

# *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**

**August 12, 2008**

**3:54 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 County Clerk, Karen Buie.

### **Roll Call**

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

Absent: None

### 2008-355    **APPROVE AGENDA**

Moved by Engle, seconded by Mahoney, to approve the Agenda, adding 9. D. to Chairman's Report - Referendum for Casino.

**Motion Carried**

### 2008-356    **APPROVE MINUTES OF THE REGULAR MEETING OF JULY 22, 2008**

Moved by Engle, seconded by Scolnik, to approve the minutes of the Regular Meeting of July 22, 2008.

**Motion Carried**

### 2008-357    **COMMUNICATIONS**

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

- A. Antrim County Resolution #14-08
- B. Allegan County Resolution in Support of HB 5398

**Motion Carried**

2008-358 **RECLASSIFY THE CRIMINAL JUSTICE DIRECTOR POSITION (Y09001)  
TO COMMUNITY CORRECTIONS MANAGER AND TO APPROVE TO  
WAIVE THE HIRING FREEZE**

CPS08/08-32

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to reclassify the Criminal Justice Director position (Y09001) to Community Corrections Manager (NX00310) at a salary range of \$53,595 - \$68,037 and to approve to waive the hiring freeze and begin the recruitment process for the Community Corrections Manager.

Roll Call

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

Nays: Gill, McMurray

**Motion Carried**

2008-359 **AUTHORIZE THE BOARD CHAIR TO SIGN THE AMENDMENT TO THE  
2008 COMMUNITY CORRECTIONS COMPREHENSIVE PLANS AND  
SERVICES CONTRACT AWARD**

CPS08/08-33

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Board Chair to sign the amendment to the 2008 Community Corrections Comprehensive Plans and Services contract award from the Michigan Department of Corrections. To amend the MDOC reimbursement budget from \$132,529 to \$143,379 to reflect the increase of \$10,850 which represents 16.7% of an annual award of \$50,000 to be used to cover the cost of the Jail Population Coordination along with 30% for administrative cost.

Roll Call

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

Nays: McMurray

**Motion Carried**

2008-360 **APPOINT MR. JAMES C. DURAM AND REV. WILLIAM T. ANDERSON TO  
THE REMAINING TWO VACANT GENERAL PUBLIC APPOINTMENTS  
FOR THE CRIMINAL JUSTICE COORDINATING COUNCIL**

CPS08/08-34

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to appoint Mr. James C. Duram and Rev. William T. Anderson to the remaining two vacant general public appointments for the Criminal Justice Coordinating Council.

(Continued)

2008-360 **APPOINT MR. JAMES C. DURAM AND REV. WILLIAM T. ANDERSON TO THE REMAINING TWO VACANT GENERAL PUBLIC APPOINTMENTS FOR THE CRIMINAL JUSTICE COORDINATING COUNCIL**

Roll Call

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

Nays: None

**Motion Carried**

2008-361 **APPROVE THE FY08 COOPERATIVE REIMBURSEMENT PROGRAM AMENDED AGREEMENT**

CPS08/08-35

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the FY08 Cooperative Reimbursement Program Amended Agreement which transfers \$375 from salaries to paternity testing and to amend the County's budget to reflect the amendment effective immediately.

Roll Call

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

Nays: None

**Motion Carried**

2008-362 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT ADMINISTRATIVE SECRETARY POSITION**

CPS08/08-36

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Administrative Secretary position #N04009.

Roll Call

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

Nays: McMurray

**Motion Carried**

2008-363 **ACCEPT THE DESIGNATION OF A LEARNING CENTER BY JUSTICE CENTER FOR THE COUNCIL OF STATE GOVERNMENTS**

CPS08/08-37

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to accept the designation of a Learning Center by Justice Center for the Council of State Governments for the Sheriff's Department to provide technical assistance in the development of a jail re-entry program by the Sheriff's Department.

Roll Call

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

Nays: None

**Motion Carried**

2008-364 **APPROVE THE SUBMISSION OF A GRANT FOR FUNDING FOR THE MUSKEGON COUNTY SHERIFF DEPARTMENT**

CPS08/08-38

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the submission of a grant for funding for the Muskegon County Sheriff Department under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$16,776.00 to purchase tasers.

Roll Call

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

Nays: McMurray

**Motion Carried**

2008-365 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO APPLY FOR THE 2008/2009 SNOWMOBILE ENFORCEMENT GRANT**

CPS08/08-39

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to grant permission to the Sheriff's Office to apply for the 2008/2009 snowmobile enforcement grant through the State of Michigan DNR for \$15,796.00.

Roll Call

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

Nays: None

**Motion Carried**

2008-366 **ADOPT THE AMENDED LETTER OF UNDERSTANDING COMBINING**

**THE POSITIONS OF UNDERSHERIFF AND EMERGENCY MANAGEMENT SERVICES COORDINATOR**

CPS08/08-40

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to terminate the Letter of Understanding entered into between the Sheriff's Department and the Muskegon County Board of Commissioners on September 19, 2003, concerning combining the positions of Chief Deputy and Emergency Management Services Coordinator and to adopt the Amended Letter of Understanding combining the positions of Undersheriff and Emergency Management Services Coordinator.

Roll Call

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

Nays: None

**Motion Carried**

2008-367 **APPROVE THE REVISED MUSKEGON COUNTY BOARD OF COMMISSIONERS' PERSONNEL RULES**

HR08/08-53

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve the revised Muskegon County Board of Commissioners' Personnel Rules.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-368 **AUTHORIZE THE TRANSFER OF AN AMOUNT UP TO \$300,000 OF STATE GENERAL FUND DOLLARS TO OTTAWA COUNTY COMMUNITY MENTAL HEALTH (CMH)**

HR08/08-54

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the transfer of an amount up to \$300,000 of State General Fund Dollars to Ottawa County Community Mental Health (CMH), with the understanding that Ottawa County CMH will transfer a corresponding amount of their Medicaid Internal Service Fund dollars back to Muskegon County CMH. This transfer would be effective for FY 2008 only.

(Continued)

2008-368 **AUTHORIZE THE TRANSFER OF AN AMOUNT UP TO \$300,000 OF STATE GENERAL FUND DOLLARS TO OTTAWA COUNTY COMMUNITY MENTAL HEALTH (CMH)**

Roll Call

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

Nays: McMurray

**Motion Carried**

2008-369 **APPROVE THE RECLASSIFICATION OF THE VACANT COMMUNITY MENTAL HEALTH POSITIONS AS LISTED**

HR08/08-55

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve the reclassification of the vacant Community Mental Health Clinical Services Supervisor II position #X17803 (salary grade NX00280 - \$22.336-\$28.348/hr) to a Master Level Clinician (salary grade NX00240 - \$19.325-\$26.895/hr), and the vacant Mental Health Utilization Specialist position #X55302 (salary grade NX00240) to a Master Level Clinician (Salary grade NX00240), and the Mental Health Utilization Specialist #X55301 (salary grade NX00240) to that of a Master Level Clinician (salary grade NX00240) to reflect current job duties.

Roll Call

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

Nays: None

**Motion Carried**

2008-370 **AUTHORIZE THE HEALTH DEPARTMENT TO INCREASE THE 2008 PROJECT FRESH**

HR08/08-56

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Health Department to increase the 2008 Project Fresh not to exceed limit of \$10,000.00, originally approved at the May 2008 Board meeting, to \$20,000.00 due to an increase in Muskegon's Project Fresh coupon allotment. This increase is the only change to the original motion and will be reimbursed in full by the State of Michigan with no impact on the general fund allocation.

(Continued)

2008-370 **AUTHORIZE THE HEALTH DEPARTMENT TO INCREASE THE 2008 PROJECT FRESH**

Roll Call

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

Nays: None

**Motion Carried**

2008-371 **AUTHORIZE THE HEALTH DEPARTMENT TO ACCEPT THE FY2009 COMPREHENSIVE, PLANNING, BUDGET AND CONTRACTING AGREEMENT**

HR08/08-57

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Health Department to accept the FY2009 Comprehensive, Planning, Budget and Contracting agreement for \$2,582,535 from the Michigan Department of Community Health with no changes to the Health Department General Fund allocation. Further authorize the Board Chair to sign the associated agreement.

Roll Call

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

Nays: None

**Motion Carried**

2008-372 **AUTHORIZE THE HEALTH DEPARTMENT TO RENEW IT'S MEDICAL DIRECTOR AGREEMENT WITH DOUGLAS HOCH M.D.**

HR08/08-58

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Health Department to renew it's Medical Director agreement with Douglas Hoch M.D. for an amount not to exceed \$45,00.00 per fiscal year and covering the period October 1, 2008 through September 30, 2011 with no further impact on the Health Department's FY2009 General Fund Allocation. Further authorize the Board Chairman to sign the associated agreement.

Roll Call

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

Nays: None

**Motion Carried**

2008-373 **AUTHORIZE THE BOARD CHAIR TO SIGN THE AGREEMENT BETWEEN**

**THE MUSKEGON COUNTY HEALTH DEPARTMENT AND THE MICHIGAN  
PUBLIC HEALTH INSTITUTE**

HR08/08-59

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Board Chair to sign the agreement between the Muskegon County Health Department and the Michigan Public Health Institute and to accept the \$10,000 award.

Roll Call

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

Nays: None

**Motion Carried**

2008-374 **SIGN AMENDMENT NO. 3 OF THE FY07/08 CPBC AGREEMENT**

HR08/08-60

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to sign Amendment No. 3 of the FY07/08 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.

Roll Call

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

Nays: None

**Motion Carried**

2008-375 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE  
PERIOD OF JULY 9 - 29, 2008**

WM08/08-110

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve payment of the accounts payable of \$7,080,754.18 covering the period of July 9, 2008 through July 29, 2008, as presented by the County Clerk.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-376 **APPROVE BALLOT LANGUAGE AND SUBMIT IT TO THE COUNTY CLERK FOR PLACEMENT ON THE NOVEMBER 4, 2008 BALLOT**

WM08/08-114

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve the following ballot language and submit it to the County Clerk for placement on the November 4, 2008 ballot:

Shall the total constitutional tax rate limitation in the County of Muskegon be renewed by the amount of up to .30 cents (\$.30) per one thousand dollars (\$1,000) (.30 mill) against all taxable property in the County of Muskegon for a period of 7 years beginning with the December 1, 2009 levy and ending with the December 1, 2015 levy so as to provide funding for the operation of the "9-1-1" Central Dispatch? If approved and levied in its entirety on December 1, 2009, this millage would raise an estimated \$1,408,949 in the first year.

Roll Call

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

Nays: McMurray, Gill

**Motion Carried**

2008-377 **APPROVE A BOND ORDINANCE TO ISSUE UP TO \$20,000,000 IN REVENUE BONDS THROUGH THE MICHIGAN MUNICIPAL BOND AUTHORITY OF THE MUSKEGON COUNTY WASTEWATER MANAGEMENT SYSTEM**

WM08/08-115

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve a Bond Ordinance to issue up to \$20,000,000 in revenue bonds through the Michigan Municipal Bond Authority of the Muskegon County Wastewater Management System for the purpose of replacing of the 66" pipe to the Wastewater site (phase 1). This bond ordinance must be published in its entirety in the Muskegon Chronicle. Further, authorize the County Clerk to sign the document.

Roll Call

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

Nays: None

**Motion Carried**

2008-378 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING OFFICE TO SELL COUNTY SURPLUS VEHICLES**

WM08/08-116

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize Finance and Management Services/Purchasing Office to sell County surplus vehicles through the sealed bid process.

(Continued)  
2008-378 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING  
OFFICE TO SELL COUNTY SURPLUS VEHICLES**

Roll Call

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

Nays: None

**Motion Carried**

2008-379 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION  
SERVICES CONTRACT**

WM08/08-117

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the City of Whitehall and authorize the Chair of the County Board of Commissioners to execute the agreement to provide the services.

Roll Call

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

Nays: None

**Motion Carried**

2008-380 **RECLASSIFY VACANT CLERK II POSITION #G20040 TO A 35 HOUR  
WEEK APPRAISAL TECHNICIAN POSITION**

WM08/08-118

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to upwardly reclassify vacant Clerk II position #G20040 to a 35 hour week Appraisal Technician position in the Equalization Department.

Roll Call

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

Nays: None

**Motion Carried**

2008-381 **AUTHORIZE HUMAN RESOURCES TO PURCHASE PROFESSIONAL  
LIABILITY INSURANCE FOR DR. DEITRICK, JAIL PHYSICIAN**

WM08/08-120

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize Human Resources to purchase professional liability insurance for Dr. Deitrick, Jail Physician, from Admiral Insurance Company from 8/1/08 to 8/1/09 in the amount of \$25,200.

Roll Call

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

Nays: None

**Motion Carried**

2008-382 **TAKE ITEMS 112 AND 113 OFF THE TABLE FOR A VOTE**

Moved by Buzzell, seconded by Snider, to take items 112 and 113 off the table for a vote.

Roll Call

Ayes: Aley, Buzzell, Derezinski, Scolnik, Snider

Nays: Collins, Engle, Gill, Mahoney, McMurray, Wade

**Motion Failed**

**CHAIR'S REPORT/COMMITTEE LIAISON REPORTS**

Commissioner Wade reported on West Michigan Shoreline Regional Development Commission Meeting.

Vice-Chairman Snider reported on LCC Board of Director's Meeting with emphasis on PA2 Funds.

Chairman Derezinski noted the MAC Legislative Update of July 18<sup>th</sup> and 25<sup>th</sup> and August 1<sup>st</sup>, 2008, were included in agenda packets.

2008-383 **APPOINT KENNETH MAHONEY AS LIAISON TO HEALTHY FOOD FOR  
OUR CHILDREN IN SCHOOL TASKFORCE**

The Chairman recommends, moved by Aley, seconded by Snider, to appoint Kenneth Mahoney as Liaison to Healthy Food for our Children in School Taskforce.

**Motion Carried**

2008-384 **PLACE A REFERENDUM ON THE NOVEMBER 4, 2008 BALLOT ASKING CITIZENS TO APPROVE OR DISAPPROVE A CASINO IN MUSKEGON COUNTY**

The Chairman recommends, moved by Engle, seconded by Snider, to place a referendum on the November 4, 2008 ballot asking citizens to approve or disapprove a casino in Muskegon County.

Roll Call

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

Nays: Buzzell, Wade

**Motion Carried**

**ADMINISTRATOR'S REPORT**

2008-385 **AUTHORIZE PROBATE COURT TO ENTER INTO A CONTRACT WITH SHERI BUYERS**

The Administrator recommends, moved by Gill, seconded by Snider, to authorize Probate Court to enter into a contract with Sheri Buyers to perform placement investigations in cases of minor guardianships, adult guardianships and adoptions, for a monthly payment of \$1,100.00 plus mileage at the County reimbursement rate.

Roll Call

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

Nays: None

**Motion Carried**

Administrator Niemiec announced his retirement, effective September 12, 2008.

2008-386 **ACCEPT ADMINISTRATOR, JACK NIEMIEC'S, NOTICE TO RETIRE EFFECTIVE SEPTEMBER 12, 2008**

Moved by Gill, seconded by Mahoney, to accept Administrator, Jack Niemiec's, notice to retire effective September 12, 2008.

Roll Call

Ayes: McMurray, Mahoney, Gill, Derezinski

Nays: Wade, Snider, Scolnik, Engle, Collins, Buzzell, Aley

**Motion Failed**

**Old Business**

2008-387     **APPOINT DORIS RUCKS TO THE DHS BOARD**

Moved by Scolnik, seconded by Engle, to appoint Doris Rucks to the DHS Board.

**Motion Carried**

**New Business**

None.

**Public Participation**

Discussion ensued with Treasurer Moulatsiotis, Prosecutor Tague and Sheriff Roesler regarding attempts by Elected Officials to present alternatives to budget cuts and meetings that took place.

John DeWolf addressed the Board about a casino in Muskegon asking what will happen if the people of Muskegon vote it down. Also, the County Budget urging focus on services before brick and mortar.

**Budget Hearing**

2008-388     **RECESS THE BUDGET HEARING TO THURSDAY, AUGUST 14, 2008**

Moved by Engle, seconded by Scolnik to recess the Budget Hearing to Thursday, August 14, 2008, following scheduled Committee Meetings at 3:30 p.m.

**Motion Carried**

Recessed at 5:25 p.m.

KDB/jmp

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Karen D. Buie, County Clerk