

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

Board of Commissioners

James Derezinski, Chairman
Don Aley
Charles Buzzell
Lew Collins
Marvin Engle
Bill Gill

I. John Snider, Vice-Chairman
Kenneth Mahoney
Louis A. McMurray
Robert Scolnik
Roger C. Wade

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

Regular Meeting

March 25, 2008
3:30 p.m.

Chairman Derezinski, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Derezinski. The pledge of Allegiance was recited followed by the invocation given by Commissioner Aley.

Roll Call

Present: Aley, Buzzell, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Scolnik, Snider

Excused: Wade

Absent: None

2008-127 **APPROVE AGENDA**

Moved by Engle, seconded by Scolnik, to approve the Agenda adding a resolution under new business.

Motion Carried

2008-128 **APPROVE MINUTES OF THE REGULAR MEETING OF MARCH 11, 2008**

Moved by Engle, seconded by Mahoney, to approve the minutes of the Regular Meeting of March 11, 2008, correcting the Ways & Means number on item 2008-123.

Motion Carried

2008-129 **OPEN PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST FUND GRANT PIONEER PARK PROJECT**

Moved by Engle, seconded by Aley, to open the Public Hearing regarding Michigan Natural Resources Trust Fund Grant Pioneer Park Project.

Motion Carried

John Warner provided an overview of the project to be completed if the Grant is approved.

Karen Wynn, Disability Connection of West Michigan, addressed the board regarding the value of handicap accessibility for outdoor venues.

2008-130 **CLOSE PUBLIC HEARING REGARDING MICHIGAN NATURAL RESOURCES TRUST FUND GRANT PIONEER PARK PROJECT**

Moved by Aley, seconded by Engle, to close the Public Hearing regarding Michigan Natural Resources Trust Fund Grant Pioneer Park Project.

Motion Carried

2008-131 **OPEN PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION FOR THE MEINERT PARK PROPERTY ACQUISITION**

Moved by Mahoney, seconded by Aley, to open the Public Hearing regarding Michigan Natural Resources Trust Fund Grant Application for the Meinert Park Property Acquisition

Motion Carried

John Warner gave an overview of the proposed property acquisition if this grant is awarded to Muskegon County.

Discussion ensued regarding the inflated price of the property. Commissioners were concerned that the price would be locked in by applying for this Grant.

Holly Hughes, White River Township Trustee addressed the Board noting two assessments of the property would have to be conducted at which time, if the SEV is lower, the price could be negotiated.

2008-132 **CLOSE PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST FUND GRANT APPLICATION FOR THE MEINERT PARK PROPERTY ACQUISITION**

Moved by Aley, seconded by Engle, to close the Public Hearing regarding Michigan Natural Resources Trust Fund Grant Application for the Meinert Park Property Acquisition.

Motion Carried

2008-133 **COMMUNICATIONS**

Moved by Engle, seconded by Collins, to receive and place on file the following Communications:

- A. Correspondence from Thomas VanBruggen regarding: Response to Board Action on Muskegon County GIS Basic level of Service Contracts
- B. Correspondence from Theodore Williams regarding: Ways and Means Action Concerning the Muskegon County GIS Basic Level of Service Contracts

Motion Carried

2008-134 **AUTHORIZE THE BOARD CHAIR TO EXECUTE AN EXCLUSIVE LISTING AGREEMENT WITH GRUBB & ELLIS**

CD/SP08/03-03

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to authorize the Board Chair to execute an exclusive listing agreement with Grubb & Ellis for an 18 month period with an 18 month renewal option for the Muskegon County Business Park North, excluding the lot currently being negotiated with Nugent Sand.

Roll Call

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

Nays: Aley

Motion Carried

2008-135 **APPROVE EDWARD AND MICHELLE TENNISON AS THE NEW CARETAKERS FOR MEINERT PARK**

CD/SP08/03-04

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, to approve Edward and Michelle Tennison as the new caretakers for Meinert Park and authorize the Chairman to execute the agreement, subject to an acceptable criminal background check.

Roll Call

Ayes: Snider, Scolnik, McMurray, Mahoney, Gill, Engle, Derezinski, Collins, Buzzell, Aley

Nays: None

Motion Carried

2008-136 ADOPT THE MAY 1, 2008, NATIONAL DAY OF PRAYER
PROCLAMATION

CD/SP08/03-05

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, to adopt the May 1, 2008, National Day of Prayer Proclamation.

Roll Call

Ayes: Snider, Scolnik, McMurray, Mahoney, Gill, Engle, Derezinski, Collins, Buzzell, Aley

Nays: None

Motion Carried

2008-137 APPROVE A RESOLUTION TO GEORGE JURKAS, MUSKEGON
COUNTY SHERIFF, UPON HIS RETIREMENT

CD/SP08/03-06

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, to approve a Resolution to George Jurkas, Muskegon County Sheriff, upon his retirement for his years of service to the community.

Roll Call

Ayes: Snider, Scolnik, McMurray, Mahoney, Gill, Engle, Derezinski, Collins, Buzzell, Aley

Nays: None

Motion Carried

2008-138 AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH
THE PUBLIC NOTICE REGARDING THE FY2008 FEDERAL OPERATING
AND CAPITAL APPLICATIONS

TR08/03-06

The Transportation Committee recommends, moved by Mahoney, seconded by Engle, to authorize the Muskegon Area Transit System to publish the public notice regarding the FY2008 Federal Operating and Capital applications and to authorize staff to execute the electronic grant applications if there is no request for public hearing.

Roll Call

Ayes: Derezinski, Engle, Aley, Collins, Scolnik, McMurray, Mahoney, Snider, Buzzell

Nays: Gill

Motion Carried

2008-139 **APPROVE THE CONCEPT OF A MUSKEGON AREA TRANSIT SYSTEM
MULTI-RIDE BUS PASS RATE INCREASE**

TR08/03-07

The Transportation Committee recommends, moved by Mahoney, seconded by Engle, to approve the concept of a Muskegon Area Transit System Multi-Ride Bus Pass Rate Increase, to be effective June 15, 2008, to publish the public notice, and to schedule a public hearing on the Bus Pass Rate Increase, to be held before the Transportation Committee at 3:30pm on May 15, 2008.

Roll Call

Ayes: Derezinski, Engle, Aley, Collins, Scolnik, McMurray, Mahoney, Snider, Buzzell

Nays: Gill

Motion Carried

2008-140 **APPROVE PURCHASING DEPARTMENT TO GO OUT FOR BIDS ON
BEHALF OF THE AIRPORT TO PURCHASE AN AIRFIELD TRACTOR**

TR08/03-08

The Transportation Committee recommends, moved by Mahoney, seconded by Engle, to approve Purchasing Department to go out for bids on behalf of the Airport to purchase an airfield tractor, as approved in the FY2008 budget capital item requests.

Roll Call

Ayes: Gill, Derezinski, Engle, Aley, Collins, Scolnik, McMurray, Mahoney, Snider, Buzzell

Nays: None

Motion Carried

2008-141 **APPROVE PURCHASING DEPARTMENT TO GO OUT FOR BIDS ON
BEHALF OF THE AIRPORT TO REPAIR THE ROOF ON HANGAR #3**

TR08/03-09

The Transportation Committee recommends, moved by Mahoney, seconded by Engle, to approve Purchasing Department to go out for bids on behalf of the Airport to repair the roof on Hangar #3, as approved in the FY2008 budget capital item requests.

Roll Call

Ayes: Gill, Derezinski, Engle, Aley, Collins, Scolnik, McMurray, Mahoney, Snider, Buzzell

Nays: None

Motion Carried

2008-142 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR08/03-10

The Transportation Committee recommends, moved by Mahoney, seconded by Engle, to approve the extension of seven (7) T-Hangar Lease Agreements at Muskegon County Airport expiring in the second quarter of 2008 as follows: Scott Kelley, \$190/month; Larry Duthler, \$180/month; Jim Fishel, \$170/month; Doug Parker, \$170/month; Fred Riplo, \$170/month; Mark Cybulski, \$170/month; and Richard Smith, \$160/month.

Roll Call

Ayes: Gill, Derezinski, Engle, Aley, Collins, Scolnik, McMurray, Mahoney, Snider, Buzzell

Nays: None

Motion Carried

2008-143 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 1 - 11, 2008**

WM08/03-45

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$6,515,477.96 covering the period of March 1, 2008 through March 11, 2008, as presented by the County Clerk.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Engle, Derezinski, Collins, Aley

Nays: Gill

Motion Carried

2008-144 **PLACE ON THE BALLOT OF THE AUGUST 2008 PRIMARY, THE MILLAGE RENEWAL**

WM08/03-46

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to place on the ballot of the August 2008 primary, the millage renewal not to exceed 1/13th mills (\$0.77 per \$1,000) on the taxable value on all property in the county for a period of ten (10) years being 2009 through 2018 for the Muskegon County Department of Veterans Affairs.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-145 **AUTHORIZE THE RELEASE OF BIDS FOR THE RENOVATION OF THE**

LOWER LEVEL OF THE OAK AVENUE FACILITY

WM08/03-47

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize the release of bids for the renovation of the lower level of the Oak Avenue Facility for the Sheriff Department Detective's Bureau and Road Patrol and to add as an alternate, the remodeling of two restrooms for ADA compliance and some electrical work in the reception area of the second floor for CMH Youth Services temporary quarters, to approve a contract with Fishbeck, Thompson, Carr & Huber, Inc. in the amount of \$6,800, to complete the environmental assessment and develop the bid specifications for the asbestos abatement, and to authorize the release of the request for bids for asbestos abatement once the specifications are complete.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-146 **AUTHORIZE THE PURCHASING STAFF TO SOLICIT PROPOSALS FOR FOOD MANAGEMENT SERVICES**

WM08/03-48

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize the Purchasing staff to solicit proposals for Food Management Services for the County Jail, Juvenile Detention Center, CMH - Brinks Hall and Child Haven.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-147 **PROVIDE GEOGRAPHIC INFORMATION SYSTEM (GIS) BASIC LEVEL OF SERVICE AGREEMENT TO DESIGNATED CITIES & TOWNSHIPS**

WM08/03-49

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to provide Geographic Information System (GIS) Basic Level of Service Agreement to the Townships of: Cedar Creek, Dalton, Fruitland, Holton, Laketon, Muskegon Charter, Sullivan, White River, and Whitehall; the Cities of Montague and Norton Shores; and the Village of Lakewood Club and to authorize the Board Chairman to execute the inter-governmental agreements as prepared by and to be carried out by the Equalization Department.

(Continued)

2008-147 **PROVIDE GEOGRAPHIC INFORMATION SYSTEM (GIS) BASIC LEVEL OF SERVICE AGREEMENT TO DESIGNATED CITIES & TOWNSHIPS**

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-148 **AUTHORIZE THE COUNTY TO ENTER INTO AN AGREEMENT WITH DENNIS BURNS**

WM08/03-50

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize the County to enter into an agreement with Dennis Burns to facilitate a management transition and to provide other analytical services and authorize the Board Chair to sign such agreement. Further authorize the creation of a temporary position for Dennis Burns, which will be deleted at the end of the term of this agreement.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-149 **AUTHORIZE DEBORAH GROENEVELD, HUMAN RESOURCES DIRECTOR, TO SERVE ON THE MUSKEGON AREA LABOR-MANAGEMENT (MALMC) BOARD**

WM08/03-51

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize Deborah Groeneveld, Human Resources Director, to serve on the Muskegon Area Labor-Management (MALMC) Board.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-150 **APPROVE AND INSERT INTO THE MUSKEGON NURSES ASSOCIATION BARGAINING UNIT AGREEMENT, THE LETTER OF UNDERSTANDING BETWEEN THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND THE MICHIGAN NURSES ASSOCIATION (MNA)**

WM08/03-52

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve and insert into the Muskegon Nurses Association bargaining unit agreement which expires on September 30, 2010, the Letter of Understanding between the Muskegon County Board of Commissioners and the Michigan Nurses Association (MNA), adding a cap of forty-five (\$45.00) dollars for the 2008 employee medical contribution for Medical Plan 2P effective April 1, 2008, and authorize the Board Chair and County Clerk to sign the letter of understanding.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-151 **APPROVE THE PURCHASE OF ADMINISTRATION SERVICES FROM PROFESSIONAL BENEFITS SERVICES (PBS) FOR RETIREE DENTAL**

WM08/03-53

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the purchase of administration services from Professional Benefits Services (PBS) for Retiree Dental, Section 125 and VEBA Plan Administration for the period of 04/01/08 to 03/31/12.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-152 **AUTHORIZE DET/FM TO SEEK BIDS THROUGH THE PURCHASING DEPARTMENT FOR A NEW SOUND SYSTEM FOR THE BOARD OF COMMISSIONERS CHAMBERS**

WM08/03-54

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize DET/FM to seek bids through the Purchasing Department for a new sound system for the Board of Commissioners Chambers.

(Continued)

2008-152 **AUTHORIZE DET/FM TO SEEK BIDS THROUGH THE PURCHASING DEPARTMENT FOR A NEW SOUND SYSTEM FOR THE BOARD OF COMMISSIONERS CHAMBERS**

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-153 **APPROVE THE ONE-YEAR EXTENSION OF THE AGREEMENT FOR THE PARTNERSHIP IN NEIGHBORHOOD SAFETY PROGRAM**

WM08/03-55

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the one-year extension of the agreement for the Partnership in Neighborhood Safety Program between the Townships of Laketon, Fruitland and Whitehall, the Muskegon County Sheriff and the Board of Commissioners, and authorize the Board Chair to sign the document, contingent upon the approval of each of the townships.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-154 **ADOPT THE REVISED FREEDOM OF INFORMATION ACT FEE SCHEDULE**

WM08/03-56

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to adopt the revised Freedom of Information Act Fee Schedule to be effective March 11, 2008.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Engle, Derezinski, Collins, Aley

Nays: Gill

Motion Carried

2008-155 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE VACANT SHERIFF DEPUTY POSITION**

WM08/03-57

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Sheriff Deputy position #SO5028.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Gill, Engle, Derezinski, Collins, Aley

Nays: None

Motion Carried

2008-156 **SETTLE THE NORMA CIRNER WORKER'S COMPENSATION CASE**

WM08/03-58

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to settle the Norma Cirner Worker's Compensation case by way of a lump sum settlement as recommended by Corporate Counsel.

Roll Call

Ayes: Buzzell, Scolnik, Mahoney, McMurray, Snider, Engle, Derezinski, Collins, Aley

Nays: Gill

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider reported regarding Community Corrections meeting, noting progress with diversion and alternative to jail.

Commissioner Aley asked fellow-Commissioners to review the handout in their mailboxes regarding Foreign Trade Zone.

Chairman Derezinski noted the MAC Legislative Updates of March 7 and 14, 2008, were included in agenda packets.

2008-157 **APPROVE A RESOLUTION FOR ROAD RAGE AWARENESS WEEK**

The Chairman recommends, moved by Gill, seconded by McMurray, to approve a Resolution for Road Rage Awareness Week, July 13 - 19, 2008.

Motion Carried

2008-158 **SCHEDULE BOARD PLANNING SESSION**

The Chairman recommends, moved by Aley, seconded by Engle, to Schedule Board Planning session for March 27, 2008, 8:30 a.m., Training Center.

Motion Carried

2008-159 **APPOINT KEVIN WOODS AND JACK KENNEDY TO THE MUSKEGON COUNTY ROAD COMMISSION**

The Chairman recommends, moved by Mahoney, seconded by Aley, to appoint Kevin Woods and Jack Kennedy to the Muskegon County Road Commission with Mr. Kennedy's term to be for 34 months.

Motion Carried

ADMINISTRATOR'S REPORT

2008-160 **APPROVE THE RESOLUTION AUTHORIZING THE COUNTY DEPARTMENT OF PUBLIC WORKS TO PROCEED WITH A PROJECT**

The Administrator recommends, moved by Snider, seconded by Mahoney, to approve the Resolution Authorizing the County Department of Public Works to Proceed With a Project which is the refinancing of the \$7,000,000 Muskegon Township water bond and adding up to \$3,000,000 in new debt for replacement of portions of the water system for a total bond amount of up to \$10,000,000 as recommended by the Board of Public Works.

Roll Call

Ayes: Buzzell, Aley, Mahoney, Scolnik, McMurray, Snider, Gill, Engle, Derezinski, Collins

Nays: None

Motion Carried

2008-161 **APPROVE THE RESOLUTION AUTHORIZING COUNTY OF MUSKEGON COUNTY WATER SUPPLY SYSTEM BONDS, SERIES 2008**

The Administrator recommends, moved by Aley, seconded by Engle, to approve the Resolution Authorizing County of Muskegon County Water Supply System Bonds, Series 2008 (General Obligation Limited Tax) for the refinancing of the \$7,000,000 Muskegon Township water bond and the addition of up to \$3,000,000 in new debt as recommended by the Board of Public Works.

(Continued)

2008-161 **APPROVE THE RESOLUTION AUTHORIZING COUNTY OF MUSKEGON COUNTY WATER SUPPLY SYSTEM BONDS, SERIES 2008**

Roll Call

Ayes: Snider, Scolnik, McMurray, Mahoney, Gill, Engle, Derezinski, Collins, Aley, Buzzell

Nays: None

Motion Carried

2008-162 **AUTHORIZE STAFF TO APPLY FOR THE NATURAL RESOURCES TRUST FUND GRANT FOR A PROJECT AT PIONEER PARK**

The Administrator recommends, moved by Mahoney, seconded by Snider, to authorize staff to apply for the Natural Resources Trust Fund grant for a project at Pioneer Park which includes construction of a new restroom building to replace 2 smaller buildings, modification of 10 campsites to meet ADA accessibility requirements and the installation of some ADA complaint playground equipment. The current project budget is \$485,000 with \$194,000 in local match funds coming from the park fund and \$291,000 in grant funds.

Roll Call

Ayes: Aley, Buzzell, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Scolnik, Snider, Wade

Nays: None

Motion Carried

2008-163 **AUTHORIZE STAFF TO APPLY FOR THE NATURAL RESOURCES TRUST FUND GRANT FOR THE ACQUISITION OF PROPERTY ADJACENT TO MEINERT PARK**

The Administrator recommends, moved by Engle, seconded by Mahoney, to authorize staff to apply for the Natural Resources Trust Fund grant for the acquisition of property adjacent to Meinert Park in the amount of \$475,000 with local match being provided by Federal grant funds previously applied for in the amount of \$475,000 for a total project cost of \$950,000.

2008-164 **AMEND THE MOTION TO APPLY FOR A GRANT OF \$273,000 WITH THE TOTAL PROJECT COST OF \$748,000**

Moved by Aley, seconded by Scolnik to amend the motion to apply for a grant of \$273,000 with the total project cost of \$748,000.

Motion Carried

Amended Motion 2008-163 now reads:

The Administrator recommends, moved by Engle, seconded by Mahoney, to authorize staff to apply for the Natural Resources Trust Fund grant for the acquisition of property adjacent to Meinert Park in the amount of \$273,000 with local match being provided by Federal grant funds previously applied for in the amount of \$475,000 for a total project cost of \$748,000.

Roll Call on motion 2008-163 as amended:

Ayes: Aley, Buzzell, Collins, Derezinski, Engle, Mahoney, McMurray, Scolnik, Snider

Abstain: Gill

Nays: None

Motion Carried

Old Business

None.

New Business

2008-165 **PREPARE A RESOLUTION IN RECOGNITION OF WEST MICHIGAN
CHRISTIAN HIGH SCHOOL WARRIORS**

Moved by Snider, seconded by Gill, to prepare a resolution in recognition of West Michigan Christian High School Warriors winning the Class "B" Boys Basketball State Championship.

Motion Carried

Commissioner McMurray thanked Commissioner Gill and Engle for their assistance during his recent illness and for all for all Commissioners help to resolve waters problems that occurred during that time.

Public Participation

Holly Hughes thanked Board for compromise to follow-through on the Meinert Park Grand Application.

Dale Weisner commended the Board on their efforts to work across Party lines for the best interest of the people of Muskegon County.

Adjourned at 4:54 p.m.

KDB/jmp

Karen D. Buie, County Clerk