

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

July 10, 2007

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, Mahoney, McMurray, Scolnik, Wade

Excused: Gill, Snider

Absent: None

2007-316 **APPROVE AGENDA**

Moved by Engle, seconded by McMurray, to approve the Agenda, adding an item for discussion under new business regarding gas prices.

Motion Carried

2007-317 **APPROVE MINUTES OF THE REGULAR MEETING OF JUNE 19, 2007**

Moved by Engle, seconded by Aley, to approve the minutes of the Regular Meeting of June 19, 2007.

Motion Carried

2007-318 **COMMUNICATIONS**

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

- A. Antrim County Resolution Re: SB 410 and 411
- B. Huron County Resolutions Re: HB 4780 and P.A. 2 Reductions
(Continued)
- C. Lake County Resolutions Re: Opposition of HB 4398, Support of HB 410 and 411, Taxable Values on Residential Properties and Prepaid Wireless Communication Services and Wireless 9-1-1 Emergency Service Fees

Motion Carried

2007-319 **AUTHORIZE THAT THE CIRCUIT COURT CLERK-BAILIFF POSITION NUMBER N19001, BE RECLASSIFIED**

CPS07/07-26

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to authorize that the Circuit Court Clerk-Bailiff Position Number N19001, be reclassified from the present NO-00170 Grade, Step 6 at \$17.955 per hour to the Recorder-Bailiff Grade NO-00190, Step 6 at \$18.769 per hour.

Roll Call

Ayes: Wade, Scolnik, McMurray, Mahoney, Engle, Derezhinski, Collins, Buzzell, Aley

Nays: None

Motion Carried

2007-320 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT, FAMILY DIVISION TO FILL THE VACANT SURVEILLANCE OFFICER POSITION**

CPS07/07-27

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to waive the hiring freeze and allow the Circuit Court, Family Division to fill the vacant Surveillance Officer position #G80005.

Roll Call

Ayes: Wade, Scolnik, McMurray, Mahoney, Engle, Derezhinski, Collins, Buzzell, Aley

Nays: None

Motion Carried

2007-321 **AUTHORIZE THE CHAIR TO SIGN THE 2008 TITLE IV-D COOPERATIVE REIMBURSEMENT PROGRAM APPLICATION**

CPS07/07-28

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to authorize the Chair to sign the 2008 Title IV-D Cooperative Reimbursement Program application in the amount of \$2,079,819.72.

Roll Call

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

Nays: None

Motion Carried

2007-322 **WAIVE THE HIRING FREEZE WITH RESPECT TO CLERK-BAILIFF POSITION NO. N19004**

CPS07/07-29

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to waive the hiring freeze with respect to Clerk-Bailiff position No. N19004, and permit the Circuit Court to fill the position upon the incumbent's retirement.

Roll Call

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

Nays: None

Motion Carried

2007-323 **CHANGE THE TITLE OF JURY CLERK (#D17501) TO JURY CLERK/ASSIGNMENT CLERK ASSISTANT AND MOVE TO WAIVE THE HIRING FREEZE FOR THIS POSITION**

CPS07/07-30

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to change the title of Jury Clerk (#D17501) to Jury Clerk/Assignment Clerk Assistant and move to waive the hiring freeze for this position and the subsequent Court Clerk position expected to become vacant resulting from the filling the Jury Clerk/Assignment Clerk Assistant through the current positing procedures as set forth in the Teamsters Local 214 labor contract.

Roll Call

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

Nays: None

Motion Carried

2007-324 **APPROVE THE PURCHASE OF A KEYCARD LOCK FOR THE DISTRICT COURT**

CPS07/07-31

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to approve the purchase of a keycard lock for the District Court in the amount of \$3,500.

Roll Call

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

Nays: None

Motion Carried

2007-325 **WAIVE THE HIRING FREEZE FOR THE DISTRICT COURT CHIEF CLERK POSITION #D07503**

CPS07/07-32

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to waive the hiring freeze for the District Court Chief Clerk position #D07503 and the subsequent Court Clerk position expected to become vacant resulting from the filling of the District Court Chief Clerk position through the current posting procedure as set forth in the Teamsters Local 214 labor contract.

Roll Call

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

Nays: None

Motion Carried

2007-326 **AUTHORIZE THE SHERIFF'S OFFICE TO BEGIN THE COUNTY'S BID PROCESS FOR 1 FOUR-DOOR SEDAN FOR THE DETECTIVE BUREAU**

CPS07/07-33

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to authorize the Sheriff's Office to begin the County's bid process for 1 four-door sedan for the Detective Bureau.

Roll Call

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

Nays: None

Motion Carried

2007-327 **AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE A TRAILER FROM CLIFF'S AUTO & TRAILER SALES**

CPS07/07-34

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Collins, to authorize the Sheriff's Office to purchase a trailer from Cliff's Auto & Trailer Sales for \$5,815.00 for the dive team and to reimbursed by the Muskegon Community Foundation.

Roll Call

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

Nays: None

Motion Carried

2007-328 **ADOPT THE CONCURRENT RESOLUTION AUTHORIZING THE ADOPTION OF THE INTERGOVERNMENTAL AGREEMENT PROVIDING FOR THE CONTINUATION OF PREPAID INPATIENT HEALTH PLAN FOR FUNDING THE COMMUNITY MENTAL HEALTH SYSTEM KNOWN AS "LAKESHORE BEHAVIORAL HEALTH ALLIANCE"**

HR07/07-59

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to adopt the Concurrent Resolution authorizing the adoption of the Intergovernmental Agreement providing for the continuation of Prepaid Inpatient Health Plan for funding the community Mental Health System known as "Lakeshore Behavioral Health Alliance" and authorize the Chairperson to sign the Agreement.

Roll Call

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

Nays: None

Motion Carried

2007-329 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH REHMAN ROBISON, CPA, FOR PROFESSIONAL AUDITING SERVICES**

HR07/07-60

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Community Mental Health Director to sign a contract with Rehman Robison, CPA, for professional auditing services for FY 2007 through FY 2009 at a cost not to exceed \$31,800 for FY 2007, \$32,700 or FY 2008, and \$33,700 for FY 2009.

Roll Call

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

Nays: None

Motion Carried

2007-330 **GRANT APPROVAL FOR THE COMMUNITY MENTAL HEALTH**

DIRECTOR TO PASS ON TO ELIGIBLE PROVIDERS THE REMAINING .7% OF THE STATE'S MANDATED 2% WAGE INCREASE FOR DIRECT-CARE WORKERS

HR07/07-61

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to grant approval for the Community Mental Health Director to pass on to eligible providers the remaining .7% of the State's mandated 2% wage increase for direct-care workers, as a lump-sum payment.

Roll Call

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

Nays: None

Motion Carried

2007-331 **AUTHORIZE BROOKHAVEN MEDICAL CARE FACILITY TO ESTABLISH THE POSITION OF INTERIM ADMIN ASST CLINICAL SERVICES (DIRECTOR OF NURSING)**

HR07/07-62

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize Brookhaven Medical Care Facility to establish the position of Interim Admin Asst Clinical Services (Director of Nursing) and place Sue Ames, current Nursing Director Assistant, in the position effective July 6, 2007 with a 5% increase in salary from \$57,358.08 to \$60,225.98 until such time the Admin Asst. Clinical Services (Director of Nursing) position (X05001) is filled.

Roll Call

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

Nays: None

Motion Carried

2007-332 **AUTHORIZE THE HEALTH DEPARTMENT TO RE-ESTABLISH AND MAINTAIN A CASH FUND FOR THE 2007 FARMER'S MARKET NUTRITION PROGRAM "PROJECT FRESH"**

HR07/07-63

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Health Department to re-establish and maintain a cash fund with an initial and maintenance level of \$2,000.00 not to exceed \$20,000.00 for the 2007 Farmer's Market Nutrition Program "Project Fresh", to reimburse local contracted farmers for fresh fruits and vegetables sold to eligible WIC program participants. Further authorize the Health Department to enter into an agreement with the State of Michigan and with each of the local farmers and authorize these agreements to be signed by the Director of Health and Community Resources.

(Continued)

2007-332 **AUTHORIZE THE HEALTH DEPARTMENT TO RE-ESTABLISH AND MAINTAIN A CASH FUND FOR THE 2007 FARMER'S MARKET NUTRITION PROGRAM "PROJECT FRESH"**

Roll Call

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

Nays: None

Motion Carried

2007-333 **AUTHORIZE THE HEALTH DEPARTMENT TO AMEND ITS FY07 BUDGET**

HR07/07-64

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Health Department to amend its FY07 budget (revenue and expenditures) from \$6,737,021 to \$6,816,423 to include grant funding changes, program line item adjustments, staff/funding transfers, and no change to the general fund appropriation.

Roll Call

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

Nays: None

Motion Carried

2007-334 **APPROVE A PUBLIC HEARING ON AUGUST 9, 2007 RELATED TO ADOPTION OF THE MUSKEGON COUNTY HEALTH DEPARTMENT VECTOR CONTROL REGULATION 2007**

HR07/07-65

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to approve a public hearing on August 9, 2007 offering any person an opportunity to present data, views, and arguments related to adoption of the Muskegon County Health Department Vector Control Regulation 2007.

Roll Call

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

Nays: None

Motion Carried

2007-335 **APPROVE THE ESTABLISHMENT OF THE ANIMAL CONTROL PROGRAM ENFORCEMENT AND ISSUANCE OF MONETARY CIVIL PENALTIES POLICY AND FEE SCHEDULE**

HR07/07-66

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to approve the establishment of the Animal Control Program Enforcement and Issuance of Monetary Civil Penalties Policy and Fee Schedule, to take effect September 1, 2007, pending Corporate Counsel final review, for the County of Muskegon Animal and Vector Control program.

Roll Call

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

Nays: None

Motion Carried

2007-336 **APPROVE THE AMENDMENT TO THE ANIMAL AND VECTOR CONTROL ORDINANCE NO. 2006-463**

HR07/07-67

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to approve the amendment to the Animal and Vector Control Ordinance No. 2006-463, subject to final review and approval by Corporate Counsel, effective upon approval.

Roll Call

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

Nays: None

Motion Carried

2007-337 **AUTHORIZE POUND BUDDIES RESCUE TO IMPROVE THE OUTDOOR DOG EXERCISE AREA AT VECTOR CONTROL**

HR07/07-68

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize Pound Buddies Rescue to improve the outdoor dog exercise area at Vector Control by September 2007 using grant funding obtained by Pound Buddies Rescue to complete the project.

Roll Call

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

Nays: None

Motion Carried

2007-338 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JUNE 13, 2007 THROUGH JUNE 26, 2007**

WM07/7-91

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$4,503,334.41 covering the period of June 13, 2007 through June 26, 2007, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2007-339 **APPROVE THE FY 2008 BUDGET HEARING SCHEDULE**

WM07/7-92

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the FY 2008 Budget Hearing Schedule.

Roll Call

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

Nays: None

Motion Carried

2007-340 **APPROVE THE LETTER OF UNDERSTANDING BETWEEN THE COUNTY OF MUSKEGON AND THE MUSKEGON BREWING AND DISTILLING COMPANY (TRUNEK) FOR USE OF UP TO 30 PARKING SPACES IN THE EMPLOYEE PARKING LOT ADJACENT TO THE HALL OF JUSTICE**

WM07/7-93

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Letter of Understanding between the County of Muskegon and the Muskegon Brewing and Distilling Company (Trunek) for use of up to 30 parking spaces in the employee parking lot adjacent to the Hall of Justice and authorize the County Administrator to sign the document.

Roll Call

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

Nays: None

Motion Carried

2007-341 **APPROVE RENEWAL OF ASSESSMENT ADMINISTRATION SERVICES PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE TOWNSHIPS OF MONTAGUE AND MOORLAND**

WM07/7-94

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve renewal of Assessment Administration Services provided by the Equalization Department to the Townships of Montague and Moorland 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: Mahoney, Aley, Scolnik, McMurray, Wade, Collins, Buzzell, Derezinski, Engle

Nays: None

Motion Carried

2007-342 **APPROVE CHANGE ORDER #1 TO THE CONTRACT WITH PRO-TECH ENVIRONMENTAL, INC., FOR THE MICHAEL E. KOBZA HALL OF JUSTICE 4TH FLOOR RENOVATION**

WM07/7-95

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve Change Order #1 to the contract with Pro-Tech Environmental, Inc., for the Michael E. Kobza Hall of Justice 4th Floor Renovation Asbestos Abatement Project in an amount not to exceed \$20,628.00, for a new contract total of \$95,058.00.

Roll Call

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

Nays: None

Motion Carried

2007-343 **APPROVE CHANGE ORDER #1 TO THE CONTRACT WITH MUSKEGON QUALITY BUILDERS FOR THE MICHAEL E. KOBZA HALL OF JUSTICE AND JAIL FIRE ALARM PROJECT**

WM07/7-96

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve Change Order #1 to the contract with Muskegon Quality Builders for the Michael E. Kobza Hall of Justice and Jail Fire Alarm Project in an amount not to exceed \$3,851.98, for a new project total of \$266,946.98.

Roll Call

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

Nays: None

Motion Carried

2007-344 **APPROVE CHANGE ORDER #001 TO THE VANDERVEN CONSTRUCTION CONTRACT FOR THE MICHAEL E. KOBZA HALL OF**

JUSTICE 4TH FLOOR RENOVATION PROJECT

WM07/7-97

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve Change Order #001 to the VanderVen Construction contract for the Michael E. Kobza Hall of Justice 4th Floor Renovation Project in an amount not to exceed \$52,820.00 for a new contract total of \$850,579.00.

Roll Call

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

Nays: None

Motion Carried

2007-345 **RECLASSIFY VACANT POSITIONS IN THE EQUALIZATION DEPARTMENT AND TO WAIVE THE HIRING FREEZE**

WM07/7-98

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to downwardly reclassify vacant Senior Appraiser position #G09008 to an Appraiser position, and upwardly reclassify vacant Clerk II position #G20030 to an Appraiser Technician position in the Equalization Department and to waive the hiring freeze to allow the Department to fill both positions.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Derezinski noted MAC Legislative Updates of June 22 and June 29, 2007 are included with the agenda packet

Duane Buckner invited everyone out to the 4-H Fair; Monday, July 23rd - Saturday, July 28th - Muskegon County Fairgrounds.

Chairman Derezinski asked Tony Moulatsiotis, Muskegon County Treasurer, Chairman of the Land Bank Authority, to report on Addendum items. Treasurer Moulatsiotis explained the positive impact the Land Bank Authority is already having and the expected positive effects of future Land Bank activities for improving neighborhoods throughout the County. Commissioner Aley noted hi, Commissioners Wade and Snider and Township Clerk Duane Buckner, are also representatives of the Land Bank Authority. Treasurer Moulatsiotis noted other members are, Willy Watson from the City of Muskegon Heights and Kevin Davis from the City of Muskegon.

2007-346 **ADOPTION OF THE ATTACHED RESOLUTION TO TRANSFER REAL PROPERTY TO THE MUSKEGON COUNTY LAND BANK AUTHORITY**

Moved by Aley, seconded by Engle, adoption of the attached Resolution to transfer real property to the Muskegon County Land Bank Authority.

Roll Call

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

Nays: None

Motion Carried

2007-347 **ADOPTION OF THE ATTACHED RESOLUTION EXTENDING AN INTEREST BEARING LINE OF CREDIT TO THE MUSKEGON COUNTY LAND BANK AUTHORITY**

Moved by Aley, seconded by Engle, adoption of the attached Resolution extending an interest bearing line of credit to the Muskegon County Land Bank Authority in an amount not to exceed \$300,000.00.

Roll Call

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

Nays: None

Motion Carried

2007-348 **ADOPTION OF THE ATTACHED RESOLUTION TO ACQUIRE REAL PROPERTY FROM THE MUSKEGON COUNTY FORECLOSING GOVERNMENTAL UNIT AND TO TRANSFER THESE PARCELS TO THE MUSKEGON COUNTY LAND BANK AUTHORITY**

Moved by Aley, seconded by Engle, adoption of the attached Resolution to acquire real property from the Muskegon County Foreclosing Governmental Unit and to transfer these parcels to the Muskegon County Land Bank Authority.

Roll Call

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

Nays: None

Motion Carried

ADMINISTRATOR'S REPORT

None.

Old Business

Commissioner Aley recognized Nancy Hennard, new District Court Administrator. District Court Administrator Hennard introduced herself to County Commissioners and gave a little of her background prior to coming to Muskegon County.

New Business

Commissioner Aley noted disparity in gas prices by 20 - 30 cents within Muskegon County and that the price in Muskegon County is usually much higher than surrounding counties and states.

2007-349 REQUEST ADMINISTRATOR TO MEET WITH THE PROSECUTOR
REGARDING GAS PRICING IN MUSKEGON COUNTY

Moved by Buzzell, seconded by Aley, to request Administrator to meet with the Prosecutor regarding gas pricing in Muskegon County.

Motion Carried

Public Participation

Bob Loose, of Blue Lake Township, addressed the Board asking for assistance to reinstate plowing of 24th Street in Blue Lake Township.

Don Studaven, Blue Lake Township Supervisor, addressed the Board asking for fiber optics for the Township office and the ambulance service in Blue Lake Township. Supervisor Studaven also asked for County Board support in the law suit from Chicago regarding Owasippi

Mark Mangionie addressed the Board recognizing County work on a responsible contractor agreement.

Adjourned at 4:20 p.m.

Karen D Buie, County Clerk

KDB/jmp