1/2022 through 12/31/2024).

Voice Vote

**Motion Carried**

**2021-484     APPROVE THE APPOINTMENT OF STEVE WARMINGTON TO THE SENIOR ACTIVITIES COMMITTEE FOR A 3-YEAR TERM (1/1/2022 THROUGH 12/31/2024)**

Item 10.F

It was moved by Chairman Scolnik, seconded by Commissioner Pego, to approve the appointment of Steve Warmington to the Senior Activities Committee for a 3-year term (1/1/2022 through 12/31/2024).

Voice Vote

**Motion Carried**

**2021-485     APPROVE THE REAPPOINTMENT TO THE REMONUMENTATION PEER REVIEW GROUP FOR A 3-YEAR TERM (1/1/2022 THROUGH 12/31/2024): TIM DEMUMBRUM, ALAN DAHL, STEVEN GREEN**

Item 10.G

It was moved by Chairman Scolnik, seconded by Commissioner Pego, to approve the reappointment to the Remonumentation Peer Review Group for a 3-year term (1/1/2022 through 12/31/2024): Tim Demumbrum, Alan Dahl, Steven Green.

Voice Vote

**Motion Carried**

**2021-486     APPROVE THE APPOINTMENT TO THE COMMUNITY CORRECTIONS BOARD FOR A 3-YEAR TERM (1/1/2022 THROUGH 12/31/2024): DANIEL QUALLS, JACKIE HALLBERG**

Item 10.H

It was moved by Chairman Scolnik, seconded by Commissioner Pego, to approve the appointment to the Community Corrections Board for a 3-year term (1/1/2022 through 12/31/2024): Daniel Qualls, Jackie Hallberg.

Voice Vote

**Motion Carried**

**2021-487     APPROVE THE APPOINTMENT OF PUBLIC DEFENDER FRED JOHNSON TO THE COMMUNITY CORRECTIONS ADVISORY BOARD FOR A 3-YEAR TERM (1/81/2022 THROUGH 12/31/2024)**

Item 10.I

It was moved by Chairman Scolnik, seconded by Commissioner Pego, to approve the appointment of Public Defender Fred Johnson to the Community Corrections Advisory Board for a 3-year term (1/81/2022 through 12/31/2024).

Voice Vote

**Motion Carried**

**ADMINISTRATOR'S REPORT**

Administrator Eisenbarth informed the Board that he and Caitlin Hegedus would be meeting with the Michigan Natural Resources Trust Fund on Wednesday, December 1 in Lansing regarding the award under Phase II for Nugent Sand. If granted, the award would be approximately \$5 million.

## **UNFINISHED BUSINESS**

None.

## **NEW BUSINESS**

Commissioner Pego and Commissioner Lahring addressed the Board regarding the Order that the Judges created regarding masks in the Hall of Justice. Commissioner Pego requested a verbal opinion from Corporate Counsel as to whether or not the Judges have authority over health issues.

Corporate Counsel Mike Homier indicated that the Judges have authority over their courtrooms and the parts of the building needed to access the courtrooms.

### **2021-488     REQUEST A WRITTEN OPINION FROM CORPORATE COUNSEL AS TO WHO HAS AUTHORITY OVER MASKS IN COUNTY BUILDINGS**

It was moved by Chairman Scolnik to request a written opinion from Corporate Counsel as to who has authority over masks in county buildings. Motion failed for lack of a second.

## **PUBLIC COMMENT**

A citizen addressed the Board regarding masks versus no-masks in schools and that some comments by Commissioners have been unprofessional.

A citizen addressed the Board that wearing masks is the Christian thing to do.

## **FINAL BOARD COMMENTS**

Commissioner Pego asked what kind of preventative measures have been promoted against COVID.

Commissioner Lahring indicated that he does not recognize the authority of the Court over sidewalks, parking lots, etc.

Commissioner Hovey-Wright indicated that preventative measures are vaccines and masks.

Commissioner Pego responded that vaccines do not prevent COVID.

Vice-Chair Nash encouraged the public to listen to professionals in their field and to not get their information from people who are not in that field.

Commissioner Cyr addressed the Board regarding the new variant, Omicron, and the mildness of the symptoms.



**2021-491     ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 5:02 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Full Board meeting on Tuesday, December 14, 2021.

**Muskegon County  
Board of Commissioners**  
*Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Robert Scolnik, Chairman  
Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes*

*Charles Nash, Vice-Chair  
Zach Lahring  
Malinda Pego  
Rillastine R. Wilkins*

*Board Minutes may be found on the web at <https://www.co.muskegon.mi.us/AgendaCenter/Board-of-Commissioners-2>*

**Full Board Meeting**

Tuesday, December 14, 2021  
3:00 p.m.

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Scolnik in person and was available to the public via Zoom. The Invocation was given by Commissioner Cyr. The Pledge of Allegiance was recited in unison.

**Roll Call of Board Members:**

Present: Doug Brown  
Kim Cyr  
Marcia Hovey-Wright  
Susie Hughes, via Zoom due to medical condition, Muskegon Township  
Zach Lahring  
Charles Nash  
Malinda Pego  
Robert Scolnik  
Rillastine R. Wilkins

Also

Present: Mark Eisenbarth, County Administrator  
Nancy A. Waters, County Clerk  
Kristin Barnhill, Executive Assistant  
Linda S. Schutter, Deputy County Clerk  
Michael Homier, Corporate Counsel

**2021-492     APPROVAL OF THE AGENDA AS AMENDED**

Moved by Vice-Chair Nash, seconded by Commissioner Hughes, to approve the agenda as amended adding the closed session.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-493 APPROVAL OF THE REGULAR AND CLOSED SESSION MINUTES OF NOVEMBER 30, 2021**

Moved by Vice-Chair Nash, seconded by Commissioner Wilkins, to approve the Regular and Closed Session minutes of November 30, 2021.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT (on an agenda item)**

Two citizens spoke against Agenda Item TR21/12-43.

**COMMITTEE/BOARD REPORTS**

**2021-494 APPROVE THE FY2022 LAKESHORE MUSEUM CENTER BUDGET**

CDSP21/12-35

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the FY2022 Lakeshore Museum Center Budget.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-495 APPROVE THE PROPOSED MUSKEGON COUNTY PARKS OVERNIGHT CAMPING FEE INCREASE OF \$2.00 PER NIGHT, WITH BLUE LAKE AND PIONEER PARKS 2022 RATES AT \$34.00 PER NIGHT AND MEINERT PARK RATE AT \$36.00 PER NIGHT**

CDSP21/11-34

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to approve the proposed Muskegon County Parks overnight camping fee increase of \$2.00 per night, with Blue Lake and Pioneer Parks 2022 rates at \$34.00 per night and Meinert Park rate at \$36.00 per night.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

**2021-496     AUTHORIZE PARKS DEPARTMENT STAFF TO BEGIN THE RECRUITMENT PROCESS FOR NEW CARETAKERS AT MEINERT COUNTY PARK**

CDSP21/12-37

The Community Development and Strategic Planning Committee recommended, moved by Commissioner Brown, seconded by Commissioner Hughes, to authorize Parks Department staff to begin the recruitment process for new caretakers at Meinert County Park.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None

**Motion Carried**

Before the Courts and Public Safety Committee report was read, Commissioner Pego asked for a moment of silence for the three inmates who have lost their lives while in custody.

Commissioner Pego also read a resolution which was prepared by citizens. Commissioner Lahring asked for an amendment, however, due to Board Rules, Chair Scolnik declined to add this resolution to be on the agenda.

**2021-497     REQUEST PERMISSION TO ACCEPT THROUGH THE FY2021 MICHIGAN STATE POLICE – EMERGENCY MANAGEMENT & HOMELAND SECURITY DIVISION (EMPG AMERICAN RESCUE PLAN ACT) REIMBURSEMENT FOR UP TO 17.13% OF THE MUSKEGON COUNTY EMERGENCY SERVICES DIRECTOR’S SALARY AND FRINGE BENEFITS AND ADJUST THE BUDGET ACCORDINGLY**

CPS21/12-60

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to request permission to accept through the FY2021 Michigan State Police – Emergency Management & Homeland Security Division (EMPG American Rescue Plan Act) reimbursement for up to 17.13% of the Muskegon County Emergency Services Director’s salary and fringe benefits and adjust the budget accordingly.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:             Zach Lahring, Malinda Pego

**Motion Carried**

**2021-498 APPROVE A ONE-YEAR CONTRACT WITH MANAGED ASSIGNED COUNSEL (MAC) SERVICES FOR \$25,000 AND AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT**

CPS21/12-61

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve a one-year contract with Managed Assigned Counsel (MAC) services for \$25,000 and authorize the Board Chair to sign the agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-499 ACCEPT THE FY2022 OFF-ROAD VEHICLE (ORV) LAW ENFORCEMENT GRANT IN THE AMOUNT OF \$16,500.00 FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES AND TO HAVE THE SHERIFF SIGN THE AGREEMENT**

CPS21/12-62

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to accept the FY2022 Off-Road Vehicle (ORV) Law Enforcement Grant in the amount of \$16,500.00 from the Michigan Department of Natural Resources and to have the Sheriff sign the agreement.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring **Motion Carried**

**2021-500 APPROVE THE FUNDING INCREASE IN THE AMOUNT OF \$105,465.00 WITH THE COUNTY'S ALLOCATION FOR FY2022 IS NOW \$181,785.00 FROM THE OFFICE OF HIGHWAY SAFETY PLANNING FOR THE SECONDARY ROAD PATROL PROGRAM AND TO ADJUST THE BUDGET ACCORDINGLY.**

CPS21/12-63

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve the funding increase in the amount of \$105,465.00 with the County's allocation for FY2022 is now \$181,785.00 from the office of Highway Safety Planning for the Secondary Road Patrol Program and to adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**

**2021-501 APPROVE A SOLE PROCUREMENT NOT TO EXCEED \$110,000 TO PURCHASE A BI-DIRECTIONAL AMPLIFIER TO IMPROVE LAW ENFORCEMENT COMMUNICATINO WITH CENTRAL DISPATCH AND ADJUST THE BUDGET ACCORDINGLY**

CPS21/12-64

The Courts & Public Safety Committee recommended, moved by Commissioner Pego, seconded by Vice-Chair Nash, to approve a sole procurement not to exceed \$110,000 to purchase a bi-directional amplifier to improve law enforcement communication with Central Dispatch and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**



**2021-504     AUTHORIZE PUBLIC HEALTH TO AMEND ITS FY22 BUDGETED FUND 2210 REVENUES AND EXPENDITURES FROM \$7,473,619 TO \$8,205,220 TO ALIGN WITH FUNDING PER THE AGREEMENT WITH MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES (MDHHS) AND OTHER PROGRAM LINE ITEM ADJUSTMENTS**

HS21/12-34

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to Authorize Public Health to amend its FY22 budgeted fund 2210 revenues and expenditures from \$7,473,619 to \$8,205,220 to align with funding per the agreement with Michigan Department of Health and Human Services (MDHHS) and other program line item adjustments.

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

**2021-505     AUTHORIZE PUBLIC HEALTH TO AMEND ITS FY22 FUND 1060 BUDGETED EXPENDITURES FROM \$2,792,587 TO \$3,067,081 TO REFLECT PROJECTED EXPENDITURES AS PREVIOUSLY RECOMMENDED BY THE SENIOR ACTIVITIES COMMITTEE AND APPROVED BY THE BOARD**

HS21/12-35

The Human Services Committee recommended, moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to authorize Public Health to amend its FY22 fund 1060 budgeted expenditures from \$2,792,587 to \$3,067,081 to reflect projected expenditures as previously recommended by the Senior Activities Committee and approved by the board.

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:           None **Motion Carried**

**2021-506     ACCEPT THE ADDITIONAL SERVICE PROPOSAL FROM BERGMANN FOR AIRPORT TERMINAL ENTRANCE ARCHITECTURE, DESIGN AND ENGINEERING FOR A TOTAL COST NOT TO EXCEED \$47,900 AND ADJUST THE BUDGET ACCORDINGLY**

TS21/12-42

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, accept the Additional Service Proposal from Bergmann for airport terminal entrance architecture, design and engineering for a total cost not to exceed \$47,900 and adjust the budget accordingly.

Roll call:

Yes:           Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:             None **Motion Carried**

**2021-507     RESCIND THE PREVIOUSLY ADOPTED MOTION #2021-417 BROUGHT BY COMMISSIONER LAHRING WHICH PASSED AT THE FULL BOARD MEETING ON OCTOBER 12, 2021, TO LIQUIDATE THE HUMVEE AND MAXPRO PER THE SURPLUS PROPERTY DISPOSAL POLICY. PER RULE 6, SECTION 6 OF THE MUSKEGON COUNTY BOARD RULES**

TS21/12-43

The Transportation Committee recommended, moved by Commissioner Brown, seconded by Vice-Chair Nash, to rescind the previously adopted motion #2021-417 brought by Commissioner Lahring which passed at the Full Board meeting on October 12, 2021, to liquidate the Humvee and Maxpro per the surplus property disposal policy. Per Rule 6, Section 6 of the Muskegon County Board Rules.

Roll call:

Yes:           Doug Brown, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No:             Kim Cyr, Zach Lahring, Malinda Pego **Motion Carried**



**2021-510 APPROVE EXERCISING THE FIRST ONE-YEAR OPTIONAL CONTRACT EXTENSION WITH UINIVERSAL CREDIT SERVICES, INC. TO PERFORM DEBT COLLECTION FOR FY2022 FOR THE ORIGINAL NEGOTIATED PRICE**

WM21/12-130

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve exercising the first one-year optional contract extension with Universal Credit Services, Inc. to perform debt collection for FY2022 for the original negotiated price.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-511 APPROVE THE USE OF AMERICAN RESCUE PLAN GRANT FUNDS FOR MUSKEGON COUNTY COURTS' COURT RECORDING PROJECT IN THE AMOUNT OF \$871,786.10 AND ADJUST THE BUDGET ACCORDINGLY**

WM21/12-131A

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the use of American Rescue Plan grant funds for Muskegon County Courts' Court Recording Project in the amount of \$871,786.10 and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-512 APPROVE THE USE OF AMERICAN RESCUE PLAN GRANT FUNDS FOR CIVICCLERK AGENDA AND MEETING MANAGEMENT SOFTWARE IN THE AMOUNT OF \$64,560 AND ADJUST THE BUDGET ACCORDINGLY**

WM21/12-131B

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the use of American Rescue Plan grant funds for CivicClerk Agenda and Meeting Management Software in the amount of \$64,560 and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring, Malinda Pego **Motion Carried**

**2021-513 APPROVE THE USE OF AMERICAN RESCUE PLAN GRANT FUNDS FOR JAIL DISHWASHER IN THE AMOUNT OF APPROXIMATELY \$45,000 AND ADJUST THE BUDGET ACCORDINGLY**

WM21/12-131C

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to approve the use of American Rescue Plan grant funds for jail dishwasher in the amount of approximately \$45,000 and adjust the budget accordingly.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: Malinda Pego **Motion Carried**

**2021-514 EXERCISE THE THIRD AND FINAL YEAR OF THE REMONUMENTATION AND REMONUMENTATION MAINTENANCE SERVICES CONTRACT EQUALLY TO MOORE & BRUGGINK, DRISENGA & ASSOCIATES, AND WESTSHORE CONSULTING AND DIRECT THE COUNTY SURVEYOR TO OVERSEE THE WORK PURSUANT TO THE TERMS AND CONDITIONS OF THE GRANT FOR THE 2021 CALENDAR YEAR AND FURTHER AUTHORIZE STAFF TO SOLICIT BIDS FOR REMONUMENTATION AND REMONUMENTATION MAINTENANCE SERVICES FOR THE NEXT THREE YEARS**

WM21/12-132

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to exercise the third and final year of the remonumentation and remonumentation maintenance services contract equally to Moore & Bruggink, Driesenga & Associates, and Westshore Consulting and direct the County Surveyor to oversee the work pursuant to the terms and conditions of the grant for the 2021 calendar year and further authorize staff to solicit bids for remonumentation and remonumentation maintenance services for the next three years.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-515 ENTER INTO A CONTRACT WITH DISABILITY NETWORK OF WEST MICHIGAN TO PROVIDE A HOSTING AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND DISABILITY NETWORK OF WEST MICHIGAN TO PROVIDE HOSTING SERVICES FOR DATA, APPLICATION AND SUPPORT SERVICES EFFECTIVE NOVEMBER 1, 2021 FOR (1) YEAR**

WM21/12-133

The Ways & Means Committee recommended, moved by Commissioner Cyr, seconded by Vice-Chair Nash, to enter into a contract with Disability Network of West Michigan to provide a Hosting Agreement between the County of Muskegon and Disability Network of West Michigan to provide Hosting services for Data, Application and Support Services effective November 1, 2021 for (1) year.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: Zach Lahring **Motion Carried**

## **COMMITTEE LIAISON REPORT/CHAIRMAN'S REPORT**

- A. County offices will be closed for four days during the holidays: Thursday, December 23; Friday, December 24; Thursday, December 30; and Friday, December 31.
- B. Per Rule I, Section 3 of the Muskegon County Board Rules, the 2022 Organizational Meeting will be held on Tuesday, January 4, 2022, at 3:30 p.m.

**2021-516     APPROVE THE REAPPOINTMENT TO THE MSU EXTENSION COUNCIL FOR 3-YEAR TERMS (1/1/2022 THROUGH 12/31/2024): WILLIE WILSON (COMMUNITY MEMBER/PUBLIC SLOT); GARY FARWIG (COMMUNITY MEMBER/PUBLIC SLOT)**

Item 9C

It was moved by Chairman Scolnik, seconded by Vice-Chair Nash, to approve the reappointment to the MSU Extension Council for 3-year terms (1/1/2022 through 12/31/2024): Willie Wilson (Community Member/Public slot); Gary Farwig (Community Member/Public slot).

Voice vote.

**Motion Carried**

## **ADMINISTRATOR'S REPORT**

**2021-517     ACCEPT THE PROPOSAL FROM ACCURATE CONTROLS, INC., FOR THE JAIL AND JUVENILE TRANSITION CENTER (JTC) SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA) SERVICES FOR A 3-YEAR AGREEMENT, WITH AN OPTION TO EXTEND FOR AN ADDITIONAL 2 YEARS, FOR AN ANNUAL MAINTENANCE COST OF \$53,380.28 PER YEAR AND ADJUST THE BUDGET ACCORDINGLY, PENDING FINAL APPROVAL OF A CONTRACT BY CORPORATE COUNSEL, AND AUTHORIZE THE BOARD CHAIR TO SIGN**

Item 10

It was recommended by Chairman Scolnik, moved by Commissioner Pego, seconded by Commissioner Wilkins, to accept the proposal from Accurate Controls, Inc., for the Jail and Juvenile Transition Center (JTC) Supervisory Control and Data Acquisition (SCADA) services for a 3-year agreement, with an option to extend for an additional 2 years, for an annual maintenance cost of \$53,380.28 per year and adjust the budget accordingly, pending final approval of a contract by Corporate Counsel, and authorize the Board Chair to sign.

Discussion ensued.

IT Director Ivan Phillips explained what the services were that would be supplied.

Sheriff Poulin explained that this company was the only bidder and that since 2015 there has been no maintenance contract. The County IT and Facilities Management Departments had been able to fix things when necessary.

Commissioner Hughes asked about adjusting the budget. Administrator Eisenbarth indicated that he will look into this. Sheriff Poulin responded that he has money in his budget for his portion.

Vice-Chair Nash requested reports every six months to see how well things are developing.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None

**Motion Carried**

### **UNFINISHED BUSINESS**

None.

### **NEW BUSINESS**

None.

### **PUBLIC COMMENT**

One citizen spoke in support of TR21/12-43 and also requested the Board and the Health Department mandate masks in schools and in all county buildings.

One citizen spoke against sending young men to the prison in Baraga where there are no ethnic employees in the MDOC.

One citizen expressed appreciation but also concern regarding the Board's comments on TR21/12-43.

One citizen complimented the Board Chair for an orderly meeting and asked that Committee Chairs also keep order during their meetings; and that she had had some issues with Zoom when listening to the meetings due to, among other things, the Board members not speaking into the microphones

One citizen addressed the Board that they should set the example as leaders regarding mask mandates, and also passed out a letter to the Board from Dr. Susan Fabrick in support of masks.

**FINAL BOARD COMMENTS**

Commissioner Hughes wished everyone a Merry Christmas and a Happy New Year.

Commissioner Hovey-Wright shared with the Board that she serves on the Board of Every Woman's Place. The Board Chair is Dr. Evans who is also the medical director of Hackley Hospital. Dr. Evans reported today that all of the hospitals in West Michigan are full. There is such a long wait in the ER that people are yelling at staff which is demoralizing and staff is leaving hospitals. Out of the 84 ICU patients, the great majority are unvaccinated. Commissioner Hovey-Wright indicated that we need to do more as a county, take it seriously, and relook at mask mandates at the very least. She further stated that this Board has not shown any leadership regarding the pandemic, which is not going away any time soon.

**2021-518      GO INTO CLOSED SESSION TO DISCUSS CONFIDENTIAL WRITTEN LEGAL OPINION FROM CORPORATE COUNSEL**

It was moved by Vice-Chair Nash, seconded by Commissioner Pego to go into closed session to discuss confidential written legal opinion from Corporate Counsel.

Roll call:

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:            None

**Motion Carried**

Went into closed session at 4:00 p.m.

Returned to open session at 4:49 p.m.

**2021-519      RETURN TO OPEN SESSION**

It was moved by Commissioner Hovey-Wright, seconded by Vice-Chair Nash, to return to open session.

Yes:            Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No:            None

**Motion Carried**

**2021-520 DIRECT CORPORATE COUNSEL AS DISCUSSED IN CLOSED SESSION**

It was moved by Commissioner Hovey-Wright, seconded by Commissioner Pego, to direct Corporate Counsel as discussed in closed session.

Roll call:

Yes: Doug Brown, Kim Cyr, Marcia Hovey-Wright, Susie Hughes, Zach Lahring, Charles Nash, Malinda Pego, Robert Scolnik, Rillastine Wilkins

No: None **Motion Carried**

**2021-521 ADJOURNED TO CALL OF THE CHAIR**

Meeting adjourned at 4:50 p.m.

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Linda S. Schutter, Deputy County Clerk

/lss

Approved at the Special Full Board meeting on Tuesday, January 11, 2022.