

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

April 22, 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, Wade

Absent: None

2008-196 **APPROVE AGENDA**

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

Motion Carried

2008-197 **APPROVE MINUTES OF THE REGULAR MEETING OF APRIL 8, 2008**

Moved by Engle, seconded by Collins, to approve the minutes of the Regular Meeting of April 8, 2008.

Motion Carried

2008-198 **APPROVE POSITION CHANGES AT THE CONVENTION AND VISITORS BUREAU**

CD/SP08/04-07

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to approve the deletion of the Administrative Secretary position (N04005), reclassification of the Tourism Marketing Coordinator (X87901) salary grade

(Continued)

2008-198 **APPROVE POSITION CHANGES AT THE CONVENTION AND VISITORS BUREAU**

NX00120 (\$34,020 to \$43,432) to Tourism Manager salary grade NX00220 (\$42,326 to \$53,595) at step 1 effective retroactively back to November 12, 2007 and the reclassification of the Tourism Aide (N80001) salary grade NO00060 (\$11.105 to \$13.653/hr) to Senior Tourism Aide salary grade NO00105 (\$12.704 to \$15.312/hr) at step 1. In addition, move to approve a new position of Tourism Information Aide Hourly Temp position salary grade NO00060 (\$11.105 to \$13.653/hr) and that the remaining net savings from the combination of these position changes be used to increase the Advertising line item in the CVB budget (1010-0251-902000).

Roll Call

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

Nays: Gill, Aley

Motion Carried

2008-199 **APPROVE AND SUBMIT AMENDMENT 1 TO THE AMENDED AND RESTATED INTER-LOCAL AGREEMENT BETWEEN THE MICHIGAN ECONOMIC DEVELOPMENT COMMISSION (MEDC) AND THE COUNTY OF MUSKEGON**

CD/SP08/04-08

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to approve and submit Amendment 1 to the Amended and Restated Inter-Local Agreement between the Michigan Economic Development Commission (MEDC) and the County of Muskegon for the purpose of adding one additional member representing tourism to the MEDC Executive Committee.

Roll Call

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

Nays: Gill

Motion Carried

2008-200 **APPROVE AND SUBMIT AMENDMENT 1 TO THE AMENDED AND RESTATED INTER-LOCAL AGREEMENT BETWEEN THE MICHIGAN ECONOMIC DEVELOPMENT COMMISSION (MEDC) AND THE COUNTY OF MUSKEGON**

CD/SP08-04-09

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to approve the resolution supporting the Whitehall City Council's development of a commercial rehabilitation district under the provisions of Public Act 210 of 2005.

(Continued)

2008-200 **APPROVE AND SUBMIT AMENDMENT 1 TO THE AMENDED AND RESTATED INTER-LOCAL AGREEMENT BETWEEN THE MICHIGAN ECONOMIC DEVELOPMENT COMMISSION (MEDC) AND THE COUNTY OF MUSKEGON**

Roll Call

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

Nays: None

Motion Carried

2008-201 **AUTHORIZE MATS AND THE PURCHASING DEPARTMENT TO PURCHASE UP TO FIVE (5) HEAVY-DUTY 35-FOOT LOW-FLOOR BUSES FROM GILLIG CORPORATION**

TR08/04-11

The Transportation Committee recommends, moved by Mahoney, seconded by Buzzell, to authorize MATS and the purchasing department to purchase up to five (5) heavy-duty 35-foot low-floor buses from Gillig Corporation per the terms and conditions of the Akron Metro Regional Transit Authority contract for a total purchase price not to exceed \$1,810,000.

Roll Call

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

Nays: Gill

Motion Carried

2008-202 **APPROVE OPERATION OF A 2008 TROLLEY ROUTE PROGRAM**

TR08/04-12

The Transportation Committee recommends, moved by Mahoney, seconded by Buzzell, to approve operation of a 2008 Trolley Route Program as proposed.

Roll Call

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

Nays: Gill

Motion Carried

2008-203 **APPROVE THE AIRPORT ENTERING INTO A CONTRACT IN THE AMOUNT OF \$5,000 WITH SIXEL CONSULTING GROUP, INC.**

TR08/04-13

The Transportation Committee recommends, moved by Mahoney, seconded by Buzzell, to approve the Airport entering into a contract in the amount of \$5,000 with Sixel Consulting Group, Inc. to prepare an application for funds under the U.S. DOT Small Community Air Service Development Program.

Roll Call

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

Nays: Gill

Motion Carried

2008-204 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 29, 2008 THROUGH APRIL 8, 2008**

WM08/04 - 62

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve payment of the accounts payable of \$3,427,541.91 covering the period of March 29, 2008 through April 8, 2008, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2008-205 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT CORRECTIONS OFFICER POSITION AND UNDERSHERIFF POSITION**

WM08/04 - 63

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Corrections Officer position #010005 and Undersheriff position #X92001.

Roll Call

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

Nays: None

Motion Carried

2008-206 **APPROVE THE HIRING FREEZE BE WAIVED TO FILL DISTRICT COURT MICROCOMPUTER ANALYST POSITION**

WM08/04 - 64

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the hiring freeze be waived to fill District Court Microcomputer Analyst position #X56010, through the current posting procedures as set forth in the personnel rules.

Roll Call

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

Nays: None

Motion Carried

2008-207 **AUTHORIZE DET/FM TO OBTAIN QUOTES THROUGH PURCHASING FOR THE REPLACEMENT OF THE EXTERIOR SIGNAGE AT THE CONVENTION AND VISITOR'S BUREAU**

WM08/04 - 65

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize DET/FM to obtain quotes through Purchasing for the replacement of the exterior signage at the Convention and Visitor's Bureau depot.

Roll Call

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

Nays: Gill

Motion Carried

2008-208 **APPROVE THE 2008 EQUALIZED VALUATIONS FOR MUSKEGON COUNTY**

WM08/04 - 66

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the 2008 equalized valuations for Muskegon County as determined and submitted by the Muskegon County Equalization Department.

Roll Call

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

Nays: None

Motion Carried

2008-209 **WRITE OFF AIRPORT BAD DEBT IN THE AIRPORT FUND (5810) OF \$8,767.62 FOR CORPORATE AVIATION, INC.**

WM08/04 - 67

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to write off Airport bad debt in the Airport fund (5810) of \$8,767.62 for Corporate Aviation, Inc.

Roll Call

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

Nays: McMurray, Gill

Motion Carried

2008-210 **AUTHORIZE THE PURCHASE OF 10 CISCO 7961 SIX-LINE VOLP TELEPHONES AND 25 CISCO 7941 TWO-LINE/SPEAKER VOLP TELEPHONES FROM NETECH CORPORATION**

WM08/04 - 68

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize the purchase of 10 Cisco 7961 Six-Line VoIP telephones and 25 Cisco 7941 Two-Line/Speaker VoIP telephones from NeTech Corporation at a cost of \$12,446.50, to be paid from the equipment revolving loan fund.

Roll Call

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

Nays: None

Motion Carried

2008-211 **APPROVE THE SECOND AMENDMENT TO THE CDBG GRANT CONTRACT BETWEEN THE COUNTY AND MICHIGAN BROADBAND DEVELOPMENT AUTHORITY**

WM08/04 - 69

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the second amendment to the CDBG grant contract between the County and Michigan Broadband Development Authority and to authorize the Board Chair to sign the necessary documents.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Derezinski noted MAC Legislative Updates of April 4 and 11, 2008, were included in agenda packets.

Chairman Derezinski suggested Building Signage Policy Committee refer to Community Development/Strategic Planning Committee.

2008-212 **PROCLAIM JULY 13 - 19, 2008, ROAD RAGE AWARENESS WEEK**

The Chairman recommends, moved by Gill, seconded by Collins, to proclaim July 13 - 19, 2008, Road Rage Awareness Week.

Motion Carried

Corporate Counsel Williams addressed Taxi-Cab Licensing, referencing a statute giving regulation authority to Cities. It relates to when taxi's travel city roads. It is not clear if taxi's travel over County roads that the County would have any authority. It is also unclear if the authority may be delegated from the cities/townships to the County.

2008-213 **ASSIGN THE ISSUE OF MUSKEGON COUNTY TAXI-CAB LICENSING TO THE TRANSPORTATION COMMITTEE**

The Chairman recommends, moved by Wade, seconded by Engle, to assign the issue of Muskegon County Taxi-Cab Licensing to the Transportation Committee.

Motion Carried

Liaison Report from Commissioner Buzzell that the Road Commission meeting went very well with the new five-member Commission. Commissioner Engle noted Ken Hulka agreed to fax to the agenda for the Road Commission to Administration to be distributed to Commissioners.

Commissioner Snider reported that the Department of Corrections meeting is moving along setting up the Criminal Justice Coordinating Counsel. It was further noted that Mr. Nash made a fine presentation receiving praise from the Board likely leading to more cooperation in the future. Commissioner Snider also reported that the Organizational meeting of the Criminal Justice Coordinating Counsel which is moving forward.

Commissioner Scolnik reported on attendance of Michigan Association of Counties Economic Development & Taxation Committee meeting with the bulk of the meeting devoted to Veterans affairs and counseling.

Commissioner Mahoney noted the Convention and Visitor's Bureau is courting many groups to visit Muskegon.

ADMINISTRATOR'S REPORT

2008-214 **APPROVAL OF SEWER LINE EASEMENT BETWEEN COUNTY OF MUSKEGON AND WHITEHALL TOWNSHIP**

The Administrator recommends, moved by Engle, seconded by Mahoney, approval of the attached Sewer Line Easement between the County of Muskegon and Whitehall Township, calling for the possible construction of a sewer pump station and that the Chairperson be authorized to approve the attached Sewer Line Easement between the County of Muskegon and Whitehall Township.

Roll Call

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

Nays: None

Motion Carried

2008-215 **ACCEPT EXCESS ROAD MILLINGS FROM MUSKEGON COUNTY ROAD COMMISSION**

The Administrator recommends, moved by Aley, seconded by Engle, to accept excess road millings from the Muskegon County Road Commission at no cost and to pay an amount not to exceed \$14,000 for transporting those excess millings to the Muskegon County Fairgrounds for use in the internal roadways and parking areas, with the cost to come from the Fairgrounds budget and fund balance.

Roll Call

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

Nays: None

Motion Carried

2008-216 **APPROVE CONTRACT SETTLEMENT WITH BROOKHAVEN AFSCME UNIT**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the contract settlement with the Brookhaven AFSCME Unit and authorize the County Board Chair and County Clerk to sign the labor agreement subsequent to signatures being obtained from union representatives.

(Continued)
2008-216 **APPROVE CONTRACT SETTLEMENT WITH BROOKHAVEN AFSCME UNIT**

Roll Call

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

Nays: None

Motion Carried

Old Business

None.

New Business

2008-217 **PREPARE A RESOLUTION RECOGNIZING WHITE LAKE BEACON FOR 25 YEARS OF GOOD REPORTING**

Moved by Mahoney, seconded by Engle, to prepare a resolution recognizing White Lake Beacon for 25 years of good reporting.

Motion Carried

Drain Commission Report

A complete official transcript of this report was taken by and may be purchased from Michelle McKee who may be reached at (231) 798-7488.

Chairman Derezinski read a statement setting forth the reason for calling for this report and what the Commission hopes to learn. (Chairman Derezinski's statement and list of questions is attached.)

County Clerk, Karen Buie, issued the Oath to Drain Commissioner, Marty Hulka.

Corporate Counsel Williams stated a brief background regarding previous events which lead to this action. David Jacobs came to the Board for help feeling that he was at an impasse to move forward with his development project. The Board is fairly limited other than to obtain information from the Drain Commissioner.

Drain Commissioner, Marty Hulka, noted he would try his best to be prepared to answer the questions he would be asked. Mr. Hulka noted he was proud of the 31 ½ years of being Drain Commissioner and working with developers and getting things turned around in three days to a week. Drain Commissioner Hulka noted he worked through two natural disasters, 1986 and 1998 and was told by FEMA that the drains were in too good of shape to qualify for erosion funding. Drain Commissioner Hulka further noted his staff has been recently reduced by half.

Chairman Derezinski proceeded with questions.

Public Participation

David Snider addressed the Board with issues of concern for development.

Michele May, former Drain Commissioner; John DeWolf and Tom Anderson spoke in support of Drain Commissioner Hulka.

Wayne Transler of Moorland Township noted his displeasure with response from Drain Commissioner Hulka regarding dams in his area.

Dave Jacobs addressed the Board stating his position as neutral with regard to the Drain Commissioner. In the past, 433's were processed in 1 - 7 days. Now it's indefinite. Just wants resolution and to be able to get on with his project.

Brian Chapman spoke regarding sesquicentennial celebration.

Dale Weisner voiced his pleasure with the new membership of the Road Commission.

Adjourned at 5:21p.m.

KDB/jmp

Karen D. Buie, County Clerk