

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 II
Roger C. Wade*

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

Full Board Meeting

June 9, 2009

3:30 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 Chairman Mahoney followed by the pledge of Allegiance recited in unison.

Roll Call

Present: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Collins, Scolnik

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Doug Hughes, County Clerk Nancy A. Waters, Secretary to the County Clerk Jeanne Pezet

2009-293 **APPROVE AGENDA**

Moved by Engle, seconded by Nash, to approve the Agenda removing item 10. B. Airport Advisory Committee Appointments.

Motion Carried

2009-294 **APPROVE THE MINUTES OF THE FULL BOARD OF MAY 26, 2009**

Moved by Engle, seconded by Snider, to approve minutes of the Full Board of May 26, 2009.

Motion Carried

2009-295 **OPEN PUBLIC HEARING - TRUTH IN TAXATION**

Moved by Engle, seconded by Snider, to open the Public Hearing regarding Truth in Taxation.

Motion Carried

Beth Dick presented information regarding requirements for Truth in Taxation emphasizing that the mill rate has not increased from 2008 although taxable valuations have increased.

2009-296 **CLOSE PUBLIC HEARING - TRUTH IN TAXATION**

Moved by Engle, seconded by Nash, to close the Public Hearing regarding Truth in Taxation.

Motion Carried

2009-297 **COMMUNICATIONS**

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

- A. Antrim County Resolution No. 24-09
- B. County of Lake Resolution Nos. 1196, 1197, 1199, 1200, 1201 and 1203
- C. Ogemaw County Resolution of Opposition re: Right to Work
- D. County of Saginaw Resolution B and C

Motion Carried

2009-298 **APPROVE THE HIRING FREEZE BE WAIVED TO FILL DISTRICT COURT CLERK POSITION**

CPS09/06-34

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to approve the hiring freeze be waived to fill District Court Clerk position #D15017, through the current posting procedures as set forth in the Teamsters Local 214 labor contract.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: None

Motion Carried

2009-299 **WAIVE THE HIRING FREEZE TO FILL THE VACANT CLERK II POSITION**
CPS09/06-35

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to waive the hiring freeze to fill the Probate Court vacant Clerk II position #G200019, posting with current union employees. If the position can not be filled with the union posting, the position will be posted to all current county employees.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: None

Motion Carried

2009-300 **AUTHORIZE BOARD CHAIR TO SIGN THE WEST MICHIGAN**
HAZARDOUS MATERIALS ASSOCIATION AGREEMENT

CPS09/06-36

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize Board Chair to sign the West Michigan Hazardous Materials Association agreement effective from October 1, 2009 to September 30, 2011.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: None

Motion Carried

2009-301 **GRANT PERMISSION TO PURCHASE FROM SEER CORPORATION 20**
HELMETS FOR THE POSSE

CPS09/06-37

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to grant permission to purchase from Seer Corporation 20 helmets for the Posse, to be reimbursed in total by the Posse.

Roll Call

Ayes: Derezinski, Engle, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: Gill

Motion Carried

(Continued)

2009-301 **GRANT PERMISSION TO PURCHASE FROM SEER CORPORATION 20 HELMETS FOR THE POSSE**

Commissioner Gill explained his "No" vote based on objection to the title of "Posse"

2009-302 **ALLOW THE SHERIFF TO FILL THE OPEN POSITION FOR CORRECTIONS OFFICER POSITION**

CPS09/06-38

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to allow the Sheriff to fill the open position for Corrections Officer position #O10006.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: None

Motion Carried

2009-303 **ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT SHERIFF FINANCE SUPERVISOR THROUGH TRANSFER OF CURRENT INFO SYSTEMS TECH III, RECLASSIFY THE INFO SYSTEMS TECH III POSITION TO A MICROCOMPUTER ANALYST POSITION AND WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE NEW POSITION**

CPS09/06-39

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Sheriff Finance Supervisor position (X84801), transfer the current incumbent of the Info Systems Tech III position (X43906) into the Sheriff Finance Supervisor position, then reclassify the Info Systems Tech III position (X43906) to a Microcomputer Analyst position and waive the hiring freeze and allow the Sheriff's Office to fill the newly reclassified Microcomputer Analyst position.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell

Absent: Collins, Scolnik

Nays: None

Motion Carried

2009-304 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES OF MUSKEGON COUNTY DIRECTOR TO SIGN A CONTRACT WITH DEREK L. BURT, NURSE PRACTITIONER**

HR09/06-44

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Services of Muskegon County Director to sign a contract with Derek L. Burt, Nurse Practitioner for the delivery of forty (40) hours per week of Nurse Practitioner Services, effective July 1, 2009 through September 30, 2010 at the rate of \$55.91 per hour and \$25.00 per after-hours consultation, not to exceed \$146,000.00 for the fifteen (15)-month contract period.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-305 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO TERMINATE THE CURRENT CONTRACT WITH REHMANN ROBSON AND RELEASE A REQUEST FOR BIDS FOR A FIRM TO PROVIDE AN ANNUAL FINANCIAL AUDIT FOR THE LAKESHORE BEHAVIORAL HEALTH ALLIANCE**

HR09/06-45

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to terminate the current contract with Rehmann Robson and release a Request for Bids for a firm to provide an annual financial audit for the Lakeshore Behavioral Health Alliance.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-306 **AUTHORIZE COMMUNITY MENTAL HEALTH TO RELEASE A REQUEST FOR PROPOSALS (RFP) FOR AFTER-HOURS MENTAL HEALTH TELEPHONE EMERGENCY SERVICES**

HR09/06-46

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize Community Mental Health to release a Request for Proposals (RFP) for After-Hours Mental Health Telephone Emergency Services for Community Mental Health Services of Muskegon County and Ottawa County Community Mental Health for services effective October 1, 2009.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-307 **APPROVE AMENDMENT NO. 3 OF THE FY08/09 CPBC AGREEMENT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH**

HR09/06-47

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve Amendment No. 3 of the FY08/09 CPBC agreement, subject to final review and approval by Corporate Counsel, with the Michigan Department of Community Health, with no effect on County General Funds, and further authorize the Public Health Director to sign the amendment.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-308 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO RE-ESTABLISH AND MAINTAIN A CASH FUND WITH AN INITIAL AND MAINTENANCE LEVEL OF \$2,000.00 NOT TO EXCEED \$35,000.00 FOR THE 2009 FARMERS' MARKET NUTRITION PROGRAM "PROJECT FRESH"**

HR09/06-48

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize Public Health - Muskegon County to re-establish and maintain a cash fund with an initial and maintenance level of \$2,000.00 not to exceed \$35,000.00 for the 2009 Farmers' Market Nutrition Program "Project Fresh", to reimburse local contracted farmers for fresh fruits and vegetables sold to eligible WIC program participants. Further authorize Public Health to enter into agreements with each of the local farmers and authorize these agreements to be signed by the Health Officer.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-309 **ACCEPT AN INCREASE IN REVENUE OF \$59,550 FROM THE STATE OF MICHIGAN FOR USE IN THE WIC PROGRAM AT PUBLIC HEALTH**

HR09/06-49

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to accept an increase in revenue of \$59,550 from the State of Michigan for use in the WIC program at Public Health. Further authorize use of a portion of this funding to recarpet the WIC office at a total cost of \$15,235.48.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: Gill

Motion Carried

2009-310 **APPROVE THE CONTRACT WITH THE MICHIGAN PUBLIC HEALTH INSTITUTE TO PROVIDE CASE ABSTRACTION SERVICES IN THE FETAL INFANT MORTALITY REDUCTION PROGRAM**

HR09/06-50

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve the contract with the Michigan Public Health Institute to provide case abstraction services in the Fetal Infant Mortality Reduction program. Further move to authorize the Public Health Director to sign the agreement.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

2009-311 **AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE RENEWAL OF THE CLEAN MICHIGAN INITIATIVE INLAND BEACH MONITORING GRANT CONTRACT WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

HR09/06-51

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Public Health Director to sign the renewal of the Clean Michigan Initiative Inland Beach Monitoring grant contract with the Michigan Department of Environmental Quality to provide funding in exchange for work to be performed for inland bathing beach monitoring effective from April 1, 2009 to October 31, 2009, with no effect on County General Funds.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Absent: Scolnik, Collins

Nays: None

Motion Carried

REMOVED FROM AGENDA:

HR09/06-43 To eliminate the Admin Assistant for Support Services (X05501) and the Staff Development Coordinator (N77001) and lay-off the incumbents effective June 30, 2009. Add an Admissions/Marketing Coordinator position (\$16.35 - \$20.88) at Brookhaven Medical Care Facility.

2009-312 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 13, 2009 THROUGH MAY 29, 2009**

WM09/06-64

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve payment of the accounts payable of \$4,579,798.44 covering the period of May 13, 2009 through May 29, 2009, as presented by the County Clerk.

Roll Call

Ayes: Mahoney, Nash, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray

Motion Carried

2009-313 **ACCEPT AND PLACE ON FILE THE SINGLE AUDIT REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008 AS PRESENTED BY FINANCE AND MANAGEMENT SERVICES**

WM09/06-65

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to accept and place on file the Single Audit report for the fiscal year ended September 30, 2008 as presented by Finance and Management Services.

Roll Call

Ayes: Mahoney, Nash, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray

Motion Carried

2009-314 **APPROVE THE CHANGE IN HOURS OF THE DISTRICT COURT CLERK - FULL TIME POSITION #D15011 TO DISTRICT COURT CLERK - HOURLY POSITION**

WM09/06-66

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the change in hours of the District Court Clerk - Full time position #D15011 to District Court Clerk - Hourly position effective June 15th.

(Continued)

2009-314 **APPROVE THE CHANGE IN HOURS OF THE DISTRICT COURT CLERK - FULL TIME POSITION #D15011 TO DISTRICT COURT CLERK - HOURLY POSITION**

Roll Call

Ayes: Mahoney, Nash, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray

Motion Carried

2009-315 **APPROVE SUBMISSION OF THE PROSECUTOR'S FY2010 COOPERATIVE REIMBURSEMENT CONTRACT APPLICATION**

WM09/06-67

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve submission of the Prosecutor's FY2010 Cooperative Reimbursement Contract application in the amount of \$343,876.

Roll Call

Ayes: Mahoney, Nash, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray

Motion Carried

2009-316 **AUTHORIZE THE DEPUTY DIRECTOR OF PUBLIC WORKS, JOHN WARNER, TO BE THE TREASURER OF THE MUSKEGON AREA MUNICIPAL STORMWATER COMMITTEE**

WM09/06-68

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize the Deputy Director of Public Works, John Warner, to be the treasurer of the Muskegon Area Municipal Stormwater Committee and to authorize the Accounting Department to establish a fund for the Committee finances which shall not be subject to standard County fees such as audit fees, administrative fees, etc.

Discussion followed.

Commissioner Snider Called for the Question. There was no second to Commissioner Snider's Call for the Question so discussion continued.

Commissioner Snider withdrew his motion.

(Continued)

2009-316 **AUTHORIZE THE DEPUTY DIRECTOR OF PUBLIC WORKS, JOHN WARNER, TO BE THE TREASURER OF THE MUSKEGON AREA MUNICIPAL STORMWATER COMMITTEE**

Roll Call

Ayes: Mahoney, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray, Nash

Motion Carried

2009-317 **APPROVE A CONTRACT WITH CONSTELLATION, AN ALTERNATIVE NATURAL GAS SUPPLIER**

WM09/06-69

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve a contract with Constellation, an alternative natural gas supplier, for up to a 12 month period commencing July 1, 2009, if an acceptable fixed rate for the product can be negotiated by June 16 between the company and the County. Upon agreement, authorize the County Administrator to sign the contract.

Roll Call

Ayes: Mahoney, Nash, Snider, Wade, Buzzell, Derezinski, Engle

Absent: Scolnik, Collins

Nays: Gill, McMurray

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider reported regarding the Lakeshore Coordinating Council Meeting on Friday, June 5, 2009.

Chairman Mahoney reminded everyone to come out for birthday cake on June 20th.

Chairman Mahoney asked Commissioners to review MAC Legislative Updates of May 22 and 29, 2009, specifically regarding stimulus monies.

ADMINISTRATOR'S REPORT

2009-318 **APPROVAL OF THE OPERATING MILLAGE RATES FOR LAKESHORE MUSEUM CENTER, DEPARTMENT OF VETERANS' AFFAIRS, CENTRAL DISPATCH AND DEBT REPAYMENT LEVY FOR QUALITY OF LIFE BOND**

The Administrator recommends, moved by Derezinski, seconded by Engle, to approve the operating levy of 5.6984 mills for Muskegon County to be levied in July 2009, the operating levy of 0.3221 mills for the Lakeshore Museum Center to be levied in December 2009, the operating levy of 0.0752 mills for the Department of Veteran's Affairs to be levied in December 2009, the operating levy of 0.3000 mills for Muskegon County Central Dispatch to be levied in December 2009 and the debt repayment levy of 0.3000 mills for the Quality of life bond issuance to be levied in December 2009 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

Ayes: McMurray, Nash, Snider, Wade, Buzzell, Derezinski, Engle, Gill, Mahoney,

Absent: Scolnik, Collins,

Nays: None

Motion Carried

Old Business

Commissioner McMurray inquired about the contaminated waters at the superfund site at Sherman and Getty and how it relates to overflow of storm waters.

New Business

Chairman Mahoney noted the Egelston Township Supervisor, Mike Thompson, was in attendance.

Public Participation

None.

2009-319 **ADJOURN**

Moved by Snider, seconded by Wade, to adjourn.

Motion Carried

Meeting adjourned at 4:30 p.m.

Nancy A. Waters, County Clerk

NAW/jmp