

M u s k e g o n C o u n t y

Board of Commissioners

*Kenneth Mahoney, Chairman
Charles Buzzell
Lew Collins
James Derezinski
Marvin Engle
Bill Gill*

*Charles Nash, Vice-Chairman
Louis A. McMurray
Robert Scolnik
I. John Snider
Roger C. Wade*

Board Minutes may be found on the web at [http:// co.muskegon.mi.us/ clerk](http://co.muskegon.mi.us/ clerk)

Full Board Meeting

**February 24, 2009
3:31 P.M.**

Chairman Kenneth Mahoney, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Mahoney. The invocation was given by Vice-Chairman Nash followed by the pledge of Allegiance recited in unison.

Roll Call

Present: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Excused: Buzzell, McMurray, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters

2009-93 **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda.

Motion Carried

2009-94 **APPROVE THE MINUTES OF THE FULL BOARD MEETINGS OF JANUARY 27, AND FEBRUARY 12, THE SPECIAL MEETING OF FEBRUARY 16, AND THE RECONVENED SPECIAL MEETING OF FEBRUARY 17, 2009**

Moved by Engle, seconded by Snider, to approve the minutes of the Full Board Meeting of January 27, the Full Board Meeting of February 12 as corrected, the Special Meeting of February 16, and the Reconvened Special Meeting of February 17, 2009.

Motion Carried

2009-95 **APPROVE THE LEASE AMENDMENT WHICH HAS BEEN APPROVED BY
THE MUSKEGON COUNTY ROAD COMMISSION**

CD/SP09/02-05

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to approve the Lease Amendment which has been approved by the Muskegon County Road Commission, which amends the lease between the County and the Road Commission.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-96 **QUIT CLAIM THE PROPERTIES CURRENTLY HELD IN THE NAME OF
THE COUNTY OF MUSKEGON, TO THE MUSKEGON COUNTY BOARD
OF PUBLIC WORKS**

CD/SP09/02-06

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to quit claim the property located at:

8271 E. Apple, Ravenna, MI 49451
8749 E. Apple, Ravenna, MI 49451
8719 E. Apple, Ravenna, MI 49451
8717 E. Apple, Ravenna, MI 49451
8687 E. Apple, Ravenna, MI 49451
8585 E. Apple, Ravenna, MI 49451
8459 Apple Avenue, Muskegon, MI 49442

currently held in the name of the County of Muskegon, to the Muskegon County Board of Public Works

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-97 **APPROVE THE COUNTY SCORING SYSTEM AND COUNTY
MONITORING PLAN DEVELOPED BY THE MUSKEGON COUNTY
AGRICULTURAL PRESERVATION BOARD**

CD/SP09/02-07

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to approve the County Scoring System and County Monitoring Plan developed by the Muskegon County Agricultural Preservation Board relative to Farmland Development Rights and to authorize submission to necessary State and Federal agencies.

(Continued)

2009-97 **APPROVE THE COUNTY SCORING SYSTEM AND COUNTY MONITORING PLAN DEVELOPED BY THE MUSKEGON COUNTY AGRICULTURAL PRESERVATION BOARD**

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-98 **APPROVE MDOT CONTRACT NO. 2009-0147 BETWEEN THE COUNTY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION**

TR09/02-06

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Contract No. 2009-0147 between the County and the Michigan Department of Transportation, providing the State's 2.5% share, or \$5,750, of funding for Phase I FY2009 Airport Improvement Program projects, and further authorize the Chairman to execute the contract and the Clerk to authorize the resolution.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-99 **APPROVE THE CHAIRMAN TO EXECUTE UPON RECEIPT A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION FOR ENTITLEMENT FUNDS**

TR09/02-07

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Chairman to execute upon receipt a Grant Offer from the Federal Aviation Administration for Entitlement funds under the Airport Improvement Program, providing \$218,500 (95%) for the Airport's FY2009 projects, and further authorize the Chairman to execute the Grant Offer and the Clerk to authorize the resolution.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-100 **APPROVE THE PURCHASING DEPARTMENT TO SOLICIT BIDS FOR TWO PIECES OF AIRPORT SNOW REMOVAL EQUIPMENT**

TR09/02-08

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Purchasing Department to solicit bids for two pieces of airport snow removal equipment to be purchased with FY2009 Airport Improvement Program Entitlement funds.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-101 **APPROVE THE PURCHASING DEPARTMENT TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR A GENERAL AVIATION HANGAR LEASE**

TR09/02-09

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Purchasing Department to issue a Request for Proposal (RFP) for a General Aviation Hangar Lease for a hangar located at the Muskegon County Airport.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-102 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JANUARY 28, 2009 THROUGH FEBRUARY 10, 2009**

WM09/02-14

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve payment of the accounts payable of \$8,567,907.23 covering the period of January 28, 2009 through February 10, 2009, as presented by the County Clerk.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-103 **ACCEPT AND PLACE ON FILE THE COST ALLOCATION PLAN FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

WM09/02-15

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept and place on file the Cost Allocation Plan for the fiscal year ended September 30, 2008 as submitted by the Finance and Management Services/Accounting department.

(Continued)

2009-103 **ACCEPT AND PLACE ON FILE THE COST ALLOCATION PLAN FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-104 **ACCEPT AND PLACE ON FILE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

WM09/02-16

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept and place on file the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2008 as submitted by the Finance and Management Services/Accounting department.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-105 **AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO CHANGE THE LIST OF FORTY-FIVE (45) CLASSES OF WORK FROM OVERTIME EXEMPT TO OVERTIME ELIGIBLE STATUS**

WM09/02-17

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the Human Resources Department to change the list of forty-five (45) classes of work from overtime exempt to overtime eligible status.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-106 **AUTHORIZE THE EQUALIZATION DEPARTMENT TO PURCHASE A NEW
COMPUTER DATA SERVER AND RELATED COMPUTER EQUIPMENT**

WM09/02-18

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the Equalization Department to purchase a new computer data server and related computer equipment to be paid from the Equalization Department budget line item 1010/0225/736.000 as budgeted in the amount of \$6,359.00.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-107 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION
SERVICES CONTRACT**

WM09/02-19

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve renewal of the Assessment Administration Services Contract 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

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-108 **APPROVE THE SUBMISSION OF AN APPLICATION TO THE BUREAU
OF JUSTICE**

WM09/02-20

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the submission of an application to the Bureau of Justice under CFDA #16.745 in the amount of \$200,000 for twenty-four months with an in-kind match from the County of Muskegon in the amount of \$50,000 to continue the jail screening and assessment center activities.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-109 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE VACANT COMMUNICATION DISPATCHER**

WM09/02-21

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Communication Dispatcher position #G22001.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-110 **ACCEPT FUNDING FROM WEST MICHIGAN THERAPY AS THE ADMINISTRATOR FOR THE XML TRANSFER PROJECT**

WM09/02-22

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept funding from West Michigan Therapy as the administrator for the XML transfer project to pay for jail and Community Mental Health information technology staff for a total of \$8,000 or \$4,000 per department.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-111 **AUTHORIZE THE ADOPTION OF THE RESOLUTION ALLOWING THE COUNTY OF MUSKEGON TO BORROW UP TO TWELVE MILLION DOLLARS (\$12,000,000) AGAINST ANTICIPATED 2008 DELINQUENT TAXES**

WM09/02-23

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the adoption of the resolution allowing the County of Muskegon to borrow up to twelve million dollars (\$12,000,000) against anticipated 2008 delinquent taxes.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-112 **INCREASE ITS VETERANS RELIEF LINE ITEM IN THE DEPARTMENT OF
VETERANS AFFAIRS BUDGET**

WM09/02-24

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to increase its Veterans Relief line item in the Department of Veterans Affairs budget (7940-8942-849000) by \$23,000 from \$60,000 to \$83,000 and utilize fund balance to cover this expenditure increase.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider noted the LCC Board will meet a week from Friday.

Commissioner Engle noted the Road Commission will meet next Monday to prioritize projects.

Commissioner Gill stated he would be attending the MAC Transportation meeting on Friday.

Chairman Mahoney reminded Commissioners that the MAC Legislative Update of February 13, 2009 was included in agenda packets.

2009-113 **CMH BOARD REAPPOINTMENTS**

The Chairman recommends, moved by Gill, seconded by Snider, to reappoint Janet Thomas, Dr. Remington Sprague and Ollie Dunbar to the CMH Board, term or 4/1/2009 - 3/31/2012.

Motion Carried

2009-114 **APPOINTMENT OF CHAD CATALINO TO COMMUNITY CORRECTIONS
ADVISORY BOARD**

The Chairman recommends, moved by Snider, seconded by Derezinski, to appoint Chad Catalino to Community Correction Advisory Board, term expires 12/31/2010.

Motion Carried

Commissioner McMurray arrived at 3:43 p.m.

2009-115 **APPROVE PROPOSED MUSKEGON COUNTY ADMINISTRATOR
CONTRACT WITH BONNIE HAMMERSLEY**

The Chairman recommends, moved by Snider, seconded by Engle, to approve proposed Muskegon County Administrator contract with Bonnie Hammersley.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

ADMINISTRATOR'S REPORT

2009-116 **ADOPTION OF APPLICATION FOR DEFERMENT OF TAXES
RESOLUTION**

The Administrator recommends, moved by Snider, seconded by Collins, to authorize the adoption of the attached resolution Application for Deferment of Taxes for the purpose of waiving the interest and fees for the period March 1st through April 30th, for taxes paid by May 1st in the first year of delinquency for senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind in accordance with the General Property Tax Act section 211.59 and 211.51.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: None

Motion Carried

Interim Administrator Elwell reported on a meeting regarding projects on Muskegon Lake noting an opportunity for a land grant to purchase YFCA property.

2009-117 **DIRECT STAFF TO MOVE FORWARD WITH APPLICATION FOR LAND
GRANT**

The Administrator recommends, moved by Snider, seconded by Engle, to direct staff to prepare application for the Michigan Land Trust Grant for the acquisition of 4.12 acres lakefront property adjacent to the YFCA and Heritage Landing.

Motion Carried

Old Business

None.

New Business

It was noted that John DeWolfe can set up a tour of the LS communities if there is interest.

Commissioner Scolnik reminded Commissioners that there will be a concert featuring the Platters on Saturday, March 21st with the net proceeds going to support the Sesquicentennial celebration. Ticket prices are \$20, \$25 and \$35. It was noted that over 150 tickets have been sold prior to advertising.

Public Participation

Chad Lerch, new County Reporter for the Chronicle introduced himself to Commissioners.

Patsy Petty addressed Commissioners requesting support and extending an invitation to the Great Lakes Navel Museum Black History dinner on February 27, 2009, 5:00 p.m. - 8:00 p.m for a fee of \$20, free to Veterans

Mr. Johnson presented information to Commissioners seeking support for Public Protection, a counseling program for men. Chairman Mahoney asked Mr. Johnson to bring information to staff to see if this program may be utilized.

Mark Mangione addressed the Board urged same standard for subcontractors as contractors and also to keep local contractors working. It was also requested that the contractors review checklist be included in bid packets.

2009-118 GO INTO CLOSED SESSION RE: PENDING LITIGATION AND REVIEW OF LEGAL OPINION

Moved by Snider, seconded by Engle, go into Closed Session re:

- A) Pending Litigation
- B) Review of Legal Opinion

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

Audience dismissed and the Full Board went into Closed Session at 4:14 p.m.

Returned to Open Session at 5:04 p.m.

2009-119 **INSTRUCT STAFF TO RESEARCH IMPACT AND COST TO THE COUNTY
IN DEVELOPMENT OF A CASINO**

Moved by Snider, seconded by Collins, to instruct staff to research impact and cost to the County as well as aggressively pursue active participation of the County in development of a casino and staff to return with recommendations the sooner the better.

2009-120 **CALL FOR THE QUESTION AND END DEBATE**

Moved by Snider to call for the question and end debate.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: None

Motion Carried

Roll call on motion 2009-119

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: None

Motion Carried

Meeting adjourned at 5:16 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

**RESOLUTION FOR THE DEFERMENT OF TAXES PAID BEFORE MAY 1ST AND
WAIVING THE COUNTY INTEREST AND ADMINISTRATIVE FEES FOR THE PERIOD
OF MARCH 1ST TO APRIL 30TH AS PROVIDED BY THE MICHIGAN GENERAL
PROPERTY TAX ACT SECTION 211.59 AND 211.51**

WHEREAS, the General Property Tax Act Sections 211.59 and 211.51 provide that a “County” may pass a resolution for the deferment of taxes paid before May 1st (in the first year of delinquency), whereby waiving the 1% monthly interest charge and 4% administrative fee for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.

WHEREAS, individuals also meet the income guidelines of section 211.51

WHEREAS, an application will be required and approved by either the County Treasurer or Deputy of the County Treasurer.

**NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF
THE COUNTY OF MUSKEGON AS FOLLOWS**

1. Approve the application form for the deferment of taxes.
2. Approve that taxes paid by May 1st shall be without the monthly 1% interest and 4% property tax administrative fees for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.
3. Approve the income guidelines under section 211.51.