

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

December 17, 2009

3:40 P.M.

Chairman 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, Collins, Derezinski, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Excused: Engle

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

2009-703 **APPROVE AGENDA**

Moved by Snider, seconded by Collins, to approve the Agenda.

Motion Carried

2009-704 **APPROVE THE MINUTES OF THE FULL BOARD OF DECEMBER 8, 2009**

Moved by Derezinski, seconded by Buzzell, to approve minutes of the Full Board of December 8, 2009.

Motion Carried

2009-705 **PUBLIC HEARING - PROPOSED CDBC LOAN APPLICATION**

Moved by Derezinski, seconded by Snider, to open the Public Hearing regarding Proposed CDBC Loan Application.

Motion Carried

2009-706 **CLOSE PUBLIC HEARING**

It was noted that neither the Clerk's office nor Administration received any written or verbal communication regarding the Proposed Loan Application. Moved by Nash, seconded by McMurray, to close the Public Hearing.

Motion Carried

2009-707 **PRESENTATION - MRS. JAINE SPRING TRIBUTE**

Commissioner Gill presented a Resolution in tribute to Mrs. Jaine Spring for her bow hunting success getting at 8 pt buck.

2009-708 **PRESENTATION - MONTAGUE WILDCATS DIVISION 6 FOOTBALL STATE CHAMPIONSHIP TRIBUTE**

Chairman Mahoney presented a Resolution to Coached Pat Collins, Pat Ferrier, Bob Ferrier and team members of the Montague Wildcats in recognition of their 2nd Division 6 Football State Championship.

2009-709 **COMMUNICATIONS**

No Communication items presented.

2009-710 **ACCEPT THE TRANSPORTATION COMMITTEE REPORT**

The Transportation Committee recommends, moved by Gill , seconded by Derezinski, to accept the Transportation Committee Report.

Motion Carried

2009-711 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$4,079,912.21 COVERING THE PERIOD OF NOVEMBER 26, 2009 THROUGH DECEMBER 8, 2009**

WM09/12-195

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to approve payment of the accounts payable of \$4,079,912.21 covering the period of November 26, 2009 through December 8, 2009, as presented by the County Clerk.

(Continued)

2009-711 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$4,079,912.21 COVERING THE PERIOD OF NOVEMBER 26, 2009 THROUGH DECEMBER 8, 2009**

Roll Call

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

Excused: Engle

Nays: Gill

Motion Carried

2009-712 **APPROVE THE ADOPTION OF THE ESCROW AGREEMENT FOR ATTORNEY AND ENGINEERING COSTS INCURRED IN CONNECTION WITH THE NEGOTIATION OF THE MUNICIPAL SERVICES AGREEMENT WITH THE LITTLE RIVER BAND OF OTTAWA INDIANS**

WM09/12-196

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to approve the adoption of the Escrow Agreement for Attorney and Engineering costs incurred in connection with the negotiation of the Municipal Services Agreement with the Little River Band of Ottawa Indians, and that the Chairman be authorized to sign the Agreement.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-713 **ADOPT THE JOINT RESOLUTION OF INTENT BY MUSKEGON COUNTY AND OTTAWA COUNTY TO DISBAND THE LAKESHORE COORDINATING COUNCIL**

WM09/11-197

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to adopt the Joint Resolution of Intent by Muskegon County and Ottawa County to Disband the Lakeshore Coordinating Council and Terminate the Delegation Agreement.

(Continued)

2009-713 **ADOPT THE JOINT RESOLUTION OF INTENT BY MUSKEGON COUNTY AND OTTAWA COUNTY TO DISBAND THE LAKESHORE COORDINATING COUNCIL**

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-714 **ACCEPT THE DONATION AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND WOOLPERT SERVICES, LLC/WOOLPERT, INC., WHEREBY THE COUNTY OF MUSKEGON OBTAINS, AT NO COST, AN UNLIMITED LICENSE TO USE DATA THAT IS OBTAINED AS PART OF A COUNTY OF MUSKEGON MAPPING PROJECT**

WM09/12-198

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to accept the Donation Agreement between the County of Muskegon and Woolpert Services, LLC/Woolpert, Inc., whereby the County of Muskegon obtains, at no cost, an unlimited license to use data that is obtained as part of a County of Muskegon mapping project and that the Chairman be authorized to sign.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-715 **APPROVE AND IMPLEMENT THE BUDGET ADJUSTMENTS ASSOCIATED WITH THE FY 2010 GENERAL FUND BUDGET CONTINGENCY PLAN ITEMS 1 – 6**

WM09/12-199

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to approve and implement the budget adjustments associated with the FY 2010 General Fund Budget Contingency Plan items 1 – 6.

(Continued)

2009-715 **APPROVE AND IMPLEMENT THE BUDGET ADJUSTMENTS ASSOCIATED WITH THE FY 2010 GENERAL FUND BUDGET CONTINGENCY PLAN ITEMS 1 – 6**

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-716 **AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE 2010 STATE SURVEY AND REMONUMENTATION PROGRAM GRANT APPLICATION AND SUBMIT TO THE STATE FOR A GRANT**

WM09/12-200

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to authorize the County Administrator to sign the 2010 State Survey and Remonumentation Program Grant application and submit to the state for a grant in the amount of \$72,467 with a local match requirement of \$8,000.00.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-717 **APPROVE THE CONTINUED MEMBERSHIP FOR MUSKEGON COUNTY WITH THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY FOR GENERAL LIABILITY AND PROPERTY INSURANCE COVERAGE**

WM09/12-201

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to approve the continued membership for Muskegon County with the Michigan Municipal Risk Management Authority for general liability and property insurance coverage with a 2010 annual contribution of \$850,736.00.

(Continued)

2009-717 **APPROVE THE CONTINUED MEMBERSHIP FOR MUSKEGON COUNTY WITH THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY FOR GENERAL LIABILITY AND PROPERTY INSURANCE COVERAGE**

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-718 **APPROVE THE PROPOSAL FOR EXCESS WORKERS' COMPENSATION INSURANCE WITH SAFETY NATIONAL CASUALTY CORPORATION**

WM09/12-202

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to approve the proposal for excess workers' compensation insurance with Safety National Casualty Corporation for the period of 1/1/10 to 1/1/12, with a two-year rate guarantee of \$77,432.00.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-719 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE ORV GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES**

WM09/12-203

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to authorize the Sheriff's Office to accept the ORV grant from the Department of Natural Resources in the amount of \$7,100.00 for the period October 1, 2009 to September 30, 2010, and amend the budget accordingly.

(Continued)

2009-719 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE ORV GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES**

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-720 **AUTHORIZE THE SHERIFF'S OFFICE TO APPLY FOR THE CALENDAR YEAR 2010 MARINE SAFETY GRANT FROM THE MICHIGAN DEPARTMENT OF NATURAL RESOURCES**

WM09/12-204

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to authorize the Sheriff's Office to apply for the calendar year 2010 Marine Safety grant from the Michigan Department of Natural Resources in the amount of \$171,613.00.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

2009-721 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO REPLACE THE SHERIFF'S MAINTENANCE GARAGE DOORS**

WM09/12-205

The Ways and Means Committee Recommends, moved by Collins , seconded by Derezinski , to grant permission to the Sheriff's Office to replace the Sheriff's maintenance garage doors and allow the Sheriff's Office to bid the purchase.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

CHAIRMAN REPORTS/COMMITTEE LIASON REPORTS

Commissioner Collins noted the Road Commission passed their Annual State Audit.

Commissioner Nash reported SB 857 and HB 5469 have passed their and are stuck in the opposite chambers. Another County on the east side of the state may be trying to get a battery manufacturing plant but he is optimistic that Muskegon County will get approval to go ahead with this project.

Chairman Mahoney noted the Mac Legislative Updates of December 4 and 11, 2009 were included in agenda packets.

2009-722 **REAPPOINT CHAIRMAN MAHONEY AS BOARD LIAISON TO MUSKEGON COUNTY DISTRICT LIBRARY**

The Chairman recommends, moved by Derezinski, seconded by Wade, to reappoint Chairman Mahoney as Board Liaison to Muskegon County District Court Library; Term Expiration 12/31/2010.

Motion Carried

2009-723 **APPOINT DON ALEY AND ROLAND CRUMMEL TO MUSKEGON COUNTY LAND BANK AUTHORITY**

The Chairman recommends, moved by Wade, seconded by Snider, to appoint Don Aley and Roland Crummel to Muskegon County Land Bank Authority from June 16, 2009 through December 31, 2011.

Commissioner Nash noted concern about the process which did not allow public involvement.

Voice vote - two opposed

Motion Carried

ADMINISTRATOR'S REPORT

2009-724 **APPROVE A CONTRACT WITH PNC CAPITAL MARKETS TO PROVIDE UNDERWRITING SERVICES**

The Administrator recommends, moved by Snider, seconded by Collins, to approve a contract with PNC Capital Markets to provide underwriting services in the issuance of capital improvement bonds for the Honeywell energy project.

(Continued)

2009-724 **APPROVE A CONTRACT WITH PNC CAPITAL MARKETS TO PROVIDE UNDERWRITING SERVICES**

Commissioner Gill requested EEO information from PNC.

Commissioner Nash asked what made the difference to chose PNC over Comerica. Joe Siedenstrang, Accounting Manager, stated Beth Dick, Budget Manager, did a comparison and rated Comerica and PNC as even. The fact that Muskegon County already has a working relationship with PNC is what lead to making this recommendion.

Commissioner McMurray objected to PNC's failure to promote local employees.

Roll Call

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

Excused: Engle

Abstained: Nash

Nays: Gill, McMurray

Motion Carried

2009-725 **RECLASSIFY THE APPRENTICE ELECTRICIAN/WW TO ELECTRICIAN/WW**

The Administrator recommends, moved by Collins, seconded by Buzzell, to reclassify the Apprentice Electrician/WW (Class WF030) (Position W03001) (pay range \$16.42 - \$19.89/hour) to Electrician/WW (Class WF100) (pay range \$18.82 - \$22.93/hour) for an increase in annual cost of \$3,791, effective January 1, 2010.

Commissioner McMurray asked if the County pays for the licensing of Electricians. Dave Kendrick, Public Works Director, stated that, the County Wastewater pays for licensing that is required for the position.

Commissioner Gill asked for employment information at the Wastewater System.

Roll Call

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

Excused: Engle

Nays: None

Motion Carried

OLD BUSINESS

None.

NEW BUSINESS

None.

PUBLIC PARTICIPATION

Brian Lee, GCA Services Group, addressed the Board regarding the RFP for janitorial services. Mr. Lee has supplied the additional information requested by Commissioners and noted they are committed to and look forward to serving Muskegon County. Mr. Lee understands this issue was tabled at a previous committee.

Commissioner McMurray noted he did not recall, as Chairman of Public Works Committee, that a job posting stated that if a license was required, that the County would pay for it. Dave Kendrick noted the State required that the County electirtian must be licensed. It was noted that several Public Works and Wastewater employees must have licenses for their position as required by the State.

ADJOURN

Moved by Wade, seconded by Derezinski, to adjourn.

Meeting adjourned at 4:34 p.m.

Nancy A. Waters, County Clerk

NAW/jmp