

M u s k e g o n C o u n t y

Board of Commissioners

*Charles Buzzell
Lew Collins
James Derezinski
Marvin Engle
Bill Gill
Kenneth Mahoney*

*Louis A. McMurray
Charles Nash
Robert Scolnik
I. John Snider
Roger C. Wade*

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

Organizational Meeting

**January 5, 2009
3:30 P.M.**

County Clerk, Nancy A. Waters, Presiding

The Organizational Meeting of the Board of Commissioners was called to order by County Clerk, Nancy A. Waters. The invocation was given by Commissioner Nash followed by the pledge of Allegiance recited in unison.

Roll Call

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

Excused: Snider

Absent: None

2009-1 **RESOLUTION AUTHORIZING THE ADOPTING OF THE RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR 2009**

Moved by Collins, seconded by Buzzell, to adopt the Resolution authorizing the adoption of the Rules of the Muskegon County Board of Commissioners for 2009.

Motion Carried

2009-2 **NOMINATION OF COMMISSIONER MAHONEY FOR CHAIR**

Moved by Wade, seconded by Nash, to nominate Mahoney for Chairman of the Muskegon County Board of Commissioners.

There being no other nominations, nominations for Chairman were declared closed.

Motion Carried

Chairman Mahoney, Presiding at 3:35 p.m.

2009-3 **NOMINATION OF COMMISSIONER NASH FOR VICE-CHAIR**

Moved by Collins, seconded by Gill, to nominate Commissioner Nash for Vice-Chairman of the Muskegon County Board of Commissioners.

There being no other nominations, nominations for Vice-Chair were declared closed.

Motion Carried

2009-4 **ADOPT 2009 CALENDAR**

Moved by Engle, supported by Collins, to adopt the annual calendar.

Motion Carried

2009-5 **APPROVE COMMUNITY DEVELOPMENT/STRATEGIC PLANNING
COMMITTEE CHAIR AND VICE-CHAIR APPOINTMENTS**

Moved by Nash, seconded by Engle, to approve Community Development/Strategic Planning Committee appointments of Chairman Wade and Vice-Chairman Gill.

Motion Carried

2009-6 **APPROVE COURTS AND PUBLIC SAFETY COMMITTEE CHAIR AND
VICE-CHAIR APPOINTMENTS**

Moved by Nash, seconded by Wade, to approve Courts and Public Safety Committee appointments of Chairman Gill and Vice-Chairman Snider.

Motion Carried

2009-7 **APPROVE HUMAN RESOURCES COMMITTEE CHAIR AND VICE-CHAIR
APPOINTMENTS**

Moved by Derezinski, seconded by Collins, to approve Human Resources Committee appointments of Chairman Buzzell and Vice-Chairman Snider.

Motion Carried

2009-8 **APPROVE TRANSPORTATION COMMITTEE CHAIR AND VICE-CHAIR APPOINTMENTS**

Moved by Nash, seconded by Engle, to approve Transportation Committee appointments of Chairman Gill and Vice-Chairman Scolnik.

Motion Carried

2009-9 **APPROVE WAYS AND MEANS COMMITTEE CHAIR AND VICE-CHAIR APPOINTMENTS**

Moved by Wade, seconded by Gill, to approve Ways and Means Committee appointments of Chairman Collins and Vice-Chairman Nash.

Motion Carried

2009-10 **APPROVE PUBLIC WORKS COMMITTEE APPOINTMENTS**

Moved by Gill, seconded by Wade, to approve the following membership of the Public Works Committee: Commissioners Engle, McMurray, Wade, Snider, Collins, Derezhinski, Buzzell, Nash and Drain Commissioner Hepler.

Motion Carried

It was noted that Public Works Committee will elect their Chairman and Vice-Chair.

2009-11 **ACCEPT NOTICE OF PROPOSED AMENDMENT OF THE RULES OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR 2009**

Moved by Buzzell, seconded by Engle, that the Proposed Amendment to the following Muskegon County Board Rules:

1. Rule I - Sessions and Meetings
2. Rule II - Board Officers
3. Rule III - Quorum
4. Rule IV - Order of Business
5. Rule V - Manner of Voting and Majority Required
6. Rule XV - Committees
7. Rule XVI - Departments
8. Rule XX - County Administrator
9. Rule XXI - Corporate Counsel

be made a part of the official Board minutes.

Motion Carried

2009-12 **ADOPTION OF THE ADMINISTRATIVE SETTLEMENT AUTHORITY**

Moved by Gill, seconded by Buzzell, to adopt the Administrative Settlement Authority.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Wade

Abstain: McMurray

Nays: Gill

Motion Carried

2009-13 **ADOPT THE POLICY GRANTING THE ADMINISTRATOR LIMITED
SPENDING AUTHORITY**

Moved Scolnik, seconded by Engle, to adopt the Policy granting the Administrator limited spending authority.

Roll Call

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

Nays: Gill, McMurray, Nash

Motion Carried

Audience Participation

None.

Adjourned at 3:49 p.m.

All were invited to attend the Open House immediately following in Judge Marietti's Courtroom D.

Nancy A. Waters, County Clerk

NAW/jmp

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
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*Charles Nash, Vice-Chairman
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I. John Snider
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Regular Meeting

**January 13, 2009
3:30 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

Members Present: Buzzell, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Wade

Members Excused: Snider

Members Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters,

2009-14 **APPROVE AGENDA**

Moved by Derezinski, seconded by Wade, to approve the Agenda adding Item 8 C. Liaison Appointment and 8 D. Schedule Work Session.

Motion Carried

2009-15 **APPROVE MINUTES OF THE MEETING OF DECEMBER 16, 2008**

Moved by Wade, seconded by Collins, to approve the minutes of the Regular Meeting of December 16, 2008

Motion Carried

Jeanne Pezet, Administrative Secretary to the County Clerk, attended the Courts and

Public Safety Committee Meeting, the Human Resources Committee and the Ways and Means Committee Meeting, all of which were held on January 8, 2009, as representative of the County Clerk.

2009-16 **WAIVE HIRING FREEZE TO FILL DISTRICT COURT CLERK POSITION
#D15017**

CPS09/01-01

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to approve the hiring freeze to 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: Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Wade, Buzzell

Nays: None

Motion Carried

2009-17 **AUTHORIZE THE 60TH DISTRICT COURT TO ENTER INTO THE
COMPUTER SOFTWARE LICENSE AGREEMENT WITH THE 44TH
DISTRICT COURT**

CPS09/01-02

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the 60th District Court to enter into the Computer Software License Agreement with the 44th District Court in the amount of \$4,500 and authorize the Board Chair to execute and sign said agreement.

Roll Call

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

Nays: None

Motion Carried

2009-18 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT,
FAMILY DIVISION TO FILL THE VACANT PROBATION OFFICER II
POSITIONS**

CPS09/01-03

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to waive the hiring freeze and allow the Circuit Court, Family Division to fill the vacant Probation Officer II positions, position numbers G62004 and G62007.

(Continued)

2009-18 WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT, FAMILY DIVISION TO FILL THE VACANT PROBATION OFFICER II POSITIONS

Roll Call

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

Nays: None

Motion Carried

2009-19 ADOPT RESOLUTIONS TO RECOGNIZE DR. MARY BOYER AND DR. JERRY EVANS

HR09/01-01

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the adoption of the Resolutions, both entitled Recognition of Deputy Medical Examiner, to recognize Dr. Mary Boyer and Dr. Jerry Evans for their outstanding service to Muskegon County as Deputy Medical Examiners.

Roll Call

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

Nays: None

Motion Carried

2009-20 AUTHORIZE PUBLIC HEALTH TO ENTER IN AN AGREEMENT WITH GREAT LAKES HEALTH PLAN FOR PUBLIC HEALTH SERVICES

HR09/01-02

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize Public Health to enter in an agreement with Great Lakes Health Plan for public health services. Further authorize the Public Health Director to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2009-21 **AUTHORIZE THE HEALTH DEPARTMENT TO ACCEPT \$17,350 FROM
THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH**

HR09/01-03

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Health Department to accept \$17,350 from the Michigan Department of Community Health for the assessment phase of the Safe Routes to School program.

Roll Call

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

Nays: None

Motion Carried

2009-22 **AUTHORIZE PUBLIC HEALTH TO ACCEPT A GRANT FROM ROTARY
CLUB**

HR09/0 -04

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize Public Health to accept a grant from Rotary Club in the amount of \$996 to pay for 83 free flu shots for qualified Muskegon County residents.

Roll Call

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

Nays: None

Motion Carried

2009-23 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ESTABLISH
A QI POLICY AND PLAN**

HR09/01-05

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize Public Health - Muskegon County to establish a QI policy and plan utilizing the guidebook created by Michigan Multi-State Learning Collaborative entitled *Embracing Quality in Local Public Health: Michigan's Quality Improvement Guidebook*; and further, to implement the QI policy/plan accordingly.

Roll Call

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

Nays: None

Motion Carried

2009-24 **AMEND THE AGREEMENT BETWEEN SPARROW HOSPITAL AND THE**

COUNTY OF MUSKEGON FOR MEDICAL EXAMINER SERVICES

HR09/01-06

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to amend the agreement between Sparrow Hospital and the County of Muskegon for Medical Examiner Services to include the cost of body transport back to Muskegon from Lansing as follows: CY2009 +\$26,201; CY2010 +\$26,987; CY2011 +\$27,797; C:Y2012 +\$28,631 and authorize the County Board Chair to sign the amendment; and further to amend the Public Health/Medical Examiner budget and increase general fund appropriation by \$7,500 to accommodate these changes.

Roll Call

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

Nays: Gill, McMurray, Nash

Motion Carried

2009-25 **AUTHORIZE THE RECLASSIFICATION OF THREE COMMUNITY MENTAL HEALTH POSITIONS**

HR09/01-07

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the reclassification of the one (1) vacant full time Community Mental Health Residence Care Supervisor position (N69006) and two (2) hourly Resident Care Supervisor positions, effective January 1, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-26 **APPROVE A PETTY CASH FUND FOR THE COMMUNITY MENTAL HEALTH FAMILY PSYCHO-EDUCATION PROGRAM**

HR09/01-08

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to approve a petty cash fund for the Community Mental Health Family Psycho-Education program in the amount of \$400.00.

(Continued)

2009-26 APPROVE A PETTY CASH FUND FOR THE COMMUNITY MENTAL HEALTH FAMILY PSYCHO-EDUCATION PROGRAM

Roll Call

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

Nays: None

Motion Carried

2009-27 AUTHORIZE THE AMENDMENT OF THE FY2008/2009 COMMUNITY MENTAL HEALTH CONTRACT WITH VAJENDRA DESAI, M.D.

HR09/01-09

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the amendment of the FY2008/2009 Community Mental Health contract with Vajendra Desai, M.D. to incorporate Medical Director duties for the Lakeshore Behavioral Health Affiliation, effective December 1, 2008.

Roll Call

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

Nays: None

Motion Carried

2009-28 AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE MEDICAL SERVICE PROVIDER AGREEMENT FOR SUBSTANCE ABUSE TREATMENT SERVICES WITH LAKESHORE COORDINATING COUNCIL

HR09/01-10

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Community Mental Health Director to sign the Medical Service Provider Agreement for Substance Abuse Treatment Services with Lakeshore Coordinating Council for the period of October 1, 2008 through September 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-29 AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN

**THE LAKESHORE COORDINATING COUNCIL SUBSTANCE ABUSE
BLOCK GRANT**

HR09/01-11

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Community Mental Health Director to sign the Lakeshore Coordinating Council Substance Abuse Block Grant, with the MICHild and Adult Benefits Waiver Attachment Agreements, for a total of \$1,028.00 Block Grant funds, for the provision of outpatient substance abuse treatment services to dually diagnosed consumers for the period of October 1, 2008 through September 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-30 **CONTRACT WITH LUTHERAN SOCIAL SERVICES OF MICHIGAN TO
CONTINUE PROVIDING SPECIALIZED RESIDENTIAL ENHANCED
STAFFING, AND CLF SERVICES**

HR09/01-12

to contract with Lutheran Social Services of Michigan to continue providing Specialized Residential Enhanced staffing, and CLF services effective October 1, 2008 through September 30, 2009 at their FY 2007/2008 rates.

Roll Call

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

Nays: None

Motion Carried

2009-31 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO
RELEASE A REQUEST FOR PROPOSAL (RFP) TO OPERATE THE
NORTHRIDGE ADULT FOSTER CARE (AFC) HOME**

HR09/01-13

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Community Mental Health Director to release a Request for Proposal (RFP) to operate the Northridge Adult Foster Care (AFC) Home, effective October 1, 2009.

(Continued)

2009-31 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO RELEASE A REQUEST FOR PROPOSAL (RFP) TO OPERATE THE NORTHRIDGE ADULT FOSTER CARE (AFC) HOME**

Roll Call

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

Nays: None

Motion Carried

2009-32 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH HOPE NETWORK DEVELOPMENTAL AND COMMUNITY SERVICES**

HR09/01-14

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Community Mental Health Director to sign a contract with Hope Network Developmental and Community Services for the provision of Specialized Residential Services, effective December 1, 2008 through September 30, 2009, not to exceed a total cost of \$79,017.50.

Roll Call

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

Nays: None

Motion Carried

2009-33 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO RELEASE A REQUEST FOR INFORMATION (RFI) FOR SERVICES TO INDIVIDUALS WITH DEVELOPMENTAL DISABILITIES CURRENTLY RESIDING AT THE MOUNT PLEASANT REGIONAL CENTER**

HR09/01-15

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize the Community Mental Health Director to release a Request for Information (RFI) for a provider of assessment, planning, community placement, and services for individuals with developmental disabilities currently residing at the Mount Pleasant Regional Center.

Roll Call

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

Nays: None

Motion Carried

2009-34 **AUTHORIZE COMMUNITY MENTAL HEALTH TO EXTEND THE FISCAL YEAR 2007/2008 CONTRACT FOR COMMUNITY LIVING SUPPORTS WITH HERITAGE HOMES, INC.**

HR09/01-16

The Human Resources Committee recommends, moved by Buzzell, seconded by Wade, to authorize Community Mental Health to extend the Fiscal Year 2007/2008 contract for community living supports with Heritage Homes, Inc., through March 31, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-35 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF DECEMBER 10, 2008 THROUGH DECEMBER 30, 2008**

WM09/01-01

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$6,064,944.09 covering the period of December 10, 2008 through December 30, 2008, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-36 **PURCHASE SIGNS, MATERIAL AND ARTWORK FROM UNITED SIGN COMPANY FOR SIGNS AT THE BUSINESS PARK - NORTH**

WM09/01-02

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to purchase signs, material and artwork from United Sign Company for signs at the Business Park - North at a cost of \$1,130.55 to be paid from the Public Improvement Fund.

Roll Call

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

Nays: None

Motion Carried

2009-37 **APPROVE THE TOTAL AMOUNT OF PHASE I FROM ENVIRONMENTAL RESOURCES MANAGEMENT FOR THE ENVIRONMENTAL DUE DILIGENCE OF BLOCK 213, APPLE AVENUE, CITY OF MUSKEGON**

WM09/01-03

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the total amount of Phase I from Environmental Resources Management of \$62,000.00 for the Environmental Due Diligence of Block 213, Apple Avenue, City of Muskegon, with \$8,500.00 previously approved leaving a balance of \$53,500.00 and authorize the balance to be paid from the Public Improvement Fund.

Roll Call

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

Abstain: Nash

Nays: None

Motion Carried

2009-38 **AUTHORIZE THE PAYMENT OF PROPERTY TAXES FOR THE TAX YEAR 2008 FOR THE PROPERTY LOCATED AT 793 W. WESTERN AND 1390 HENRY STREET**

WM09/01-04

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the payment of property taxes in the amount of \$2,479.86 from the Public Improvement Fund for the tax year 2008 for the property located at 793 W. Western and 1390 Henry Street.

Roll Call

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

Nays: None

Motion Carried

2009-39 **WAIVE THE HIRING FREEZE AND ALLOW THE DRAIN COMMISSIONER TO FILL THE VACANT DEPUTY DRAIN COMMISSIONER**

WM09/01-05

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the hiring freeze and allow the Drain Commissioner to fill the vacant Deputy Drain Commissioner, position #X27001.

(Continued)

2009-39 **WAIVE THE HIRING FREEZE AND ALLOW THE DRAIN COMMISSIONER TO FILL THE VACANT DEPUTY DRAIN COMMISSIONER**

Roll Call

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

Nays: None

Motion Carried

2009-40 **DIRECT STAFF TO INVESTIGATE THE FEASIBILITY OF LAPTOP COMPUTERS BEING PURCHASED BY THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FOR THOSE COMMISSIONERS**

WM09/01-06

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to direct staff to investigate the feasibility of laptop computers being purchased by the Muskegon County Board of Commissioners for those Commissioners to assist with documentation review and information sharing/management.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted the MAC Legislative Update of December 12, 2008, was included in agenda packets

Chairman Mahoney encouraged attendance of the MLK Unity Breakfast, January 16th - 7:30 a.m. - MCC.

2009-41 **APPROVE LIAISON APPOINTMENTS**

The Chairman recommends, moved by Derezinski, seconded by Engle, to approve liaison appointments as recommended on attachment.

Motion Carried

2009-42 **SCHEDULE A COUNTY COMMISSIONERS WORK SESSION**

The Chairman recommends, moved by Derezinski, seconded by Engle, to schedule a County Commissioners Work Session on January 27, 2009, at 11:30 a.m. in the Training Center.

Motion Carried

ADMINISTRATOR'S REPORT

Interim Administrator, Jim Elwell, reported on the search for the new Muskegon County Administrator. The list of candidates will be narrowed and a confidential list will be distributed to Commissioners by January 15, 2009, for discussion at a Closed Session of the Ways & Means Committee on January 20, 2009.

Old Business

Commissioner Scolnik reported regarding changes in MAC leadership.

New Business

None.

Public Participation

Brian Chapman distributed information regarding Muskegon County's Sesquicentennial plans.

2009-43 **CLOSED SESSION - PENDING LITIGATION**

Moved by Derezinski, seconded by Wade, go into Closed Session re: Pending Litigation.

Roll Call

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

Nays: Gill

Motion Carried

Audience dismissed and the Full Board went into Closed Session at 3:52 p.m.

Returned to Open Session at 4:42 p.m.

2009-44

Moved by Derezinski, seconded by Wade, to adjourn the January 13, 2009, meeting of the Full Board.

Motion Carried

Meeting adjourned at 4:42 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

COUNTY COMMISSIONER - LIAISON APPOINTMENTS

Chuck Buzzell	Veteran's Advisory Council Community Mental Health Services Board Water System Policy Board (by contract) Foreign Trade Zone
Lew Collins	Safe & Drug Free Schools Advisory Committee Lakeshore Coordinating Board
Jim Derezinski	Road Commission Board Veteran's Advisory Council Alternate - Regional Water System Policy Board
Marve Engle	Road Commission Board US 31/Sternberg Exchange Committee
Bill Gill	Community Mental Health Board West MI Metropolitan Planning Program (WestPlan) WMSRDC
Ken Mahoney	MI Association of Public Health Officials Accommodations Tax Advisory Committee Water System Policy Board (by contract) City of Whitehall LDFA
Louis McMurray	WMSRDC West MI Metropolitan Planning Program
Charles Nash	Land Bank Fast Track Authority Muskegon Area First Region 3 SMART MAP Implementation Committee Water System Policy Board (by contract)
Bob Scolnik	County Museum Board Veteran's Advisory Committee Alternate - MAP Implementation Committee Alternate - Muskegon Area First Department of Human Services Board
John Snider	Community Mental Health Services Board Community Corrections Advisory Board WEMET Land Bank Fast Track Authority Lakeshore Coordinating Board Drug Free Steering Committee Water System Policy Board (by contract) Alcohol Task Force & Tobacco Reduction Coalition Criminal Justice Coordinating Council
Roger Wade	WMSRDC LEPC Land Bank Fast Track Authority

M u s k e g o n C o u n t y

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Regular Meeting

January 27, 2009
3:30 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 Commissioner Snider followed by the pledge of Allegiance recited in unison.

Roll Call

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

Excused: Gill

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters

2009-45 **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda adding 6 C Approval of Closed Session of January 13, 2009 and removed closed session from agenda.

Motion Carried

Commissioner Gill arrived at 3:36 p.m.

2009-46 **APPROVE MINUTES OF THE ORGANIZATIONAL MEETING OF JANUARY 5, AND THE REGULAR AND CLOSED SESSION MEETINGS OF JANUARY 13, 2009**

Moved by Derezinski, seconded by Engle, to approve the minutes of the Organizational Meeting of January 5, and the Regular and Closed Session Meetings of January 13, 2009.

Motion Carried

2009-47 **APPROVE THE MUSKEGON COUNTY FAIR BOARD AND THE MUSKEGON COUNTY PHEASANTS FOREVER TO HOST THE 6TH ANNUAL GREAT OUTDOOR YOUTH RENDEVOUS**

CD/SP09/01-01

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Engle, to approve the Muskegon County Fair Board and the Muskegon County Pheasants Forever to host the 6th Annual Great Outdoor Youth Rendevous event at the Muskegon County Fairgrounds in accordance with all State of Michigan safety requirements and Township ordinances.

Roll Call

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

Nays: None

Motion Carried

2009-48 **APPROVE AWARD OF THE BID FOR A NEW 3/4 TON PLOWING PICKUP TRUCK FOR PARKS TO SIGNATURE FORD OF OWOSSO, MICHIGAN**

CD/SP09/01-02

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Engle, to approve award of the bid for a new 3/4 ton plowing pickup truck for Parks to Signature Ford of Owosso, Michigan, for their low bid of \$27,180.00.

Roll Call

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

Nays: None

Motion Carried

2009-49 **APPROVE THE STAFF RECOMMENDED TOTAL LOT COSTS OF 19 LOTS IN THE MUSKEGON COUNTY BUSINESS PARK - NORTH DEVELOPMENT**

CD/SP09/01-03

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Engle, to approve the staff recommended total lot costs of 19 lots in the Muskegon County Business Park - North development as the listed asking price for each lot in the development.

Roll Call

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

Nays: None

Motion Carried

2009-50 **AUTHORIZE THE CONTRACTING WITH MR. KENNETH ORTQUIST FOR THE POSITION OF PATTERSON PARK CARETAKER**

CD/SP09/01-04

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Engle, to authorize the contracting with Mr. Kenneth Ortquist for the position of Patterson Park caretaker.

Roll Call

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

Nays: None

Motion Carried

Commissioner Gill was excused at 3:40 p.m.

2009-51 **REMOVE TABLED TRANSPORTATION MOTION TR09/01-01**
TR09/01-01

Moved by Engle, seconded by Wade, to remove tabled Transportation motion TR09/01-01.

Motion Carried

2009-52 **AMEND MOTION TR09/01-01**

Moved by Snider, seconded by Derezinski, to amend motion TR09/01-01 to read:

Move to approve the Muskegon Area Transit System's FY2010 application for \$2,748,222 in state operating and capital assistance, to authorize the Resolution of Intent to apply for financial assistance, to name the Director of Pubic Facilities, or the County Administrator as the Transportation Coordinator, and to publish the public notice.

Motion Carried

2009-53 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM'S FY2010 APPLICATION**

Amended TR09/01-01

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve the Muskegon Area Transit System's FY2010 application for \$2,748,222 in state operating and capital assistance, to authorize the Resolution of Intent to apply for financial assistance, to name the Director of Pubic Facilities, or the County Administrator as the Transportation Coordinator, and to publish the public notice.

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

2009-53 **APPROVE A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES IN THE AMOUNT OF \$161,000 BETWEEN THE COUNTY AND PREIN & NEWHOF**

TR09/01-02

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve a Contract for Professional Engineering Services in the amount of \$161,000 between the County and Prein & Newhof for design work associated with the reconstruction of the Airport's terminal apron and south T-hangar apron and taxistreets, with the County's 2.5% share to be \$4,025.

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

2009-54 **APPROVE A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR ENGINEERING WORK NEEDED TO UPDATE PORTIONS OF THE AIRPORT LAYOUT PLAN**

TR09/01-03

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve a Contract for Professional Engineering Services in the amount of \$51,000 between the County and Prein & Newhof for engineering work needed to update portions of the Airport Layout Plan, with the County's 2.5% share to be \$1,275.

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

2009-55 **APPROVE A CONTRACT FOR PROFESSIONAL ENGINEERING SERVICES FOR ENGINEERING WORK NEEDED TO UPDATE THE AIRPORT PROPERTY MAP**

TR09/01-04

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve a Contract for Professional Engineering Services in the amount of \$9,000 between the County and Prein & Newhof for engineering work needed to update the Airport Property Map, also known as the Exhibit "A", with the County's 2.5% share to be \$225.

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

2009-56 **APPROVE A LAND USE AGREEMENT BETWEEN THE COUNTY AND VFW POST 3195**

TR09/01-05

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve a Land Use Agreement between the County and VFW Post 3195 so that the VFW may move its road sign on Airport property, closer to the newly relocated Grand Haven Road.

(Continued)

2009-56 APPROVE A LAND USE AGREEMENT BETWEEN THE COUNTY AND
VFW POST 3195

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

2009-57 APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE
PERIOD OF DECEMBER 31, 2008 THROUGH JANUARY 13, 2009

WM09/01-07

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle,
to approve payment of the accounts payable of \$5,772,890.47 covering the period of
December 31, 2008 through January 13, 2009, as presented by the County Clerk.

Roll Call

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

Excused: Gill

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted the MAC Legislative Updates of January 9, 2009 and January
16, 2009 were included in agenda packets. Also included in agenda packets is the Ottawa
County Resolutions Regarding: Michigan Infrastructure and Transportation Association &
Support of Efforts on Behalf of Individuals with Developmental Disabilities.

Chairman Mahoney made recommendations for liaison appointments.

2009-58 APPROVE APPOINTMENTS TO THE ACCOMMODATIONS TAX
ADVISORY COMMITTEE

The Chairman recommends, moved by Derezinski, seconded by, to approve the following
appointments to the Accommodations Tax Advisory Committee: Camille Jourden-Mark,
Joe Austin, Pat Ackerberg, Sylvia Precious and Rasheedah Gillespie-Muhammed.

Motion Carried

2009-59 **APPOINT ED GARNER TO THE FOREIGN TRADE ZONE**

The Chairman recommends, moved by Buzzell, seconded by Engle, to appoint Ed Garner to the Foreign Trade Zone.

Motion Carried

2009-60 **APPOINT IVORY MORRIS AND CHERYL MCKINNEY TO THE
LAKESHORE COORDINATING COUNCIL**

The Chairman recommends, moved by Derezinski, seconded by Engle, to appoint Ivory Morris and Cheryl McKinney to the Lakeshore Coordinating Council.

Motion Carried

2009-61 **APPOINT VELMA PHILLIPS TO THE MUSKEGON COUNTY MUSEUM
BOARD**

The Chairman recommends, moved by Engle, seconded by Derezinski, to appoint Velma Phillips to the Muskegon County Museum Board.

Motion Carried

ADMINISTRATOR'S REPORT

2009-62 **ACCEPT ADMINISTRATOR CANDIDATE FINALISTS FOR INTERVIEW**

The Administrator recommends, moved by Derezinski, seconded by Engle, to accept the following as Administrator Candidate finalists (in no particular order) for interview: Wayman P. Britt, Assistant County Administrator of Kent County; David G. Cannon, County Administrator of Delaware County, Ohio; Bonnie B. Hammersley, Director of Administration of Dane County, Wisconsin; Charles A. Londo, Administrator/Chief Financial Officer of Monroe County, Michigan; and Kevin Ricco, Acting Economic Development Coordinator Director of Parks, Recreation and Tourism of Allegan County, Michigan.

Motion Carried

Old Business

2009-63 **APPROVE CONTRIBUTION OF \$10,000 FOR THE SESQUICENTENNIAL
EVENT**

Moved by Derezinski, seconded by Wade, to approve contribution of \$10,000 for the Sesquicentennial event for a float for every Muskegon County parade at a cost of \$2,500 and for two giant birthday cakes estimated to cost \$4,000 with the County contribution of \$2,000 and \$5,500 advertizing and prize money for a writing contest

Roll Call

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

Excused: Gill

Nays: Engle, McMurray, Snider,

Motion Carried

Commissioner Nash suggest establishing an advisory and oversight board for the Transit department. Commissioner Nash also asked that more efforts be made to bring additional businesses to Muskegon County including the new battery production. It was noted these should be referred to the Transportation Committee and Muskegon Area First respectively.

Commissioner Snider reported that the Lakeshore Coordinating Counsel will propose a re-affirmation of the existing contract for PA2 Funds to qualify for additional funds for substance abuse.

2009-64 **SUPPORT RE-AFFIRMATION OF THE EXISTING CONTRACT FOR PA2
FUNDS**

Moved by Snider, seconded by Engle, to support re-affirmation of the existing contract for PA2 Funds.

Motion Carried

New Business

None.

Public Participation

Dale Weisner addressed the Board, welcoming new Commissioners and encouraged advertizing outside of Muskegon County for the Sesquicentennial celebration.

Students were in attendance from Muskegon Community College.

2009-65 **ADJOURN THE JANUARY 27, 2009, FULL BOARD MEETING**

Moved by Derezinski, seconded by Engle, to adjourn the January 27, 2009, Full Board Meeting.

Motion Carried

Meeting adjourned at 4:32 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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
Roger C. Wade*

Board Minutes may be found on the web at [http:// co.muskegon.mi.us/ clerk](http://co.muskegon.mi.us/ clerk)

Regular Meeting

**February 12, 2009
3:54 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, Collins, Derezinski, Engle, Mahoney, Nash, Snider

No reply to roll call: Gill

Excused: McMurray, Scolnik, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Representative Doug Hughes, County Clerk Nancy A. Waters

2009-66 **APPROVE AGENDA**

Moved by Snider, seconded by Engle, to approve the Agenda adding the Addendum and removing Agenda Item 6 - Approval of Minutes of January 27, 2009.

Motion Carried

2009-67 **RESCIND MOTION NUMBER 2008-259; TO SET MAY 5, 2009, AS THE DATE FOR THE PUBLIC SAFETY MILLAGE ELECTION**

CPS09/02-04

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to rescind motion number 2008-259; to set May 5, 2009, as the date for the public safety millage election, adopted on May 20, 2008.

(Continued)

2009-67 **RESCIND MOTION NUMBER 2008-259; TO SET MAY 5, 2009, AS THE DATE FOR THE PUBLIC SAFETY MILLAGE ELECTION**

Roll Call

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

Nays: None

Motion Carried

2009-68 **AUTHORIZE THE CIRCUIT COURT - FAMILY DIVISION TO PURCHASE TWO 2009 CHEVY IMPALA'S FROM DON RYPMA CHEVROLET**

CPS09/02-05

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Circuit Court - Family Division to purchase two 2009 Chevy Impala's from Don Rypma Chevrolet at the cost of \$19,868 per vehicle.

Roll Call

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

Nays: None

Motion Carried

2009-69 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THE VACANT SHIFT SUPERVISOR POSITION**

CPS09/02-06

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Juvenile Detention Center's request to waive the hiring freeze and fill the vacant Shift Supervisor position #N46503.

Roll Call

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

Nays: None

Motion Carried

2009-70 **ACCEPT THE CONTRACT AMENDMENT BETWEEN THE MUSKEGON COUNTY PROSECUTOR AND THE STATE OF MICHIGAN, DEPARTMENT OF HUMAN SERVICES**

CPS09/02-07

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to accept the contract amendment between the Muskegon County Prosecutor and the State of Michigan, Department of Human Services, effective January 1, 2008 through December 31, 2010, which provides for legal representation for Muskegon County neglect and abuse cases at a rate of \$90.00 per hour for 2008 and a rate of \$90.72 for 2009 and 2010, not to exceed \$41,151 annually and to authorize the Chairman of the Board to affix his signature to the contract amendment.

Roll Call

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

Nays: None

Motion Carried

2009-71 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE "MACP AWARD GRANT"**

CPS09/02-08

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Sheriff's Office to accept the "MACP Award Grant" from the State Office of Highway Safety for equipment in the amount of \$5,000.00 per year ending September 30, 2009 and establish a budget.

Roll Call

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

Nays: None

Motion Carried

2009-72 **ACCEPT THE GRANT FROM THE OFFICE OF DRUG CONTROL POLICY FOR WEMET**

CPS09/02-09

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to accept the grant from the Office of Drug Control Policy for WEMET for \$34,024.00, \$17,012.00 federal funds and \$17,012.00 local funds for October 1, 2008 to September 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-73 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN**

A CONTRACT WITH PINE REST CHRISTIAN MENTAL HEALTH SERVICES FOR THE PROVISION OF SPECIALIZED RESIDENTIAL AND CLINICAL SERVICES

HR09/02-18

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Community Mental Health Director to sign a contract with Pine Rest Christian Mental Health Services for the provision of Specialized Residential and Clinical Services, effective February 1, 2009 through September 30, 2009, at the range of rates from \$69.00 to \$550.00 per day, not to exceed \$132,000.00

Roll Call

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

Nays: None

Motion Carried

2009-74 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO SIGN A CONTRACT WITH SPECTRUM COMMUNITY SERVICES FOR THE PROVISION OF SPECIALIZED RESIDENTIAL SERVICES**

HR09/02-19

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Community Mental Health Services Director to sign a contract with Spectrum Community Services for the provision of Specialized Residential Services at a rate of \$333.14 per day, not to exceed \$80,000.00, for the contract period effective February 1, 2009 through September 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-75 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH NETSMART UNIVERSITY FOR PROVISION OF ON-LINE STAFF TRAINING**

HR09/02-20

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Community Mental Health Director to sign a contract with Netsmart University for provision of on-line staff training, not to exceed \$14,000.00, effective January 1, 2009 through December 31, 2009.

(Continued)

2009-75 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH NETSMART UNIVERSITY FOR PROVISION OF ON-LINE STAFF TRAINING**

Roll Call

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

Nays: None

Motion Carried

2009-76 **AUTHORIZE COMMUNITY MENTAL HEALTH TO PURCHASE ONE 12-PASSENGER VAN AT \$19,670 FROM GREAT LAKES FORD**

HR09/02-21

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize Community Mental Health to purchase one 12-passenger van at \$19,670 from Great Lakes Ford of Muskegon, MI; and three 15-passenger vans at \$58,350, three van conversions at \$28,515, and three sedans at \$45,090 from Mobility Transportation of Canton, MI for a total cost of \$151,625.

Roll Call

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

Nays: Nash

Motion Carried

2009-77 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY09 BUDGET**

HR09/02-22

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Public Health Department to amend its FY09 budget (revenue and expenditures) from \$6,655,754 to \$6,819,780 to include grant funding changes, program line item adjustments, and staff/funding transfers with no change in the general fund appropriation.

Roll Call

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

Nays: None

Motion Carried

Commissioner Buzzell noted item HR09/02-17 was removed from the agenda and will be added to the April Agenda

2009-78 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JANUARY 14 - 27, 2009**

WM09/02-08

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$6,002,333.62 covering the period of January 14, 2009 through January 27, 2009, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2009-80 **CHANGE THE CLASSIFICATION TITLE OF ADMINISTRATIVE/BOARD COORDINATOR TO BOARD/EQUAL OPPORTUNITY LIAISON**

WM09/02-09

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to change the classification title of Administrative/Board Coordinator to Board/Equal Opportunity Liaison.

Roll Call

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

Nays: None

Motion Carried

2009-81 **RETURN VERN NASH, INTERIM CRIMINAL JUSTICE DIRECTOR, TO STEP 6 OF THE CURRENT SALARY RANGE AND POSITION OF EEO OFFICER**

WM09/02-10

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to return Vern Nash, Interim Criminal Justice Director, to step 6 of the current salary range and position of EEO Officer, position #X34801, under the Administrator's Budget effective December 15, 2008.

Roll Call

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

Nays: None

Motion Carried

2009-82 **ADOPT THE RESOLUTION AUTHORIZING THE CHAIRMAN OF THE
MUSKEGON COUNTY BOARD OF COMMISSIONERS, MR. KENNETH
MAHONEY, TO ACT AS SIGNATORY FOR THE COUNTY OF MUSKEGON**

WM09/02-11

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the Resolution authorizing the Chairman of the Muskegon County Board of Commissioners, Mr. Kenneth Mahoney, to act as signatory for the County of Muskegon on its grant with the Economic Development Administration, Grant No. 06-01-05096.

Roll Call

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

Nays: None

Motion Carried

2009-83 **ADOPT THE CONTRIBUTION POLICY AS THE MUSKEGON COUNTY
CONTRIBUTION POLICY**

WM09/02-12

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the Contribution Policy as the Muskegon County Contribution Policy.

Roll Call

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

Nays: None

Motion Carried

2009-84 **APPROVE A RESOLUTION TO SHIRLEY SONES, UPON HER
RETIREMENT, FOR HER 34 AND ½ YEARS OF COUNTY SERVICE TO
BROOKHAVEN MEDICAL CARE FACILITY**

WM09/02-13

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve a Resolution to Shirley Sones, upon her retirement, for her 34 and ½ years of County service to Brookhaven Medical Care Facility.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider reported on the Lakeshore Coordinating Counsel meeting at which discussion was held questioning the future participation of Berrien County.

Chairman Mahoney noted MAC Legislative Updates of January 30 and February 5, 2009, were included in agenda packets. Also included in agenda packets for Commissioner's review were Lake County Resolution Numbers: 01/14/2009 1183 and 01/28/2009 1185.

2009-85 **REAPPOINT STEVE GAWRON AND WILLIE WATSON TO THE LAND BANK AUTHORITY**

The Chairman recommends, moved by Snider, seconded by Engle, to reappoint Steve Gawron representing the City of Muskegon and Willie Watson representing the City of Muskegon Heights to the Land Bank Authority, term expiration 12/31/2010.

Motion Carried

2009-86 **TO REAPPOINT KATHY MOORE TO THE SENIOR RESOURCES**

The Chairman recommends, moved by Snider, seconded by Engle, to reappoint Kathy Moore to the Senior Resources, term expires 12/31/2010.

Motion Carried

2009-87 **APPOINT JEFFREY HEPLER TO THE STORMWATER TECHNICAL POLICY COMMITTEE**

The Chairman recommends, moved by Collins, seconded by Engle, to appoint Jeffrey Hepler to the Stormwater Technical Policy Committee, term expiration 12/31/2012.

Motion Carried

ADMINISTRATOR'S REPORT

2009-88 **APPROVE ADOPTING A RESOLUTION NAMING THE *MUSKEGON CHRONICLE* AS THE OFFICIAL SESQUICENTENNIAL PUBLISHER**

The Administrator recommends, moved by Engle, seconded by Derezinski, to approve adopting a resolution naming the *Muskegon Chronicle* as the official sesquicentennial publisher.

Motion Carried

2009-89 **AUTHORIZE RELEASE OF FUNDS TO THE COMMUNITY FOUNDATION**

FOR THE SESQUICENTENNIAL CELEBRATION

The Administrator recommends, moved by Derezinski, seconded by Buzzell, to authorize release of funds to the Community Foundation for the sesquicentennial celebration.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Mahoney, Nash, Snider

Abstained: Engle

Nays: None

Motion Carried

2009-90 **SUBMIT AN APPROPRIATION REQUEST FOR A JAIL SCREENING GRANT**

The Administrator recommends, moved by Snider, seconded by Engle, to submit an appropriation request for a Jail Screening Grant.

Motion Carried

Interim Administrator Elwell noted Chad Lerch has been assigned as the *Muskegon Chronicle* reporter to the County Commission .

Old Business

None.

New Business

Commissioner Nash requested reports including attendance of appointed Committee members. In addition, Commissioner Nash suggested telecast of Board Meetings and urged continued efforts be made to bring battery production to our area to increase jobs for our area.

Commissioner Nash announced the Great Lakes Navel Museum is hosting a Black History dinner on February 27, 2009, 5:00 p.m. - 8:00 p.m for a fee of \$20, free to Veterans.

Public Participation

Bill Gill, County Commissioner District 8, addressed the Board regarding notification of time

the Full Board was to meet.

Students were in attendance from Reeths-Puffer High School.

2009-91 **ADJOURN THE MEETING OF FEBRUARY 12, 2009**

Moved by Derezinski, seconded by Buzzell, to adjourn the meeting of February 12, 2009.

Motion Carried

Meeting adjourned at 4:27 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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
Roger C. Wade

Board Minutes may be found on the web at [http:// co.muskegon.mi.us/ clerk](http://co.muskegon.mi.us/ clerk)

Special Board Meeting

February 16, 2009
9:02 A.M.

Chairman Kenneth Mahoney, Presiding

The Special Board Meeting of the Board of Commissioners, held at the Louis McMurray Transit Center, 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, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Expected: McMurray

Excused: Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell; Corporate Counsel Ted Williams; County Clerk Nancy A. Waters; G. Steven Bernard - The PAR Group, LLC; Human Resources Director Deborah Groeneveld, MSU Extension Director Mary Robb; Circuit Court Administrator Patricia Steele; Register of Probate Kathy Hoogstra; Mary Villanueva, Board/Equal Opportunity Liaison; Paul Billings of WUVS Radio

Mr. Bernard informed Commissioners that, due to weather related problems, David Cannon who was scheduled to interview on Tuesday canceled his interview. He noted Mr. Cannon stated he was very interested in the position but would understand if Commissioners chose to remove him from the list.

Mr. Bernard briefed Commissioners that a list of 22 questions was provided to be asked of all candidates. Commissioners determined each would ask a couple of the provided questions. An hour and a half has been allotted for each candidate. Corporate Counsel Williams provided a list of questions that cannot be asked of the candidates. It was noted that due diligence background checks have been done on all candidates and no concerns have developed. It was also noted that the Myer-Briggs inventory was also conducted and reports should be available by the end of the day.

Mr. Bernard introduced Wayman P. Britt. Chairman Mahoney introduced Commissioners. Chairman Mahoney began the interview. Commissioners proceeded to interview Mr. Britt asking the provided questions.

Commissioner McMurray arrived during Mr. Britt's interview.

Following their questions, Mr. Britt was given an opportunity to ask questions of Commissioners.

There was a brief break between interviews.

At 10:29 a.m. Mr. Bernard introduced Kevin Ricco. Again, beginning with Chairman Mahoney, Commissioners interviewed Mr. Ricco and gave him an opportunity to question Commissioners.

Recessed for lunch at 11:20 a.m.

Reconvened at 1:00 p.m.

It was noted that Mr. Nash had another meeting to attend but would be returning.

Mr. Bernard introduced Charles Londo. Beginning with Chairman Mahoney, Commissioner interviews Mr. Londo giving him an opportunity to question Commissioners. Commissioner Nash returned at 1:08 p.m. Mr. Londo's interview concluded at 1:47 p.m.

At 2:00 p.m., Mr. Bernard introduced Bonnie Hammersley. Chairman Mahoney commenced the interview followed by other Commissioners asking the remaining of the pre-determined 22 questions. Following the Commissioners' questions, Ms. Hammersley was given an opportunity to question Commissioners. Ms. Hammersly's interview concluded at 3:22 p.m.

Old Business

Discussion ensued considering the interview of Mr. Cannon. Mr. Bernard was asked to try to contact Mr. Cannon and see when or if he would be available to interview.

New Business

None.

Public Participation

None.

2009-92 **RECESS UNTIL TUESDAY, FEBRUARY 17, 2009, AT 3:30 P.M.**

Moved by Snider, seconded by Collins, to recess until Tuesday, February 17, 2009, at 3:30 p.m. to give Mr. Bernard a chance to contact Mr. Cannon.

Roll Call

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

Nays: Engle, Gill, Nash

Motion Carried

Meeting recessed at 3:43 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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
Roger C. Wade*

Board Minutes may be found on the web at [http:// co.muskegon.mi.us/ clerk](http://co.muskegon.mi.us/ clerk)

Reconvened Special Board Meeting

**February 17, 2009
4:11 P.M.**

Chairman Kenneth Mahoney, Presiding

The Reconvened Special Board Meeting of the Board of Commissioners was called to order by Chairman Mahoney.

Roll Call

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

Excused: Scolnik, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell; Corporate Counsel Ted Williams; County Clerk Nancy A. Waters; Human Resources Director Deborah Groeneveld, MSU Extension Director Mary Robb; Circuit Court Administrator Patricia Steele; Register of Probate Kathy Hoogstra; Mary Villanueva, County Administration

2009-92 **ADD AGENDA ITEM 2 FOR SELECTION OF NEW ADMINISTRATOR**

Moved by Derezinski, seconded by Snider, to add agenda item 2 for selection of new Administrator.

Motion Carried

2009-93 **REMOVE MR. CANNON FROM THE LIST OF CANDIDATES FOR MUSKEGON COUNTY ADMINISTRATOR**

Moved by Engle, seconded by Nash, to remove Mr. Cannon from the list of candidates for Muskegon County Administrator.

Motion Carried

2009-94 **SELECT CANDIDATES WAYMAN BRITT AND BONNIE HAMMERSLY AS FINALISTS FOR CONSIDERATION FOR THE MUSKEGON COUNTY ADMINISTRATOR**

Moved by Derezinski, seconded by Nash, to select candidates Wayman Britt and Bonnie Hammersly as finalists for consideration for the Muskegon County Administrator.

Motion Withdrawn

2009-95 **SELECT ONE CANDIDATE AND PROCEED WITH CONTRACT NEGOTIATIONS**

Moved by Engle, seconded by Buzzell, to select one candidate and proceed with contract negotiations.

Moved by Snider, seconded by Buzzell, for a friendly amendment to select Bonnie Hammersley as the candidate for Muskegon County Administrator and proceed with contract negotiations.

Friendly amendment accepted.

2009-96 **CALLED FOR THE QUESTION**

Commissioner Derezinski called for the question

Roll Call to close discussion

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

Nays: None

Motion Carried

Roll Call on motion 2009-95 as amended: To select Bonnie Hammersley as the candidate for Muskegon County Administrator and proceed with contract negotiations.

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

Nays: Gill, McMurray, Nash

Motion Carried

2009-97 **ADJOURN THE RECONVENED SPECIAL BOARD MEETING**

Moved by Derezinski, seconded by Snider, to adjourn the Reconvened Special Board Meeting.

Motion Carried

Meeting adjourned at 4:33 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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
Roger C. Wade*

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

Full Board Meeting

**February 24, 2009
3:31 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 Vice-Chairman Nash followed by the pledge of Allegiance recited in unison.

Roll Call

Present: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Excused: Buzzell, McMurray, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters

2009-93 **APPROVE AGENDA**

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

Motion Carried

2009-94 **APPROVE THE MINUTES OF THE FULL BOARD MEETINGS OF JANUARY 27, AND FEBRUARY 12, THE SPECIAL MEETING OF FEBRUARY 16, AND THE RECONVENED SPECIAL MEETING OF FEBRUARY 17, 2009**

Moved by Engle, seconded by Snider, to approve the minutes of the Full Board Meeting of January 27, the Full Board Meeting of February 12 as corrected, the Special Meeting of February 16, and the Reconvened Special Meeting of February 17, 2009.

Motion Carried

2009-95 **APPROVE THE LEASE AMENDMENT WHICH HAS BEEN APPROVED BY
THE MUSKEGON COUNTY ROAD COMMISSION**

CD/SP09/02-05

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to approve the Lease Amendment which has been approved by the Muskegon County Road Commission, which amends the lease between the County and the Road Commission.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-96 **QUIT CLAIM THE PROPERTIES CURRENTLY HELD IN THE NAME OF
THE COUNTY OF MUSKEGON, TO THE MUSKEGON COUNTY BOARD
OF PUBLIC WORKS**

CD/SP09/02-06

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to quit claim the property located at:

8271 E. Apple, Ravenna, MI 49451
8749 E. Apple, Ravenna, MI 49451
8719 E. Apple, Ravenna, MI 49451
8717 E. Apple, Ravenna, MI 49451
8687 E. Apple, Ravenna, MI 49451
8585 E. Apple, Ravenna, MI 49451
8459 Apple Avenue, Muskegon, MI 49442

currently held in the name of the County of Muskegon, to the Muskegon County Board of Public Works

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-97 **APPROVE THE COUNTY SCORING SYSTEM AND COUNTY
MONITORING PLAN DEVELOPED BY THE MUSKEGON COUNTY
AGRICULTURAL PRESERVATION BOARD**

CD/SP09/02-07

The Community Development/Strategic Planning Committee recommends, moved by Gill, seconded by Engle, to approve the County Scoring System and County Monitoring Plan developed by the Muskegon County Agricultural Preservation Board relative to Farmland Development Rights and to authorize submission to necessary State and Federal agencies.

(Continued)

2009-97 **APPROVE THE COUNTY SCORING SYSTEM AND COUNTY MONITORING PLAN DEVELOPED BY THE MUSKEGON COUNTY AGRICULTURAL PRESERVATION BOARD**

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-98 **APPROVE MDOT CONTRACT NO. 2009-0147 BETWEEN THE COUNTY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION**

TR09/02-06

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Contract No. 2009-0147 between the County and the Michigan Department of Transportation, providing the State's 2.5% share, or \$5,750, of funding for Phase I FY2009 Airport Improvement Program projects, and further authorize the Chairman to execute the contract and the Clerk to authorize the resolution.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-99 **APPROVE THE CHAIRMAN TO EXECUTE UPON RECEIPT A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION FOR ENTITLEMENT FUNDS**

TR09/02-07

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Chairman to execute upon receipt a Grant Offer from the Federal Aviation Administration for Entitlement funds under the Airport Improvement Program, providing \$218,500 (95%) for the Airport's FY2009 projects, and further authorize the Chairman to execute the Grant Offer and the Clerk to authorize the resolution.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-100 **APPROVE THE PURCHASING DEPARTMENT TO SOLICIT BIDS FOR TWO PIECES OF AIRPORT SNOW REMOVAL EQUIPMENT**

TR09/02-08

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Purchasing Department to solicit bids for two pieces of airport snow removal equipment to be purchased with FY2009 Airport Improvement Program Entitlement funds.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-101 **APPROVE THE PURCHASING DEPARTMENT TO ISSUE A REQUEST FOR PROPOSAL (RFP) FOR A GENERAL AVIATION HANGAR LEASE**

TR09/02-09

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the Purchasing Department to issue a Request for Proposal (RFP) for a General Aviation Hangar Lease for a hangar located at the Muskegon County Airport.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-102 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JANUARY 28, 2009 THROUGH FEBRUARY 10, 2009**

WM09/02-14

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve payment of the accounts payable of \$8,567,907.23 covering the period of January 28, 2009 through February 10, 2009, as presented by the County Clerk.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-103 **ACCEPT AND PLACE ON FILE THE COST ALLOCATION PLAN FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

WM09/02-15

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept and place on file the Cost Allocation Plan for the fiscal year ended September 30, 2008 as submitted by the Finance and Management Services/Accounting department.

(Continued)

2009-103 **ACCEPT AND PLACE ON FILE THE COST ALLOCATION PLAN FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-104 **ACCEPT AND PLACE ON FILE THE COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2008**

WM09/02-16

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept and place on file the Comprehensive Annual Financial Report for the fiscal year ended September 30, 2008 as submitted by the Finance and Management Services/Accounting department.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-105 **AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO CHANGE THE LIST OF FORTY-FIVE (45) CLASSES OF WORK FROM OVERTIME EXEMPT TO OVERTIME ELIGIBLE STATUS**

WM09/02-17

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the Human Resources Department to change the list of forty-five (45) classes of work from overtime exempt to overtime eligible status.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-106 **AUTHORIZE THE EQUALIZATION DEPARTMENT TO PURCHASE A NEW
COMPUTER DATA SERVER AND RELATED COMPUTER EQUIPMENT**

WM09/02-18

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the Equalization Department to purchase a new computer data server and related computer equipment to be paid from the Equalization Department budget line item 1010/0225/736.000 as budgeted in the amount of \$6,359.00.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-107 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION
SERVICES CONTRACT**

WM09/02-19

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the City of Muskegon 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: Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

2009-108 **APPROVE THE SUBMISSION OF AN APPLICATION TO THE BUREAU
OF JUSTICE**

WM09/02-20

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the submission of an application to the Bureau of Justice under CFDA #16.745 in the amount of \$200,000 for twenty-four months with an in-kind match from the County of Muskegon in the amount of \$50,000 to continue the jail screening and assessment center activities.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-109 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE VACANT COMMUNICATION DISPATCHER**

WM09/02-21

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Communication Dispatcher position #G22001.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-110 **ACCEPT FUNDING FROM WEST MICHIGAN THERAPY AS THE ADMINISTRATOR FOR THE XML TRANSFER PROJECT**

WM09/02-22

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to accept funding from West Michigan Therapy as the administrator for the XML transfer project to pay for jail and Community Mental Health information technology staff for a total of \$8,000 or \$4,000 per department.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-111 **AUTHORIZE THE ADOPTION OF THE RESOLUTION ALLOWING THE COUNTY OF MUSKEGON TO BORROW UP TO TWELVE MILLION DOLLARS (\$12,000,000) AGAINST ANTICIPATED 2008 DELINQUENT TAXES**

WM09/02-23

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize the adoption of the resolution allowing the County of Muskegon to borrow up to twelve million dollars (\$12,000,000) against anticipated 2008 delinquent taxes.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

2009-112 **INCREASE ITS VETERANS RELIEF LINE ITEM IN THE DEPARTMENT OF VETERANS AFFAIRS BUDGET**

WM09/02-24

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to increase its Veterans Relief line item in the Department of Veterans Affairs budget (7940-8942-849000) by \$23,000 from \$60,000 to \$83,000 and utilize fund balance to cover this expenditure increase.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, Mahoney, Nash, Scolnik, Snider

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider noted the LCC Board will meet a week from Friday.

Commissioner Engle noted the Road Commission will meet next Monday to prioritize projects.

Commissioner Gill stated he would be attending the MAC Transportation meeting on Friday.

Chairman Mahoney reminded Commissioners that the MAC Legislative Update of February 13, 2009 was included in agenda packets.

2009-113 **CMH BOARD REAPPOINTMENTS**

The Chairman recommends, moved by Gill, seconded by Snider, to reappoint Janet Thomas, Dr. Remington Sprague and Ollie Dunbar to the CMH Board, term or 4/1/2009 - 3/31/2012.

Motion Carried

2009-114 **APPOINTMENT OF CHAD CATALINO TO COMMUNITY CORRECTIONS ADVISORY BOARD**

The Chairman recommends, moved by Snider, seconded by Derezinski, to appoint Chad Catalino to Community Correction Advisory Board, term expires 12/31/2010.

Motion Carried

Commissioner McMurray arrived at 3:43 p.m.

2009-115 **APPROVE PROPOSED MUSKEGON COUNTY ADMINISTRATOR
CONTRACT WITH BONNIE HAMMERSLEY**

The Chairman recommends, moved by Snider, seconded by Engle, to approve proposed Muskegon County Administrator contract with Bonnie Hammersley.

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

ADMINISTRATOR'S REPORT

2009-116 **ADOPTION OF APPLICATION FOR DEFERMENT OF TAXES
RESOLUTION**

The Administrator recommends, moved by Snider, seconded by Collins, to authorize the adoption of the attached resolution Application for Deferment of Taxes for the purpose of waiving the interest and fees for the period March 1st through April 30th, for taxes paid by May 1st in the first year of delinquency for senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind in accordance with the General Property Tax Act section 211.59 and 211.51.

Roll Call

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

Nays: None

Motion Carried

Interim Administrator Elwell reported on a meeting regarding projects on Muskegon Lake noting an opportunity for a land grant to purchase YFCA property.

2009-117 **DIRECT STAFF TO MOVE FORWARD WITH APPLICATION FOR LAND
GRANT**

The Administrator recommends, moved by Snider, seconded by Engle, to direct staff to prepare application for the Michigan Land Trust Grant for the acquisition of 4.12 acres lakefront property adjacent to the YFCA and Heritage Landing.

Motion Carried

Old Business

None.

New Business

It was noted that John DeWolfe can set up a tour of the LS communities if there is interest.

Commissioner Scolnik reminded Commissioners that there will be a concert featuring the Platters on Saturday, March 21st with the net proceeds going to support the Sesquicentennial celebration. Ticket prices are \$20, \$25 and \$35. It was noted that over 150 tickets have been sold prior to advertising.

Public Participation

Chad Lerch, new County Reporter for the Chronicle introduced himself to Commissioners.

Patsy Petty addressed Commissioners requesting support and extending an invitation to the Great Lakes Navel Museum Black History dinner on February 27, 2009, 5:00 p.m. - 8:00 p.m for a fee of \$20, free to Veterans

Mr. Johnson presented information to Commissioners seeking support for Public Protection, a counseling program for men. Chairman Mahoney asked Mr. Johnson to bring information to staff to see if this program may be utilized.

Mark Mangione addressed the Board urged same standard for subcontractors as contractors and also to keep local contractors working. It was also requested that the contractors review checklist be included in bid packets.

2009-118 GO INTO CLOSED SESSION RE: PENDING LITIGATION AND REVIEW OF LEGAL OPINION

Moved by Snider, seconded by Engle, go into Closed Session re:

- A) Pending Litigation
- B) Review of Legal Opinion

Roll Call

Ayes: Collins, Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider

Nays: Gill

Motion Carried

Audience dismissed and the Full Board went into Closed Session at 4:14 p.m.

Returned to Open Session at 5:04 p.m.

2009-119 **INSTRUCT STAFF TO RESEARCH IMPACT AND COST TO THE COUNTY
IN DEVELOPMENT OF A CASINO**

Moved by Snider, seconded by Collins, to instruct staff to research impact and cost to the County as well as aggressively pursue active participation of the County in development of a casino and staff to return with recommendations the sooner the better.

2009-120 **CALL FOR THE QUESTION AND END DEBATE**

Moved by Snider to call for the question and end debate.

Roll Call

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

Nays: None

Motion Carried

Roll call on motion 2009-119

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

Nays: None

Motion Carried

Meeting adjourned at 5:16 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

**RESOLUTION FOR THE DEFERMENT OF TAXES PAID BEFORE MAY 1ST AND
WAIVING THE COUNTY INTEREST AND ADMINISTRATIVE FEES FOR THE PERIOD
OF MARCH 1ST TO APRIL 30TH AS PROVIDED BY THE MICHIGAN GENERAL
PROPERTY TAX ACT SECTION 211.59 AND 211.51**

WHEREAS, the General Property Tax Act Sections 211.59 and 211.51 provide that a “County” may pass a resolution for the deferment of taxes paid before May 1st (in the first year of delinquency), whereby waiving the 1% monthly interest charge and 4% administrative fee for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.

WHEREAS, individuals also meet the income guidelines of section 211.51

WHEREAS, an application will be required and approved by either the County Treasurer or Deputy of the County Treasurer.

**NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF
THE COUNTY OF MUSKEGON AS FOLLOWS**

1. Approve the application form for the deferment of taxes.
2. Approve that taxes paid by May 1st shall be without the monthly 1% interest and 4% property tax administrative fees for the following individuals; senior citizens, paraplegics, eligible service veterans, eligible widows of service veterans, the permanently disabled and blind.
3. Approve the income guidelines under section 211.51.

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

**March 10, 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, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Scolnik, Snider

Excused: Nash, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters

2009-121 **APPROVE AGENDA**

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

Motion Carried

2009-122 **APPROVE THE MINUTES OF THE FULL BOARD AND CLOSED SESSION MEETINGS OF FEBRUARY 24, 2009**

Moved by Engle, seconded by Collins, to approve the minutes of the Full Board and Closed Session Meetings of February 24, 2009.

Motion Carried

2009-123 **RECEIVE AND PLACE ON FILE THE COMMUNICATION FROM ANTRIM COUNTY**

Moved by Engle, seconded by Collins, to receive and place on file the Communication from Antrim County, Resolution #10-09.

Motion Carried

2009-124 **APPROVE THE NEW LEASE AGREEMENT WITH MERCY HEALTH PARTNERS - LIFE COUNSELING FOR RENTAL OF SPACE FOR THE CHILD HAVEN OPERATION**

CPS09/03-10

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to approve the new Lease Agreement with Mercy Health Partners - Life Counseling for rental of space for the Child Haven operation in the amount of \$60,185/year effective January 1, 2009 and to authorize the Board Chair to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2009-125 **AUTHORIZE AN ADDITIONAL \$4,134.47 TO REPLACE THE CAMERAS CURRENTLY USED IN JUDGE HICK'S COURTROOM**

CPS09/03-11

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize an additional \$4,134.47 to replace the cameras currently used in Judge Hick's courtroom due to their near term obsolescence. The total cost of the digital upgrade to the court recording system will then be \$16,535.60 to be paid for out of Equipment Revolving Fund (6660) and charged back to the Circuit Court budget (1010-0131) at an approximate cost of \$3,587.56 per year for five years.

Roll Call

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

Nays: None

Motion Carried

2009-126 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT, FAMILY DIVISION TO FILL THE VACANT PROBATION OFFICER POSITION**

CPS09/03-12

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to waive the hiring freeze and allow the Circuit Court, Family Division to fill the vacant Probation Officer position, #G60001.

Roll Call

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

Nays: None

Motion Carried

2009-127 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT, FAMILY DIVISION TO FIL THE VACANT PROBATION OFFICER POSITION**

CPS09/03-13

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to waive the hiring freeze and allow the Circuit Court, Family Division to fil the vacant Probation Officer position, #G60004.

Roll Call

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

Nays: None

Motion Carried

2009-128 **AUTHORIZE THE PROBATE COURT AND COUNTY CLERK TO RELEASE A REQUEST FOR PROPOSAL (RFP) FOR AN INTERACTIVE WEBSITE DEVELOPMENT AND MANAGEMENT SERVICES**

CPS09/03-14

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Probate Court and County Clerk to release a Request for Proposal (RFP) for an interactive website development and management services.

Roll Call

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

Nays: None

Motion Carried

2009-129 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE VACANT CORRECTIONS OFFICER, POSITION**

CPS09/03-15

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Corrections Officer, position #O10027.

Roll Call

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

Nays: None

Motion Carried

2009-130 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE A
2008 ORV FROM POWERS MOTORSPORTS**

CPS09/03-16

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission to the Sheriff's Office to purchase a 2008 ORV from Powers Motorsports for \$5,497.00.

Roll Call

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

Nays: None

Motion Carried

2009-131 **ALLOW THE SHERIFF'S OFFICE TO PURCHASE TASERS FROM
MICHIGAN TASER DISTRIBUTING**

CPS09/03-17

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to allow the Sheriff's Office to purchase tasers from Michigan Taser Distributing for \$16,764.08.

Roll Call

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

Nays: McMurray

Motion Carried

2009-132 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN AMENDMENTS WITH CONTRACTORS TO INCREASE THE RATES FOR COMMUNITY LIVING SUPPORTS, PERSONAL CARE SERVICES, AND SKILL-BUILDING SERVICES**

HR09/03-23

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to authorize the Community Mental Health Director to sign amendments with contractors to increase the rates for Community Living Supports, Personal Care Services, and Skill-Building Services to provide for a one percent (1.0%) increase in wages and mandatory fringe benefits, effective February 1, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-133 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO SIGN A CONTRACT WITH DEREK L. BURT**

HR09/03-24

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to authorize the Community Mental Health Services 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 from March 16, 2009 through June 30, 2009 at the rate of \$55.91 per hour and \$25.00 per after-hours consultation, not to exceed \$35,782.00 for the contract period.

Roll Call

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

Nays: None

Motion Carried

2009-134 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ACCEPT BIDS FOR VEHICLE PURCHASES**

HR09/03-25

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to authorize Public Health - Muskegon County to accept the bids from Red Holman Pontiac for the purchase of a Pontiac G6 sedan, Signature Ford for the purchase of a Ford F150 half-ton truck, and Great Lakes Ford the purchase of Ford Ranger 4x4 light-duty truck, for a total of \$52,189.00 through the equipment revolving fund, with no increase in the general fund appropriation.

(Continued)

2009-134 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ACCEPT BIDS FOR VEHICLE PURCHASES**

Roll Call

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

Nays: None

Motion Carried

2009-135 **APPROVE PUBLIC HEALTH - MUSKEGON COUNTY'S ORGANIZATION PLAN AS REVISED**

HR09/03-26

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to approve Public Health - Muskegon County's Organization Plan as revised.

Roll Call

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

Nays: None

Motion Carried

2009-136 **ADOPT THE PROCLAMATION ENTITLED, "BUILDING THE FOUNDATION FOR A HEALTHY AMERICA"**

HR09/03-27

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to adopt the Proclamation entitled, "Building the Foundation for a Healthy America", for the purpose of recognizing National Public Health Week 2009, which will be celebrated April 6 - 12, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-137 **ACCEPT THE GRANT FROM THE DR. WOODY AND JAN WOOD COMMUNITY PEDIATRIC DENTAL CARE FUND HELD BY THE COMMUNITY FOUNDATION OF MUSKEGON COUNTY**

HR09/03-28

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to accept the grant from the Dr. Woody and Jan Wood Community Pediatric Dental Care Fund held by the Community Foundation of Muskegon County.

(Continued)

2009-137 **ACCEPT THE GRANT FROM THE DR. WOODY AND JAN WOOD
COMMUNITY PEDIATRIC DENTAL CARE FUND HELD BY THE
COMMUNITY FOUNDATION OF MUSKEGON COUNTY**

Roll Call

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

Nays: None

Motion Carried

2009-138 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ACCEPT
\$40,000 FROM THE NATIONAL ASSOCIATION OF COUNTY AND CITY
HEALTH OFFICIAL'S ACHIEVE PROGRAM**

HR09/03-29

The Human Resources Committee recommends, moved by Snider, seconded by Engle, to authorize Public Health - Muskegon County to accept \$40,000 from the National Association of County and City Health Official's ACHIEVE program to address the health needs of the greater Jackson Hill Neighborhood area in the city of Muskegon and allow the Public Health - Muskegon County ACHIEVE program coach to attend the national coaches meeting in Atlanta, Georgia in April 2009 and the Prevention Action Institute training in Alexandria, Virginia or Denver, Colorado in July of 2009.

Roll Call

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

Nays: None

Motion Carried

2009-139 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE
PERIOD OF FEBRUARY 11 - 24, 2009**

WM09/03-25

The Ways and Means Committee recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$3,934,474.92 covering the period of February 11, 2009 through February 24, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-140 **ENTER INTO A ONE-YEAR CONTRACT WITH OFFICIAL PAYMENTS
CORPORATION TO PROVIDE OVER-THE-COUNTER CREDIT CARD
PROCESSING SERVICES**

WM09/03-26

The Ways and Means Committee recommends, moved by Collins, seconded by Engle, to enter into a one-year contract with Official Payments Corporation to provide over-the-counter credit card processing services in our Parks, Solid Waste, Public Works and Treasurer's departments and authorize the Board Chair to sign contract. Furthermore, authorize the charging of a 2.85% convenience fee for tax credit card payments.

Roll Call

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

Nays: None

Motion Carried

2009-141 **APPROVE THE PAYMENT FROM THE PUBLIC IMPROVEMENT FUND OF \$6,200.00 TO REIMBURSE MR. JAMES BRANSCUM AND/OR CHRYSALIS SENIOR CARE PROPERTIES, LLC**

WM09/03-27

The Ways and Means Committee recommends, moved by Collins, seconded by Engle, to approve the payment from the Public Improvement Fund of \$6,200.00 to reimburse Mr. James Branscum and/or Chrysalis Senior Care Properties, LLC, whichever one reimbursed Tellatin, Short, Hansen & Clark, Inc., for an appraisal of the Brookhaven properties at 1890 Apple Avenue for the benefit of Muskegon County.

Roll Call

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

Nays: None

Motion Carried

2009-142 **APPROVE THE COUNTY CLERK'S PURCHASE OF A NOTEBOOK COMPUTER AT A COST NOT TO EXCEED \$1,200**

WM09/03-28

The Ways and Means Committee recommends, moved by Collins, seconded by Engle, to approve the County Clerk's purchase of a notebook computer at a cost not to exceed \$1,200 using funds already available in the County Clerk's budget.

Roll Call

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

Nays: None

Motion Carried

2009-143 **APPROVE THE EQUALIZATION DEPARTMENT'S REQUEST TO REMOVE THE TWO YEAR TIME LIMIT FOR THE TWO PART TIME APPRAISAL TECHNICIAN POSITIONS**

WM09/03-29

The Ways and Means Committee recommends, moved by Collins, seconded by Engle, to approve the Equalization Department's request to remove the two year time limit for the two

part time Appraisal Technician positions (G09205 and G09206) and make them permanent part time positions.

Roll Call

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

Nays: Gill

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney attended the Michigan Association of Local Public Health discussing Medical Director rules. Also noted the issue of a smoking ban for the State of Michigan may be addressed this year.

Commissioner Engle reported the Road Commission is looking at innovative ideas for road technology including using shingles as an alternative.

Chairman Mahoney scheduled a planning session regarding the Criminal Justice System, for February 24, 2009, at 11:00 a.m. in the training center.

Chairman Mahoney noted the MAC Legislative Updates of February 20 and 27, 2009 were included in agenda packets.

ADMINISTRATOR'S REPORT

2009-144 **ESTABLISH A PUBLIC HEARING IN REGARDS TO SUBMITTING A GRANT TO THE DEPARTMENT OF NATURAL RESOURCES FOR THE PURCHASE OF YMCA PROPERTY**

The Administrator recommends, moved by Snider, seconded by Buzzell, to establish a public hearing on March 19, 2009 at 3:30 p.m. in regards to submitting a grant to the Department of Natural Resources for the purchase of property and authorize to publish notice in The Muskegon Chronicle.

Motion Carried

2009-145 **AUTHORIZE HOLDING A PUBLIC HEARING ON THE NATURAL RESOURCES TRUST FUND GRANT APPLICATION FOR THE IMPROVEMENT PROJECT FOR PIONEER PARK**

The Administrator recommends, moved by Derezinski, seconded by Snider, to authorize holding a public hearing on the Natural Resources Trust Fund grant application for the improvement project for Pioneer Park and that the public hearing be held at 3:30 pm on March 24, 2009 at the regularly scheduled Full Board meeting of the Muskegon County Board of Commissioners.

Motion Carried

2009-146 **ALLOW COUNTY CLERK TO PARTICIPATE IN PASSPORT DAY IN THE USA, SATURDAY, MARCH 28, 2009**

The Administrator recommends, moved by Gill, seconded by Engle, to allow County Clerk's office to be open to participate in Passport Day in the USA on Saturday, March 28, 2009, 10:00 a.m. to 3:00 p.m. employing two Sheriff Deputies for security.

Roll Call

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

Nays: None

Motion Carried

Old Business

Commission Scolnik noted the Chronicle is producing a booklet promoting the 150th Anniversary of Muskegon County and has requested a letter on County stationary signed by either the Chairman of the Board of Commissioners or Commissioners Scholnik and Wade as co-chairs on the Sesquicentennial committee.

2009-147 **ALLOW THE CHRONICLE TO MAIL A LETTER TO BE SIGNED BY THE BOARD OF COMMISSIONERS FOR ADVERTISING FOR THE MUSKEGON COUNTY SESQUICENTENNIAL CELEBRATION**

Moved by Scolnik, seconded by Engle, to allow the Chronicle to mail a letter to be signed by the Board of Commissioners or by Commissioners Scolnik and Wade for advertising for the Muskegon County Sesquicentennial Celebration.

Motion Carried

2009-148 **ALLOW THE LETTER FROM THE CHRONICLE TO BE ON COUNTY STATIONARY**

Moved by Engle, seconded by Derezsinski, to allow the letter from the Chronicle to be on County stationary.

Motion Carried

New Business

None.

Public Participation

Deborah Groeneveld, Human Resources Director, conducted a drawing for members on a Personnel Hearing Board: Chairman - Derezsinski, Vice-Chair - Scolnik, members McMurray, Nash and Collins.

Brian Chapman addressed the Board regarding the Sesquicentennial Celebration suggesting commissioning artwork to represent the celebration. Mr. Chapman displayed a sample prepared by Jilly's and noted he has discussed this with other local artists. Mr. Chapman also noted discussion with Sylvia Precious regarding possible Port City Princess tours. It was also noted the largest cake will not be made but Cole's bakery will be attempting the largest garlic breadstick. Mr. Chapman was also recently featured in the Grand Rapids Press which recognized 230 year anniversary of Black Americans in Muskegon County. Additional inclusion of the 150th anniversary is being discussed for the Festival of Trees.

2009-149 **DRAFT AN AGREEMENT WITH BRIAN CHAPMAN FOR MARKETING RIGHTS FOR MUSKEGON COUNTY SESQUICENTENNIAL**

Moved by Scolnik, seconded by Collins to draft an agreement with Brian Chapman for marketing rights for Muskegon County Sesquicentennial.

Motion Carried

Meeting adjourned at 4:12 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

March 24, 2009

3:41 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, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Absent: None

Also Present: Interim County Administrator Jim Elwell, Corporate Counsel Doug Hughes, County Clerk Nancy A. Waters

2009-150 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve the Agenda adding to the Chairman's Report, Item C. Preservation Board Appointments and D. Airport Advisory Board Appointments.

Motion Carried

2009-151 **APPROVE THE MINUTES OF THE FULL BOARD OF MARCH 10, 2009**

Moved by Engle, seconded by Wade, to approve the minutes of the Full Board of March 10, 2009.

Motion Carried

2009-152 **OPEN PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST
FUND GRANT - PIONEER PARK**

Moved by Derezinski, seconded by Engle, to open the Public Hearing regarding Michigan Natural Resources Trust Fund Grant - Pioneer Park.

Motion Carried

John Warner, Deputy Director of Public Works, presented an overview of the project at Pioneer Park that would be completed with the Grant monies.

2009-153 **CLOSE PUBLIC HEARING**

There being no further comments, it was moved by Snider, seconded by Engle, to close the Public Hearing.

Motion Carried

2009-154 **RECEIVE AND PLACE ON FILE THE COMMUNICATION**

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

- A. Lake County Resolution #03/09/2009 1186
- B. Ogemaw County Resolution of 2/26/2009

Motion Carried

2009-155 **AUTHORIZE STAFF TO SOLICIT BIDS FOR GYPSY MOTH SPRAYING
FOR 2359 ACRES FOR 2009**

CD/SP09/03-08

The Community Development/Strategic Planning Committee recommends, moved by Collins, seconded by Snider, to authorize staff to solicit bids for gypsy moth spraying for 2359 acres for 2009.

Roll Call

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

Nays: None

Motion Carried

2009-156 **AUTHORIZE STAFF TO PURCHASE 45 NEW FIRE RINGS FOR BLUE LAKE PARK AND MEINERT PINES CAMPGROUND**

CD/SP09/03-09

The Community Development/Strategic Planning Committee recommends, moved by Collins, seconded by Snider, to authorize staff to purchase 45 new fire rings from Premarc Corporation for a cost of \$5,049.90 for Blue Lake Park and Meinert Pines Campground with costs being paid from parks fund 2080-0691.

Roll Call

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

Nays: None

Motion Carried

2009-157 **AUTHORIZE STAFF TO REAPPLY TO MDNR FOR THE MICHIGAN NATURAL RESOURCES TRUST FUND GRANT**

CD/SP09/03-10

The Community Development/Strategic Planning Committee recommends, moved by Collins, seconded by Snider, to authorize staff to reapply to MDNR for the Michigan Natural Resources Trust Fund grant in the amount of \$291,000 for the Pioneer Park project which includes a new bathroom building, converting 10 campsites to ADA compliant and adding some ADA compliant playground equipment with \$194,000 in match funds coming from parks funds.

Roll Call

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

Nays: None

Motion Carried

2009-158 **ACCEPT THE REVISION TO ARTICLE IV, SECTION 4.01 COUNTY AUTHORITY BOARD COMPOSITION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE MICHIGAN LAND BANK FAST TRACK AUTHORITY AND THE TREASURER OF THE COUNTY OF MUSKEGON**

CD/SP09/03-11

The Community Development/Strategic Planning Committee recommends, moved by Collins, seconded by Snider, to accept the revision to Article IV, Section 4.01 County Authority Board Composition of the Intergovernmental Agreement between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Muskegon, Michigan creating the Muskegon County Land Bank Authority dated November 22, 2006 with the County of Muskegon as a signatory to the Agreement.

(Continued)

2009-158 **ACCEPT THE REVISION TO ARTICLE IV, SECTION 4.01 COUNTY AUTHORITY BOARD COMPOSITION OF THE INTERGOVERNMENTAL AGREEMENT BETWEEN THE MICHIGAN LAND BANK FAST TRACK AUTHORITY AND THE TREASURER OF THE COUNTY OF MUSKEGON**

Roll Call

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

Nays: None

Motion Carried

2009-159 **APPROVE OPERATION OF A 2009 TROLLEY ROUTE PROGRAM**

TR09/03-10

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve operation of a 2009 Trolley Route Program as proposed.

Roll Call

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

Nays: Gill

Motion Carried

2009-160 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REQUESTING \$625,152 IN THE FY2009 FEDERAL OPERATING ASSISTANCE APPLICATION**

TR09/03-11

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System to publish the public notice requesting \$625,152 in the FY2009 Federal Operating Assistance application and to authorize staff to execute the electronic grant application if there is no request for public hearing.

Roll Call

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

Nays: Gill

Motion Carried

TR09/03-12 Removed from agenda at Committee.

2009-161 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR09/03-13

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the extension of seven (7) T-Hangar Lease Agreements at Muskegon County Airport expiring in the second quarter of 2009 as follows: Terry Grevious, \$190/month; Scott Kelley, \$190/month; Larry Duthler, \$180/month; Jim Fishel, \$170/month; Doug Parker, \$170/month; Fred Riplo, \$170/month; and Richard Smith, \$160/month.

Roll Call

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

Nays: None

Motion Carried

2009-162 **APPROVE THE DRAFT AIRPORT ADVISORY COMMITTEE BY-LAWS**

TR09/03-14

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the draft Airport Advisory Committee By-Laws previously submitted to the Transportation Committee and have the Board appoint committee members.

Roll Call

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

Nays: None

Motion Carried

2009-163 **APPROVE OPTION A FOR USE OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS**

TR09/03-15

The Transportation Committee recommends, moved by Gill, seconded by Engle, to place motion item TR09/03-12 back on the agenda and approve Option A for use of the American Recovery and Reinvestment Act of 2009 funds:

To authorize the Muskegon Area Transit System to submit plans, publish public notices, and complete Federal Transit Administration applications to secure American Recovery and Reinvestment Act of 2009 funds for local transit capital projects as outlined in recommended Option A, and to authorize staff to execute the related electronic grant applications if there is no request for public hearing.

(Continued)

2009-163 **APPROVE OPTION A FOR USE OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009 FUNDS**

Option A:

<u>Amount</u>	<u>Activity</u>
\$600,000	- FY2009-11 Preventive Maintenance (offsets 2009-11 formula funds)
\$100,000	-Gap funding for recent bus purchase (offsets 2009 formula funds)
\$40,000	-Operations/Maintenance Support Equipment (offsets 2009 formula funds)
\$40,000	-Support Vehicle Replacement (offsets 2010 formula funds)
\$750,000	-Two Heavy Duty Buses (completes 1993-vintage fleet replacement)
<u>\$513,038</u>	-Farebox Equipment (upgrade for fare validation and data collection capabilities)
\$2,043,038	

Note: Option A will offset \$780,000 in formula assistance expenses over two to three years. These funds, with the addition of sustainable match funds, can become part of a solution to offer enhanced transit services in the community. The farebox equipment project will allow for improved data collection capabilities, increased revenue through validated fare transactions, and a variety of possibilities for electronic fare payment. The cost of the farebox equipment upgrade is preliminary and some amount of additional funds may be needed from other capital sources to fully implement the upgrade.

Roll Call

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

Nays: Gill

Motion Carried

2009-164 **HAVE THE COUNTY ADMINISTRATOR DRAFT A LETTER TO OUR LEGISLATORS OPPOSING THE FAA PROPOSAL TO CONSOLIDATE SEVERAL WEST MICHIGAN RADAR FACILITIES**

TR09/03-16

The Transportation Committee recommends, moved by Gill, seconded by Engle, to have the County Administrator draft a letter to our legislators opposing the FAA proposal to consolidate several west Michigan radar facilities, including Muskegon, into a new facility being built in Kalamazoo.

Roll Call

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

Nays: None

Motion Carried

2009-165 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF FEBRUARY 25, 2009 THROUGH MARCH 10, 2009**

WM09/03-30

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$6,174,549.24 covering the period of February 25, 2009 through March 10, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-166 **ACCEPT JAMES M. ELWELL'S RESIGNATION FROM THE MICHIGAN COUNTY BUILDING AUTHORITY AND THE FOREIGN TRADE ZONE EFFECTIVE MARCH 27, 2009 AND APPOINTMENT BONNIE B. HAMMERSLEY, COUNTY ADMINISTRATOR**

WM09/03-31

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept James M. Elwell's resignation from the Michigan County Building Authority and the Foreign Trade Zone effective March 27, 2009 and appointment Bonnie B. Hammersley, County Administrator to these positions effective March 30, 2009.

Roll Call

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

Nays: Gill

Motion Carried

2009-167 **APPROVE THE BUDGET AMENDMENTS**

WM09/03-32

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the budget amendment to move budgeted revenues of \$76,620 and budgeted expenditures of \$76,638 from the Community Corrections Case Management budget (2640-0374) to the Jail Population Coordinator budget (2640-0370) as detailed on the scheduled and further move the approval of a funding transfer of the Jail Population Coordinator position (X45901) from (2640-0374) to (2640-0370).

Roll Call

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

Nays: None

Motion Carried

2009-168 **AUTHORIZE THE 60TH DISTRICT COURT TO ENTER INTO THE COMPUTER SOFTWARE LICENSE AGREEMENT WITH 54A DISTRICT COURT**

WM09/03-33

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the 60th District Court to enter into the Computer Software License Agreement with 54A District Court in the amount of \$4,500 and authorize the Board Chair to execute and sign said agreement.

Roll Call

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

Nays: None

Motion Carried

2009-169 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT CLERK II POSITION**

WM09/03-34

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Clerk II position #G20083.

Roll Call

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

Nays: None

Motion Carried

2009-170 **APPROVE THE ONE-YEAR EXTENSION OF THE AGREEMENT FOR THE PARTNERSHIP IN NEIGHBORHOOD SAFETY PROGRAM**

WM09/03-35

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the one-year extension of the agreement for the Partnership in Neighborhood Safety Program between the Townships of Laketon, Fruitland and Whitehall, the Muskegon County Sheriff and the Board of Commissioners, and authorize the Board Chair to sign the document, contingent upon the approval of each of the townships.

Roll Call

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

Nays: None

Motion Carried

2009-171 **APPROVE THE CONSENT DECREE, SETTLEMENT AGREEMENT AND
COOPERATION AGREEMENT REGARDING EVA AMAYA**

WM09/03-36

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Consent Decree, Settlement Agreement and Cooperation Agreement regarding Eva Amaya as presented by Corporate Counsel.

Roll Call

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

Nays: Gill

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney reported as Liaison to the District Library Board regarding the well-attended open house in Muskegon Township.

Commissioner Wade reported on his attendance of the West Michigan Shoreline Regional Development Commission and thanked County Clerk Waters for reminding him about the airport tower situation. The Board of the WMSRDC will be preparing letters of support for the Muskegon County Airport.

Commissioner Scolnik reported that the Museum Board has plans to support the sesquicentennial with a couple displays at a some of the area summer events.

Vice-Chairman Nash reporter on attendance at the SMART Committee where County Clerk Waters was inducted as an honorary member. Also, Muskegon Area First has several projects in the works and that the NACO Washington trip may result in bringing businesses and jobs to Muskegon County. Commissioner Nash noted he would be distributing information to Commissioners. Commissioner Nash suggested the County investigate having a Grant Writer position for the County.

Commissioner Engle gave an update on Road Commission Stimulus Plan projects.

Commissioner Snider reported attendance at the Community Corrections Advisory Board and wanted to assure Commissioners that Muskegon County does have a teather program in place and it is working very well. Commissioner Snider asked that Vice-Chair Nash look into getting Muskegon Area reports distributed to all Commissioners.

Chairman Mahoney noted the MAC Legislative Updates of March 6 and 13, 2009 were included in agenda packets.

2009-172 **REAPPOINT L. ANNE NELSON TO THE JURY COMMISSION**

The Chairman recommends, moved by Engle, seconded by Snider, to reappoint L. Anne Nelson to the Jury Commission, term 5/1/09 - 4/30/2015.

Motion Carried

2009-173 **RE-APPOINT DIANA JANCEK AND FRANK COBB TO THE COUNTY AGRICULTURAL PRESERVATION BOARD**

The Chairman recommends, moved by Engle, seconded by Collins, to re-appoint Diana Jancek and Frank Cobb to the County Agricultural Preservation Board.

Motion Carried

2009-174 **APPROVE APPOINTMENT OF COMMISSIONER COLLINS AND COMMISSIONER SCOLNIK TO THE AIRPORT ADVISORY BOARD**

The Chairman recommends, moved by Derezinski, seconded by Engle, to approve appointment of Commissioner Collins (term to expire 12/2009) and Commissioner Scolnik (term to expire 12/2010) to the Airport Advisory Board. It was further noted that Commissioner Gill will be a member by virtue of being Chairman to the Transportation Committee.

Motion Carried

Chairman Mahoney recognized Egelston Township Supervisor, Mike Thompson, in the audience.

ADMINISTRATOR'S REPORT

2009-175 **APPROVE THE ADOPTION OF THE RESOLUTION SUPPORTING THE PROPERTY ACQUISITION UNDER THE MICHIGAN NATURAL RESOURCES TRUST FUND PROGRAM FOR THE ACQUISITION OF THE MUSKEGON YMCA PROPERTY**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the adoption of the Resolution supporting the Property Acquisition under the Michigan Natural Resources Trust Fund program for the acquisition of the Muskegon YMCA property committing to a local match of \$300,000 from the County of Muskegon and authorizing the County Board Chairman to sign the grant application, and to submit the application to the Department of Natural Resources.

(Continued)

2009-175 **APPROVE THE ADOPTION OF THE RESOLUTION SUPPORTING THE PROPERTY ACQUISITION UNDER THE MICHIGAN NATURAL RESOURCES TRUST FUND PROGRAM FOR THE ACQUISITION OF THE MUSKEGON YMCA PROPERTY**

Roll Call

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

Nays: None

Motion Carried

2009-176 **SUPPORT THE APPLICATION TO THE NATIONAL OCEANIC AND ATMOSPHERIC ASSOCIATION BY THE WEST MICHIGAN REGIONAL SHORELINE REGIONAL DEVELOPMENT COMMISSION TO RESTORE THE MUSKEGON LAKE SHORELINE**

The Administrator recommends, moved by Snider, seconded by Engle, to support the application to the National Oceanic and Atmospheric Association by the West Michigan Regional Shoreline Regional Development Commission to restore the Muskegon Lake Shoreline.

2009-177 **SUSPEND THE RULES FOR COMMENTS**

Moved by Engle, seconded by Buzzell, to suspend the rules for comments.

Motion Carried

Judy Kell addressed the Board regarding Muskegon Lake Restoration Project.

Voice Vote on item 2009-176

Motion Carried

2009-178 **TO CONTINUE WITH MERCER HEALTH & BENEFITS AS BROKER THROUGH 2009 AND GO OUT FOR BIDS FOR BROKER SERVICES FOR**

The Administrator recommends, moved by Scolnik, seconded by Engle, to follow recommendation of Deborah Groeneveld, Human Resources Director, to continue with Mercer Health & Benefits as broker for Life, Long Term Disability and Medical Coverage through 2009 and go out for bids in the fall for broker services for 2010.

Motion Carried

Interim Administrator Jim Elwell read a statement noting that Sunday, March 29, 2009 at 11:59 p.m. will end his time as Interim Administrator for Muskegon County. Mr. Elwell thanked Commissioners for the opportunity and privilege to serve the County that has served him well throughout his 35+ years of employment in a different capacities. Mr. Elwell noted that there is a transition program and he will be available to assist the incoming Muskegon County Administrator, Bonnie B. Hammersley.

Mr. Elwell thanked the Board, Elected Officials, Department Heads for their cooperation and assistance with a special thanks to the entire Muskegon County staff for stepping up and maintaining a high level of productivity.

Chairman Mahoney thanked Mr. Elwell for his assistance in his new duties as Chairman to the Board of Commissioners.

Old Business

None.

New Business

None.

Public Participation

Cindy Ackerman and Jennesa Stroud addressed the Board regarding the Scenic Drive resurfacing project urging preservation of the tree canopy.

Brian Chapman addressed the Board thanked Mr. Scolnik for bringing the successful Platters concert to Muskegon to help fund the Sesquicentennial project. Mr. Chapman displayed a piece of artwork of bushed aluminum which was a representation of the shape of Muskegon County. Mr. Chapman urged Commissioners to invite the Governor and State Representative in the Senate and Congress to join in the celebration and cake cutting on June 20, 2009.

Meeting adjourned at 5:05 p.m.

Nancy A. Waters, County Clerk

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

April 14, 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, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Excused: Wade

Absent: None

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

2009-179 **APPROVE AGENDA WITH ADDENDUM**

Moved by Derezinski, seconded by Engle, to approve the Agenda with addendum.

Motion Carried

2009-180 **APPROVE THE REVISED MINUTES OF THE FULL BOARD OF MARCH 24, 2009**

Moved by Engle, seconded by Collins, to approve revised minutes of the Full Board of March 24, 2009.

Motion Carried

2009-181 **PRESENTATION - COUNTY CLERK'S ANNUAL REPORT**

Nancy A. Waters, Muskegon County Clerk, presented the County Clerk's FY2008 Annual Report to the County Board of Commissioners.

2009-182 **PRESENTATION - JURY COMMISSION'S ANNUAL REPORT**

Dr. Luther Dease, Chairman of the Jury Commission, presented the Jury Commissioner's FY2008 Annual Report to the County Board of Commissioners.

2009-183 **RECEIVE AND PLACE ON FILE THE FOLLOWING COMMUNICATIONS
A., B., C. AND D.**

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

- A. Antrim County Resolutions #16-09 & #18-09
- B. Berrien County Resolution #F0903046
- C. Oceana County Resolutions re: Economic Stimulus Monies; Reduction of MSU Agriculture Experiment Station & MSU Extension Funding; and Opposition to Senate Joint Resolution H (SJR-H)
- D. Ottawa County Resolution re: Reduction of MSU Agriculture Experiment Station & MSU Extension Funding and Opposition to Senate Joint Resolution H (SJR-H)

Motion Carried

2009-184 **APPROVE THE RESOLUTION TO ESTABLISH MAY 2009 AS "DRUG COURT MONTH" IN MUSKEGON COUNTY**

CPS09/04-18

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to approve the Resolution to establish May 2009 as "Drug Court Month" in Muskegon County and authorize its submission to the appropriate parties.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-185 **AUTHORIZE THE DISTRICT COURT TO TERMINATE THE PUBLIC DEFENDER CONTRACT WITH LYNN BREMER AND APPROVE A CONTRACT WITH BRIAN E. HOSTICKA**

CPS09/04-19

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize the District Court to terminate the public defender contract with Lynn Bremer and approve a contract with Brian E. Hosticka, through its Chief Judge the Honorable Andrew Wierengo, III, for the remainder of her \$45,000 board approved contract through September 30, 2009, and authorize the Board Chair to sign said contract.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-186 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THREE VACANT YOUTH SPECIALIST POSITIONS**

CPS09/04-20

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to approve the Juvenile Detention Center's request to waive the hiring freeze and fill the vacant Youth Specialist positions, #G97004, G97010 and G97024.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-187 **AUTHORIZE THE SHERIFF'S OFFICE TO KEEP TWO OLD CHEVY POLICE CRUISERS WHICH WERE SCHEDULED FOR AUCTION TO BE USED SOLELY AS TRAINING CARS FOR THE ADVANCED TEEN DRIVING PROGRAM**

CPS09/04-21

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize the Sheriff's Office to keep two old Chevy Police Cruisers: 2001 VIN#G1WF55KO19278297 and 2003 VIN#2G1WF55K139296648 which were scheduled for auction to be used solely as training cars for the Advanced Teen Driving Program.

(Continued)

2009-187 **AUTHORIZE THE SHERIFF'S OFFICE TO KEEP TWO OLD CHEVY POLICE CRUISERS WHICH WERE SCHEDULED FOR AUCTION TO BE USED SOLELY AS TRAINING CARS FOR THE ADVANCED TEEN DRIVING PROGRAM**

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-188 **AUTHORIZE SHERIFF'S OFFICE TO ACCEPT A FIELD FORENSIC KIT FROM THE MICHIGAN STATE POLICE**

CPS09/04-22

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize Sheriff's Office to accept a field forensic kit from the Michigan State Police.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-189 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE MARINE SAFETY GRANT**

CPS09/04-23

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize the Sheriff's Office to accept the Marine Safety Grant for marine patrol operations in the amount of \$99,918 for January 1, 2009, to December 31, 2009 and amend the budget accordingly.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-190 **AUTHORIZE THE SHERIFF'S OFFICE TO FILL THEIR SEASONAL MARINE OFFICER POSITIONS**

CPS09/04-24

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize the Sheriff's Office to fill their seasonal marine officer positions by rehiring: Christopher Bush, Step 3; Bradley Harris, Step 2; James White, Step 2; and recruiting for the remaining positions.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-191 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE PALM LIVE SCAN GRANT FROM THE MICHIGAN DEPARTMENT OF STATE POLICE-CRIMINAL JUSTICE INFORMATION CENTER**

CPS09/04-25

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize the Sheriff's Office to accept the palm Live Scan Grant from the Michigan Department of State Police-Criminal Justice Information Center for \$16,000.00 and amend the budget accordingly.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-192 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE FROM IDENTIX, INC., A PALM PRINT LIVE SCAN CAPTURE DEVICE**

CPS09/04-26

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to grant permission to the Sheriff's Office to purchase from Identix, Inc., a palm print Live Scan capture device for \$15,020.00.

(Continued)

2009-192 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE FROM IDENTIX, INC., A PALM PRINT LIVE SCAN CAPTURE DEVICE**

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-193 **AUTHORIZE FACILITIES MANAGEMENT TO PURCHASE SECURITY ITEMS FOR THE MECHANIC BUILDING**

CPS09/04-27

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to authorize Facilities Management to purchase security items for the mechanic building: Fire/security system, card access, bars for the windows, and paint for approximately \$15,425.00 to be paid from the Public Improvement Fund.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-194 **WAIVE THE HIRING FREEZE AND ALLOW COMMUNITY CORRECTIONS TO FILL INMATE PROGRAM COORDINATOR AND THE SUBSEQUENT POSITION THAT WILL BECOME VACANT WHEN FILLING THE INMATE PROGRAM COORDINATOR**

CPS09/04-28

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Nash, to waive the hiring freeze and allow Community Corrections to fill Inmate Program Coordinator, budget position #N40501 and the subsequent position that will become vacant when filling the Inmate Program Coordinator.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-195 **RECESS FOR FIVE MINUTES**

Moved by Buzzell, seconded by Snider, to recess for five minutes.

Motion Carried

Recessed at 3:53 p.m.

Reconvened at 3:58 p.m.

2009-196 **AMEND THE COMMUNITY MENTAL HEALTH FY2009 BUDGET PROPOSED TO THE COUNTY OF MUSKEGON**

HR09/04-31

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to amend the Community Mental Health FY2009 Budget proposed to the County of Muskegon from \$75,677,852 up to \$77,045,368 for revenues and from \$75,844,258 up to \$76,984,004 for expenditures, to approve CMH personnel position changes listed on the CMH Budget Amendment and approve use of Adult Benefit Waiver Fund balance and/or the Internal Service Fund to cover any revenue shortfalls.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-197 **AUTHORIZE COMMUNITY MENTAL HEALTH TO PURCHASE AN ADDITIONAL 50 AVATAR USER LICENSES FROM NETSMART**

HR09/04-32

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health to purchase an additional 50 AVATAR user licenses from Netsmart for the CMH client data system and to pay the additional annual support fees, for a total cost not to exceed \$44,400.00.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-198 **AUTHORIZE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN
A CONTRACT WITH MARY BETH REIMER FOR THE PROVISION OF
REFLECTIVE SUPERVISION**

HR09/04-33

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health (CMH) Director to sign a contract with Mary Beth Reimer for the provision of Reflective Supervision for CMH staff working toward their Michigan Association for Infant Mental Health Level II Endorsement, at the rate of \$125.00 per hour plus mileage, effective March 16, 2009 through September 30, 2009, not to exceed \$8,000 for the contract period.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-199 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR
TO SIGN A CONTRACT WITH TURNING LEAF RESIDENTIAL
REHABILITATION SERVICES, INC., FOR THE PROVISION OF
SPECIALIZED RESIDENTIAL SERVICES AT THE NORTHRIDGE HOME**

HR09/04-35

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Services Director to sign a contract with Turning Leaf Residential Rehabilitation Services, Inc., for the provision of Specialized Residential Services at the Northridge Home at a rate of \$164.15 per diem and enhanced staffing (H2015) at a rate of \$3.47 per 15 minutes, effective October 1, 2010 through September 30, 2011 with an annual cap not to exceed \$420,500.00.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

Commissioner Buzzell noted item HR09/04-30 was removed from agenda at Committee:

HR09/04 - 30

To amend the following Muskegon County Board Rules:

1. Definitions Section, Rule 1, Sessions and Meetings, Section 1, Definitions
2. Rule 1, Sessions and Meetings, Section 10, Notice of Meetings
3. Rule II, Board Officers, Section 1, Chairperson
4. Rule III, Quorum, Section 1, Definition
5. Rule IV, Order of Business, Section 1, Agenda Format
6. Rule V, Manner of Voting and Majority Required, Section 1, Roll Call Vote
7. Rule XV, Committees, Section 1, Standing Committees, Subsection A
8. Rule XVI, Departments, Section 3, Emergency Services
9. Rule XVI, Departments, Section 4, Departments
10. Rule XVI, Departments, Section 6, Discipline and Removal, New Language
11. Rule XX, County Administrator, Section 2, Residence Requirements
12. Rule XX, County Administrator, Section 3, Powers and Duties, Subsection B
13. Rule XX, County Administrator, Section 3, Powers and Duties, Section 2, Discipline and Removal
14. Rule XXI, Corporate Counsel, Section 2, Residence Requirements

2009-200 **RETURN ITEM HR09/04-34 BACK TO CMH BOARD FOR FURTHER DISCUSSION**

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to return item HR09/04-34:

“To authorize the Community Mental Health Director to sign a contract with Carol Hopma (dba Support Services, P.O. Box 5057, North Muskegon, MI 49445) to provide Guardianship Services from April 1, 2009 through September 30, 2009, at a rate of \$47.00 per authorized consumer per month.”

back to the Community Mental Health Board for further discussion.

Motion Carried

2009-201 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 11 - 27, 2009**

WM09/04-37

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$3,471,780.31 covering the period of March 11, 2009 through March 27, 2009, as presented by the County Clerk.

(Continued)

2009-201 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 11 - 27, 2009**

Roll Call

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

Nays: Gill

Excused: Wade

Motion Carried

2009-202 **APPOINT BONNIE HAMMERSLEY AS THE COUNTY GRANT ADMINISTRATOR FOR THE STATE SURVEY AND REMONUMENTATION GRANT RETROACTIVE BACK TO MARCH 30, 2009**

WM09/04-38

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to appoint Bonnie Hammersley as the County Grant Administrator for the State Survey and Remonumentation Grant retroactive back to March 30, 2009.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-203 **ACCEPT THE 2009 SURVEY AND REMONUMENTATION GRANT OFFER**

WM09/04-39

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the 2009 Survey and Remonumentation Grant Offer and authorize the County Administrator to sign the agreement and return it to the State of Michigan.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-204 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION SERVICES CONTRACT PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE CITY OF NORTON SHORES**

WM09/04-40

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the City of Norton Shores 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: Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Collins, Derezinski

Nays: Gill

Excused: Wade

Motion Carried

2009-205 **ACCEPT A PROPOSAL FROM US BANK FOR HANDLING ALL COUNTY AND BUILDING AUTHORITY BOND ISSUES AS OUR PAYING AGENT**

WM09/04-41

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept a proposal from US Bank for handling all County and Building Authority bond issues as our paying agent and to pay the same fixed rate per issue each year and to request the County Treasurer sign the agreement.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-206 **ADOPT A RESOLUTION THAT OPPOSES THE 50% STATE BUDGET REDUCTION FOR MSU EXTENSION AND THE MICHIGAN AGRICULTURE EXPERIMENT STATIONS**

WM09/04-42

to adopt a resolution that opposes the 50% state budget reduction for MSU Extension and the Michigan Agriculture Experiment Stations.

(Continued)

2009-206 **ADOPT A RESOLUTION THAT OPPOSES THE 50% STATE BUDGET REDUCTION FOR MSU EXTENSION AND THE MICHIGAN AGRICULTURE EXPERIMENT STATIONS**

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-207 **APPROVE THE SUBMISSION OF A GRANT FOR FUNDING UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

WM09/04-43

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the submission of a grant for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$29,872.00 to purchase tasers, guns, holsters and a digital evidence scanner.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

2009-208 **AUTHORIZE A RESOLUTION IN RECOGNITION OF THE WESTERN MICHIGAN CHRISTIAN WARRIORS CLASS D 2009 STATE BASKETBALL CHAMPIONSHIP**

WM09/04-44

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize a Resolution in Recognition of the Western Michigan Christian Warriors Class D 2009 State Basketball Championship.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney thanked the County Clerk and the Chairman of the Jury Commissioner for their reports.

Commissioner Scolnik reminded Commissioners of letter from John McGary regarding tour of the County Museum.

Commissioner Engle noted the Road Commission meets at 10:00 a.m. on Wednesday, April 15, 2009.

Chairman Mahoney further noted that the MAC Legislative Updates of March 27 and April 3, 2009, were included in agenda packets.

2009-209 **APPROVE THE RECOMMENDED APPOINTMENTS TO THE SOLID WASTE PLANNING COMMITTEE**

The Chairman recommends, moved by Engle, seconded by Derezinski, to approve the following appointments to the Solid Waste Planning Committee for the term of 1/1/09 - 12/31/10:

- | | |
|---------------------------------|--|
| Gerald Wing (Public) | Russ Jones (Solid Waste Management) |
| Harold Drake (Public) | Scott David (Solid Waste Management) |
| Alan Jager (Public) | Louie Fincher (Solid Waste Management) |
| Jill Montgomery (Environmental) | Steve Bolhuis (Solid Waste Management) |
| Vicki Webster (Environmental) | Erin Kuhn (Planning) |
| Doug Wood (Industrial) | |

Motion Carried

ADMINISTRATOR'S REPORT

2009-210 **AUTHORIZE PROSECUTOR TO APPLY FOR FY2010 VOCA GRANT**

The Administrator recommends, moved by Gill, seconded by Engle, to authorize the Prosecutor to apply for the Fiscal Year 2010 VOCA (Victims of Crime Act) grant from the Michigan Department of Community Health, for the purpose of continuing funding for the Domestic Violence Specialist, in the amount of \$73,014 with a local match contribution of volunteer hours resulting in no impact on the General Fund, and for the Chairman of the Board to affix his signature to the certification page.

Motion Carried

2009-211 **ALLOW COUNTY OF MUSKEGON TO BE FISCAL AGENT FOR THE JAG
FORMULA GRANT & AUTHORIZE PUBLIC HEARING ON APRIL 28, 2009**

The Administrator recommends, moved by Derezinski, seconded by Snider, to allow the County of Muskegon to be the fiscal agent for the JAG formula grant (CFDA #16.804) and to hold a public hearing on April 28, 2009 to obtain public comments on the uses of the funds.

Roll Call

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

Nays: None

Excused: Wade

Motion Carried

Old Business

Commissioner Scolnik requested a letter be sent to Senator Gerald VanWoerkom, State House Representatives Mary Valentine and Doug Bennett requesting a tribute from both the Senate and House in recognition of Muskegon County's 150th Anniversary.

Commissioner Scolnik noted receiving phone calls from constituents regarding late fees from Vector Control. Other Commissioners reported getting calls, letters and/or e-mails regarding this issue. It was noted this issue is being reviewed. Commissioner Gill noted the information was posted on the calendar. Commissioner Nash noted the rates were set and would have an impact on the budget

New Business

2009-212 **ACCEPT A RESOLUTION ACCEPTING MAY 3 - 6 , 2009, AS COUNTY
GOVERNMENT WEEK - GREENING OUR FUTURE**

Moved by Nash, seconded by Gill, to accept a resolution accepting May 3 - 6 , 2009, as County Government Week with a theme of Greening our Future.

Motion Carried

2009-213 **ACCEPT A RESOLUTION IN SUPPORT RESTORING STATE REVENUE
SHARING FOR ALL MICHIGAN 83 COUNTIES**

Moved by Nash, seconded by Gill, to accept a resolution in support of the State of Michigan to fulfill its obligations and promises and fully and unconditionally restore State revenue sharing for all Michigan 83 Counties and that copies of this resolution be forwarded to Governor Granholm, our State Senator, State Representatives and the Michigan Association of Counties.

Motion Carried

2009-214 **RESOLUTION SUPPORTING ADEQUATE STATE FUNDING TO HOLD COUNTIES HARMLESS FROM THE DEPARTMENT OF HUMAN SERVICES LAWSUIT SETTLEMENT AGREEMENT**

Moved by Nash, seconded by Gill, for a resolution supporting adequate State funding to hold Counties harmless from the Department of Human Services Lawsuit Settlement Agreement and that copies of this resolution be forwarded to Governor Granholm, our State Legislators, our State Representatives and the Michigan Association of Counties.

Motion Carried

Public Participation

Morning Bear addressed the Board regarding the poor handling of a public health grant that has been administered by Jill Montgomery. Ms. Bear noted many attempts to communicate with Ken Krause, Director/Health Officer for Muskegon County Public Health about this problem have received no response. Ms. Bear noted Kathy Moore has been very helpful and supportive in the neighborhood.

Chairman Mahoney and Administrator Hammersley noted they would be checking into this and getting back with Ms. Bear.

Brian Chapman addressed the Board, welcoming new Count Administrator Hammersley. Mr. Chapman presented Board members with a copy of a proposed contract regarding his involvement with the Sesquicentennial Celebration asking, if they were him, would they agree to the terms. Commissioner Scolnik suggested a meeting to resolve this issue.

2009-215 **GO INTO CLOSED SESSION RE: PENDING LITIGATION**

Moved by Engle, seconded by Collins, go into Closed Session re: Pending Litigation.

Roll Call

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

Nays: Gill

Excused: Wade

Motion Carried

Audience dismissed and the Full Board went into Closed Session at 4:32 p.m.

Returned to Open Session at 4:43 p.m.

2009-216 **AUTHORIZE CORPORATE COUNSEL TO PROCEED WITH THE
PROPOSED SETTLEMENT AGREEMENT**

Moved by Derezinski, seconded by Collins to authorize Corporate Counsel to proceed with the proposed settlement agreement.

Roll Call

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

Nays: Gill, Nash

Excused: Wade

Motion Carried

Discussion ensued regarding the cost of fighting a case vs. settling.

2009-217 **ADJOURN**

Moved by Derezinski, seconded by Buzzell to adjourn.

Motion Carried

Meeting adjourned at 4:48 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

April 28, 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 Commissioner Snider followed by the pledge of Allegiance recited in unison.

Roll Call

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

Excused: McMurray

Absent: None

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

2009-217 **APPROVE AGENDA**

Moved by Derezinski, seconded by Nash, to approve the Agenda adding approval of Closed Session Minutes of April 14, 2009, as Item 6. B. and to remove Item 12. B. "Adoption of Muskegon County Taxicab Ordinance" for the purposes of clarifying language.

Motion Carried

2009-218 **OPEN PUBLIC HEARING**

Moved by Snider, seconded by Buzzell, to open the Public Hearing regarding -County of Muskegon to Act as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Formula Grant (CFDA #16.804)

Motion Carried

2009-219 **CLOSE PUBLIC HEARING**

There being no comment regarding -County of Muskegon to Act as Fiscal Agent for the Edward Byrne Memorial Justice Assistance Formula Grant (CFDA #16.804), moved by Engle, seconded by Nash, to close the Public Hearing.

Motion Carried

2009-220 **PRESENTATIONS**

- A. Chairman Mahoney presented Chief District Court Judge Wierengo with a Resolution in recognition of the Drug Court Program. Judge Wierengo recognized contributions of Ron Malone - Chief Probation Officer, Mark Atman - West Michigan Therapy, Brandon Kantola - District Court Probation and Greg Jousma - Case Coordinator. Judge Wierengo invited all to the Sobriety Court Graduation to be held May 21, 2009 at 2:00 p.m.
- B. Muskegon County Museum Executive Director, John McGarry, addressed the Board noting the County Museum was formed over 70 years ago to preserve the area heritage and provide education. Recent research showed that the museum wasn't recognized for what they do and confusion with their sister Art Museum. Mr. McGarry noted it will be announced at a press conference at 10:00 a.m. on Wednesday, April 29, 2009, that they will now be known as Lakeshore Museum Center.

2009-221 **COMMUNICATIONS**

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

- A. Lenawee County - Opposition to Senate Joint Resolution H
- B. Oceana County Resolution Requesting Legislature to Implement a Plan to Improve Michigan Roads and Highways

Motion Carried

2009-222 **APPROVE THE MINUTES OF THE FULL BOARD AND THE CLOSED SESSION MEETINGS OF APRIL 14, 2009**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board and the Closed Session meetings of April 14, 2009 with one correction made, "to remove the word "Interim" from reference to County Administrator in the Roll Call, Also Present section".

Motion Carried

2009-223 **AUTHORIZE CORPORATE COUNSEL TO EXECUTE THE CONSENT IN
CASE NO. 09-46493-CH**

CD/SP09/04-12

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize Corporate Counsel to execute the Consent in the case of Trinity Health-Michigan, a Michigan non-profit corporation, d/b/a Mercy General Hospital vs. the City of Muskegon, et al, Case No. 09-46493-CH.

Roll Call

Ayes: Collins, Derezhinski, Engle, Mahoney, Nash, Scolnik, Snider, Wade, Buzzell

Nays: Gill

Excused: McMurray

Motion Carried

2009-224 **AUTHORIZE THE PUBLIC WORKS/PARKS DEPARTMENT TO
REAPPOINT RODNEY COOK AS A SEASONAL RANGER AT MEINERT
PARK**

CD/SP09/04-13

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize the Public Works/Parks Department to reappoint Rodney Cook as a seasonal ranger at Meinert Park at pay Step 3 with the remaining positions to be filled by recruitment.

Roll Call

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

Nays: None

Excused: McMurray

Motion Carried

2009-225 **APPROVE THE SUBMISSION OF A GRANT APPLICATION FOR
FUNDING UNDER THE SECOND CHANGE ACT OF 2007**

CD/SP09/04-14

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve the submission of a grant application for funding under the Second Change Act of 2007 to develop and implement a community re-entry program for individuals released from the County jail.

(Continued)

2009-225 **APPROVE THE SUBMISSION OF A GRANT APPLICATION FOR FUNDING UNDER THE SECOND CHANGE ACT OF 2007**

Roll Call

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

Nays: None

Excused: McMurray

Motion Carried

2009-226 **SUPPORT THE APPLICATION BY THE MUSKEGON COUNTY LAND BANK AUTHORITY TO THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY FOR FUNDING UNDER THE NEIGHBORHOOD STABILIZATION PROGRAM**

CD/SP09/04-15

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to support the application by the Muskegon County Land Bank Authority to the Michigan State Housing Development Authority for funding under the Neighborhood Stabilization Program not to exceed \$350,000.

Roll Call

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

Nays: None

Excused: McMurray

Motion Carried

Chairman of the Transportation Committee, Commissioner Gill, noted there were no action items presented at the Transportation Committee meeting on April 16, 2009.

2009-227 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$11,990,502.93 COVERING THE PERIOD OF MARCH 28, 2009 THROUGH APRIL 14, 2009**

WM09/04-45

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$11,990,502.93 covering the period of March 28, 2009 through April 14, 2009, as presented by the County Clerk.

(Continued)

2009-227 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$11,990,502.93 COVERING THE PERIOD OF MARCH 28, 2009 THROUGH APRIL 14, 2009**

Roll Call

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

Nays: Gill

Excused: McMurray

Motion Carried

Explanation of Vote

Commissioner Gill requested the County Clerk to provide an itemized copy of the Corporate Counsel fees for the settlement agreement approved in April 14, 2009, Board Minutes.

2009-228 **APPROVE THE SUBMISSION OF A GRANT APPLICATION FOR FUNDING UNDER THE UNITED STATES DEPARTMENT OF JUSTICE FOR FUNDING UNDER THE RECOVERY ACT: BYRNE MEMORIAL COMPETITIVE GRANT PROGRAM**

WM09/04-46

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the submission of a grant application for funding under the United States Department of Justice for funding under the Recovery Act: Byrne Memorial Competitive Grant Program (CFDA 16.808) to enhance the services and treatment for Sobriety Court and continue the screening, assessment and jail diversion services.

Roll Call

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

Nays: None

Excused: McMurray

Motion Carried

2009-229 **APPROVE THE RESOLUTION ESTABLISHING THE 2009 EQUALIZED VALUATION FOR MUSKEGON COUNTY**

WM09/04-47

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the resolution establishing the 2009 equalized valuation for Muskegon County as determined and submitted by the Muskegon County Equalization Department.

(Continued)

2009-229 **APPROVE THE RESOLUTION ESTABLISHING THE 2009 EQUALIZED VALUATION FOR MUSKEGON COUNTY**

Roll Call

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

Nays: Gill

Excused: McMurray

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Scolnik commented on his attendance at the DHS and Brookhaven Board meetings, noting Brookhaven is doing well with occupancy up.

Commissioner Snider reported Community Corrections Advisory Board will be submitting information necessary for a request for funding from the State before the end of May.

Commissioner Derezinski noted Veteran's Board is working on a celebration of their 75th Anniversary and re-dedication of Michigan's most beautiful mile, Memorial Park, on November 8, 2009.

Chairman Mahoney reminded everyone to watch the calendar as it promises to be a great summer in Muskegon County.

Chairman Mahoney noted the MAC Legislative Updates of April 10, and April 17, 2009, were included in agenda packets.

2009-230 **SOLID WASTE PLANNING COMMITTEE APPOINTMENT**

The Chairman recommends, moved by Engle, seconded by Derezinski, to appoint Brian Werschem (Township), to the Solid Waste Planning Committee (term 1/1/09 - 12/31/10).

Motion Carried

ADMINISTRATOR'S REPORT

2009-231 **ACCEPT BID FROM HATFIELD SPRAYING SERVICE FOR GYPSY MOTH SUPPRESSION**

The Administrator recommends, moved by Derezinski, seconded by Snider, to accept the bid from Hatfield Spraying Service of \$32.50 per acre for Gypsy Moth Suppression (RFB-09-1641) with a total estimated cost of \$78,552.50 based on spraying 2417 acres and to accept the proposed \$10.00 per acre surcharge if the total area to be sprayed falls below 1500 acres, noting that all costs of spraying and postage will be paid by the participating local units.

John Warner noted the dollar amount is an estimate based on \$32.50 per acre. Chairman Mahoney noted the Municipalities, not the County, will be covering these costs.

Motion Carried

Item 12. B. "Adoption of Muskegon County Taxicab Ordinance" was removed from the agenda.

2009-232 **APPROVE THE REQUEST FOR AIRPORT TO SOLICIT BIDS FOR AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLE**

The Administrator recommends, moved by Gill, seconded by Buzzell, to approve the request for the Airport to solicit bids for an Aircraft Rescue and Fire Fighting (ARFF) vehicle.

Administrator Bonnie B. Hammersley, noted the bid is required to apply for federal funds which application is due June 1, 2009.

Motion Carried

Old Business

Commissioner Derezinski went on record to state his position that the County Board should not take a position or spend money on the issue of County Prosecutor Tague's case against Commissioner Charles Nash.

New Business

None.

Public Participation

Yvonne Wilson, representing the Shoreline Victorian Ladies Society regarding the Victorian Celebration to be held Saturday, June 20, 2009. Ms. Wilson noted the Shoreline Victorian Ladies Society would like to be a part of the County's Birthday Party in the cake cutting celebration on the same date. Chairman Mahoney noted the number of the President of the Society would be forwarded to Commissioners Wade and Scolnik to follow-up.

Brian Chapman addressed the Board regarding compensation for his work on the Muskegon County Sesquicentennial.

2009-233 **ADJOURN**

Moved by Snider, seconded by Buzzell, to adjourn.

Motion Carried

Meeting adjourned at 4:21 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

May 12, 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, Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Absent: None

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

2009-234 **APPROVE AGENDA**

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

Motion Carried

2009-235 **APPROVE THE MINUTES OF THE FULL BOARD OF APRIL 28, 2009**

Moved by Engle, seconded by Wade, to approve minutes of the Full Board of April 28, 2009.

Motion Carried

2009-236 **COMMUNICATIONS**

Moved by Engle, seconded by Collins, to receive and place on file the Communication from Huron County Resolution NO. 09-69C.

Motion Carried

2009-237 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT FAMILY
DIVISION TO FILL THE VACANT ACCOUNT CLERK II POSITION**

CPS09/05-29

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to waive the hiring freeze and allow the Circuit Court, Family Division to fill the vacant Account Clerk II position, #G02014.

Roll Call

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

Nays: None

Motion Carried

2009-238 **AUTHORIZE THE PROSECUTOR TO APPLY FOR THE FY 2010 CRIME
VICTIMS RIGHTS GRANT**

CPS09/05-30

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Prosecutor to apply for the FY 2010 Crime Victims Rights grant from the Michigan Department of Community Health, for the purpose of continuing funding for the Crime Victims Rights Unit of the Prosecutor's Office, in the amount of \$160,577.

Roll Call

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

Nays: None

Motion Carried

2009-239 **GRANT PERMISSION FOR THE SHERIFF'S OFFICE TO DO AN RFP FOR
INMATE HEALTH CARE AND PHARMACY SERVICES**

CPS09/05-31

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission for the Sheriff's Office to do an RFP for inmate health care and pharmacy services.

Roll Call

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

Nays: None

Motion Carried

2009-240 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE MARINE SAFETY GRANT FOR EQUIPMENT**

CPS09/05-32

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Sheriff's Office to accept the Marine Safety Grant for equipment in the amount of \$7,000 for January 1, 2009 to September 30, 2009 and amend the budget accordingly.

Roll Call

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

Nays: None

Motion Carried

2009-241 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE A 2006 PWC**

CPS09/05-33

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission to the Sheriff's Office to purchase a 2006 PWC from Harbor Sports for \$7,002.00.

Roll Call

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

Nays: None

Motion Carried

2009-242 **AMEND THE FOLLOWING MUSKEGON COUNTY BOARD RULES**

HR09/05 - 36

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to amend the following Muskegon County Board Rules:

1. Definitions Section, Rule 1, Sessions and Meetings, Section 1, Definitions
2. Rule 1, Sessions and Meetings, Section 10, Notice of Meetings
3. ~~Rule II, Board Officers, Section 1, Chairperson~~
4. Rule III, Quorum, Section 1, Definition
5. Rule IV, Order of Business, Section 1, Agenda Format
6. Rule V, Manner of Voting and Majority Required, Section 1, Roll Call Vote
7. Rule XV, Committees, Section 1, Standing Committees, Subsection A
8. Rule XVI, Departments, Section 3, Emergency Services
9. Rule XVI, Departments, Section 4, Departments

(Continued)

2009-242 **AMEND THE FOLLOWING MUSKEGON COUNTY BOARD RULES**

10. Rule XVI, Departments, Section 6, Discipline and Removal, New Language
11. Rule XX, County Administrator, Section 2, Residence Requirements
12. Rule XX, County Administrator, Section 3, Powers and Duties, Subsection B
13. Rule XX, County Administrator, Section 3, Powers and Duties, Section 2, Discipline and Removal
14. Rule XXI, Corporate Counsel, Section 2, Residence Requirements

Roll Call

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

Nays: Gill, Nash

Motion Carried

2009-243 **DELETE THE PROPOSED CHANGE TO THE MUSKEGON COUNTY BOARD RULE II**

HR09/05 - 36a

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to delete the Proposed Change to the Muskegon County Board Rule II, Board of Officers, Section 1, Chairperson.

Roll Call

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

Nays: Gill, McMurray, Nash

Motion Carried

2009-244 **REVISE THE PROPOSED CHANGE TO THE MUSKEGON COUNTY BOARD RULE XV, COMMITTEES, SECTION 1**

HR09/05 - 36b

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to revise the Proposed Change to the Muskegon County Board Rule XV, Committees, Section 1, Standing Committees, Subsection A to read: The Chairperson of the County Board of Commissioners shall, by the first regularly scheduled Full Board meeting following the Organizational Meeting of the Board, designate the regular committees of the Board, their composition, and designate the chairperson and vice chairperson as a membership of each committee for the ensuing year. Such appointments are subject to the approval of the majority of the commission.

(Continued)

2009-244 **REVISE THE PROPOSED CHANGE TO THE MUSKEGON COUNTY BOARD RULE XV, COMMITTEES, SECTION 1**

Roll Call

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

Nays: Gill, Nash

Motion Carried

2009-245 **APPROVE THE CONTINUATION OF THE FY 2007/2008 CONTRACT FOR COMMUNITY LIVING SUPPORTS WITH HERITAGE HOMES, INC.**

HR09/05 - 37

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to approve the continuation of the FY 2007/2008 contract for Community Living Supports with Heritage Homes, Inc., through June 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-246 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO AMEND THE CURRENT CONTRACT WITH HGA SUPPORT SERVICES TO INCLUDE THE PROVISION OF HOME AND COMMUNITY ACTIVITY PROGRAMMING AT THE LILAC STREET HOME**

HR09/05 - 38

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Community Mental Health Director to amend the current contract with HGA Support Services to include the provision of Home and Community Activity programming at the Lilac Street home at a cost of \$23.21 per consumer per day, with a cap of \$17,000 for the fiscal year.

Roll Call

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

Nays: None

Motion Carried

2009-247 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH MOKA CORPORATION FOR PLACEMENT SERVICES AND OPERATION OF SPECIALIZED RESIDENTIAL SERVICES**

HR09/05 - 39

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Community Mental Health Director to sign a contract with MOKA Corporation for placement services and operation of specialized residential services for the period of October 1, 2009 through September 30, 2010. MOKA will operate two homes; the first for four people at a per diem rate of \$479.56 for each individual for the period of October 1, 2009 through September 30, 2010, and the second home for four people at a per diem rate of \$751.74 for each individual for the period October 1 through March 31, 2010, decreasing to a per diem of \$513.90 for the period of April 1, 2009 through September 30, 2010.

Roll Call

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

Nays: None

Motion Carried

2009-248 **APPROVE AMENDMENT NO. 2 OF THE FY08/09 CPBC AGREEMENT**

HR09/05 - 40

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to approve Amendment No. 2 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: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Buzzell, Collins

Nays: None

Motion Carried

2009-249 **ALLOW PUBLIC HEALTH TO ESTABLISH A NEW SEASONAL HEALTH EDUCATOR POSITION**

HR09/05 - 41

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to allow Public Health to establish a new Seasonal Health Educator position, job classification to be determined by Human Resources, at a pay rate of \$16/hr; further move to delete one vacant Public Health Educator Full Time position (position N57005).

(Continued)

2009-249 **ALLOW PUBLIC HEALTH TO ESTABLISH A NEW SEASONAL HEALTH
EDUCATOR POSITION**

Roll Call

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

Nays: None

Motion Carried

2009-250 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY09
BUDGET**

HR09/05 - 42

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to authorize the Public Health Department to amend its FY09 budget (revenue and expenditures) from \$6,819,780 to \$6,715,313 to include grant funding changes, program line item adjustments, and staff/funding transfers with no change in the general fund appropriation.

Roll Call

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

Nays: None

Motion Carried

2009-251 **ACCEPT THE PROPOSED RECOMMENDATIONS TO THE VECTOR
CONTROL LATE LICENSE FEE CHANGES**

HR/09/05 - 43

The Human Resources Committee recommends, moved by Buzzell, seconded by Snider, to accept the proposed recommendations to the Vector Control late license fee changes to include a penalty fee of \$35, plus regular license fee, for licenses purchased between March 2 and April 30; and total license fee of \$125 for licenses purchased May 1 through November 30.

Roll Call

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

Nays: Nash

Motion Carried

2009-252 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF APRIL 15, 2009 THROUGH MAY 1, 2009**

WM09/05-48

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$3,468,762.13 covering the period of April 15, 2009 through May 1, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-253 **APPROVE THE FY2009 TRUTH-IN-TAXATION HEARING SCHEDULE**

WM09/05-49

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the FY2009 Truth-in-Taxation Hearing Schedule.

Roll Call

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

Nays: None

Motion Carried

2009-254 **CONTINUE COLLECTION OF THE LOCAL 9-1-1 SURCHARGE AT \$0.34 AS APPROVED BY MICHIGAN PUBLIC SERVICE COMMISSION**

WM09/05-50

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to continue collection of the local 9-1-1 surcharge at \$0.34 as approved by Michigan Public Service Commission U-15489 for the time period July 1, 2009 to June 30, 2010, and to provide proper notification of this to the State 9-1-1 Committee.

Roll Call

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

Nays: None

Motion Carried

2009-255 **ACCEPT THE LOW QUOTE FROM VANDERVEN CONSTRUCTION FOR
SIDEWALK AND MAIN ENTRANCE IMPROVEMENTS AT HERITAGE
LANDING**

WM09/05-51

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the low quote from VanderVen Construction of \$21,868 for sidewalk and main entrance improvements at Heritage Landing and to pay for these improvements from the fund balance reserve set aside for such purpose.

Roll Call

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

Nays: Gill, Nash

Motion Carried

2009-256 **APPROVE CHANGE ORDER NO. 01 TO THE MUSKEGON QUALITY
BUILDERS CONTRACT FOR THE TREASURER/EQUALIZATION/
REGISTER OF DEEDS RENOVATION PROJECT**

WM09/05-52

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve Change Order No. 01 to the Muskegon Quality Builders contract for the Treasurer/
Equalization/Register of Deeds renovation project in the amount of \$43,508 for a new contract total of \$523,208.00.

Roll Call

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

Nays: None

Motion Carried

2009-257 **AUTHORIZE STAFF TO ACCEPT THE PROPOSAL FROM KENT
COMMUNICATIONS, INC., FOR THE PICK UP AND PROCESSING OF US
MAIL**

WM09/05-53

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to accept the proposal from Kent Communications, Inc., for the pick up and processing of US mail, and to allow the County to use KCI's discounted postage rates.

Roll Call

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

Nays: None

Motion Carried

2009-258 **APPROVE THE INCREASE IN THE CONTRACT WITH TYSMAN
SNOWPLOWING FOR 2008/2009 PLOWING SERVICES**

WM09/05-54

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the increase in the contract with Tysman Snowplowing for 2008/2009 plowing services by \$20,572 as follows: John Halmond Center - \$6,000; CMH Peck Street - \$2,501; CMH Wesley Roberts - \$2,501; Fairgrounds - \$6,669; and Hazmat Hangar - \$2,901 totaling \$20,572 for a new contract total of \$59,078.00.

Roll Call

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

Nays: Gill

Motion Carried

2009-259 **ALLOW THE JUVENILE DETENTION CENTER PERMISSION TO APPLY
FOR THE 2010 EQUIPMENT ASSISTANCE GRANTS**

WM09/05-55

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to allow the Juvenile Detention Center permission to apply for the 2010 Equipment Assistance Grants for School Food Authorities through the State of Michigan Department of Education.

Roll Call

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

Nays: None

Motion Carried

2009-260 **PROPOSE A RESOLUTION IN SUPPORT OF MUSKEGON BIKE TIME
EVENT**

WM09/05-56

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to propose a Resolution in support of Muskegon Bike Time Event being held July 17 - 19, 2009.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider reported that the PA2 funds check has been received by the County and 50% has been forwarded to the LCC with the understanding that it will be returned within 30 days.

Commissioner Engle reported regarding the Road Commission.

Chairman Mahoney noted the MAC Legislative Update of April 24, 2009, was included in agenda packets.

2009-261 APPROVE PERSONNEL RULES COMMITTEE APPOINTMENTS

The Chairman recommends, moved by Engle, seconded by Derezinski, to approve the following Personnel Rules Committee Appointments: Commissioners Scolnik, Snider, Gill, Buzzell and Collins.

Motion Carried

Full Board Planning Session scheduled for May 26, at 11:00 a.m. re: Budget, long-term strategy, place to be determined.

ADMINISTRATOR'S REPORT

2009-262 AUTHORIZE THE COUNTY CLERK TO PROCEED WITH THE FILE PACKING AND MOVING PROJECT WITH LAKESHORE DOCUMENT SERVICES

The Administrator recommends, moved by Derezinski, seconded by Snider, to authorize the County Clerk to proceed with the file packing and moving project with Lakeshore Document Services at a cost not to exceed \$2,498 with all costs to be paid from the Public Improvement Fund.

Roll Call

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

Nays: None

Motion Carried

Commissioner McMurray asked that the topic of record storage be added to the planning session agenda.

2009-263 **AUTHORIZE THE CHAIRMAN OF THE COUNTY BOARD OF COMMISSIONERS TO ENTER INTO AND SIGN THE ATTACHED INTER LOCAL AGREEMENTS**

The Administrator recommends, moved by Snider, seconded by Nash, to authorize the Chairman of the County Board of Commissioners to enter into and sign the attached Inter Local Agreements between the five jurisdictions and the County for the submission of the JAG grant.

Commissioner McMurray asked that the address for City of Muskegon Heights be corrected to read: 2724 Peck Street.

Roll Call

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

Nays: None

Motion Carried

Old Business

Commissioner Snider met with Judge Ruck, Sheriff Roesler and Prosecutor Tague to consider re-focusing the Criminal Justice Coordinating Council originally intended to provide support for the jail millage. A number of changes are coming from the state that may need to be addressed.

Commissioner Scolnik reviewed a recently distributed memo regarding the sesquicentennial budget.

2009-264 **DONATE \$1000 FROM THE FLOWER FUND TOWARD THE SESQUICENTENNIAL**

Moved by Scolnik, seconded by Snider, to donate \$1000 from the flower fund toward the sesquicentennial.

Discussion ensued regarding the use of flower fund monies. Commissioner Gill expressed his opposition to the flower fund deduction and the contribution in the proposed motion.

Roll Call

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

Nays: Nash, Gill

Motion Carried

Commissioner Scolnik asked Corporate Counsel Williams to review an agreement with Brian Chapman regarding his work on the Sesquicentennial. Mr. Chapman was given the agreement for his signature which, once signed would be presented in a motion.

2009-265 **APPROVAL OF ATTACHED COPYRIGHT AND TRADEMARK LICENSE AGREEMENT AND WORK MADE FOR HIRE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND BRIAN CHAPMAN**

Moved by Scolnik, seconded Collins, for approval of attached copyright and trademark license agreement and work made for hire agreement between the County of Muskegon and Brian Chapman.

2009-266 **SUSPEND THE RULES TO ALLOW PUBLIC COMMENT**

Moved by Engle, seconded by Wade, to suspend the rules to allow public comment.

Motion Carried

Brian Chapman addressed the Board noting he will be signing the agreement and is satisfied and looking forward to the events.

Voice Vote on 2009-265

Motion Carried

New Business

None.

Public Participation

Sheriff Roesler noted this is Law Enforcement week and memorial will take place at 5:30 Wednesday, May 13 on the front lawn of the County Building. All invited.

2009-267 **GO INTO CLOSED SESSION RE: PENDING LITIGATION**

Moved by Derezinski, seconded by Engle, go into Closed Session re: Pending Litigation.

Roll Call

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

Nays: Gill

Motion Carried

Audience dismissed and the Full Board went into Closed Session at 4:08 p.m.

Returned to Open Session at 4:42 p.m.

Meeting adjourned at 4:42 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

**COPYRIGHT AND TRADEMARK LICENSE AGREEMENT
AND WORK MADE FOR HIRE AGREEMENT
BETWEEN THE COUNTY OF MUSKEGON
AND BRIAN CHAPMAN**

This Agreement (hereinafter, "Agreement") is made by and between the **County of Muskegon**, a political subdivision of the State of Michigan (hereinafter, "County"), having its principal place of business at 990 Terrace Street, Muskegon, Michigan 49442, and **Brian Chapman**, who resides at 309 Yuba Street, Muskegon, MI 49442 (hereinafter, "Chapman").

WHEREAS, the County of Muskegon will celebrate its Sesquicentennial in 2009; and

WHEREAS, Brian Chapman has volunteered to market and promote the Muskegon County Sesquicentennial; and

WHEREAS, Brian Chapman's activities are independent from, and not as an agent of, the County of Muskegon; and

WHEREAS, Chapman wishes to obtain a license from the County of Muskegon, so that his use of certain trademarks and copyrighted works of the County of Muskegon do not trigger an infringement lawsuit; and

WHEREAS, the County and Chapman have agreed that Chapman will not have to pay royalties to the County of Muskegon, for the use of its trademarks or copyrighted works; and

WHEREAS this Agreement does not create any employment or agency relationship between Chapman and the County;

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. **OWNERSHIP OF DOCUMENTS, IMAGES, MUSICAL COMPOSITIONS, RECORDINGS, and OTHER CREATIVE WORKS.** This Agreement is a written instrument, signed by County and by Chapman, for purposes of the Copyright Act of the United States and the copyright laws of any other country. County and Chapman agree that the copyright for any and all works of authorship (documents, pictures and graphic images, musical compositions, phonorecords and recordings, or any other creative works), prepared by Chapman under this Agreement, or as part of the marketing of the Muskegon County Sesquicentennial, or as a result of this Agreement, or in the course of performance of this Agreement, in any medium of expression, shall belong exclusively to County. County shall, for purposes of 17 U.S.C. § 201(a) and the copyright laws of any other country, be deemed the sole and exclusive author of any and all such works. If and to the extent necessary, any and all such works shall be deemed works made for hire, prepared for County and belonging exclusively to it. If necessary to secure County's exclusive ownership of any or all such copyrights, Chapman shall perform all actions and execute all documents required to transfer any and all such rights exclusively to County, including each and all of the exclusive rights identified in Section 106 of the Copyright Act.

County shall have the unrestricted authority to publish, disclose, distribute, otherwise use in whole or in part, or to prepare derivative works based on, any reports, data, documents or other

works or materials prepared under this Agreement.

2. **OWNERSHIP OF TRADEMARKS, SERVICE MARKS, LOGOS, SLOGANS.** All logos, slogans, trademarks, and service marks used or coined by Chapman, as depicted in the attached exhibit, for, or in connection with, the marketing of the Muskegon County Sesquicentennial, shall belong exclusively to Chapman. The list and type of work so depicted may be amended by the County of Muskegon.

3. **GRANT OF TRADEMARK LICENSE.** The County of Muskegon hereby grants a temporary, revokable, exclusive, assignable, royalty-free license to Chapman, to use and employ the following trademarks or service marks, on or in connection with any marketing materials for the Muskegon County Sesquicentennial:

A. Any marks or logos depicted in the attached exhibit(s), and no others.

4. **ROYALTIES.** Chapman shall not be required to pay royalties to the County of Muskegon in exchange for use of the County of Muskegon's copyrighted works, trademarks, and service marks, licensed under this Agreement.

5. **NOTICES.** Any notice or consent required or permitted to be given under this Agreement shall be given to the respective parties in writing, by first class mail, postage prepaid, or otherwise delivered as follows:

To County: Theodore N. Williams, Jr.
Muskegon County Corporate Counsel
120 W. Apple Avenue
P.O. Box 599
Muskegon, MI 49443-0599

To Chapman: Brian Chapman
309 Yuba Street
Muskegon, MI 49442

or at such other address or to such other person that the parties may from time-to-time designate. Notices and consents under this section, which are sent by mail, shall be deemed to be received five (5) days following their deposit in the United States mail.

6. **TERM.** Unless the Agreement is earlier renewed or terminated, the license granted in Paragraph 3 of this Agreement shall commence on March 31, 2009, and shall expire on December 31, 2009.

7. **INDEMNIFICATION.** To the fullest extent permitted by law, Chapman shall defend, indemnify, and hold harmless the County, its subsidiaries, departments, divisions, and agencies and their respective officials, officers, directors, employees, and agents from and against any and all liability, litigation, causes of action, and claims, by whomsoever brought or alleged, and regardless of the legal theories upon which based, and from and against all losses, costs, expenses, and fees and expenses of attorneys and expert witnesses resulting therefrom on account of, relating to, or arising out of bodily injury or death of any person, or on account of damage to property, including loss of use thereof, loss of data, or other harm (including, but not limited to, alleged infringement of

copyright, trademark, or other intellectual property) arising or allegedly arising out of or resulting from the marketing activities contemplated by this Agreement. The foregoing indemnity of the County shall include, but is not limited to, claims alleging or involving the negligence of Chapman or Chapman's subcontractors, or the joint negligence of Chapman, Chapman's subcontractors, and/or the County, as well as claims alleging or involving the sole negligence of the County, but shall not extend to liability found by way of final judgment to have resulted from the sole gross negligence of the County.

8. **NONEXCLUSIVE AGREEMENT.** Except insofar as this Agreement expressly provides exclusive rights to Chapman, Chapman understands and agrees that this is not an exclusive Agreement. The limited exclusivity provided in this Agreement shall expire on December 31, 2009.

9. **SECTION HEADINGS.** The headings of the several sections, and any Table of Contents appended hereto, shall be solely for convenience of reference and shall not affect the meaning, construction or effect hereof.

10. **SEVERABILITY.** If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, then such provision or provisions shall be deemed severable from the remaining provisions hereof, and such invalidity, illegality or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

11. **REMEDIES NOT EXCLUSIVE.** No remedy herein conferred upon or reserved to County is intended to be exclusive of any other remedy or remedies, and each and every such remedy, to the extent permitted by law, shall be cumulative and in addition to any other remedy given hereunder or now or hereafter existing at law or in equity or otherwise.

12. **NO WAIVER OF DEFAULT.** No delay or omission of County to exercise any right or power arising upon the occurrence of any event of default shall impair any such right or power or shall be construed to be a waiver of any such default or an acquiescence therein; and every power and remedy given by this Agreement to County shall be exercised from time-to-time and as often as may be deemed expedient in the sole discretion of County.

13. **ENTIRE AGREEMENT AND AMENDMENT.** In conjunction with the matters considered herein, this Agreement contains the entire understanding and agreement of the parties and there have been no promises, representations, agreements, warranties or undertakings by any of the parties, either oral or written, of any character or nature hereafter binding except as set forth herein. This Agreement may be altered, amended or modified only by an instrument in writing, executed by the parties to this Agreement and by no other means. Each party waives their future right to claim, contest or assert that this Agreement was modified, canceled, superceded or changed by any oral agreements, course of conduct, waiver or estoppel.

14. **SUCCESSORS AND ASSIGNS.** All representations, covenants and warranties set forth in the Agreement, by or on behalf of, or for the benefit of any or all of the parties hereto, shall be binding upon and inure to the benefit of such party, its successors and assigns.

15. **CHAPMAN IS NOT A COUNTY EMPLOYEE OR AGENT.** Chapman is not and shall not be an employee, representative, or agent of the County of Muskegon, and shall not hold

himself out as such. Violation of this paragraph shall constitute a material breach of this Agreement, and shall terminate any license provided in this Agreement, immediately.

16. **NO THIRD-PARTY BENEFICIARY.** No person dealing with the County or Chapman shall be, nor shall any of them be deemed to be, third-party beneficiaries of this Agreement.

17. **COMPLIANCE WITH LAW.** Chapman shall, at his sole cost and expense, comply with all local, State, and Federal ordinances, laws, rules, regulations and statutes now in force or which may hereafter be in force with regard to this Agreement. The judgment of any court of competent jurisdiction, or the admission of Chapman in any action or proceeding against Chapman, whether County be a party thereto or not, that Chapman has violated any such ordinance or statute shall be conclusive of that fact as between Chapman and County.

18. **MICHIGAN LAW.** This Agreement shall be governed by the laws of the State of Michigan any by federal copyright and trademark law. Any litigation regarding this Agreement or its contents shall be filed in the County of Muskegon, if in State Court, or in the United States District Court for the Western District of Michigan, if in Federal Court.

19. **TERMS AND CONDITIONS.** The terms and conditions used in this Agreement shall be given their common and ordinary definition and will not be construed against either party.

20. **EXECUTION OF COUNTERPARTS.** This Agreement may be executed in any number of counterparts and each such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the parties shall preserve undestroyed, shall together constitute one and the same instrument.

21. **AUTHORITY.** All parties to this Agreement warrant and represent that they have the power and authority to enter into this Agreement in the names, titles and capacities herein stated and on behalf of any entities, person, or firms represented or purported to be represented by such entity(ies), person(s), or firm(s) and that all formal requirements necessary or required by any State and/or Federal law in order to enter into this Agreement have been fully complied with. Furthermore, by entering into this Agreement, Chapman hereby warrants that it shall not have breached the terms or conditions of any contract or agreement to which Chapman is obligated, which breach would have a material effect there on.

22. **DISPUTE RESOLUTION; ARBITRATION.** If any party fails to fulfill any term of this Agreement, then the aggrieved party shall give the violating party fifteen (15) days written notice, and an opportunity to cure any alleged breach.

If the party accused of a breach shall fail to cure the alleged breach within the fifteen (15) day notice and cure period, then the aggrieved party may initiate an enforcement action by giving notice to arbitrate under the Commercial Arbitration Rules of the American Arbitration Association, before a single-member arbitration panel. Except for the final arbitral award, the arbitration shall be confidential. The substantially prevailing party in any such arbitration shall recover from the substantially losing party, both all of the prevailing party's attorney fees and costs, as well as the entire fee of the arbitrator. The Arbitration Award shall expressly include terms awarding the substantially prevailing party the recovery of the entire arbitrator's fee as well as the prevailing party's attorney fees and costs, from the substantially losing party.

Any claim filed in court based on this Agreement, prior to the entry of an arbitral award, shall be dismissed in favor of the arbitration procedure set forth in the preceding paragraph. Any arbitral award issued pursuant to this Paragraph 22 shall be subject to enforcement in any court of competent jurisdiction. The substantially prevailing party shall be entitled to recover any and all costs and attorney fees incurred in connection with the enforcement of any such arbitral award.

In Witness Whereof, the parties have executed this Agreement to be effective on the date executed by County.

COUNTY OF MUSKEGON

Dated: _____

By: _____
Kenneth Mahoney, Chairperson
County Board of Commissioners

BRIAN CHAPMAN

Dated: _____

By: _____
Brian Chapman

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

May 26, 2009

3:30 P.M.

Chairman Kenneth Mahoney, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Mahoney. Chairman Mahoney invited everyone to pray silently for the invocation. The pledge of Allegiance was recited in unison.

Roll Call

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

Excused: Derezinski

Absent: None

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters, Circuit Court Jury Clerk Ivy Greiner

2009-268 **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda adding 6B. To approve minutes of the Closed Session of May 12, 2009.

Motion Carried

2009-269 **APPROVE THE MINUTES OF THE FULL BOARD AND CLOSED SESSION OF MAY 12, 2009**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board and Closed Session of May 12, 2009.

Motion Carried

2009-270 **COMMUNICATIONS**

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

- A. Calhoun County Resolution No. 79-2009 re: MSU Agriculture Experiment Station Budget Reduction.
- B. Huron County Resolution No. 09-75C re: Senate Joint Resolution H
- C. Lake County Resolution No. 5/13/2009 1193 re: Michigan Energy Fair
- D. Lake County Resolution No. 5/13/2009 1195 re: Road Rage Awareness Week
- E. Ottawa County Resolution re: Revenue Sharing

Motion Carried

2009-271 **AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF AESTHETIC IMPACT, MDEQ REFERENCE NO. NAI-RRD-213-08-004**

CD/SP09/05-16

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize the Chair to sign the Notice of Aesthetic Impact, MDEQ Reference No. NAI-RRD-213-08-004 and that the Corporate Counsel be authorized to record same.

Roll Call

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

Nays: None

Motion Carried

2009-272 **APPROVE THE LICENSE AGREEMENT FOR THE USE OF HERITAGE LANDING BETWEEN THE COUNTY OF MUSKEGON AND MUSKEGON SUMMER CELEBRATION FOR 2009 AND 2010**

CD/SP09/05-17

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve the License Agreement for the Use of Heritage Landing between the County of Muskegon and Muskegon Summer Celebration for 2009 and 2010 and to authorize the Board Chair to sign agreement.

Roll Call

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

Nays: None

Motion Carried

2009-273 **APPROVE A CONTRIBUTION TO THE MUSKEGON HEIGHTS FESTIVAL
IN THE AMOUNT OF \$3,000.00**

CD/SP09/05-18

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve a contribution to the Muskegon Heights Festival in the amount of \$3,000.00 - funding to come from the CVB marketing budget.

Roll Call

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

Nays: None

Motion Carried

2009-274 **APPROVE A CONTRIBUTION OF \$3,000.00 TO THE MISS MICHIGAN
PAGEANT**

CD/SP09/05-19

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve a contribution of \$3,000.00 to the Miss Michigan Pageant to come from the CVB marketing budget.

Roll Call

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

Nays: None

Motion Carried

2009-275 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO OFFER FOR
SALE, TO THE HIGHEST RESPONSIBLE BIDDER, FIVE (5) HEAVY-DUTY
TRANSIT BUSES AND TWO (2) CUTAWAY BUSES**

TR09/05-17

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System and the purchasing department to offer for sale, to the highest responsible bidder, five (5) heavy-duty transit buses and two (2) cutaway buses that have met their useful life.

Roll Call

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

Nays: None

Motion Carried

2009-276 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO ENGAGE LOCAL JURISDICTIONS TO DEVELOP PLANS FOR BUS STOP LOCATIONS AND AMENITIES**

TR09/05-18

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System to engage local jurisdictions to develop plans for bus stop locations and amenities and to work with the purchasing department to issue requests for proposals for bus stop equipment and amenities.

Roll Call

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

Nays: None

Motion Carried

2009-277 **APPROVE PURCHASING DEPARTMENT TO SOLICIT BIDS TO PAINT THE AIRPORT'S RUNWAY AND TAXIWAY SYSTEM**

TR09/05-19

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the Purchasing Department to solicit bids to paint the airport's runway and taxiway system, with the County's 2.5% share of the project not to exceed \$2,500.

Roll Call

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

Nays: None

Motion Carried

2009-278 **APPROVE THE PURCHASING DEPARTMENT TO SOLICIT BIDS TO CRACK SEAL THE AIRPORT'S RUNWAY AND TAXIWAY SYSTEM**

TR09/05-20

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the Purchasing Department to solicit bids to crack seal the Airport's runway and taxiway system, with the County's 2.5% share of the project not to exceed \$1,250.

Roll Call

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

Nays: None

Motion Carried

2009-279 **APPROVE AN AMENDMENT TO THE AIRPORT SERVICE FACILITY LEASE AGREEMENT BETWEEN AVIS RENT-A-CAR SYSTEM, LLC AND THE COUNTY**

TR09/05-21

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an amendment to the Airport Service Facility Lease Agreement between Avis Rent-a-Car System, LLC and the County, extending the Service Facility Lease Agreement to June 30, 2011, and to authorize the Chair to sign the amendment.

Roll Call

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

Nays: None

Motion Carried

2009-280 **APPROVE AN AMENDMENT TO THE AIRPORT SERVICE FACILITY LEASE AGREEMENT BETWEEN ARELCO, INC., D/B/A NATIONAL CARE RENTAL, AND THE COUNTY**

TR09/05-22

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an amendment to the Airport Service Facility Lease Agreement between Arelco, Inc., d/b/a National Car Rental, and the County, extending the Service Facility Lease Agreement to June 30, 2011, and to authorize the Chair to sign the amendment.

Roll Call

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

Nays: None

Motion Carried

2009-281 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 2 - 12, 2009**

WM09/05-57

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve payment of the accounts payable of \$21,240,748.53 covering the period of May 2, 2009 through May 12, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-282 **APPROVE THE INCREASE IN ARCHITECTURAL FEE BY \$4,365.00 FROM \$215,000.00 TO \$219,365.00 FOR THE RENOVATION PROJECT OF THE 1ST AND 2ND FLOOR OF THE HALL OF JUSTICE**

WM09/05-58

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve the increase in architectural fee by \$4,365.00 from \$215,000.00 to \$219,365.00 for the renovation project of the 1st and 2nd floor of the Hall of Justice.

Roll Call

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

Nays: None

Motion Carried

2009-283 **ADOPT THE RESOLUTION SETTING JUNE 9, 2009, AS THE DATE FOR THE TRUTH IN TAXATION PUBLIC HEARING**

WM09/05-59

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to adopt the resolution setting June 9, 2009, as the date for the Truth in Taxation public hearing for the purpose of discussing and receiving testimony regarding the proposed tentative levy of 5.6984 mills for Muskegon County general operating in July 2009, the proposed tentative levy of 0.3221 mills for Lakeshore Museum Center operating in December 2009, the proposed tentative levy of 0.0752 mills for Department of Veterans Affairs operating in December 2009, the proposed tentative levy of 0.3000 mills for Muskegon County Central Dispatch operating in December 2009 and the proposed tentative levy of 0.3000 mills for Quality of Life Bond repayment in December 2009.

Roll Call

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

Nays: None

Motion Carried

2009-284 **AUTHORIZE THE CHAIR TO SIGN THE 2010 TITLE IV-D COOPERATIVE REIMBURSEMENT PROGRAM APPLICATION IN THE AMOUNT OF \$2,039,400**

WM09/05-60

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize the Chair to sign the 2010 Title IV-D Cooperative Reimbursement Program application in the amount of \$2,039,400.

Roll Call

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

Nays: Gill

Motion Carried

2009-285 **WRITE OFF WASTEWATER BAD DEBT IN THE WASTEWATER FUND (5920) OF \$835 FOR STATESIDE DELIVERY, INC.**

WM09/05-61

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to write off Wastewater bad debt in the Wastewater fund (5920) of \$835 for Stateside Delivery, Inc.

Roll Call

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

Nays: Gill

Motion Carried

2009-286 **WAIVE THE HIRING FREEZE AND ALLOW THE DRAIN COMMISSION TO FILL THE OPEN POSITION FOR DRAIN INSPECTOR, POSITION**

WM09/05-62

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to waive the hiring freeze and allow the Drain Commission to fill the open position for Drain Inspector, Position #N28001.

Roll Call

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

Nays: None

Motion Carried

2009-287 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THE VACANT SHIFT SUPERVISOR POSITION**

WM09/05-63

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve the Juvenile Detention Center's request to waive the hiring freeze and fill the vacant Shift Supervisor position, #N46503.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted he and Commissioners Gill and Scolnik have been busy with interviews for the Airport Advisory Board and plan to have recommendations at the next Full Board. It was noted that over 20 candidates applied and all were very good; it will be a tough decisions. A temporary list will be presented to the Board prior to the selection.

Commissioner Wade reported attendance at the West Michigan Shoreline Regional Development Commission meeting in Baldwin where discussion took place regarding stimulus monies.

Commissioner Nash noted a schedule conflict for the most recent Muskegon Area First meeting. However, at the previous meeting, Ed Gardner explained that he had only Commissioner Scolnik and Vice-Chairman Nash on the list to receive meeting reports. If any other Commissioners would like to receive the report via e-mail, they should contact Ed Gardner and he will add them to the list.

Chairman Mahoney noted the MAC Legislative Updates of May 1, 8 and 15, 2009, were included in agenda packets.

ADMINISTRATOR'S REPORT

2009-288 PRESENTATION - DISTINGUISHED BUDGET PRESENTATION AWARD

Muskegon County Administrator, Bonnie H. Hammersley, presented the Distinguished Budget Presentation Award to Budget Staff Members: Beth Dick, Budget Manager; Bruce Schouten, Senior Budget Specialist, Carson Lehigh, Budget Specialist.

Ms. Hammersley noted there are many budgets that are reviewed and the criteria for this award is very tough. What this means is that our budget is presented in a way that not only we can understand but others not living here can understand. Ms. Hammersley noted it has been an honor to work with them on a weekly basis and recognizes that they are a very dedicated staff.

2009-289 APPROVAL TO EXECUTE ARRA AIRPORT SPONSOR CERTIFICATIONS AND APPROVAL OF GRANT OFFER WHEN RECEIVED FROM FAA

The Administrator recommends, moved by Nash, seconded by Engle, to approve the Chairman and Counsel to execute the two attached certifications as attached, and further approve the Chairman and Counsel to execute the Grant Offer when received from the FAA.

Roll Call

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

Nays: None

Motion Carried

2009-290 **APPROVAL OF BOND REFUNDING CONTRACT AND RESOLUTION TO REFUND BUILDING AUTHORITY FOR WALKER ARENA AND FRAUENTHAL BUILDING**

The Administrator recommends, moved by Snider, seconded by Wade, to approve a Bond refunding contract and resolution to issue up to \$8,250,000 in Building Authority bonds to refund the Building Authority 1999 refunded bonds for the Walker Arena and Frauenthal building.

Roll Call

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

Nays: Gill

Motion Carried

Old Business

2009-291 **PRESENTATION - 2009 CLASS D STATE BASKETBALL CHAMPIONS WESTERN MICHIGAN CHRISTIAN HIGH SCHOOL**

Commissioner Scolnik presented a Resolution to Coach Jim Goorman for the 2009 Class D State Basketball Champions Western Michigan Christian High School.

New Business

None.

Public Participation

Michael Johnson addressed the Board regarding a legal battle with Lakeshore Coordinating Council and West Michigan Therapy.

Charles Larson addressed the Board regarding his application for the Airport Advisory Committee and would like to be considered for this in spite of missing his interview time.

2009-292 **ADJOURN**

Moved by Gill, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:14 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

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 23, 2009

3:30 P.M.

Vice-Chairman Charles Nash, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Vice-Chairman Nash.

Roll Call

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

Excused: Mahoney, Scolnik

Absent: None

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

The invocation was given by Commissioner McMurray followed by the pledge of Allegiance recited in unison.

2009-320 **APPROVE THE MINUTES OF THE FULL BOARD OF JUNE 9, 2009 AS AMENDED TO CORRECT ITEM NUMBERS ON PAGES 146 AND 147**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board of June 9, 2009 as amended to correct item numbers on pages 146 and 147.

Motion Carried

2009-321 **APPROVE AGENDA**

Moved by Derezinski, seconded by Wade, to approve the Agenda.

Motion Carried

2009-322 **COMMUNICATIONS**

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

- A. Oscoda County Resolutions
 - 1. Support for Third Option to Fill Vacant Road Commission Seats
 - 2. Supporting Adequate State Funding to Hold Counties Harmless from the Department of Human Services Lawsuit Settlement Agreement
 - 3. To Oppose SJR H Constitutional Amendment
 - 4. Proclaiming July 12-18, 2009 as Road Rage Awareness Week
- B. Oscoda County Ordinance Authorizing and Regulation the Operation of Off-Road Vehicles on Roads within Oscoda County
- C. Charlevoix County Resolution Unfunded Mandate re: DHS Lawsuit Settlement Agreement with Children's Rights

Motion Carried

2009-323 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 30, THROUGH JUNE 9, 2009**

WM09/06-70

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$7,199,723.93 covering the period of May 30, 2009 through June 9, 2009, as presented by the County Clerk.

Roll Call

Ayes: Collins, Derezhinski, Engle, McMurray, Nash, Snider, Wade, Buzzell

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-324 **APPOINT JUDITH KELL AS THE ACTING EMPLOYMENT AND TRAINING MANAGER**

WM09/06-71

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to appoint Judith Kell as the Acting Employment and Training Manager (NX00390) at Step 5 (37.986) until a permanent decision is made regarding the leadership for the Department of Employment and Training.

(Continued)

2009-324 **APPOINT JUDITH KELL AS THE ACTING EMPLOYMENT AND TRAINING
MANAGER**

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-325 **AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO ACCEPT THE
PROPOSAL FOR LIFE, AD&D AND LONG-TERM DISABILITY
INSURANCE, FOR ELIGIBLE EMPLOYEES, WITH CIGNA**

WM09/06-72

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the Human Resources Department to accept the proposal for Life, AD&D and Long-Term Disability insurance, for eligible employees, with CIGNA at a rate of thirteen cents (\$.13) per \$1,000 of covered payroll for Life Insurance, two (\$.02) per \$1,000 of covered payroll for AD&D and twenty-four cents (\$.24) for Long-Term Disability effective July 1, 2009 through June 30, 2011.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-326 **APPOINT DEBORAH GROENEVELD AS EMPLOYER DELEGATE AND
KRISTEN WADE AS EMPLOYER ALTERNATE TO THE 2009 MUNICIPAL
EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

WM09/06-73

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to appoint Deborah Groeneveld as employer delegate and Kristen Wade as employer alternate to the 2009 Municipal Employees Retirement System (MERS) annual meeting and the cost of attending for the employer and employee delegates and alternates be paid from the Risk Management fund.

(Continued)

2009-326 **APPOINT DEBORAH GROENEVELD AS EMPLOYER DELEGATE AND
KRISTEN WADE AS EMPLOYER ALTERNATE TO THE 2009 MUNICIPAL
EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-327 **APPROVE THE SUMMER TAX COLLECTION BOND FROM 07/01/09
THROUGH 03/31/10 WITH HARTFORD INSURANCE COMPANY**

WM09/06-74

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Summer Tax Collection Bond from 07/01/09 through 03/31/10 with Hartford Insurance Company in the amount of \$8,610.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-328 **ACCEPT THE 2009-2010 RENEWAL RATE FROM DELTA DENTAL PLAN
OF MICHIGAN**

WM09/06-75

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the 2009-2010 renewal rate from Delta Dental Plan of Michigan, which is \$58.78 for group 2993-001 effective July 1, 2009.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-329 **APPROVE CHANGE ORDER NO. 2 TO MUSKEGON QUALITY BUILDERS CONTRACT FOR THE TREASURER/EQUALIZATION/REGISTER OF DEEDS RENOVATION PROJECT**

WM09/06-76

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve Change Order No. 2 to Muskegon Quality Builders contract for the Treasurer/Equalization/Register of Deeds renovation project in the amount of \$53,929.00 for a new contract total amount of \$577,137.00.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-330 **CANCEL THE REGULARLY SCHEDULED MEETING OF THE COMMUNITY DEVELOPMENT/STRATEGIC PLANNING MEETING SCHEDULED FOR JUNE 18, 2009**

WM09/06-77

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to cancel the regularly scheduled meeting of the Community Development/Strategic Planning meeting scheduled for June 18, 2009.

Roll Call

Ayes: Collins, Engle, McMurray, Nash, Snider, Wade, Buzzell

Nays: Derezinski, Gill

Excused: Mahoney, Scolnik

Motion Carried

WAYS AND MEANS MOTION FROM FLOOR TABLED

To authorize staff to draft a resolution regarding federal health care reform as proposed by NACO President, Don Stapley.

2009-331 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z11/R2**

TR09/06-23

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Project Authorization 2002-0072/Z11/R2 with the Muskegon Area Transit System, providing for a two-year extension to complete the purchase of bus stop equipment and amenities, and to authorize the Chair to execute the agreement.

(Continued)

2009-331 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z11/R2**

Roll Call

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

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-332 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z15/R1**
TR09/06-24

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Project Authorization 2002-0072/Z15/R1 with the Muskegon Area Transit System, providing for a two-year extension to complete the purchase of bus stop equipment and amenities, and to authorize the Chair to execute the agreement.

Roll Call

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

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-333 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REQUESTING \$915,774 IN A FY2009 FEDERAL OPERATING ASSISTANCE APPLICATION AND \$162,000 IN A FY2009 CMAQ CAPITAL ASSISTANCE APPLICATION**

TR09/06-25

The Transportation Committee recommends, moved by Gill, seconded by Collins, to authorize the Muskegon Area Transit System to publish the public notice requesting \$915,774 in a FY2009 Federal Operating Assistance application and \$162,000 in a FY2009 CMAQ Capital Assistance application and to authorize staff to execute the electronic grant applications if there is no request for public hearing.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-334 **APPROVE CONTRACT MODIFICATION 001 TO CONSTRUCTION CONTRACT 61191-102872 FOR RUNWAY EXTENSION WORK**

TR09/06-26

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve Contract Modification 001, in the amount of \$228,315.28, to construction contract 61191-102872 for runway extension work done at the Airport under the FY2008 Airport Improvement Program, with the County's 2.5% share to be \$5,708.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-335 **APPROVE AMENDMENT NO. 5 TO CONSTRUCTION ENGINEERING CONTRACT BETWEEN THE COUNTY AND PREIN & NEWHOF FOR ENGINEERING SERVICES PROVIDED TO THE AIRPORT**

TR09/06-27

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve Amendment No. 5, in the amount of \$13,500, to construction engineering contract between the County and Prein & Newhof for engineering services provided to the Airport in association with the FY2008 Airport Improvement Program, with the County's 2.5% share to be \$338.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-336 **APPROVE AWARD OF THE BID FOR ACQUISITION OF AN AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLE TO THE LOWER OF TWO BIDS RECEIVED, ROSENBAUER FIREFIGHTING TECH**

TR09/06-28

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve award of the bid for acquisition of an Aircraft Rescue and Fire Fighting (ARFF) vehicle to the lower of two bids received, Rosenbauer Firefighting Tech, in the amount of \$666,570, funded 100% by the American Recovery and Reinvestment Act of 2009.

(Continued)

2009-336 **APPROVE AWARD OF THE BID FOR ACQUISITION OF AN AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLE TO THE LOWER OF TWO BIDS RECEIVED, ROSENBAUER FIREFIGHTING TECH**

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-337 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR09/06-29

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the extension of seven (7) T-Hangar Lease Agreements at Muskegon County Airport expiring in the third quarter of 2009 as follows: Roger Babb, \$190/month; Gary Salerno, \$190/month; Mark Malnor, \$180/month; Jack DeHorn, \$180/month; Rex Vanderlinde, \$180/month; Brad Oostindie, \$180/month; and Barb Veldman, \$160/month.

Roll Call

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

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2009-338 **AIRPORT ADVISORY COMMITTEE APPOINTMENTS**

Vice-Chairman Nash, in the absence of Chairman Mahoney, read recommended appointments to the Airport Advisory Committee as follows:

Airport Business Park Tenants: Rex VanderLinde and John Workman
Public and Private Sector: Michelle Yasenak, Ron Bossett, Paul Billings and William Moulatsiotis

Commissioner Buzzell inquired as to which person was the public appointee. It was noted the list included both public and private appointments. Commissioner Gill reported that the Chair wanted every Community involved and to include someone from each of the seven Cities. Vice-Chairman Nash noted that in addition to those listed today, prior appointments included City of Norton Shores appointment Dick Dolack and Muskegon Area Chamber of Commerce appointment Cindy Larson. Further discussion noted that the bylaws and rules included specific categories and it appears to have changed from what had been previously approved by the Board.

2009-339 **TABLE AIRPORT ADVISORY APPOINTMENTS UNTIL RETURN OF THE CHAIRMAN**

Moved by Derezinski, seconded by Engle, to table Airport Advisory appointments until return of the Chairman.

Roll Call

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

Nays: Gill

Excused: Mahoney, Scolnik,

Motion Carried

Commissioner Snider reported as liaison for the Community Corrections Advisory Board noting the previous meeting was without a quorum. However, it was noted that the 5-11 State funding was filed on time and definitions are being established so all programs will be fully utilized. Also, Commissioner Snider noted that he and Commissioner McMurray attended a Public Hearing on the Remediation Plan for the Division Street outfall into Muskegon Lake. The plan will be subject to public hearing up until July 7th at which time they will start engineering. Commissioner Snider complimented the Department of Public Works for their assistance to utilize 50 acres of 50 thousand tons of material to be dredged.

Commissioner Engle reported regarding the Road Commissioner's meeting and the option of possibly grounding up more roads rather than replacing asphalt.

Commissioner Snider noted Federal Stimulus projects focus on roads, many project listed are in Muskegon County and his copy of the printout is available to others, if they wish to review it.

Commissioner Derezinski inquired, regarding the Road Commission, who has the authority to approve raises for the Road Commissioners. Corporate Counsel, Theodore Williams, indicated he would research the issue and report back to the Board.

Vice-Chairman Nash noted he and County Clerk, Nancy A. Waters, attended the Smart Meeting on June 10th which was held at the Kalamazoo new Juvenile Detention facility. The facility was very impressive. Their collaboration demonstrated how much can be accomplished when departments work together. Tim McQuire gave a MAC update which was not great but said they are still working to find answers.

Commissioner Derezinski inquired regarding the closing of the Correctional Facility and what has been investigated as far as the use by our departments. Administrator Hammersley noted she spoke with the State Management and Budget and will be visiting along with the Sheriff and others to see if there might be ways the County could use that facility. It was suggested that the Parole Department and Tyrone Perry also be included since it may tie in with 5-11 funds from the State.

Vice-Chairman Nash reported for Muskegon Area First, noting three entities have been started, and three entities have closed. It was further noted that more entities are on the horizon.

ADMINISTRATOR'S REPORT

2009-339 **APPROVE APPLICATION BY THE DEPARTMENT OF EMPLOYMENT & TRAINING TO THE DEPARTMENT OF HEALTH & HUMAN SERVICES FOR THE STRENGTHENING COMMUNITIES AND GOVERNMENT CAPACITY BUILDING PROGRAM**

The Administrator recommends, moved by Derezinski, seconded by Engle, to support the application by the Muskegon County Department of Employment and Training to the Department of Health and Human Services for funding not to exceed \$250,000 for strengthening communities and Government Capacity Building program and authorize the Board Chair to sign said application.

Discussion ensued as to the value of requesting a grant for training on how to write grants. It was noted that with retirements, more training will be required.

Roll Call

Ayes: McMurray, Nash, Wade Buzzell, Collins, Derezinski, Engle,

Nays: Gill, Snider

Excused: Mahoney, Scolnik

Motion Carried

2009-340 **APPROVE APPLICATION BY THE LAND BANK AUTHORITY TO THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT FOR THE NEIGHBORHOOD STABILIZATION 2 PROGRAM**

The Administrator recommends, moved by Snider, seconded by Collins, to support the application by the Muskegon County Land Bank Authority to the Department of Housing and Urban Development for funding under the Neighborhood Stabilization 2 Program not to exceed \$1,000,000.

Roll Call

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

Nays: Gill

Excused: Scolnik, Mahoney

Motion Carried

Old Business

Commissioner Snider asked everyone to keep Commissioner Scolnik in their thoughts and prayers for a speedy recovery following his motorcycle accident this past weekend.

Commissioner Buzzell noted the closure of the Correctional Facility is not a favorable option losing 250 State employees. If it does close, it should be considered but it would be good to remain opened. Commissioner Nash urged all to make calls and send letters to keep our local Correctional Facility opened. Commissioners Engle and Snider noted, should the facility close, there is a possibility of cooperative, such as a regional jail.

2009-341 **PREPARE A RESOLUTION IN RECOGNITION OF 80 YEAR MUSKEGON RESIDENT, MS. VIRGINIA MURDOCH, ON HER 100TH BIRTHDAY**

Moved by Gill, seconded by McMurray, to prepare a resolution in recognition of 80 year Muskegon resident, Ms. Virginia Murdoch, on her 100th Birthday on July 3 with a celebration on July 27th at New Hope Baptist Church.

Motion Carried

County Clerk, Nancy A. Waters, in response to a request of the Board, presented a report on resolutions which have been received from other Counties. The report shows when the resolution appeared on the agenda, the disposition by this Board and where the Board approved a similar resolution. Commissioners thanked the Clerk for the information and agreed that a quarterly report would be sufficient.

New Business

None.

Public Participation

Jim Riley addressed the Board reporting the success of the Wings of Mercy event.

Michael Johnston, Public Protection, commended Administrator Hammersley on the hard decisions that have had to made recently. Mr. Johnston noted change is hard but can be good as it creates opportunity.

2009-342 **ADJOURN**

Moved by Snider, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:17p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

July 14, 2009

3:30 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 Commissioner Nash followed by the pledge of Allegiance recited in unison.

Roll Call

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

Absent: None

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

2009-343 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve the Agenda with Addendum.

Motion Carried

2009-344 **APPROVE THE MINUTES OF THE FULL BOARD OF JUNE 23, 2009**

Moved by Engle, seconded by Nash, to approve minutes of the Full Board of June 23, 2009.

Motion Carried

2009-345 **COMMUNICATIONS**

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

- A. Antrim County Resolution No. 26-09
- B. Hillsdale County Resolution Nos. 09-081, 09-082 and 09-083
- C. Huron County Resolution Nos. 09-111C, 09-114C and 09-116C
- D. Ingham County Resolution No. 09-199
- E. Lake County Resolution Nos. 1198 and 6/24/2009 - 1204
- F. Menominee County Resolution Nos. 09-07, 09-08, 09-09, 09-10 and 09-12

Chairman Mahoney brought to Commissioners attention the items from Hillsdale and Huron Counties concerning funding of local Public Health which Muskegon County might want to consider. Ingham County has an item to increase unemployment benefits. Debate ensued with regard to recent house bills making helmets optional.

Motion Carried

2009-346 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN AN AMENDED MEMORANDUM OF UNDERSTANDING BETWEEN THE CIRCUIT COURT - FAMILY DIVISION OF MUSKEGON COUNTY AND THE UNITED WAY OF THE LAKESHORE CONCERNING THE DONATION OF MONIES TO THE COUNTY CHILD CARE FUND AND THE TRANSFER OF \$28,500**

CPS09/07-40

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Circuit Court Administrator to sign an amended Memorandum of Understanding between the Circuit Court - Family Division of Muskegon County and the United Way of the Lakeshore concerning the donation of monies to the County Child Care Fund and the transfer of \$28,500 to the County of Muskegon to be used as local match for state Child Care Fund monies.

Roll Call

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

Nays: Gill

Motion Carried

2009-347 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN AN AMENDED MEMORANDUM OF UNDERSTANDING BETWEEN THE CIRCUIT COURT - FAMILY DIVISION AND THE UNITED WAY OF THE LAKESHORE CONCERNING THE DONATION OF MONIES TO THE MUSKEGON COUNTY CHILD CARE FUND IN THE AMOUNT OF \$46,000**

CPS09/07-41

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Circuit Court Administrator to sign an amended Memorandum of Understanding between the Circuit Court - Family Division and the United Way of the Lakeshore concerning the donation of monies to the Muskegon County Child Care Fund in the amount of \$46,000 to be used as local match for state Child Care Fund monies.

Roll Call

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

Nays: None

Motion Carried

2009-348 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE CIRCUIT COURT - FAMILY DIVISION AND THE CHILD ABUSE COUNCIL OF MUSKEGON COUNTY CONCERNING COURT APPOINTED SPECIAL ADVOCATE (CASA) PROGRAM REQUIREMENTS**

CPS09/07-42

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Circuit Court Administrator to sign a Memorandum of Understanding between the Circuit Court - Family Division and the Child Abuse Council of Muskegon County concerning Court Appointed Special Advocate (CASA) program requirements; and further approve a revised FY 2009 budget of \$31,125 for the CASA (2920-1433) program which includes the 50% local match coming from United Way of the Lakeshore (\$15,562.50) resulting in no impact to the general fund.

Roll Call

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

Nays: Gill

Motion Carried

Commissioner Gill explained his "No" vote by saying that it is dishonest to get money to pass to someone else to get more money and this is why he voted "No".

2009-349 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN AN AMENDED AGREEMENT FOR MEDIATION SERVICES BETWEEN THE CIRCUIT COURT - FAMILY DIVISION OF MUSKEGON COUNTY AND THE WESTSHORE DISPUTE RESOLUTION CENTER OF MUSKEGON COUNTY**

CPS09/07-43

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize the Circuit Court Administrator to sign an amended Agreement for Mediation Services between the Circuit Court - Family Division of Muskegon County and the Westshore Dispute Resolution Center of Muskegon County with effective dates of October 1, 2009 through September 30, 2010 concerning the Balanced and Restorative Justice (BARJ) program requirements.

Roll Call

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

Nays: None

Motion Carried

2009-350 **AUTHORIZE MUSKEGON COUNTY COMMUNITY CORRECTIONS TO SUBMIT A GRANT PROPOSAL FOR CONTINUATION AND EXPANSION PROGRAM FOR FISCAL YEAR 2010**

CPS09/07-44

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize Muskegon County Community Corrections to submit a Grant proposal for continuation and expansion program for fiscal year 2010 as approved by the CCAB on May 29, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-351 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THE VACANT YOUTH SPECIALIST POSITION**

CPS09/07-45

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to approve the Juvenile Detention Center's request to waive the hiring freeze and fill the vacant Youth Specialist position #G97011.

(Continued)

2009-351 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THE VACANT YOUTH SPECIALIST POSITION**

Roll Call

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

Nays: None

Motion Carried

2009-352 **AUTHORIZE STAFF TO REQUEST QUALIFICATIONS AND PRICES FOR THE DESIGN, FURNISHING, INSTALLATION AND SUPPORT OF NEW TECHNOLOGIES FOR AUDIO/VISUAL, DATA, COMMUNICATION AND SECURITY SYSTEMS FOR DISTRICT COURT**

CPS09/07-46

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to authorize staff to request qualifications and prices for the design, furnishing, installation and support of new technologies for audio/visual, data, communication and security systems for District Court as part of the Hall of Justice 1st and 2nd floor remodeling project.

Roll Call

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

Nays: None

Motion Carried

2009-353 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE FROM TACVIEW A POLE CAMERA FOR THE TACTICAL TEAM**

CPS09/07-47

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission to the Sheriff's Office to purchase from TacView a pole camera for the tactical team for \$2,995.00.

Roll Call

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

Nays: None

Motion Carried

2009-354 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO APPLY FOR THE
2009/2010 SNOWMOBILE ENFORCEMENT GRANT**

CPS09/07-48

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission to the Sheriff's Office to apply for the 2009/2010 snowmobile enforcement grant through the State of Michigan, DNR for \$16,556.44.

Roll Call

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

Nays: None

Motion Carried

2009-355 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO APPLY FOR THE
2009/2010 ORV ENFORCEMENT GRANT**

CPS09/07-49

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Collins, to grant permission to the Sheriff's Office to apply for the 2009/2010 ORV enforcement grant through the State of Michigan, DNR for \$11,397.25.

Roll Call

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

Nays: None

Motion Carried

2009-356 **AUTHORIZE THE CREATION OF AN ADDITIONAL
ADMISSIONS/MARKETING COORDINATOR POSITION**

HR09/07-52

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the creation of an additional Admissions/Marketing Coordinator position with a salary range of NX00120 (\$16.356-\$20.881/hr) and to eliminate three budgeted vacant CNA II positions (A04601, A04602, A04603) with a salary range of AF00050 (\$12.06 - \$13.65/hr) at the Brookhaven Medical Care Facility.

Roll Call

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

Nays: None

Motion Carried

2009-357 **APPROVE THE ANCILLARY PROVIDER AFFILIATION AGREEMENT, INCLUDING THE MEDICARE ADVANTAGE AMENDMENT, BETWEEN BROOKHAVEN MEDICAL CARE FACILITY AND BLUE CARE NETWORK OF MICHIGAN**

HR09/07-53

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to approve the Ancillary Provider Affiliation Agreement, including the Medicare Advantage Amendment, between Brookhaven Medical Care Facility and Blue Care Network of Michigan.

Roll Call

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

Nays: None

Motion Carried

2009-358 **APPROVE THE ANCILLARY SERVICES PARTICIPATION FOR HMO, PPO, MEDICARE ADVANTAGE , AND MICHILD PROGRAMS BETWEEN BROOKHAVEN MEDICAL CARE FACILITY AND PRIORITY HEALTH**

HR09/07-54

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to approve the Ancillary Services Participation for HMO, PPO, Medicare Advantage , and MICHild programs between Brookhaven Medical Care Facility and Priority Health.

Roll Call

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

Nays: None

Motion Carried

2009-359 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN AMENDMENT #1 TO THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MANAGED MENTAL HEALTH SUPPORTS AND SERVICES**

HR09/07-55

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health (CMH) Director to sign Amendment #1 to the contract with the Michigan Department of Community Health for Managed Mental Health Supports and Services, effective October 1, 2008, through September 30, 2009.

(Continued)

2009-359 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN AMENDMENT #1 TO THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MANAGED MENTAL HEALTH SUPPORTS AND SERVICES**

Roll Call

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

Nays: None

Motion Carried

2009-360 **AUTHORIZE COMMUNITY MENTAL HEALTH TO CONTINUE THE FY 2007/2008 CONTRACT FOR COMMUNITY LIVING SUPPORTS WITH HERITAGE HOMES, INC.**

HR09/07-56

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize Community Mental Health to continue the FY 2007/2008 contract for Community Living Supports with Heritage Homes, Inc., through September 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-361 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO AMEND ITS FY09 BUDGET**

HR09/07-57

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Public Health Department to amend its FY09 budget (revenue and expenditures) from \$6,715,313 to \$6,778,868 to include grant funding changes, program line item adjustments, and staffing/funding transfers with no change in the general fund appropriation.

Roll Call

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

Nays: None

Motion Carried

2009-362 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JUNE 10, 2009 THROUGH JUNE 30, 2009**

WM09/07-78

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$5,669,127.63 covering the period of June 10, 2009 through June 30, 2009, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2009-363 **ADOPT THE LICENSE AGREEMENT FOR THE USE OF HERITAGE LANDING FOR THE YEARS 2009 AND 2010**

WM09/07-79

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the License Agreement for the Use of Heritage Landing for the years 2009 and 2010.

Roll Call

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

Nays: Gill

Motion Carried

2009-364 **APPROVE THE IMPLEMENTATION OF THE RETIREMENT INCENTIVE PROGRAM OFFERING ALL COUNTY EMPLOYEES ELIGIBLE FOR REGULAR RETIREMENT BENEFITS**

WM09/07-80

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the implementation of the Retirement Incentive program offering all county employees eligible for regular retirement benefits the option of either 1) Adding up to 3 years of service toward their retiree medical eligibility or 2) Increase their vacation leave balance by 200 hours (additional hours will not be subject to the respective maximum allowed); during a retirement window of August 1, 2009 through September 30, 2009 with a subsequent budget savings strategy from the resulting retirements to be included in the FY2010 budget.

(Continued)

2009-364 **APPROVE THE IMPLEMENTATION OF THE RETIREMENT INCENTIVE PROGRAM OFFERING ALL COUNTY EMPLOYEES ELIGIBLE FOR REGULAR RETIREMENT BENEFITS**

Roll Call

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

Nays: None

Motion Carried

2009-365 **MUSKEGON COUNTY BOARD OF COMMISSIONERS AS OBLIGATOR OF THE MUSKEGON CENTRAL DISPATCH 9-1-1 PHASE III LOAN THROUGH NATIONAL CITY BANK, AUTHORIZES A PRINCIPAL PAYMENT USING THE BALANCE OF THE HOLDING ACCOUNT**

WM09/07-81

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, that the Muskegon County Board of Commissioners as obligator of the Muskegon Central Dispatch 9-1-1 phase III loan through National City Bank, authorizes a principal payment using the balance of the holding account.

Roll Call

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

Nays: None

Motion Carried

2009-366 **AUTHORIZE THE RELEASE OF BIDS FOR JANITORIAL SERVICES FOR VARIOUS COUNTY BUILDINGS**

WM09/07-82

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the release of bids for janitorial services for various county buildings.

Roll Call

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

Nays: None

Motion Carried

2009-367 **APPROVE THE RESOLUTION ESTABLISHING A POLICY TO REQUIRE
TAX SHARING AGREEMENTS**

WM09/07-83

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Resolution establishing a Policy to Require Tax Sharing Agreements as a Condition for County Participation in New or Amended Tax Increment Financial Proposals.

Roll Call

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

Nays: None

Motion Carried

2009-368 **INCREASE THE CONTRACT TO FISHBECK, THOMPSON, CARR &
HUBER BY \$14,238.56 FROM \$79,090.00 TO \$93,328.56**

WM09/07-84

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to increase the contract to Fishbeck, Thompson, Carr & Huber by \$14,238.56 from \$79,090.00 to \$93,328.56 for consulting services for oversight, required testing, and certification of comparison of the asbestos abatement on the Oak Avenue renovation project.

Roll Call

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

Nays: None

Motion Carried

2009-369 **APPROVE THE FY2010 BUDGET HEARING SCHEDULE**

WM09/07-85

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the FY2010 Budget Hearing Schedule.

Roll Call

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

Nays: Gill

Motion Carried

2009-370 **WAIVE THE HIRING FREEZE TO ALLOW THE COUNTY CLERK TO FILL THE VACANT DEPUTY COUNTY CLERK POSITION**

WM09/07-86

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the hiring freeze to allow the County Clerk to fill the vacant Deputy County Clerk position X25501 at the Step 1 of the salary range NX00280 (\$46,521- \$58,964).

Roll Call

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

Nays: None

Motion Carried

2009-371 **WAIVE THE BOARD POLICY ON CREDIT CARDS AND APPROVE THE ISSUANCE OF A RESTRICTED CREDIT CARD**

WM09/07-87

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the board policy on credit cards and approve the issuance of a restricted credit card to be used for job training programs through the Department of Employment and Training.

Roll Call

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

Nays: None

Motion Carried

2009-372 **ACCEPT THE BLUE CROSS BLUE SHIELD OF MICHIGAN RENEWAL QUOTE**

WM09/07-88

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the Blue Cross Blue Shield of Michigan renewal quote which is an overall decrease of 16.7% from current rates and will be in effect from October 1, 2009 to September 30, 2010.

Roll Call

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

Nays: Scolnik

Motion Carried

2009-373 **ESTABLISH FOR SPECIFIED EMPLOYEE CLASSES, THAT EMPLOYEES HIRED ON OR AFTER AUGUST 1, 2009, THE COUNTY WILL PROVIDE A VOLUNTARY EMPLOYEE BENEFIT ASSOCIATION (VEBA) TYPE PLAN, WHEREBY THE COUNTY WOULD CONTRIBUTE 3% OF GROSS WAGES AND THE MERS DEFINED CONTRIBUTION PLAN WITH A 3% EMPLOYER AND 3% EMPLOYEE CONTRIBUTION OF GROSS WAGES**

WM09/07-89

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to establish for the employee classes of BD, EE, JF, ND, NF, NS, NU, NW, NX, NZ, XF, XT, XU, XV, XW, XX, XZ and ZE, that employees hired on or after August 1, 2009, the County will provide a Voluntary Employee Benefit Association (VEBA) type plan, whereby the County would contribute 3% of gross wages. Establish for the employee classes of BD, EE, JF, ND, NF, NS, NU, NW, NX, NZ, XF, XT, XU, XV, XW, XX, XZ and ZE, that employees hired on or after August 1, 2009, the County will provide the MERS defined contribution plan with a 3% employer and 3% employee contribution of gross wages.

Roll Call

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

Nays: None

Motion Carried

2009-374 **DESIGNATE, EFFECTIVE OCTOBER 1, 2009, MUSKEGON COUNTY MEDICAL PLANS 2A AND 2P FOR NON-BARGAINING EMPLOYEES TO CHOOSE FROM**

WM09/07-90

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to designate, effective October 1, 2009, Muskegon County Medical Plans 2A and 2P for non-bargaining employees to choose from. Each non-bargaining employee enrolled in Muskegon County Medical Plans 2A or 2P shall pay 6% of the monthly medical premium equivalent effective October 1, 2009. The monthly medical contribution amount will increase to 7% of the monthly premium equivalent effective January 1, 2010.

Roll Call

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

Nays: None

Motion Carried

2009-375 **AUTHORIZE STAFF TO SOLICIT PROPOSALS FOR A CONSULTANT TO AID MUSKEGON COUNTY IN ASBESTOS AND LEAD-CONTAINING PAINT IDENTIFICATION AND ABATEMENT**

WM09/07-91

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to solicit proposals for a consultant to aid Muskegon County in asbestos and lead-containing paint identification and abatement on the first and second floors of the Michael E. Kobza Hall of Justice prior to the commencement of remodeling activities.

Roll Call

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

Nays: None

Motion Carried

2009-376 **AUTHORIZE STAFF TO BID THE ALARM/SECURITY SYSTEM UPGRADE FOR THE FIRST AND SECOND FLOORS OF THE HALL OF JUSTICE RENOVATIONS PROJECT**

WM09/07-92

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to bid the alarm/security system upgrade for the first and second floors of the Hall of Justice renovations project as soon as the plans and specifications are complete.

Roll Call

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

Nays: None

Motion Carried

2009-377 **AUTHORIZE STAFF TO BID THE OFFICE FURNISHINGS WHICH WILL BE NEEDED FOR THE RENOVATED FIRST AND SECOND FLOORS OF THE HALL OF JUSTICE**

WM09/07-93

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to bid the office furnishings which will be needed for the renovated first and second floors of the Hall of Justice.

(Continued)

2009-377 **AUTHORIZE STAFF TO BID THE OFFICE FURNISHINGS WHICH WILL BE NEEDED FOR THE RENOVATED FIRST AND SECOND FLOORS OF THE HALL OF JUSTICE**

Roll Call

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

Nays: None

Motion Carried

2009-378 **RECEIVE AND ADOPT THE MODIFIED COUNTY OF MUSKEGON ANTI-HARASSMENT POLICY**

WM09/07-94

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to receive and adopt the modified County of Muskegon Anti-Harassment Policy.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney mentioned several items:

- Complimented Commissioner Scolnik for bringing the Drifters to Muskegon County.
- Invited everyone to the Transportation and Community Development meetings that will be held at Montague City Hall on Thursday, July 16, 2009.
- Before going to Bike Time, stop at the Antique Boat Show at the marina in Whitehall hosted by Whitehall and White Lake.
- July 31 is "Cruise In" in White Lake.
- Next Saturday is the Fruitland Blueberry Pancake Breakfast as well as the Holton Day Parade.

Commissioner Derezinski asked to be excused from the Transportation and Community Development meetings on July 16, 2009.

Commissioner Snider attended the Muskegon Lake Water Partnership meeting and there is a lot of effort toward cleaning up Muskegon Lake and tributaries including Bear Creek and Bear Lake and they are applying for grants.

Commissioner Snider also mentioned the Coalition for a Drug Free Muskegon efforts to preclude underage drinking.

Commissioner Snider also attended an all-day Landbank meeting at McMurray Center which was very educational. Founders from the Genesse Institute were there and provided information on what the individual Landbank Authority for Muskegon can do which will bring about changes over the next year. He further indicated that it would have been good to have had the Muskegon Chronicle reporter present.

Commissioner Derezinski mentioned the MAC Legislative Update on page 35, under 1 and 2 under corrections, encouraged all to call our Senator to replace funding that our jail is losing.

Commissioner Nash reported on the SMART meeting in VanBuren County where they took a tour of the Court. Commissioner Nash noted the new administrator has a business background and has been able to adjust and consolidate different functions.

ADMINISTRATOR'S REPORT

2009-379 **APPROVAL OF THE 4TH AMENDMENT TO THE REAL ESTATE PURCHASE AGREEMENT BETWEEN ERDMAN HOLDINGS, LLC AND MUSKEGON COUNTY PUBLIC WORKS BOARD FOR CLOSURE ON THE WHITEHALL WASTEWATER PROPERTY**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the fourth amendment to the Real Estate Purchase Agreement between Erdman Holdings, LLC and the Muskegon County Public Works Board for extending the contingency period from July 22, 2009 to January 22, 2010 for closure on the Whitehall Wastewater property.

Roll Call

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

Nays: None

Motion Carried

2009-380 **APPROVE THE RESOLUTION DESIGNATING BUILDING AUTHORITY
BONDS AS QUALIFIED TAX-EXEMPT OBLIGATIONS FOR THE 2009
BUILDING AUTHORITY REFUNDING BOND ISSUE**

The Administrator recommends, moved by Derezinski, seconded by Snider, to approve the Resolution Designating Building Authority Bonds as Qualified Tax-Exempt Obligations for the 2009 Building Authority Refunding Bond issue.

Roll Call

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

Nays: None

Motion Carried

Old Business

2009-381 **AIRPORT ADVISORY COMMITTEE APPOINTMENTS**

Moved by Derezinski, seconded by Snider, to approve of Chairman recommendations to appoint Airport Park Tenants Rex Vanderlinde and John Workman and from the Private Sector Michele Yassenak, Paul Billings, Ron Gossett, and Bill Moulatsiotis to the Airport Advisory Committee.

Motion Carried

New Business

None.

Public Participation

Michael Johnson, Executive Director of Public Protection, addressed the Board regarding a publication for sale in the Muskegon area questioning if it's legal and if not, what can be done to stop this circulation.

2009-382 **ADJOURN**

Moved by Derezinski, seconded by Snider, to adjourn.

Motion Carried

Meeting adjourned at 3:57 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

July 28, 2009

3:30 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, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Excused: Collins, Wade

Absent: None

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

2009-383 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve the Agenda removing Old Business, Taxicab Discussion.

Motion Carried

2009-384 **APPROVE THE MINUTES OF THE FULL BOARD OF JULY 14, 2009**

Moved by Engle, seconded by Snider, to approve minutes of the Full Board of July 14, 2009.

Motion Carried

2009-385 **COMMUNICATIONS**

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

- A. Alger County Resolution No. 2009-22
- B. Barry County Resolution Nos. 09-17, 09-18 and 09-19

Motion Carried

2009-386 **AUTHORIZE STAFF TO BID THE SALE OF THE LODGE BUILDING AT BLUE LAKE PARK TO BE SOLD TO THE HIGHEST BIDDER AND REMOVED FROM THE SITE**

CD/SP09/07-22

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, to authorize staff to bid the sale of the lodge building at Blue Lake Park to be sold to the highest bidder and removed from the site at the bidders expense with proceeds from the sale going to Parks fund 2080-0691.

Motion Carried

MOTION AND SUPPORT WITHDRAWN PENDING ADDITIONAL INFORMATION FOR:

CD/SP09/07-20 To authorize the Fairboard to be the custodians of the Muskegon County Fairgrounds and to negotiate agreements, with County Board final approval of said agreements, to utilize the horse barns that are vacant.

REMOVED FROM AGENDA PRIOR TO CONSIDERATION:

CD/SP09/07-21 To approve the Resolution accepting the Michigan DNR Natural Resources Trust Fund grant offer number TF08-029 in the amount of \$428,300 for the acquisition of approximately 95 acres of land adjacent to Meinert County Park and authorize the Board Chair to execute the grant agreement with the State of Michigan Department of Natural Resources.

2009-387 **AWARD THE BID TO SELL SEVEN SURPLUS BUSES TO HAUGHTON ENTERPRISES**

TR09/07-30

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid to sell seven surplus buses to Haughton Enterprises for the sum of \$4,745.

(Continued)

2009-387 **AWARD THE BID TO SELL SEVEN SURPLUS BUSES TO HAUGHTON ENTERPRISES**

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-388 **AWARD THE BID FOR THE PAINTING OF AIRFIELD SURFACES AT THE AIRPORT TO THE LOWEST OF THREE BIDS RECEIVED, KENMARK, INC.**

TR09/07-32

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the painting of airfield surfaces at the Airport to the lowest of three bids received, Kenmark, Inc., in the amount of \$67,856.25, with the County's 2.5% share to be \$1,697.

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-389 **AWARD THE BID FOR CRACK SEALING OF AIRFIELD SURFACES AT THE AIRPORT TO THE LOWEST OF SEVEN BIDS RECEIVED, FAHRNER ASPHALT SEALERS, LLC**

TR09/07-33

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for crack sealing of airfield surfaces at the Airport to the lowest of seven bids received, Fahrner Asphalt Sealers, LLC, in the amount of \$38,400, with the County's 2.5% share to be \$960.

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-390 **AWARD THE BID FOR THE ACQUISITION OF A HEAVY DUTY RUNWAY BROOM TRUCK TO THE LOWER OF TWO BIDS RECEIVED, M-B COMPANIES, INC.**

TR09/07-34

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the acquisition of a heavy duty runway broom truck to the lower of two bids received, M-B Companies, Inc., in the amount of \$447,516, with the County's 2.5% share to be \$11,188.

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-391 **AWARD THE BID FOR THE ACQUISITION OF A UTILITY TRACTOR WITH VARIOUS SNOW REMOVAL ATTACHMENTS TO THE SECOND LOWEST BIDDER OF TWO BIDS RECEIVED, FREDRICKSON SUPPLY LLC**

TR09/07-35

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the acquisition of a Utility Tractor with various snow removal attachments to the second lowest bidder of two bids received, Fredrickson Supply LLC, in the amount of \$128,587, with the County's 2.5% share to be \$3,215.

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-392 **APPROVE MDOT CONTRACT NO. 2009-0499**

TR09/07-36

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve MDOT Contract No. 2009-0499 between the County and MDOT, the purpose of which is to fix the rights and obligations of both parties with regards to the acquisition of an Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Muskegon County Airport, and further authorize the Chairman to execute the contract and the County Clerk to authorize a certified resolution for the contract.

(Continued)

2009-392 **APPROVE MDOT CONTRACT NO. 2009-0499**

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

REMOVED FROM AGENDA PRIOR TO CONSIDERATION:

TR09/07-31 Move to accept the terms and conditions for on-site bus service at Meijer Store #19 and to authorize the Chair to execute the agreement.

2009-393 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JULY 1, 2009 THROUGH JULY 14, 2009**

WM09/07-95

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve payment of the accounts payable of \$9,621,054.67 covering the period of July 1, 2009 through July 14, 2009, as presented by the County Clerk.

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-394 **ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

WM09/07-96

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to accept the Edward Byrne Memorial Justice Assistance Grant on behalf of Muskegon County and the five jurisdictions receiving the funds.

(Continued)

2009-394 **ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-395 **ACCEPT THE LOW QUOTE FROM WEST SHORE ELECTRIC, INC., FOR THE ELECTRICAL WORK AND FROM PRESSURES & PIPES, INC., FOR THE PLUMBING WORK TO BE PERFORMED AT THE SHERIFF'S GARAGE**

WM09/07-97

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to accept the low quote from West Shore Electric, Inc., of \$750.00 for the electrical work and from Pressures & Pipes, Inc., of \$2,678.00 for the plumbing work to be performed at the Sheriff's garage and to pay for these additional costs from the Public Improvement Fund (4930).

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-396 **APPROVE THE PUBLIC DEFENDER CONTRACT WITH CHRISTOPHER WILSON**

WM09/07-99

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the Public Defender contract with Christopher Wilson to commence August 3, 2009 through September 30, 2010; and further to pay a prorated amount for the two month period August 3, 2009 through September 30, 2009, and \$65,000 annually thereafter.

(Continued)

2009-396 **APPROVE THE PUBLIC DEFENDER CONTRACT WITH CHRISTOPHER WILSON**

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-397 **APPROVE A SOLE SOURCE PROPOSAL BY REHMANN ROBSON TO PROVIDE TRAINING IN THE PROPER DOCUMENTATION OF PERSONNEL TIME**

WM09/07-100

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve a sole source proposal by Rehmann Robson to provide training in the proper documentation of personnel time in accordance with Federal regulations at a cost not to exceed \$4,000. All departments charging Federal funds for multiple programs for personnel wages are required to attend.

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-398 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING OFFICE TO SELL COUNTY SURPLUS VEHICLES**

WM09/07-101

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

Commissioner Nash suggested vehicle sales and other items may get a better price if auctioned on the website rather than by sealed bid. Commissioner Scolnik suggested auction both by sealed bid and website auction to allow for those who are not computer literate.

(Continued)

2009-398 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING
OFFICE TO SELL COUNTY SURPLUS VEHICLES**

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: Nash

Motion Carried

2009-399 **RECLASS THE MICROCOMPUTER ANALYST (#N52405) IN THE
SHERIFF'S OFFICE TO AN INFO SYSTEMS TECH III WITH SPECIFIC
PROVISIONS**

WM09/07-102

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to reclass the Microcomputer Analyst (#N52405) in the Sheriff's Office to an Info Systems Tech III, promote the incumbent District Court Microcomputer Analyst position #N52404 to the newly reclassified Info Systems Tech III position and change the labor distribution of this position from 100% 1010-0301 to 50% 1010-0301 / 50% 1010-0136. The Microcomputer Analyst position in District Court will remain open, however, in the event that this arrangement is not successful and the District Court position is refilled, then the Sheriff's Information Systems Tech III position will revert back to a Microcomputer Analyst.

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-400 **APPROVE THE AMENDED FY2010 BUDGET HEARING SCHEDULE**
WM09/07-103

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the Amended FY2010 Budget Hearing Schedule.

DATE	MEETING	
August 6, 2009	Ways & Means	Proposed budge Presented to Board Request Authorization for Budget Public Hearing
August 11, 2009	Full Board	Budget Hearings with Board Request Authorization for Budget Public Hearing
August 20, 2009	Ways & Means	Elected Official Hearing
August 21, 2009		Deliver public hearing notice to Muskegon Chronicle
August 25, 2009	Full Board	Budget Hearings with Board
August 28, 2009		Budget Public Hearing Notice Published in Muskegon Chronicle
September 3, 2009	Ways & Means	Budget Public Hearing
September 8, 2009	Full Board	Budget Hearings with Board
September 15, 2009	Ways & Means	Amendments, Public Act 423 Resolution
September 22, 2009	Full Board	Adoption

Roll Call

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

Excused: Collins, Wade

Nays: None

Motion Carried

2009-401 **CONCUR WITH STAFF RECOMMENDATION CONCERNING THE VERNARD JONES CASE**

WM09/07-104

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to concur with staff recommendation concerning the Vernard Jones case.

(Continued)
2009-401 CONCUR WITH STAFF RECOMMENDATION CONCERNING THE
VERNARD JONES CASE

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-402 CONCUR WITH CORPORATE COUNSEL RECOMMENDATION
CONCERNING THE JACQUELINE MARION CASE

WM09/07-105

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to concur with Corporate Counsel recommendation concerning the Jacqueline Marion case.

Roll Call

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

Excused: Collins, Wade

Nays: Gill

Motion Carried

Removed from Agenda Prior to Consideration:

WM09/07-98 To waive the policy on prohibiting pets/animals from being brought into Heritage Landing during the time period of the Great Muskegon Dog Fest contingent upon the event entering into a License Agreement for Use of Heritage Landing.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney reported attending the Holton Parade along with Commissioners Buzzell and Scolnik. Reminder to Commissioners that the North Side Parade takes place August 6 at 7:30 p.m. (line up to begin earlier). Chairman Mahoney reported he and the County Administrator attended a Green Town Conference in Grand Rapids thanks to the generosity of Mr. and Mrs. Zayko. Commissioner Snider was also there and participated in a roundtable discussion with Mayor of Grand Rapids and Holland.

According to MAC update, there is some money available for World Broadband.

Commissioner Scolnik reported on the monthly Department of Human Services Board Meeting and noted their file case count is up to 48,000+ cases, in the last two months that is up by 2,400.

Commissioner Snider attended the Community Corrections, noting there was an Advisory Meeting a week ago and application for funding is in Lansing. Expect that funds should remain the same. A recommendation from Tyrone Perry was made to request funds for employment initiative services for identification and bus passes.

ADMINISTRATOR'S REPORT

2009-403 **APPROVE OF AGREEMENT BETWEEN PROSECUTOR'S OFFICE AND THE CITY OF MUSKEGON FOR PROSECUTION SERVICES; ESTABLISHMENT OF AN HOURLY DEPARTMENTAL CLERK POSITION AND HIRING FREEZE WAIVE TO FILL NEWLY CREATED HOURLY DEPARTMENTAL CLERK POSITION AND VACANT ASSISTANT PROSECUTOR I POSITION**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the Agreement between the Prosecutor's Office and the City of Muskegon for prosecution services for City of Muskegon ordinance violations and civil infractions effective August 1, 2009 for a period of five years; to establish an hourly Departmental Clerk position with a salary range of \$10.82 - \$15.36 per hour; to waive the hiring freeze for the newly created hourly Departmental Clerk position and the currently vacant Assistant Prosecutor I position, X08003; and to affix the signature of the Chairman of the Board to the Agreement.

Roll Call

Ayes: Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezhinski, Engle

Excused: Collins, Wade

Declined to vote: Gill

Nays: None

Motion Carried

Old Business

Commissioner Derezhinski noted the Fairboard members are volunteers that put in a lot of hours and have made a lot of improvements to the Fairgrounds and to put on the Fair. It was noted that we are still liable should anything happen at the Fairgrounds.

2009-404 **SUSPEND THE RULES AND ALLOW AUDIENCE PARTICIPATION**

Moved by Gill, seconded by McMurray, to suspend the rules and allow audience participation.

Motion Carried

Ron Ballard, Fairboard President, addressed the Board. He noted the Fair and schedule of events has grown and there have been many improvements over the past four years. Volunteers are putting in new bathrooms and covered grandstands, planned to be completed by next years Fair.

The website is: www.muskegonfairgrounds.com

Commissioner Scolnik noted that he was glad to see the County Administrator at various meetings around town.

Commissioner Scolnik encouraged attendance at the final Sesquicentennial event on August 15th on the Port City Princess History Cruises. Commissioner Scolnik will present a report regarding the Sesquicentennial fund-raising efforts hoping to report a surplus. There is a Texas Hold-em event this weekend hosted by the Muskegon Area Chamber of Commerce coming up that still needs volunteers to cover 46 hours.

Commissioner Nash asked that a Resolution Regarding Comprehensive Federal Health Reform be brought back to Ways and Means.

New Business

None.

Public Participation

Brian Chapman addressed the Board regarding Sesquicentennial Events and thanked County Clerk Waters, County Administrator Hammersley, Commissioners Scolnik and Wade, Mary Villanueva and Lisa Chalko for their support.

Chairman Mahoney thanked Mr. Chapman along with a round of applause from those in attendance.

2009-405 **ADJOURN**

Moved by Nash, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:14 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

August 11, 2009

3:30 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, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Absent: None

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

2009-406 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve adding Budget Hearing as item 5. A. noting item 10. A. has been removed from the Agenda to be presented at a later date.

Motion Carried

2009-407 **BUDGET HEARING***

Administrator Hammersley presented the 2010 proposed budget overview noting her objectives for the current and future budget with four primary goals: 1. Increase county employee participation in the process, 2. Avoid employee layoffs, 3. Maintain current service levels, 4. Implement initiatives that will reduce the base budget for the future.

(Continued)
2009-407 **BUDGET HEARING***

Budget Manager Beth Dick followed with a detailed summary of the department deficit reduction plans including revenues and proposed fees.

Note: The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

2009-408 **APPROVE THE MINUTES OF THE FULL BOARD OF JULY 28, 2009**

Moved by Engle, seconded by Wade, to approve minutes of the Full Board of July 28, 2009.

Motion Carried

2009-409 **COMMUNICATIONS**

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

- A. Antrim County Resolution Nos. 27-09 to support HB 5019 in an effort to limit the benefit package received by our state legislators and 28-09 to oppose changes to the Natural Resources and Environmental Protection Act, ACT 451 or 1994 and that BEA's should not be eliminated from the Act.
- B. Lake County Resolution No. 1205 urging all state legislators to oppose House Bills 4028, 4747 and 4907 to make the use of motorcycle helmets optional, as this is an issue of public safety and common sense.

Commissioner Nash noted we may want to do something regarding Baseline Environmental Assessments (BEA's) in the future.

Motion Carried

2009-410 **ADOPT THE RESOLUTION RECOGNIZING AND SUPPORTING THE BRIAN P MATTSON RESTORATIVE JUSTICE CENTER'S EFFORT TO BRING NATIONAL RESTORATIVE JUSTICE TRAINER, SHERYL R. WILSON TO MUSKEGON**

CPS09/08-50

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to adopt the resolution recognizing and supporting the Brian P Mattson Restorative Justice Center's effort to bring National Restorative Justice Trainer, Sheryl R. Wilson to Muskegon on October 1 and 2, 2009.

(Continued)

2009-410 **ADOPT THE RESOLUTION RECOGNIZING AND SUPPORTING THE BRIAN P MATTSON RESTORATIVE JUSTICE CENTER'S EFFORT TO BRING NATIONAL RESTORATIVE JUSTICE TRAINER, SHERYL R. WILSON TO MUSKEGON**

Roll Call

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

Nays: None

Motion Carried

2009-411 **GRANT PERMISSION TO THE COUNTY CLERK AND THE PROBATE COURT TO NEGOTIATE A CONTRACT FOR ON-LINE SERVICES FOR PROBATE RECORDS WITH WEBTECS, INC.**

CPS09/08-51

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to grant permission to the County Clerk and the Probate Court to negotiate a contract for on-line services for Probate Records with WebTecs, Inc., and to bring back a contract for Board approval at a later date.

Roll Call

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

Nays: None

Motion Carried

2009-412 **AUTHORIZE THE 60TH DISTRICT COURT TO ENTER INTO A COMPUTER SOFTWARE LICENSE AGREEMENT WITH THE 10TH DISTRICT COURT**

CPS09/08-52

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the 60th District Court to enter into a Computer Software License Agreement with the 10th District Court in the amount of \$4,500 and authorize the Board Chair to execute and sign said agreement.

Roll Call

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

Nays: None

Motion Carried

2009-413 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE VACANT SERGEANT POSITION**

CPS09/08-53

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 Sergeant position #C05002 after September 21, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-414 **AUTHORIZE THE SHERIFF'S OFFICE TO CHANGE THE FUNDING FOR
MECHANIC/SHERIFF POSITION #G54001**

CPS09/08-54

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the Sheriff's Office to change the funding for Mechanic/Sheriff position #G54001 from 1010-0301 to 6345-1620.

Roll Call

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

Nays: None

Motion Carried

2009-415 **AUTHORIZE THE SHERIFF'S OFFICE TO START THE BID PROCESS
FOR COLLECTION AGENCY SERVICES**

CPS09/08-55

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the Sheriff's Office to start the bid process for collection agency services.

Roll Call

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

Nays: Gill

Motion Carried

2009-416 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE AMENDED ORV GRANT FROM THE DEPARTMENT OF NATURAL RESOURCES**

CPS09/08-56

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the Sheriff's Office to accept the amended ORV grant from the Department of Natural Resources for the period October 1, 2008 to September 30, 2009 in the amount of \$3,365 moved from labor to equipment and purchase from the low bidder a trailer in the amount of \$3,340 from Cliff's Auto & Trailers.

Roll Call

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

Nays: None

Motion Carried

2009-417 **AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE FROM RAMOS ENTERPRISE, A 1999 PONTIAC MONTANA VAN**

CPS09/08-57

The Courts and Public Safety Committee recommends, moved by Gill, seconded by Engle, to authorize the Sheriff's Office to purchase from Ramos Enterprise, a 1999 Pontiac Montana Van for \$2,300 using forfeiture funds.

Roll Call

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

Nays: None

Motion Carried

2009-418 **AUTHORIZE A REQUEST FOR PROPOSALS THROUGH COUNTY PURCHASING FOR ARCHITECTURAL SERVICES FOR RENOVATION OF THE COUNTY MENTAL HEALTH CLUBHOUSE**

HR09/08-58

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize a request for proposals through County Purchasing for architectural services for renovation of the County Mental Health Clubhouse at 1470 Peck Street, Muskegon.

(Continued)

2009-418 **AUTHORIZE A REQUEST FOR PROPOSALS THROUGH COUNTY PURCHASING FOR ARCHITECTURAL SERVICES FOR RENOVATION OF THE COUNTY MENTAL HEALTH CLUBHOUSE**

Roll Call

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

Nays: None

Motion Carried

2009-419 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO AMEND THE CONTRACTS WITH THE PROVIDERS LISTED**

HR09/08-59

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to amend the contracts with the providers listed below to increase per diems listed below effective August 1, 2009 through September 30, 2009, and to contract with the listed providers for services in the homes from October 1, 2009 through September 30, 2010 at the per diems listed below:

Provider	Home	Current Per Diem	Per Diem Aug/Sep 2009	Per Diem FY 2009/2010
Amanda	Amanda	\$197.68	\$256.33	\$207.48
Fa-Ho-Lo	Wolf Lake	\$162.04	\$210.51	\$170.14
HGA	Shaffer	\$115.39	\$172.36	\$124.91
HGA	W. Fruitport	\$151.67	\$156.06	\$152.40
LSSM	Ducey	\$164.74	\$167.56	\$165.21
MOKA	Benston	\$180.64	\$227.88	\$188.53
MOKA	Slocum	\$170.69	\$221.06	\$179.11
MOKA	Sternberg	\$184.93	\$212.42	\$189.52
Pioneer	Broadway	\$182.72	\$230.58	\$190.72
Pioneer	Parkside	\$171.60	\$219.78	\$179.65
Pioneer	Riverwood	\$193.98	\$267.92	\$206.34
Pioneer	Ruddiman	\$179.90	\$254.55	\$192.38
Turning Leaf	Northridge	\$164.15		\$174.21

Commissioner Nash asked about the change, Community Mental Health Director North explained it is a change in distribution of funds but budget neutral.

Roll Call

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

Abstain: Nash

Nays: None

Motion Carried

2009-420 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN AMENDMENT #1 TO THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MEDICAID MANAGED SPECIALTY SUPPORTS AND SERVICES**

HR09/08-60

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health (CMH) Director to sign Amendment #1 to the contract with the Michigan Department of Community Health for Medicaid Managed Specialty Supports and Services effective October 1, 2008, through December 31, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-421 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN AMENDMENT #2 TO THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MANAGED MENTAL HEALTH SUPPORTS AND SERVICES**

HR09/08-61

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health (CMH) Director to sign Amendment #2 to the contract with the Michigan Department of Community Health for Managed Mental Health Supports and Services, effective October 1, 2008, through December 31, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-422 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN AN AMENDMENT TO THE CONTRACT WITH THE MOKA CORPORATION**

HR09/08-62

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health (CMH) Director to sign an amendment to the contract with the MOKA Corporation (3391 Merriam, Suite #201, Muskegon, MI 49444) for the development and operation of two (2) group homes for our consumers placed at the Mt. Pleasant Regional Center, to change the effective date from October 1, 2009 to July 21, 2009, with an annual cap not to exceed \$110,500 for the remainder of FY 2008/2009.

Roll Call

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

Nays: None

Motion Carried

2009-423 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN A CONTRACT WITH MICHIGAN CENTER FOR POSITIVE SUPPORTS FOR THE PROVISION OF SPECIALIZED CONSULTATIVE AND SUPPORTIVE SERVICES**

HR09/08-63

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health (CMH) Director to sign a contract with Michigan Center for Positive Supports for the provision of Specialized Consultative and Supportive Services, effective July 22, 2009 through September 30, 2010, with a fee schedule which will not exceed \$10,000.00 for this approximately 14-month contract.

Roll Call

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

Nays: None

Motion Carried

2009-424 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
A CONTRACT WITH BDO SEIDMAN, LLP FOR PROFESSIONAL
AUDITING SERVICES FOR FY 2009 THROUGH FY 2011**

HR09/08-64

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with BDO Seidman, LLP for professional auditing services for FY 2009 through FY 2011, with costs not to exceed \$37,800 for FY 2009, \$38,900 for FY 2010, and \$39,900 for FY 2011 and a maximum of \$600 for out of pocket expenses.

Roll Call

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

Nays: None

Motion Carried

2009-425 **AUTHORIZE THE PURCHASING DEPARTMENT TO SOLICIT BIDS ON
BEHALF OF THE COUNTY OF MUSKEGON, MEDICAL EXAMINER
PROGRAM FOR REMOVAL/ TRANSFER SERVICE OF HUMAN REMAINS**

HR09/08-65

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Purchasing Department to solicit bids on behalf of the County of Muskegon, Medical Examiner Program for removal/ transfer service of human remains.

Roll Call

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

Nays: None

Motion Carried

2009-426 **APPROVE THE CONTRACT BETWEEN PUBLIC HEALTH - MUSKEGON COUNTY IN PARTNERSHIP WITH GRAND VALLEY STATE UNIVERSITY'S ANNIS WATER RESOURCES INSTITUTE AND MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

HR09/08-66

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve the contract between Public Health - Muskegon County in partnership with Grand Valley State University's Annis Water Resources Institute and Michigan Department of Environmental Quality to provide an assessment of cyanobacteria toxins and their potential for release by algaecide application in Muskegon County lakes. Public Health - Muskegon County will receive \$10,722 and the Annis Water Resources Institute will receive \$35,778. Further move to authorize the Public Health Director to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2009-427 **ADOPT A PUBLIC HEALTH REGULATION ENTITLED "THE MUSKEGON COUNTY CLEAN INDOOR AIR REGULATION"**

HR09/08-67

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to adopt a public health regulation entitled "The Muskegon County Clean Indoor Air Regulation" as it has been proposed by Public Health - Muskegon to take effect 90 days after adoption.

Roll Call

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

Nays: None

Motion Carried

2009-428 **ADOPT A RESOLUTION ENTITLED "A CALL TO THE MICHIGAN LEGISLATURE TO PASS COMPREHENSIVE SMOKE-FREE WORKPLACE LEGISLATION"**

HR09/08-68

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to adopt a resolution entitled "A Call to the Michigan Legislature to Pass Comprehensive Smoke-Free Workplace Legislation" and forward the resolution to each Michigan Representative and Senator in the Michigan Legislature.

(Continued)

2009-428 **ADOPT A RESOLUTION ENTITLED "A CALL TO THE MICHIGAN LEGISLATURE TO PASS COMPREHENSIVE SMOKE-FREE WORKPLACE LEGISLATION"**

Roll Call

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

Nays: None

Motion Carried

2009-429 **ADOPT A RESOLUTION ENTITLED "RESOLUTION ON LOCAL PUBLIC HEALTH FUNDING FOR LEGALLY MANDATED SERVICES"**

HR09/08-69

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to adopt a resolution entitled "Resolution on Local Public Health Funding for Legally Mandated Services".

Roll Call

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

Nays: None

Motion Carried

2009-430 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JULY 15, 2009 THROUGH JULY 31, 2009**

WM09/08-106

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$5,458,466.08 covering the period of July 15, 2009 through July 31, 2009, as presented by the County Clerk.

Roll Call

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

Abstain: Nash

Nays: Gill

Motion Carried

2009-431 **APPROVE SETTING THE PUBLIC HEARING DATE FOR THE FY2010 PROPOSED MUSKEGON COUNTY BUDGET FOR THURSDAY, SEPTEMBER 3, 2009**

WM09/08-107

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve setting the Public Hearing date for the FY2010 Proposed Muskegon County Budget for Thursday, September 3, 2009 at 3:30 PM at the Board of Commissioners room on the 4th floor of the Michael E. Kobza Hall of Justice and to authorize the publication of a Notice of Public Hearing in a newspaper of general circulation on or before August 28, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-432 **AUTHORIZE CORPORATE COUNSEL TO ENTER INTO A SETTLEMENT WITH HICKMOTT TRANSPORTATION, INC.**

WM09/08-108

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize Corporate Counsel to enter into a settlement with Hickmott Transportation, Inc., in the amount of \$4,907.25, to resolve the outstanding dispute involving Haz-Mat response activities.

Roll Call

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

Nays: Gill

Motion Carried

2009-433 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION SERVICES CONTRACT PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE TOWNSHIP OF SULLIVAN**

WM09/08-109

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the Township of Sullivan and authorize the Chair of the County Board of Commissioners to execute an agreement prepared by the Equalization Department to provide the services.

(Continued)

2009-433 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION SERVICES CONTRACT PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE TOWNSHIP OF SULLIVAN**

Roll Call

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

Nays: None

Motion Carried

2009-434 **APPROVE A RESOLUTION OF INTENT TO ISSUE UP TO \$10,000,000 IN REVENUE BONDS THROUGH THE MICHIGAN MUNICIPAL BOND AUTHORITY OF THE MUSKEGON COUNTY WASTEWATER MANAGEMENT SYSTEM**

WM09/08-110

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve a Resolution of Intent to issue up to \$10,000,000 in revenue bonds through the Michigan Municipal Bond Authority of the Muskegon County Wastewater Management System for the purpose of installing three wind turbines and rebuilding some drainage stations. This bond issue is subject to a 45 day referendum period and must be published in the Muskegon Chronicle in large point type and take up no less than one-quarter of the page upon which it appears. The notice must be run as a display. Further, authorize the County Clerk to sign the document.

Roll Call

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

Nays: None

Motion Carried

2009-435 **WRITE OFF WASTEWATER BAD DEBT IN THE WASTEWATER FUND (5920) OF \$861 FOR E-COASTERS OF WEST MICHIGAN, INC.**

WM09/08-111

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to write off Wastewater bad debt in the Wastewater fund (5920) of \$861 for E-Coasters of West Michigan, Inc.

(Continued)

2009-435 **WRITE OFF WASTEWATER BAD DEBT IN THE WASTEWATER FUND
(5920) OF \$861 FOR E-COASTERS OF WEST MICHIGAN, INC.**

Roll Call

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

Nays: Gill

Motion Carried

2009-436 **APPROVE THE LINE ITEM BUDGET REVISION**

WM09/08-112

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the line item budget revision for the Forfeiture Fund 5110, reducing line item 1007-802.000 by \$12,267 and moving these funds to 1006-729.000 Office Supplies and 729.010 Office Equipment < \$1,000 and authorize the Treasurer's Office to proceed with the purchase of small equipment as submitted.

Roll Call

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

Nays: None

Motion Carried

2009-437 **APPROVE THE CONTRIBUTION OF \$3,500 TO THE MUSKEGON AREA
LABOR-MANAGEMENT COMMITTEE**

WM09/08-113

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the contribution of \$3,500 to the Muskegon Area Labor-Management Committee.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney extended an invitation to Commissioner from John Essex to visit Port City Die Cast. Date and time to be scheduled, possibly September 8 or 10.

2009-438 **SCHEDULE A PLANNING SESSION FOR TUESDAY, AUGUST 25, 2009**

The Chairman recommends, moved by Wade, seconded by Engle, to schedule a Planning Session for Tuesday, August 25, 2009 at 11:00 a.m. for in depth discussion of budgets and looking forward to strategic planning opportunities and long range financial planning.

Motion Carried

Commissioner Snider reported that the Community Corrections has matters that are being addressed by the County Administrator regarding funding questions with the Department of Corrections. Also, Commissioners Snider and Collins attended an LLC meeting noting a meeting is scheduled at end of month that may change the way it is operated

Chairman Mahoney noted MAC Legislative Updates of July 24th and 31st, 2009, were included in agenda packets.

2009-439 **ADOPT A RESOLUTION IN SUPPORT OF KEEPING OPEN MUSKEGON HEIGHTS AND NORTH MUSKEGON POST OFFICES**

The Chairman recommends, moved by Wade, seconded by Engle, to adopt a Resolution in support of keeping open Muskegon Heights and North Muskegon Post Offices.

Motion Carried

ADMINISTRATOR'S REPORT

2009-440 **APPROVAL OF AMENDMENT NO. 4 OF THE FY08/09 CPBC AGREEMENT WITH MICHIGAN DEPARTMENT OF COMMUNITY HEALTH AND PUBLIC HEALTH - MUSKEGON COUNTY**

The Administrator recommends, moved by Engle, seconded by Wade, to approve Amendment No. 4 of the FY08/09 CPBC agreement 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.

(Continued)

2009-440 APPROVAL OF AMENDMENT NO. 4 OF THE FY08/09 CPBC AGREEMENT WITH MICHIGAN DEPARTMENT OF COMMUNITY HEALTH AND PUBLIC HEALTH - MUSKEGON COUNTY

Roll Call

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

Nays: None

Motion Carried

Old Business

None.

New Business

Commissioner Scolnik distributed to Commissioner a tribute to Brian Chapman for his work in helping with the Sesquicentennial.

2009-441 RESOLUTION IN TRIBUTE TO BRIAN CHAPMAN FOR INITIATING THE SESQUICENTENNIAL CELEBRATION

Moved by Wade, seconded by Snider, to approve a Resolution in tribute to Brian Chapman for initiating the Sesquicentennial Celebration and his efforts to promote Muskegon County.

Motion Carried

Commissioner Scolnik noted History Cruise 1 is sold out. There is still room for Cruise 2 covering 1920 - 1930 for a fee of \$25 per person which includes food and soft drinks.

Public Participation

Mark Mangione addressed the board commending the County for having a staff member to over-see projects noting contractors often sub-contract out their work so please be aware of who is actually doing the work. Mr. Mangione distributed a copy of the Ingham County adopted policy and resolution for project labor agreements.

Commissioner Snider noted he and County Clerk Waters were rained out for the Saturday Reeths-Puffer Neighborhood Association parade.

2009-442 **ADJOURN**

Moved by Engle, seconded by Collins, to adjourn.

Motion Carried

Meeting adjourned at 4:37 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

***Note:** The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

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

August 25, 2009

3:30 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 Vice-Chairman Nash followed by the pledge of Allegiance recited in unison.

Roll Call

Present: Collins, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Excused: Buzzell, Derezinski

Absent: None

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

2009-443 **APPROVE AGENDA**

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

Motion Carried

2009-444 **APPROVE THE MINUTES OF THE FULL BOARD OF AUGUST 11, 2009**

Moved by Engle, seconded by Wade, to approve minutes of the Full Board of August 11, 2009.

Motion Carried

2009-445 **COMMUNICATIONS**

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

- A. Lake County Resolution No. 07/22/2009 1206 to delete boilerplate language introduced in Senate Appropriations Subcommittee for Community Health and adopted as Senate Substitute for HB 4436, known as Section 407 (1) and Section 407 (4) and urge continuance of the current structure and funding of Coordinating Agencies for the welfare and benefit of citizens within the NMSAS catchment area.
- B. Oceana County Resolution in support of House Bills 4785 and 4786 - Expansion of Unemployment Benefits and Acceptance of \$138 Million in Federal Stimulus Funds.

Vice-Chairman Nash recommended that the Oceana Resolution regarding HB 4785 and 4786 might be something that Muskegon County would like to support.

Chairman Mahoney agreed and also suggested consideration Lake County's Resolution.

Motion Carried

2009-446 **APPROVE THE RESOLUTION ACCEPTING THE MICHIGAN DNR
NATURAL RESOURCES TRUST FUND GRANT OFFER NUMBER TF08-
029**

CD/SP09/07-21

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve the Resolution accepting the Michigan DNR Natural Resources Trust Fund grant offer number TF08-029 in the amount of \$428,300 for the acquisition of approximately 95 acres of land adjacent to Meinert County Park and authorize the Board Chair to execute the grant agreement with the State of Michigan Department of Natural Resources.

At Commissioner Snider's request for update on fund-raising, April Schultz with Land Conservancy of West Michigan, reported that as of mid-September, there will be \$56,700 remaining to raise to cover the cost of acquisition. Ms. Schultz further reported on a plan to establish a restricted fund to fund the management and care taking of this addition to Meinert County Park.

Commissioner McMurray expressed concern about restrictions to access to the park by those who do not live in the Meinert County Park area.

(Continued)

2009-446 **APPROVE THE RESOLUTION ACCEPTING THE MICHIGAN DNR
NATURAL RESOURCES TRUST FUND GRANT OFFER NUMBER TF08-
029**

Roll Call

Ayes: Collins, Engle, Gill, Mahoney, Nash, Scolnik, Snider, Wade

Excused: Buzzell, Derezinski

Nays: McMurray

Motion Carried

2009-447 **APPROVE MDOT PROJECT AUTHORIZATION 2007-0264/Z14 WITH THE
MUSKEGON AREA TRANSIT SYSTEM**

TR09/08-37

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve MDOT Project Authorization 2007-0264/Z14 with the Muskegon Area Transit System providing state capital match funds in the amount of \$40,500 for replacement small buses, and to authorize the Chairperson to execute the contract.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-448 **AUTHORIZE MATS TO DISPOSE OF GOBUS UNIT 0105 TO THE
COUNTY'S INSURANCE CARRIER**

TR09/08-38

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize MATS to dispose of GoBus Unit 0105 to the County's insurance carrier, Michigan Municipal Risk Management Authority (MMRMA), for the sum of \$8,900.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-449 **AUTHORIZE MATS AND THE PURCHASING DEPARTMENT TO ISSUE
A REQUEST FOR PROPOSALS FOR UP TO EIGHTEEN SMALL BUSES**

TR09/08-39

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize MATS and the Purchasing Department to issue a Request for Proposals for up to eighteen small buses.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-450 **AUTHORIZE MATS TO PROCEED WITH DEVELOPMENT OF AN INTERIM
PASSENGER WAITING AREA AT THE CITY OF MUSKEGON HEIGHTS
FARMERS MARKET PROPERTY**

TR09/08-40

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize MATS to proceed with development of an interim passenger waiting area at the City of Muskegon Heights Farmers Market property, to begin planning for a permanent passenger transfer facility at the location, and to pursue the possibilities for reallocation of previously awarded federal and state facility funds.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-451 **AUTHORIZE WAIVER OF THE CURRENT COUNTY HIRING FREEZE AND
TO APPOINT GARY NIELSEN TO THE BUDGETED AIRPORT
MAINTENANCE WORKER/6 MONTHS POSITION #N08007**

TR09/08-41

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize waiver of the current County hiring freeze and to appoint Gary Nielsen to the budgeted Airport Maintenance Worker/6 Months Position #N08007, beginning September 28, 2009, at salary step 6, \$18.512 per hour.

(Continued)

2009-451 **AUTHORIZE WAIVER OF THE CURRENT COUNTY HIRING FREEZE AND TO APPOINT GARY NIELSEN TO THE BUDGETED AIRPORT MAINTENANCE WORKER/6 MONTHS POSITION #N08007**

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-452 **APPROVE AWARD RFP 09-1639, GENERAL AVIATION AIRCRAFT HANGAR LEASE, TO EXECUTIVE AIR TRANSPORT, INC.**

TR09/08-42

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve award RFP 09-1639, General Aviation Aircraft Hangar Lease, to Executive Air Transport, Inc., for the lease of a 14,000 square foot hangar facility located at Muskegon County Airport, at the rate of \$2,500 per month, and further approve amending the existing Executive Air Transport, Inc. lease to include said facility.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: Nash

Motion Carried

2009-453 **APPROVE EXECUTION OF FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT #3-26-0071-3209**

TR09/08-43

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve execution of Federal Airport Improvement Program (AIP) Grant #3-26-0071-3209 in the amount of \$845,500, providing federal funds for several items included in the airport's FY2009 capital improvement plan.

(Continued)

2009-453 **APPROVE EXECUTION OF FEDERAL AIRPORT IMPROVEMENT PROGRAM (AIP) GRANT #3-26-0071-3209**

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-454 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF AUGUST 1 - 14, 2009**

WM09/08-114

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to approve payment of the accounts payable of \$9,318,893.79 covering the period of August 1, 2009 through August 14, 2009, as presented by the County Clerk.

Roll Call

Ayes: Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: Gill

Motion Carried

2009-455 **CONTRACT WITH LAKESHORE OFFICE FURNITURE TO PROVIDE OFFICE FURNITURE FOR THE COMMUNITY MENTAL HEALTH BUILDING PROJECT**

WM09/08-115

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to contract with Lakeshore Office Furniture to provide office furniture for the Community Mental Health building project for a cost not to exceed \$591,518.

Commissioner McMurray inquired as to why we continue with Lakeshore when it has been discussed in the past to go out for bid for office furniture. Chairman Mahoney noted office furniture will be bid out in the future. Administrator noted the architectural issue information documentation is being gathered and will be reported.

(Continued)

2009-455 **CONTRACT WITH LAKESHORE OFFICE FURNITURE TO PROVIDE OFFICE FURNITURE FOR THE COMMUNITY MENTAL HEALTH BUILDING PROJECT**

Roll Call

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

Excused: Buzzell, Derezinski

Nays: Gill, Nash

Motion Carried

2009-456 **WRITE OFF WASTEWATER BAD DEBT IN THE WASTEWATER FUND (5920) OF \$864.72 FOR STATEWIDE DELIVERY, INC.**

WM09/08-116

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to write off Wastewater bad debt in the Wastewater fund (5920) of \$864.72 for Statewide Delivery, Inc.

Roll Call

Ayes: Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: Gill

Motion Carried

2009-457 **AUTHORIZE THE REGISTER OF DEEDS TO COMMENCE THE BID PROCESS FOR THE PURCHASE OF ONE NEW WICKS & WILSON RS 325 16/35 MM MICROFILM SCAN STATION, SCANNING SOFTWARE, PC WORKSTATION AND MONITOR, WICKS & WILSON RS 325 ON SITE MAINTENANCE AND INSTALLATION & TRAINING**

WM09/08-117

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to authorize the Register of Deeds, with assistance of Purchasing, to commence the bid process for the purchase of one new Wicks & Wilson RS 325 16/35 mm Microfilm Scan Station, Scanning Software, PC workstation and monitor, Wicks & Wilson RS 325 on site maintenance and installation & training. The performance and technical specifications shall meet or exceed the Wicks & Wilson RS 325 Exhibit A specifications.

(Continued)

- 2009-457 **AUTHORIZE THE REGISTER OF DEEDS TO COMMENCE THE BID PROCESS FOR THE PURCHASE OF ONE NEW WICKS & WILSON RS 325 16/35 MM MICROFILM SCAN STATION, SCANNING SOFTWARE, PC WORKSTATION AND MONITOR, WICKS & WILSON RS 325 ON SITE MAINTENANCE AND INSTALLATION & TRAINING**

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

- 2009-458 **APPROVE THE PURCHASE OF A LASER PRINTER OUT OF BUDGETARY LINE ITEM SAVINGS WITHIN THE PROSECUTOR'S FY 2009 CRIME VICTIMS RIGHTS GRANT BUDGET**

WM09/08-118

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to approve the purchase of a laser printer out of budgetary line item savings within the Prosecutor's FY 2009 Crime Victims Rights grant budget (2800-0232).

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

- 2009-459 **APPROVE THE INSTALLATION BY VIDEO-TECH TRONICS OF A TEMPORARY CARD KEY ACCESS SECURITY SYSTEM FOR THE TERRACE STREET DOORS OF THE HALL OF JUSTICE FOR THE USE OF CONTRACTORS DURING THE FIRST AND SECOND FLOOR RENOVATION PROJECT**

WM09/08-119

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to approve the installation by Video-Tech Tronics of a temporary card key access security system for the Terrace Street doors of the Hall of Justice for the use of contractors during the first and second floor renovation project for their quote of \$3,800 with costs being paid from the Hall of Justice Capital Improvement fund 4130-4131.

(Continued)

2009-459 **APPROVE THE INSTALLATION BY VIDEO-TECH TRONICS OF A TEMPORARY CARD KEY ACCESS SECURITY SYSTEM FOR THE TERRACE STREET DOORS OF THE HALL OF JUSTICE FOR THE USE OF CONTRACTORS DURING THE FIRST AND SECOND FLOOR RENOVATION PROJECT**

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-460 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO PURCHASE FROM NORIX GROUP, INC., 2 TABLES AND 40 CHAIRS FOR THE INMATES**

WM09/08-120

The Ways and Means Committee Recommends, moved by Vice-Chairman Nash, seconded by Collins, to grant permission to the Sheriff's Office to purchase from Norix Group, Inc., 2 tables and 40 chairs for the inmates for \$4,564.70.

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Collins, Engle

Excused: Buzzell, Derezinski

Nays: None

Motion Carried

2009-461 **PRESENTATION - TRIBUTE TO BRYAN CHAPMAN**

Chairman Mahoney presented Brian Chapman with a tribute for his contributions to the Muskegon County 150th Celebration. Mr. Chapman expressed his love of Muskegon County as well as his appreciation to Commissioners, regarding the Sesquicentennial success.

Commissioner Scolnik noted that fund-raising efforts covered all costs for the Sesquicentennial celebration so no taxpayer dollars were used for these events.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney thanked Commissioner Gill, Vice-Chairman Nash, Administrator Hammersley, Judy Kell, other staff members and many City Officials, for attending the Natural Resource Trust Fund Board on Wednesday to make a presentation for the Y-Property Acquisition. Though the presentation went very well and the Chairman is optimistic, there were \$115 million in projects requested of the Natural Resource Trust Fund Board with about \$34 million available to distribute.

Commissioner Snider reported that he and Administrator Hammersley, Sheriff Roesler, Dennis Vennema from the State Probation Office attended a meeting for the Community Corrections Committee, MDOC, in Lansing on Thursday. Administrator Hammersley represented us very well. We do have some issues with respect to funding under Public Act 511 for Community Corrections and we need to make sure that funding is sustained. The Community Corrections Advisory Board met Monday and Administrator Hammersley, Christine Curtis and the new MDOC representative for this area, Linsey LaMontagne were in attendance. There was discussion regarding the need to revise our grant application and funding process. The grant application is due by October 31, 2009.

Vice-Chairman Nash indicated that he has been appointed to the MAC Transportation Committee and will be serving with Commissioner Bill Gill. The MAC Transportation Committee discussed a proposal for new legislation to give counties ability for bike trail funding. Lien fees were also discussed and MAC passed their proposed platform for 2009/2010.

Commission Scolnik and Chairman Mahoney thanked John H. McGarry, III, Lakeshore Museum Center Executive Director, for the Sesquicentennial Banners that were displayed throughout the County by the Lakeshore Museum Center.

Chairman Mahoney noted the MAC Legislative Updates of August 7th and 14th, 2009, were included in packets. Suggested contacting Legislature regarding eliminating option to opt out of Tax Increment Financing (TIFA).

ADMINISTRATOR'S REPORT

None.

Old Business

None.

New Business

None.

Public Participation

Chairman Mahoney welcomed, Mike Thompson, Egelston Township Supervisor, who was in attendance.

*Budget Hearing

Beth Dick, Budget Manager, presented the Proposed 2010 Budget for all funds. Commissioner Snider asked if her future reports would show balance after addition and/or expenditures.

***Note:** The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

2009-462 **SUSPEND RULES TO ALLOW JOHN H. MCGARRY, III, TO ADDRESS THE BOARD**

Moved by Scolnik, seconded by Snider, to suspend rules to allow John H. McGarry, III, to address the Board.

Motion Carried

John H. McGarry, III, Lakeshore Museum Center Executive Director, informed the Board of increasing school requests and coming events that include a new exhibit of 400 million years.

Chairman Mahoney thank Mr. McGarry for his contributions to the Hilt Landing project.

2009-463 **ADJOURN**

Moved by Collins, seconded by Wade, to adjourn.

Motion Carried

Meeting adjourned at 4:27 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

***Note:** The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

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

September 8, 2009

3:30 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, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Absent: None

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

2009-464 **APPROVE AGENDA**

Moved by Engle, seconded by Wade, removing items 11. A, 11. C. and 11. D from the agenda, to approve the Agenda as amended.

Motion Carried

2009-465 **APPROVE THE MINUTES OF THE FULL BOARD OF AUGUST 25, 2009**

Moved by Engle, seconded by Wade, to approve minutes of the Full Board of August 25, 2009.

Motion Carried

2009-466 **UNITED WAY OF THE LAKESHORE PRESENTATION**

Christine Robare distributed information to Commissioners and gave an update on the 2010 United Way Campaign and reminder of results from the 2009 campaign. The Chairperson of the Government Division is Sheriff Dean Roesler who noted he is looking at getting more local units involved. Administrator Hammersley has already introduced some great ideas. Christian Toebe will head up the County Campaign who noted that there will be a lot of fun activities, such as parking spot hot spots, bake sales and the United Way Picnic with a theme of Muskegon County Living United for 150 Years. Penny Salisz, Labor Liaison for United Way, noted that the Day of Caring would be held this Friday, September 11, 2009, at Heritage Landing and the LST.

2009-467 **COMMUNICATIONS**

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

- A. Alger County Resolution No. 2009-19 in support of House Bill No. 4893 regarding Medical Examiner retention of body and organ tissue.
- B. Lake County Resolution No. 08/12/2009 1208 urging state legislators and Representatives to fully support HB 5019 in an effort to limit the benefit package received by our state legislators.
- C. Lapeer County Resolution regarding Legally Mandated Service Payments
- D. Lenawee County Resolution regarding Lenawee Community Mental Health Authority, requesting members of the Senate and House to remove language from Section 470 of this budget bill replacing it with the allocation process which has been used for several years and which is in compliance with the Code.

Motion Carried

2009-468 **AUTHORIZE THE CIRCUIT COURT, THROUGH ITS CHIEF JUDGE, THE HONORABLE JOHN C. RUCK, TO ENTER INTO CONTRACTS WITH FIVE ATTORNEYS TO BE DESIGNATED AS PUBLIC DEFENDERS AND EIGHT ATTORNEYS TO BE DESIGNATED AS CONTRACT ATTORNEYS**

CPS09/09-58

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Circuit Court, through its Chief Judge, the Honorable John C. Ruck, to enter into contracts with five attorneys to be designated as public defenders and eight attorneys to be designated as contract attorneys as follows, effective October 1, 2009:

Public Defenders: Al E. Swanson, Jr. - \$130,000; Fred J. Lesica - \$130,000;
Joseph Fisher - \$45,000; Fredric F. Balgooyen - \$47,258;

(Continued)

2009-468 **AUTHORIZE THE CIRCUIT COURT, THROUGH ITS CHIEF JUDGE, THE HONORABLE JOHN C. RUCK, TO ENTER INTO CONTRACTS WITH FIVE ATTORNEYS TO BE DESIGNATED AS PUBLIC DEFENDERS AND EIGHT ATTORNEYS TO BE DESIGNATED AS CONTRACT ATTORNEYS**

Contract Attorneys: Gary Veurink - \$45,000; Edna Kass - \$45,000; Chad Catalino - \$45,000; Michael Walsh - \$45,000; David Korterling - \$45,000; David Williams - \$45,000; Thoa Du - \$45,000; Karen Groenhut - \$45,000.

Roll Call

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

Nays: None

Motion Carried

2009-469 **AUTHORIZE THE BOARD CHAIR AND CIRCUIT COURT ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH MUSKEGON PUBLIC SCHOOLS TO PROVIDE CONTRACTUAL FAMILY DIVISION LIAISON SERVICES**

CPS09/09-59

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Board Chair and Circuit Court Administrator to enter into an agreement with Muskegon Public Schools to provide contractual Family Division Liaison services to the school system in the amount of \$67,427.52 and fund 2152-1430 in the FY10 budget accordingly.

Roll Call

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

Nays: Gill

Motion Carried

2009-470 **APPROVE THE AGREEMENT FOR COURT OFFICER SERVICES FOR USE BY THE CIRCUIT COURT IN APPOINTING APPLICANTS TO THE LIST OF COURT OFFICERS AS PROVIDED IN MCR 3.106**

CPS09/09-60

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Agreement for Court Officer Services for use by the Circuit Court in appointing applicants to the list of Court Officers as provided in MCR 3.106.

(Continued)

2009-470 **APPROVE THE AGREEMENT FOR COURT OFFICER SERVICES FOR USE BY THE CIRCUIT COURT IN APPOINTING APPLICANTS TO THE LIST OF COURT OFFICERS AS PROVIDED IN MCR 3.106**

Roll Call

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

Nays: None

Motion Carried

2009-471 **APPROVE THE FY2010 CHILD CARE FUND ANNUAL PLAN AND BUDGET AND AUTHORIZE THE BOARD CHAIR TO SIGN THE DOCUMENT FOR SUBMISSION TO THE STATE OF MICHIGAN**

CPS09/09-61

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the FY2010 Child Care Fund Annual Plan and Budget and authorize the Board Chair to sign the document for submission to the State of Michigan.

Roll Call

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

Nays: None

Motion Carried

2009-472 **APPROVE THE BOARD CHAIR TO SIGN AN EMPLOYMENT AGREEMENT WITH ALAN MYRMEL TO PROVIDE THE SERVICES OF THE FAMILY DIVISION LIAISON**

CPS09/09-62

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Board Chair to sign an employment agreement with Alan Myrmel in the amount of \$61,200 to provide the services of the Family Division Liaison.

Roll Call

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

Nays: Gill

Motion Carried

2009-473 **AUTHORIZE THE DISTRICT COURT, THROUGH ITS CHIEF JUDGE, HONORABLE ANDREW WIERENGO TO ENTER INTO A ONE YEAR CONTRACT WITH TH FIVE ATTORNEYS AS DESIGNATED AS PUBLIC DEFENDERS**

CPS09/09-63

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the District Court, through its Chief Judge, Honorable Andrew Wierengo to enter into a one year contract with the five attorneys as designated as public defenders effective October 1, 2009, through September 30, 2010: Belinda Barbier - \$45,000; Brian Hosticka - \$45,000; James Marek - \$45,000; Manda Mitteer - \$45,000; Joseph Fisher - \$20,000.

Roll Call

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

Nays: None

Motion Carried

2009-474 **APPROVE WAIVING THE HIRING FREEZE TO ALLOW THE PROSECUTOR TO FILL LEGAL SECRETARY POSITION #G49003 EFFECTIVE IMMEDIATELY**

CPS09/09-64

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve waiving the hiring freeze to allow the Prosecutor to fill Legal Secretary position #G49003 effective immediately.

Roll Call

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

Nays: None

Motion Carried

2009-475 **AUTHORIZE THE PROSECUTOR TO ACCEPT THE VICTIMS OF CRIME ACT GRANT FROM THE STATE OF MICHIGAN, DEPARTMENT OF COMMUNITY HEALTH**

CPS09/09-65

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Prosecutor to accept the Victims of Crime Act Grant from the State of Michigan, Department of Community Health in the amount of \$67,164 with the local match requirement provided by volunteer hours, to adjust the County budget to reflect the grant award and to affix the signature of the Chairman of the Board to two copies of the Agreement.

(Continued)

2009-475 **AUTHORIZE THE PROSECUTOR TO ACCEPT THE VICTIMS OF CRIME
ACT GRANT FROM THE STATE OF MICHIGAN, DEPARTMENT OF
COMMUNITY HEALTH**

Roll Call

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

Nays: None

Motion Carried

2009-476 **AUTHORIZE THE PROSECUTOR TO ACCEPT THE FY2010 CRIME
VICTIMS RIGHTS FUNDING AGREEMENT FROM THE CRIME VICTIM
SERVICES COMMISSION**

CPS09/09-66

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Prosecutor to accept the FY2010 Crime Victims Rights Funding Agreement in the amount of \$160,577 from the Crime Victim Services Commission and to affix the signature of the Chairman of the Board to two copies of the Agreement.

Roll Call

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

Nays: None

Motion Carried

2009-477 **APPROVE THE PROSECUTOR'S THREE-YEAR TITLE IV-D
COOPERATIVE REIMBURSEMENT AGREEMENT**

CPS09/09-67

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Prosecutor's three-year Title IV-D Cooperative Reimbursement Agreement, CS/PA-10-61002 and to affix the signature of the Chairman of the Board to two copies of the Agreement.

Roll Call

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

Nays: None

Motion Carried

2009-478 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO SUBMIT THE ANNUAL APPLICATION TO THE OFFICE OF HIGHWAY SAFETY PLANNING FOR SECONDARY ROAD PATROL FOR 2009/2010**

CPS09/09-68

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to grant permission to the Sheriff's Office to submit the annual application to the Office of Highway Safety Planning for Secondary Road Patrol for 2009/2010 in the amount of \$219,776.00, State's allocation of \$179,670.00 and General Fund match of \$40,106.00.

Roll Call

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

Nays: None

Motion Carried

2009-479 **SUPPORT A RESOLUTION IN RECOGNITION OF JAMES JACKSON, D.O., FOR HIS 50 YEARS OF SERVICE TO THE MUSKEGON COMMUNITY**

CPS09/09-69

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to support a Resolution in recognition of James Jackson, D.O., for his 50 years of service to the Muskegon community.

Roll Call

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

Nays: None

Motion Carried

2009-480 **AUTHORIZE COMMUNITY MENTAL HEALTH TO ACCEPT THE PROPOSED RATE CHANGES BY THOSE VENDORS/PROVIDERS**

HR09/09-70

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize Community Mental Health to accept the proposed rate changes by those vendors/providers listed in Attachment A: FY2009/2010 Proposed Vendor Rate Changes, effective October 1, 2009 through September 30, 2010.

(Continued)

2009-480 **AUTHORIZE COMMUNITY MENTAL HEALTH TO ACCEPT THE PROPOSED RATE CHANGES BY THOSE VENDORS/PROVIDERS**

Roll Call

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

Nays: None

Motion Carried

2009-481 **APPROVE THE REQUEST BY COMMUNITY MENTAL HEALTH TO ESTABLISH THREE FULL-TIME, MID-LEVEL MEDICAL PRACTITIONER POSITIONS**

HR09/09-71

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to approve the request by Community Mental Health to establish three full-time, mid-level Medical Practitioner positions at a 6-step pay range of \$75,262.72 to \$96,037.76.

Roll Call

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

Nays: None

Motion Carried

2009-482 **AUTHORIZE THE COMMUNITY MENTAL HEALTH TO CONTRACT WITH THOSE SERVICE VENDORS/PROVIDERS WHO HAVE SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE PROVISION AT THE CURRENT FISCAL YEAR 2008/2009 RATES**

HR09/09-72

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health to contract with those service vendors/providers who have submitted written agreements to continue service provision at the current Fiscal Year 2008/2009 rates for the time period effective October 1, 2009 through September 30, 2010.

Roll Call

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

Nays: None

Motion Carried

2009-483 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
A CONTRACT WITH CARO CENTER FOR THE PROVISION OF STATE
FACILITY INPATIENT SERVICES**

HR09/09-73

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health Director to sign a contract with Caro Center for the provision of State Facility Inpatient Services effective September 9, 2009 at the per diem rate set by Michigan Department of Community Health.

Roll Call

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

Nays: None

Motion Carried

2009-484 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
A CONTRACT WITH NETWERKES, LLC TO PROVIDE INTERNET
TRANSACTION AND DATABASE SERVICES**

HR09/09-74

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health Director to sign a contract with Netwerkes, LLC to provide Internet Transaction and Database Services, effective October 1, 2009 through September 30, 2010. The costs are not to exceed \$4,500.00.

Roll Call

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

Nays: None

Motion Carried

2009-485 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
A CONTRACT WITH PROTO CALL SERVICES, INC., FOR AFTER-
HOURS TELEPHONE EMERGENCY SERVICES**

HR09/09-75

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health Director to sign a contract with Proto Call Services, Inc., for After-Hours Telephone Emergency Services effective October 1, 2009 through September 30, 2011. The cost for the service will be a monthly rate of 200 calls of \$1,950.00; an additional per call cost for over 200 calls per month of \$10.75 per call; and an additional per call cost for as needed Interpreter Services of \$1.86 per minute/approximately \$9.50 per call.

(Continued)

2009-485 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH PROTO CALL SERVICES, INC., FOR AFTER-HOURS TELEPHONE EMERGENCY SERVICES**

Roll Call

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

Nays: None

Motion Carried

2009-486 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH PATRICK J. HANDLIN, PA-C, MPAS FOR THE DELIVERY OF UP TO 20 HOURS PER WEEK OF PHYSICIAN ASSISTANT SERVICES AND AFTER-HOURS CONSULTATION SERVICES**

HR09/09-76

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize the Community Mental Health Director to sign a contract with Patrick J. Handlin, PA-C, MPAS for the delivery of up to 20 hours per week of Physician Assistant Services and After-Hours Consultation Services, effective September 14, 2009 through September 30, 2010, at the rate of \$72.56 per hour, not to exceed \$78,500.00.

Roll Call

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

Nays: Nash

Motion Carried

2009-487 **AUTHORIZE KENNETH A. KRAUS, PUBLIC HEALTH DIRECTOR, TO SIGN THE ASSOCIATED HEALTH DEPARTMENT AGREEMENT WITH THE IONIA COUNTY HEALTH DEPARTMENT, KENT COUNTY HEALTH DEPARTMENT AND OTTAWA COUNTY HEALTH DEPARTMENT FOR THE PURPOSE OF SHARING MEDICAL DIRECTION**

HR09/09-77

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize Kenneth A. Kraus, Public Health Director, to sign the Associated Health Department Agreement with the Ionia County Health Department, Kent County Health Department and Ottawa County Health Department for the purpose of sharing Medical Direction.

(Continued)

2009-487 **AUTHORIZE KENNETH A. KRAUS, PUBLIC HEALTH DIRECTOR, TO SIGN THE ASSOCIATED HEALTH DEPARTMENT AGREEMENT WITH THE IONIA COUNTY HEALTH DEPARTMENT, KENT COUNTY HEALTH DEPARTMENT AND OTTAWA COUNTY HEALTH DEPARTMENT FOR THE PURPOSE OF SHARING MEDICAL DIRECTION**

Roll Call

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

Nays: None

Motion Carried

2009-488 **AUTHORIZE PUBLIC HEALTH TO ENTER INTO AN AGREEMENT WITH ACCESS HEALTH, INC., FOR THE DELIVERY OF HEALTH CARE RELATED SERVICES FOR INDIGENT AND LOW-INCOME RESIDENTS OF MUSKEGON COUNTY FOR THE 2009-2010 FISCAL YEAR**

HR09/09-78

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to authorize Public Health to enter into an agreement with Access Health, Inc., in the amount not to exceed \$246,000, for the delivery of health care related services for indigent and low-income residents of Muskegon County for the 2009-2010 fiscal year. Further move to authorize the Board Chairman and the Director of Health and Community Resources to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2009-489 **ALLOW PUBLIC HEALTH TO PURCHASE TWO HEMOCUE MACHINES, A CLIENT PAGING SYSTEM, ONE FAX MACHINE WITH ONE YEAR MAINTENANCE, ONE OKIDATA PRINTER WITH A THREE YEAR WARRANTY AND ONE HEWLETT PACKARD SERVER**

HR09/09-79

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to allow Public Health to purchase two hemocue machines from Hemocue at a cost of \$1,375, a client paging system from Inter Page for a total cost of \$1,703, one fax machine with one year maintenance from Office Machines Company for a total cost of \$1,234, one Okidata printer with a three year warranty from Bob Brooks Computer Sales at a total cost of \$306.65 and one Hewlett Packard server not to exceed \$3,500 with no increase in the general fund allocation.

Roll Call

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

Nays: None

Motion Carried

2009-490 **ALLOW PUBLIC HEALTH TO PURCHASE ONE CONTINENTAL 2 STAINLESS STEEL DOOR REFRIGERATOR AND ONE BLOOD/VACCINE REFRIGERATOR**

HR09/09-80

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to allow Public Health to purchase one Continental 2 Stainless Steel Door Refrigerator from Northwestern Bakery & Restaurant Equipment Sales in the amount of \$2,751.67 which includes delivery and set up and one Blood/Vaccine Refrigerator carrier from Innovative Solutions in the amount of \$1,325 plus delivery with no change in the general fund allocation.

Roll Call

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

Nays: None

Motion Carried

2009-491 **WAIVE THE RETIREMENT INCENTIVE RESTRICTIONS OUTLINED IN BOARD MOTION 2009-364 (WM09/07-80) TO ALLOW PUBLIC HEALTH TO IMMEDIATELY RECRUIT PUBLIC HEALTH NURSE POSITIONS #H05017 AND #H05010**

HR09/09-81

The Human Resources Committee recommends, moved by Buzzell, seconded by Nash, to waive the Retirement Incentive restrictions outlined in Board Motion 2009-364 (WM09/07-80) to allow Public Health to immediately recruit Public Health Nurse positions #H05017 and #H05010, holding one position open until October 30, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-492 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF AUGUST 15 - 28, 2009**

WM09/09-121

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve payment of the accounts payable of \$5,472,915.25 covering the period of August 15, 2009 through August 28, 2009, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2009-493 **AUTHORIZE STAFF TO ISSUE SEPARATE BIDS FOR POST CONSTRUCTION CLEANING, BUILDING SIGNAGE AND WINDOW COVERINGS IN CONJUNCTION WITH THE NEW CMH FACILITY**

WM09/09-122

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize staff to issue separate bids for post construction cleaning, building signage and window coverings in conjunction with the new CMH facility.

(Continued)

2009-493 **AUTHORIZE STAFF TO ISSUE SEPARATE BIDS FOR POST CONSTRUCTION CLEANING, BUILDING SIGNAGE AND WINDOW COVERINGS IN CONJUNCTION WITH THE NEW CMH FACILITY**

Roll Call

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

Nays: None

Motion Carried

2009-494 **AMEND THE ADOPTED FY2009 BUDGETS AS LISTED**

WM09/09-123

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to amend the adopted FY2009 budgets, the general fund revenue budget from \$46,367,943 to \$45,786,744, the general fund expenditure budget from \$46,365,929 to \$45,786,744, the all funds revenue budgets from \$267,880,267 to \$298,497,959 and the all funds expense budgets from \$281,716,501 to \$303,891,766, to approve the FY2009 position funding transfers as identified in the motion detail and to approve the FY2009 additional equipment requests as identified in the motion detail.

Roll Call

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

Nays: None

Motion Carried

2009-495 **AUTHORIZE STAFF TO PROCURE THE HARDWARE, SOFTWARE AND TECHNICAL SUPPORT TO IMPLEMENT THE VOICE MAIL UPGRADE**

WM09/09-124

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize staff to procure the hardware, software and technical support to implement the voice mail upgrade at a cost not to exceed \$29,921.34. The cost of the upgrade will be funded in the amount of \$9,559.34 from the fiscal year 2009 telecommunications budget. The remaining \$20,362.32 will be paid from the Equipment Revolving Fund and charged back to the county departments.

(Continued)

2009-495 **AUTHORIZE STAFF TO PROCURE THE HARDWARE, SOFTWARE AND TECHNICAL SUPPORT TO IMPLEMENT THE VOICE MAIL UPGRADE**

Roll Call

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

Nays: None

Motion Carried

2009-496 **APPROVE A RESOLUTION TO DESIGNATE THE ENTIRE COUNTY AS A "RECOVERY ZONE" FOR USE OF FEDERAL STIMULUS FUNDS**

WM09/09-125

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve a resolution to designate the entire county as a "Recovery Zone" for use of Federal Stimulus funds and have the Clerk sign the resolution on behalf of the Board.

Roll Call

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

Nays: None

Motion Carried

2009-497 **APPROVE A RESOLUTION FOR A BOND CALL OF THE MUSKEGON COUNTY WASTEWATER MANAGEMENT SYSTEM**

WM09/09-126

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve a resolution for a Bond call of the Muskegon County Wastewater Management System - Number One (Fruitport Charter Township Extension) Bonds, Series 1999 (General Obligation Limited Tax) sewer bonds on November 1, 2009 and have the County Clerk sign the resolution.

Roll Call

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

Nays: None

Motion Carried

2009-498 **AUTHORIZE FINANCE & MANAGEMENT SERVICES/PURCHASING
OFFICE STAFF TO ACCEPT THE HIGHEST AUTHENTICATED BID FOR
EACH OF THE TWENTY-ONE (21) SURPLUS VEHICLES**

WM09/09-127

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize Finance & Management Services/Purchasing Office staff to accept the highest authenticated bid for each of the twenty-one (21) surplus vehicles and distribute the proceeds to the appropriate funds.

Roll Call

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

Nays: None

Motion Carried

2009-499 **RECLASSIFY THE VACANT WORKFORCE DEVELOPMENT FINANCE
SUPERVISOR, POSITION TO A GRANTS MONITOR**

WM09/09-128

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to reclassify the vacant Workforce Development Finance Supervisor, Position #X96301 (NX00280 \$46,521 - \$58,964) to a Grants Monitor (NX00085 \$31,254-\$40,387).

Roll Call

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

Nays: None

Motion Carried

2009-500 **AUTHORIZE HUMAN RESOURCES TO SOLICIT PROPOSALS FOR A
TEMPORARY MANPOWER SERVICES VENDOR**

WM09/09-129

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize Human Resources to solicit proposals for a temporary manpower services vendor to be effective October 1, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-501 **AUTHORIZE HUMAN RESOURCES TO SOLICIT PROPOSALS FOR AN EXCESS WORKERS' COMPENSATION INSURANCE CARRIER**

WM09/09-130

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize Human Resources to solicit proposals for an excess workers' compensation insurance carrier to be effective January 1, 2010.

Roll Call

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

Nays: None

Motion Carried

2009-502 **APPROVE THE QUOTE OF \$10,783.00 PLUS \$32.00 PER MONTH FOR MONITORING RECEIVED BY VIDEO-TECH-TRONICS FOR THE FURNISHING AND INSTALLATION OF ADDITIONAL SECURITY DEVICES TO BE INSTALLED IN THE CENTRAL SERVICES BUILDING**

WM09/09-131

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the quote of \$10,783.00 plus \$32.00 per month for monitoring received by Video-Tech-Tronics for the furnishing and installation of additional security devices to be installed in the Central Services building allowing for the temporary relocation of the County Clerk's office to that building for the duration of the first and second floor renovation project in the Hall of Justice with costs to be paid from the Hall of Justice renovation fund, 4130-4131.

Roll Call

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

Nays: None

Motion Carried

2009-503 **AUTHORIZE STAFF TO SOLICIT BIDS FOR THE HIGH DENSITY SHELVING WHICH WILL BE NEEDED IN THE VAULT IN THE NEW REGISTER OF DEEDS OFFICE ON SOUTH CAMPUS**

WM09/09-132

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize staff to solicit bids for the high density shelving which will be needed in the vault in the new Register of Deeds office on south campus with costs to be paid from the Register of Deeds Automation Fund (2560-2360).

(Continued)

2009-503 **AUTHORIZE STAFF TO SOLICIT BIDS FOR THE HIGH DENSITY SHELVING WHICH WILL BE NEEDED IN THE VAULT IN THE NEW REGISTER OF DEEDS OFFICE ON SOUTH CAMPUS**

Roll Call

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

Nays: None

Motion Carried

2009-504 **AUTHORIZE STAFF TO SOLICIT BIDS FOR THE REPLACEMENT OF THE ENGINE IN THE FACILITIES MANAGEMENT 2000 3/4 TON PLOWING PICKUP TRUCK**

WM09/09-133

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize staff to solicit bids for the replacement of the engine in the Facilities Management 2000 3/4 ton plowing pickup truck.

Roll Call

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

Nays: None

Motion Carried

2009-505 **AUTHORIZE PURCHASING TO SOLICIT BIDS FROM THE AREA ARMORED CARRIER SERVICES**

WM09/09-135

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize purchasing to solicit bids from the area armored carrier services to ensure the county is paying a fair price for the services rendered.

Roll Call

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

Nays: None

Motion Carried

REMOVED FROM AGENDA PRIOR TO CONSIDERATION:

WM09/09-134

To approve the low quote of \$8,346.20 as received by Integrity Business Solutions, LLC for the furnishing of high density shelving for the County Clerk which also includes the installation of the shelves on the second floor of the Central Services building and then relocation and installation in the Hall of Justice when the renovation project is complete, with costs being paid from the Hall of Justice renovation fund, 4130-4131.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney thanked John Essex for tour this morning. Chairman Mahoney also noted the MAC Legislative Updates of August 21st and 28th, 2009 were included in agenda packets. The zoomerang survey has not been received regarding unfunded mandates.

ADMINISTRATOR'S REPORT

2009-506 **AUTHORIZE ADMINISTRATOR TO SUBMIT A PROPOSAL TO THE
FEDERAL VETERANS ADMINISTRATION FOR A COMMUNITY BASED
OUTPATIENT CLINIC**

The Administrator recommends, moved by Engle, seconded by Derezinski, to authorize the Muskegon County Administrator to submit a proposal to the federal Veterans Administration for a community based outpatient clinic in the Muskegon area.

Roll Call

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

Nays: Gill

Motion Carried

2009-507 **AUTHORIZE COUNTY CLERK'S OFFICE TO BE OPENED SATURDAY,
OCTOBER 17, 2009, FOR SPECIAL PASSPORT DAY**

The Administrator recommends, moved by Snider, seconded by Derezinski, to allow County Clerk's office to be opened Saturday, October 17, 2009 for a special Passport Day from 9:00 a.m. to 3:00 p.m. employing three Sheriff Deputies for security.

(Continued)

2009-507 **AUTHORIZE COUNTY CLERK'S OFFICE TO BE OPENED SATURDAY, OCTOBER 17, 2009, FOR SPECIAL PASSPORT DAY**

Roll Call

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

Nays: None

Motion Carried

2009-508 **AUTHORIZE STAFF TO SOLICIT BIDS FOR TEMPORARY RELOCATION OF COUNTY CLERK'S OFFICE AND A PORTION OF DISTRICT COURT AND PERMANENT RELOCATION OF DRAIN COMMISSIONER'S OFFICE**

The Administrator recommends, moved by Gill, seconded by Snider, to authorize staff to solicit bids for the temporary relocation of the County Clerk's office and a portion of the District Court and the permanent relocation of the Drain Commissioner's office with the costs being paid from the Hall of Justice Renovation Fund, 4130-4131.

Roll Call

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

Nays: None

Motion Carried

2009-509 **AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ENTER INTO CONTRACT WITH MUSKEGON AREA INTERMEDIATE SCHOOL DISTRICT'S HEAD START PROGRAM**

The Administrator recommends, moved by Collins, seconded by Wade, to authorize Public Health-Muskegon County to enter into a contract with the Muskegon Area Intermediate School District's Head Start Program to conduct community planning activities regarding the reduction of infant mortality for a fee of \$2,500. And further, authorize the Public Health Director to sign the related contract.

(Continued)

2009-509 AUTHORIZE PUBLIC HEALTH - MUSKEGON COUNTY TO ENTER INTO CONTRACT WITH MUSKEGON AREA INTERMEDIATE SCHOOL DISTRICT'S HEAD START PROGRAM

Roll Call

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

Nays: None

Motion Carried

Old Business

None.

New Business

None.

Public Participation

Nancy Waters, Muskegon County Clerk, introduced her new Deputy County Clerk, Marcia Wilkes. Ms. Wilkes expressed her enthusiasm for the challenges ahead and working with Ms. Waters and Commissioners.

Dave Kieft, Jr., Muskegon Township Supervisor; Don Studaven, Blue Lake Township Supervisor; Sam St Amour, Fruitland Township Supervisor and Mickey Noble, Holton Township Supervisor addressed the Board regarding the resignation of Road Commissioner Kevin Woods and asked Commissioners to make a good selection expressing a need for more communication from the Road Commission with the Townships. Mr. Kieft also inquired if the Road Commissioners might be elected in the future. Mr. Studaven also distributed information about alternatives to grinding up roads. Mr. St Amour encouraged communication with State Representatives regarding the issue of funding for the Road Commission. Mr. Noble expressed positive impact with additional Road Commissioners.

Commissioner McMurray asked if the Health Department or Vector Control could refer to the proper authority rather than to have complaints directed to Commissioners. Administrator Hammersley noted she will follow up on this issue.

Chairman Mahoney welcomed Kim Arter, Laketon Township Supervisor and Mike Thompson, Egelston Township Supervisor.

***Budget Hearing**

Beth Dick, Budget Manager, presented the Proposed 2010 Budget on Positions and Capital.

***Note:** The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

2009-510

ADJOURN

Moved by Derezinski, seconded by Snider, to adjourn.

Motion Carried

Meeting adjourned at 4:24 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

***Note:** The **Proposed 2010 Budget** may be viewed at the Michael E. Kobza Hall of Justice at either the **County Clerk's office** on the 2nd Floor or the **Administrator's office** on the 4th Floor or online at:

<http://co.muskegon.mi.us/budget/fy2010p.htm>

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

September 22, 2009

3:30 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 Vice-Chairman Nash followed by the pledge of Allegiance recited in unison.

Roll Call

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

Absent: None

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

2009-511 **APPROVE AGENDA**

Moved by Derezinski, seconded by Wade, to approve the Agenda as amended by removing Public Works items and Transportation item TR09-44.

Motion Carried

2009-512 **APPROVE THE MINUTES OF THE FULL BOARD OF SEPTEMBER 8, 2009**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board of September 8, 2009.

Motion Carried

2009-513 **COMMUNICATIONS**

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

- A. Lake County Resolution No. 1209 in Support of House Bills 4785 and 4786 - Expansion of Unemployment Benefits and Acceptance of \$138 Million in Federal Stimulus Funds.
- B. Oceana County Resolution re: Support of Michigan Department of Agriculture Remain a Stand-Alone Department

Motion Carried

2009-514 **APPROVE MDOT CONTRACT NO. 2009-0705 BETWEEN THE COUNTY AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION, PROVIDING THE STATE'S 2.5% SHARE, OR \$22,250, OF FUNDING FOR PHASE II FY2009 AIRPORT IMPROVEMENT PROGRAM PROJECTS**

TR09/09-45

The Transportation Committee recommends, moved by Scolnik, seconded by Collins, to approve MDOT Contract No. 2009-0705 between the County and the Michigan Department of Transportation, providing the State's 2.5% share, or \$22,250, of funding for Phase II FY2009 Airport Improvement Program projects, and further authorize the Chairman to execute the contract and the Clerk to authorize the resolution.

Roll Call

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

Nays: None

Motion Carried

2009-515 **APPROVE THE CREATION OF THE POSITION OF AN HOURLY ACCOUNT CLERK II, POSITION CLASSIFICATION #NF020, FOR THE AIRPORT**

TR09/09-46

The Transportation Committee recommends, moved by Scolnik, seconded by Collins, to approve the creation of the position of an hourly Account Clerk II, position classification #NF020, for the Airport and fill the position at Step I, or \$12.704.

(Continued)

2009-515 **APPROVE THE CREATION OF THE POSITION OF AN HOURLY ACCOUNT CLERK II, POSITION CLASSIFICATION #NF020, FOR THE AIRPORT**

Roll Call

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

Nays: None

Motion Carried

2009-516 **APPROVE WAIVER OF THE COUNTY HIRING FREEZE AND PERMIT THE AIRPORT TO RECRUIT FOR THE POSITION OF A FULL-TIME AIRPORT EQUIPMENT MECHANIC**

TR09/09-47

The Transportation Committee recommends, moved by Scolnik, seconded by Collins, to approve waiver of the County hiring freeze and permit the Airport to recruit for the position of a full-time Airport Equipment Mechanic, position classification number NF070, at Step 1, or \$15.323/hour, with a start date of November 5, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-517 **APPROVAL OF AN INDIVIDUAL APPLICATION AND PERMIT AND A PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES TO MDOT MUSKEGON TRANSPORTATION SERVICE CENTER (TSC)**

TR09/09-48

The Transportation Committee recommends, moved by Scolnik, seconded by Collins, approval of an Individual Application and Permit and a Performance Resolution for Governmental Agencies to MDOT Muskegon Transportation Service Center (TSC) and authorize the County Clerk to execute the Resolution.

(Continued)

2009-517 **APPROVAL OF AN INDIVIDUAL APPLICATION AND PERMIT AND A PERFORMANCE RESOLUTION FOR GOVERNMENTAL AGENCIES TO MDOT MUSKEGON TRANSPORTATION SERVICE CENTER (TSC)**

Roll Call

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

Nays: None

Motion Carried

2009-518 **APPROVE THE EXTENSION OF TWENTY (20) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR09/09-49

The Transportation Committee recommends, moved by Scolnik, seconded by Collins, to approve the extension of twenty (20) T-Hangar Lease Agreements at Muskegon County Airport expiring in the fourth quarter of 2009. Lease agreements are for a one-year period and recommend extension at same as current rate.

Roll Call

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

Nays: None

Motion Carried

2009-519 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF AUGUST 29, 2009 THROUGH SEPTEMBER 9, 2009**

WM09/09-136

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$7,432,496.77 covering the period of August 29, 2009 through September 9, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-520 **APPROVE THE VETERANS' CENTER LEASE AND AGREEMENT**

WM09/09-137

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Veterans' Center lease and agreement and to authorize the Chairman of the Muskegon County Board of Commissioners to sign the document.

Roll Call

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

Nays: Gill

Motion Carried

Commissioner Gill explained his vote, that he is not opposed to the Veterans' Center but he had asked for additional information that he has not yet received.

2009-521 **ADOPT THE RESOLUTION INITIATING PUBLIC ACT 423 FOR THE 2010 FISCAL YEAR**

WM09/09-138

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the resolution initiating Public Act 423 for the 2010 fiscal year and authorize the Board Chair to sign it.

Roll Call

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

Nays: None

Motion Carried

2009-522 **AUTHORIZE STAFF TO SUBMIT A GRANT APPLICATION FOR AN ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT THROUGH THE STATE OF MICHIGAN**

WM09/09-139

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to submit a grant application for an Energy Efficiency & Conservation Block Grant through the State of Michigan once the guidelines are available.

(Continued)

2009-522 **AUTHORIZE STAFF TO SUBMIT A GRANT APPLICATION FOR AN ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT THROUGH THE STATE OF MICHIGAN**

Roll Call

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

Nays: None

Motion Carried

2009-523 **APPROVE AND AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO EXECUTE AN AMENDMENT TO THE CURRENT AGREEMENT WITH NEWAYGO COUNTY COMMUNITY SERVICES**

WM09/09-140

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve and authorize the Circuit Court Administrator to execute an amendment to the current agreement with Newaygo County Community Services from October 1, 2009 through September 30, 2010 in an amount not to exceed \$200,000.

Roll Call

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

Nays: None

Motion Carried

2009-524 **ALLOW THE CIRCUIT COURT - FAMILY DIVISION TO ENTER INTO AN AGREEMENT WITH OTTAWA COUNTY FOR TWO BEDS IN THE SUBSTANCE ABUSE UNIT OF THE OTTAWA COUNTY JUVENILE FACILITY**

WM09/09-141

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to allow the Circuit Court - Family Division to enter into an agreement with Ottawa County for two beds in the Substance Abuse Unit of the Ottawa County Juvenile Facility at an annual cost of \$73,000.

(Continued)

2009-524 **ALLOW THE CIRCUIT COURT - FAMILY DIVISION TO ENTER INTO AN AGREEMENT WITH OTTAWA COUNTY FOR TWO BEDS IN THE SUBSTANCE ABUSE UNIT OF THE OTTAWA COUNTY JUVENILE FACILITY**

Roll Call

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

Nays: None

Motion Carried

2009-525 **ADOPT THE FY2010 COUNTY OF MUSKEGON APPROPRIATION ORDINANCE INCLUDING THE BUDGET AMENDMENTS**

WM09/09-142

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the FY2010 County of Muskegon Appropriation Ordinance including the Budget Amendments, position changes, FY2010 Capital Projects, which collectively represent the implementation of the County of Muskegon's FY2010 Operating Budget.

Roll Call

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

Nays: None

Motion Carried

2009-526 **APPROVE A RESOLUTION FOR A PREPAYMENT OF LEASE OBLIGATIONS FOR THE 1993 AIRPORT TERMINAL PROJECT**

WM09/09-143

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve a resolution for a prepayment of lease obligations for the 1993 Airport Terminal project so that the County Building Authority may call its bonds on January 1, 2010 and have the County Clerk sign the resolution.

Roll Call

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

Nays: None

Motion Carried

2009-527 **AUTHORIZE INTERGOVERNMENTAL TRANSFERS TO THE STATE OF MICHIGAN OF GENERAL FUND DOLLARS WITH OTHER QUALIFYING DOLLARS AND TO COMMIT THOSE FUNDS TO INCREASE HEALTH CARE FUNDING IN THE COMMUNITY TO SUPPORT INDIGENT CARE AGREEMENTS-BASED DSH PAYMENTS TO COMMUNITY HOSPITALS**

WM09/09-144

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize intergovernmental transfers to the State of Michigan of General Fund dollars with other qualifying dollars, with the total not to exceed \$241,000, and to commit those funds to increase health care funding in the community to support Indigent Care Agreements-based DSH payments to community hospitals. This is the State of Michigan Disproportionate Share Hospital Program (DSH).

Roll Call

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

Nays: None

Motion Carried

2009-528 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT SHERIFF DEPUTY POSITION**

WM09/09-145

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Sheriff Deputy position #S05002.

Roll Call

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

Nays: None

Motion Carried

2009-529 **APPROVE A TRIBUTE IN HONOR OF THE 10TH ANNUAL IRISH MUSIC FESTIVAL BEING HELD AT HERITAGE LANDING**

WM09/09-146

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve a Tribute in honor of the 10th Annual Irish Music Festival being held at Heritage Landing, September 18-20, 2009.

(Continued)

2009-529 **APPROVE A TRIBUTE IN HONOR OF THE 10TH ANNUAL IRISH MUSIC FESTIVAL BEING HELD AT HERITAGE LANDING**

Roll Call

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

Nays: None

Motion Carried

2009-530 **APPROVE CANCELING THE COMMUNITY DEVELOPMENT/ STRATEGIC PLANNING COMMITTEE MEETING OF SEPTEMBER 17, 2009**

WM09/09-147

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve canceling the Community Development/Strategic Planning Committee meeting of September 17, 2009.

Roll Call

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

Nays: None

Motion Carried

2009-531 **DIRECT THE COUNTY ADMINISTRATOR TO INVESTIGATE THE BARNHAM FAMILY BASEMENT/PROPERTY ISSUE WITH EGELSTON TOWNSHIP**

WM09/09-148

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to direct the County Administrator to investigate the Barnham family basement/property issue with Egelston Township.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted the Irish Music Festival was a good event.

Chairman Mahoney reported that the Library Board is doing strategic planning and should have a report by the end of the month.

Commissioner Engle reported the Fair Board is anxious to work with the County and to improve the property at the Fairgrounds. It was also noted the Fair Board will be presenting reports to the Board of Commissioners.

Chairman Mahoney noted the MAC Legislative Updates of September 4th and 11th, 2009 were included in agenda packets.

Vice Chairman Nash reported vote through Appropriations Committee will take place tomorrow. Vice-Chairman Nash further reported that Muskegon Area First and MSU are working to develop collaboration and economic development for the area.

The election of the Board of Canvassers was conducted by the County Clerk's staff. Kimberly Grimm distributed and collected ballots and explained the responsibilities and terms of Canvassers explaining that one Democrat and one Republican will be elected; County Clerk, Nancy A. Waters, read ballots; Deputy County Clerk, Marcia Wilkes, tallied votes.

Statement of Votes Cast:

Democratic Nominees		Republican Nominees	
Doug Smith (I)	8	Nancy Wells (I)	9
Patsy Petty	3	Shirley Privacky	1
Lois Williams	0	Marge Pattison	0

Following the election process, it was determined that Doug Smith - Democrat and Nancy Wells - Republican were elected to the Board of Canvassers and will serve a four-year term beginning November 1, 2009 through October 31, 2013.

2009-532 **SUSPEND THE RULES AND ALLOW NEWLY ELECTED CANVASSERS TO ADDRESS THE BOARD**

Moved by Gill, seconded by Nash, to suspend the rules and allow newly elected Canvassers to address the Board.

Motion Carried

Doug Smith and Nancy Wells addressed the board thanking commissioners for their support.

ADMINISTRATOR'S REPORT

2009-533 **APPROVE THE FIRST AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MUSKEGON AND THE LAKESHORE COORDINATING COUNCIL**

The Administrator recommends, moved by Derezinski, seconded by Gill, to approve the attached First Amendment to the Memorandum of Understanding between the County of Muskegon the Lakeshore Coordinating Council with an expiration date of September 30, 2010, unless terminated by either party with 30 days written notice, and authorize the Board Chair to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2009-534 **AUTHORIZE COMMUNITY CORRECTIONS TO SOLICIT RFPS FOR THE OPERATION OF A COURT APPEARANCE NOTIFICATION SYSTEM**

The Administrator recommends, moved by Snider, seconded by Collins, to authorize Community Corrections to solicit RFP's (request for proposals) for the operation of a court appearance notification system for a term of one year beginning October 1, 2009.

Motion Carried

2009-535 **APPROVE BROOKHAVEN MEDICAL CARE FACILITY TO WAIVE THE FIVE-WEEK HIRING MORATORIUM TO FILL BASIC POSITION NUMBERS L02503, L02505, L02508, L02511, L02520, A045C0 AND A04527**

The Administrator recommends, moved by Collins, seconded by Snider, that Brookhaven Medical Care Facility be permitted to waive the five-week hiring moratorium in order to fill openings for BPN L02503, L02505, L02508, L02511, L02520, A045C0 and A04527, which have resulted from the 2009 retirement incentive program.

Roll Call

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

Nays: Gill

Motion Carried

Commissioner Gill explained his “no” vote that he is not against the concept but is against the appearance of the employment of our County that does not show the makeup of the County.

2009-536 **AUTHORIZE PUBLIC HEALTH TO CONTRACT WITH THE MARKETING FIRM QONVERGE TO DEVELOP AND IMPLEMENT INTERNET-BASED OUTREACH EFFORTS**

The Administrator recommends, moved by Scolnik, seconded by Collins, to authorize Public Health to contract with the marketing firm Qonverge to develop and implement Internet-based outreach efforts to promote the Women, Infants and Children (WIC) program in an amount not to exceed \$12,000.

Roll Call

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

Abstain: Nash

Nays: None

Motion Carried

2009-537 **AUTHORIZE TO ELIMINATE THE SPECIALIZED ENFORCEMENT OFFICER POSITION #G37101 OF CIRCUIT COURT, FAMILY DIVISION**

The Administrator recommends, moved by Snider, seconded by Engle, that the Board eliminate the Specialized Enforcement Officer position G37101 effective October 1, 2009 and that the FY2010 budget be adjusted accordingly upon completion of the union employment procedures.

Roll Call

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

Nays: None

Motion Carried

2009-538 **AUTHORIZE STAFF TO SOLICIT BIDS FOR MEDICAL SERVICES AT THE COUNTY JAIL AND TO ENTER INTO MONTH TO MONTH CONTRACT WITH DR. DAVID DEITRICK**

The Administrator recommends, moved by Engle, seconded by Buzzell, to bid MD for medication services at the county jail and also enter into a month to month contract with Dr. David H. Deitrick at the current contract rate of \$2,100 per month.

(Continued)

2009-538 **AUTHORIZE STAFF TO SOLICIT BIDS FOR MEDICAL SERVICES AT THE COUNTY JAIL AND TO ENTER INTO MONTH TO MONTH CONTRACT WITH DR. DAVID DEITRICK**

Roll Call

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

Nays: None

Motion Carried

2009-539 **AUTHORITY 60TH DISTRICT COURT TO BID APPROXIMATELY 28,000 COURT CASE FILE FOLDERS**

The Administrator recommends, moved by Snider, seconded by Engle, to authorize the 60th District Court to put out for bids approximately 28,000 court case file folders to various vendors.

Motion Carried

2009-540 **AUTHORIZE SHERIFF'S OFFICE TO ACCEPT THE ADDITION TO THE OPERATING COSTS OF THE "SAFE COMMUNITY GRANT" FROM THE STATE OFFICE OF HIGHWAY SAFETY FOR CHILD SAFETY SEATS**

The Administrator recommends, moved by Nash, seconded by Engle, to authorize the Sheriff's Office to accept the addition to the operating costs of the "Safe Communities Grant" from the State Office of Highway Safety for child safety seats in the amount of \$4,000 and to purchase the seats from Safe Kids Muskegon.

Commissioner Buzzell inquired how the child safety seats are distributed. Deputy Michael Poland addressed the Board noting this will be promoted through Ad Campaigns with Safe Kids Coalition and through hospitals.

Roll Call

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

Nays: None

Motion Carried

Vice-Chairman Nash encouraged additional sources for advertising and promoting these events in order to reach the people that would benefit most from these programs. Commissioner McMurray requested a copy of the grant.

Old Business

Commissioner Scolnik reported the Sesquicentennial budget was covered by the fund raising efforts which raised \$20,662 to the expenses of \$17,184 which left a surplus of \$3,477.75. Commissioner Scolnik commended and thanked County Clerk Election Coordinator, Kimberly Grimm for her assistance with the Texas Hold-em event and her assistance with technical details and regulations associated with the event in addition to working a 10 -12 hour shift at the event. Commissioner Scolnik requested the surplus be donated to this years United Way Campaign as part of the Counties total employee's contribution.

2009-541 **APPLY THE SURPLUS OF SESQUICENTENNIAL FUND RAISING EFFORTS, \$3,477.75, BE DONATED TO THE 2010 UNITED WAY CAMPAIGN**

Moved by Wade, seconded by Engle, to apply the surplus of Sesquicentennial fund raising efforts, \$3,477.75, be donated to the 2010 United Way Campaign as part of the Counties total employee's contribution.

Roll Call

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

Nays: Gill

Motion Carried

Commissioner Gill explained his "no" vote that there are other organizations that serve where he lives.

Commissioner Scolnik will be donating 250 tickets to employees for the Mona Lake Productions November 6th concert, a Concert with Friends, on a first come/first served basis, details to be worked out.

New Business

2009-542 **PREPARE A RESOLUTION IN SUPPORT OF HOUSE BILLS 4785 AND 4786 - EXPANSION OF UNEMPLOYMENT BENEFITS AND ACCEPTANCE OF \$138 MILLION IN FEDERAL STIMULUS FUNDS**

Moved by Nash, seconded by Wade, to prepare a resolution in Support of House Bills 4785 and 4786 - Expansion of Unemployment Benefits and Acceptance of \$138 Million in Federal Stimulus Funds and that it be distributed appropriately throughout the state.

Discussion ensued regarding the possible obligation into the future and may raise unemployment insurance rates for small businesses.

Roll Call

Ayes: Wade, Buzzell, Collins, Gill, Mahoney, McMurray, Nash

Nays: Derezinski, Engle, Scolnik, Snider

Motion Carried

2009-543 **PREPARE A RESOLUTION IN SUPPORT OF MICHIGAN DEPARTMENT OF AGRICULTURE REMAINING A STAND-ALONE DEPARTMENT**

Moved by Nash, seconded by Wade, to prepare a resolution in support of Michigan Department of Agriculture remaining a stand-alone department.

Roll Call

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

Nays: None

Motion Carried

Commissioner Scolnik also noted he recently heard from Brian Chapman who is attending Michigan State and wishes him well.

Public Participation

Students were in attendance from Muskegon Community College, Mr. Marvin Nash's Political Science class.

2009-544 **ADJOURN**

Moved by Collins, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:21 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

*Note: The 2010 Budget was adopted on September 22, 2009.

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

October 13, 2009

3:30 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, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Excused: Scolnik

Absent: None

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

2009-545 **APPROVE AGENDA**

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

Motion Carried

2009-546 **APPROVE THE MINUTES OF THE FULL BOARD OF SEPTEMBER 22, 2009**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board of September 22, 2009.

Motion Carried

2009-547 **PRESENTATION**

Jeff Hepler, Drain Commissioner, presented the Drain Commission 2009 Annual Report.

Commissioners commended Mr. Hepler for the work he has done in his nine months in office.

2009-548 **COMMUNICATIONS**

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

- A. Allegan County Proclamation - Domestic Violence Awareness Month
- B. Huron County Resolution - Mandated Services
- C. Oakland County Resolution - Support for Continuation of the State Fair
- D. Oscoda County Resolution - Support of House Bills 4785 and 4786 Re: Unemployment Benefits
- E. VanBuren County Resolution - DHS Class Action Lawsuit Re: Supervision of Foster Children

Motion Carried

2009-549 **AUTHORIZE THE BOARD CHAIR TO SIGN THE MICHIGAN'S PUBLIC SAFETY COMMUNICATION SYSTEM (MPSCS) CO-LOCATION LICENSE AGREEMENT**

CPS09/10-68

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to authorize the Board Chair to sign the Michigan's Public Safety Communication System (MPSCS) Co-Location License Agreement.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-550 **ACCEPT THE GRANT AWARD FOR FUNDING UNDER THE UNITED STATES DEPARTMENT OF JUSTICE, ARRA, BYRNE MEMORIAL COMPETITIVE GRANT PROGRAM (CFDA 16.808)**

CPS09/10-71

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to accept the grant award for funding under the United States Department of Justice, ARRA, Byrne Memorial Competitive Grant Program (CFDA 16.808) to enhance the services and treatment for Sobriety Court.

Roll Call

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

Excused: Scolnik

Nays: Gill

Motion Carried

Commissioner Gill explained his “no” vote that he has a problem with “Medicaid only” in the motion.

2009-551 **APPROVE THE MEMO OF UNDERSTANDING BETWEEN HEALTHY KIDS DENTAL AND THE COUNTY OF MUSKEGON JUVENILE DETENTION CENTER**

CPS09/10-72

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to approve the Memo of Understanding between Healthy Kids Dental and the County of Muskegon Juvenile Detention Center to provide dental services to the Medicaid eligible residents of the Muskegon County Juvenile Detention Center effective October 1, 2009 through September 30, 2010.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-552 **EXTEND THE CURRENT CONTRACT WITH MUSKEGON FAMILY CARE TO PROVIDE MEDICAL SERVICES TO THE MUSKEGON COUNTY JUVENILE DETENTION CENTER**

CPS09/10-73

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to extend the current contract with Muskegon Family Care to provide medical services to the Muskegon County Juvenile Detention Center at the rate of Two Thousand and 00/100 (\$2,000) Dollars per month or the annualized rate of Twenty-Four Thousand and 00/100 (\$24,000.00) Dollars through September 30, 2011.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

It was noted that CPS09/10-69 and CPS09/10-70 were tabled at Committee.

2009-553 **AUTHORIZE RENEWAL OF THE CONTRACT WITH POUND BUDDIES RESCUE THROUGH GOLDEN YEARS ALASKAN MALAMUTE RESCUE FOR THE PURPOSE OF ANIMAL EUTHANASIA SERVICES FOR THE VECTOR CONTROL PROGRAM IN MUSKEGON COUNTY**

HR09/10-83

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize renewal of the contract with Pound Buddies Rescue through Golden Years Alaskan Malamute Rescue for the purpose of animal euthanasia services for the Vector Control Program in Muskegon County. Further authorize the Board Chair to sign the agreement, effective through September 30, 2010, with no effect on County General Funds, with projected expenditures of \$460/year.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-554 **RENEW THE CONTRACT WITH POUND BUDDIES RESCUE THROUGH GOLDEN YEARS ALASKAN MALAMUTE RESCUE (GYAMR) FOR THE PURPOSE OF ADOPTION SERVICES FOR THE VECTOR CONTROL PROGRAM IN MUSKEGON COUNTY**

HR09/10-84

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to renew the contract with Pound Buddies Rescue through Golden Years Alaskan Malamute Rescue (GYAMR) for the purpose of adoption services for the Vector Control Program in Muskegon County and authorize the Board Chair to sign the agreement, effective through September 30, 2010, with no effect on County General Funds.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-555 **ENDORSE THE PUBLIC HEALTH-MUSKEGON COUNTY ADMINISTRATIVE PROCEDURES FOR THE MUSKEGON COUNTY CLEAN INDOOR AIR REGULATION**

HR09/10-85

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to endorse the Public Health-Muskegon County Administrative Procedures for the Muskegon County Clean Indoor Air Regulation to go into effect on November 9, 2009.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-556 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO ESTABLISH SPECIFIED FEES EFFECTIVE OCTOBER 15, 2009**

HR09/10-86

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Public Health Department to establish the following fees effective October 15, 2009: Body Art Facility Inspection - \$200.00; Body Art Follow-Up Inspection - \$135.00; Body Art Plan Review/Pre-Opening - \$225.00; Body Art Temporary Facility - \$200.00; Irrigation Wells - \$135.00; Subdivision Plan Review Renewal - \$135.00.

(Continued)

2009-556 **AUTHORIZE THE PUBLIC HEALTH DEPARTMENT TO ESTABLISH SPECIFIED FEES EFFECTIVE OCTOBER 15, 2009**

Roll Call

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

Excused: Scolnik

Nays: Buzzell

Motion Carried

Commissioner Buzzell explained his “no” vote based on State budget cuts, we will not have the funds to cover this additional work. Chairman Mahoney noted this is a State requirement, not a choice our Health Department has.

2009-557 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH DEAF AND HARD OF HEARING SERVICES FOR THE DELIVERY OF SIGN LANGUAGE INTERPRETATION SERVICES**

HR09/10-87

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with Deaf and Hard of Hearing Services for the delivery of Sign Language Interpretation Services, effective October 1, 2009, through September 30, 2010 at the rates listed on Attachment A to this Board motion, not to exceed \$5,000.00 for the term of the contract.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-558 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH HARMONY ENTERPRISES, INC., FOR THE PROVISION OF SPECIALIZED RESIDENTIAL SERVICES**

HR09/10-88

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with Harmony Enterprises, Inc., for the provision of Specialized Residential Services for the placement of persons with mental illness at a per diem rate of \$48.81 to \$101.34 based on an individual resident's score on the MI Residential Placement Scale and Enhanced Staffing to be paid at a rate of \$2.93 per 15 minutes for one (1) individual or \$1.29 per 15 minutes for two (2) or more individuals, not to exceed \$25,000.00, for the contract period effective October 1, 2009, through September 30, 2010.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-559 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO SIGN A VEHICLE LEASE AGREEMENT WITH TURNING LEAF RESIDENTIAL REHABILITATION SERVICES, INC., FOR THE LEASE OF A VEHICLE TO TRANSPORT RESIDENTS OF THE NORTHRIDGE HOME**

HR09/10-89

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Services Director to sign a Vehicle Lease Agreement with Turning Leaf Residential Rehabilitation Services, Inc., for the lease of a vehicle to transport residents of the Northridge Home at a cost of \$1.00 per year to be paid to Community Mental Health.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-560 **AUTHORIZE THE RELEASE OF A REQUEST FOR PROPOSALS (RFP)
FOR PHARMACEUTICAL SERVICES FOR COMMUNITY MENTAL
HEALTH SERVICES OF MUSKEGON COUNTY**

HR09/10-90

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the release of a Request for Proposals (RFP) for Pharmaceutical Services for Community Mental Health Services of Muskegon County effective January 1, 2010.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-561 **AUTHORIZE COMMUNITY MENTAL HEALTH (CMH) TO RELEASE A
REQUEST FOR PROPOSALS (RFP) FOR FISCAL INTERMEDIARY
SERVICES FOR CMH**

HR09/10-91

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health (CMH) to release a Request for Proposals (RFP) for Fiscal Intermediary Services for CMH effective December 1, 2009.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-562 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
THE CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH
FOR FISCAL YEAR 2010 MENTAL HEALTH BLOCK GRANT FUNDING**

HR09/10-92

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign the contract with the Department of Community Health for Fiscal Year 2010 Mental Health Block Grant Funding. This includes the grant for Planning for Integrated Care and Development of Electronic Medical Record and Wrap-Around Children's Services. Both grants commence on October 1, 2009, and continue through September 30, 2010, and establish total funding of \$189,334.

(Continued)

2009-562 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH FOR FISCAL YEAR 2010 MENTAL HEALTH BLOCK GRANT FUNDING**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-563 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH WRZESINSKI AFC FOR THE PROVISION OF SPECIALIZED RESIDENTIAL SERVICES**

HR09/10-93

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with Wrzesinski AFC for the provision of Specialized Residential Services for the placement of adults with developmental disabilities at a per diem rate of \$59.15 to \$101.49 based on the individual resident's Supports Intensity Scale (SIS) score, and Enhanced Staffing to be paid at a rate of \$2.78 per 15-minute unit, not to exceed \$25,500.00, for the contract period effective October 1, 2009, through September 30, 2010.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-564 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH FOR FISCAL YEAR 2010 MENTAL HEALTH PATH HOMELESS PROJECT BLOCK GRANT FUNDING**

HR09/10-94

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign the contract with the Department of Community Health for Fiscal Year 2010 Mental Health PATH Homeless Project Block Grant Funding. This grant commences on October 1, 2009, and continues through September 30, 2010, with total funding of \$68,275.

(Continued)

2009-564 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH FOR FISCAL YEAR 2010 MENTAL HEALTH PATH HOMELESS PROJECT BLOCK GRANT FUNDING**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-565 **AUTHORIZE COMMUNITY MENTAL HEALTH TO CONTRACT WITH THOSE SERVICE VENDORS/PROVIDERS WHO HAVE SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE PROVISION AT THE CURRENT FISCAL YEAR 2008/2009 RATES**

HR09/10-95

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health to contract with those service vendors/providers who have submitted written agreements to continue service provision at the current Fiscal Year 2008/2009 rates for the time period effective October 1, 2009, through September 30, 2010.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-566 **AUTHORIZE COMMUNITY MENTAL HEALTH TO EXTEND THE FISCAL YEAR 2008/2009 VENDOR/PROVIDER CONTRACTS FOR UP TO NINETY (90) DAYS FOR THOSE VENDORS/PROVIDERS WHO HAVE NOT YET COMPLETED FISCAL YEAR 2009/2010 RATE NEGOTIATIONS OR SUBMITTED NETWORK RE-APPLICATIONS**

HR09/10-96

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health to extend the Fiscal Year 2008/2009 vendor/provider contracts for up to ninety (90) days for those vendors/providers who have not yet completed Fiscal Year 2009/2010 rate negotiations or submitted network re-applications.

(Continued)

2009-566 **AUTHORIZE COMMUNITY MENTAL HEALTH TO EXTEND THE FISCAL YEAR 2008/2009 VENDOR/PROVIDER CONTRACTS FOR UP TO NINETY (90) DAYS FOR THOSE VENDORS/PROVIDERS WHO HAVE NOT YET COMPLETED FISCAL YEAR 2009/2010 RATE NEGOTIATIONS OR SUBMITTED NETWORK RE-APPLICATIONS**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-567 **APPROVE THE CHANGES TO THE MUSKEGON COUNTY PERSONNEL RULES 9, 11, 15, 17, 18, 20 AND 25**

HR09/10-97

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve the changes to the Muskegon County Personnel Rules 9, 11, 15, 17, 18, 20 and 25 as presented

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

It was noted item HR09/10-82 was tabled at Committee.

2009-568 **APPROVE THE CREATION OF AN HOURLY ACCOUNT CLERK II POSITION (CLASSIFICATION #NF020) FOR THE AIRPORT, WAIVE THE CURRENT HIRING FREEZE AND FILL THE POSITION AT STEP 1 AND TO RETURN THE APPROVED LABOR DISTRIBUTION OF ACCOUNTING TECHNICIAN POSITION (G03002) TO 100% DET FUNDING (2760-6978)**

TR09/09-46

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the creation of an hourly Account Clerk II position (classification #NF020) for the Airport, waive the current hiring freeze and fill the position at step 1 and to return the approved labor distribution of Accounting Technician position (G03002) to 100% DET funding (2760-6978).

(Continued)

- 2009-568 **APPROVE THE CREATION OF AN HOURLY ACCOUNT CLERK II POSITION (CLASSIFICATION #NF020) FOR THE AIRPORT, WAIVE THE CURRENT HIRING FREEZE AND FILL THE POSITION AT STEP 1 AND TO RETURN THE APPROVED LABOR DISTRIBUTION OF ACCOUNTING TECHNICIAN POSITION (G03002) TO 100% DET FUNDING (2760-6978)**

In discussion, Commissioner Gill asked for an explanation from Mary Villanueva or the Administrator. Administrator Hammersley noted in the past, the position was funded by more than one department and, in compliance with the grant, this will have DET covering 100% of the funding.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

- 2009-569 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF SEPTEMBER 10 - 25, 2009**

WM09/10-149

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve payment of the accounts payable of \$9,447,379.75 covering the period of September 10, 2009 through September 25, 2009, as presented by the County Clerk.

Roll Call

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

Excused: Scolnik

Nays: Gill

Motion Carried

- 2009-570 **APPROVE CHANGING THE LABOR DISTRIBUTION OF THE HUMAN RESOURCES DEPUTY DIRECTOR POSITION (X43401)**

WM09/10-150

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve changing the labor distribution of the Human Resources Deputy Director position (X43401) as follows: From: 1010-0266-25%, 6770-0203-25%, 2760-6978-50%; To: 1010-0226-25%, 6770-0203-75%.

(Continued)

2009-570 **APPROVE CHANGING THE LABOR DISTRIBUTION OF THE HUMAN RESOURCES DEPUTY DIRECTOR POSITION (X43401)**

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell, Collins, Dereziński, Engle

Excused: Scolnik

Nays: None

Motion Carried

2009-571 **ALLOW THE COUNTY ADMINISTRATOR TO NEGOTIATE A CONTRACT WITH MSU EXTENSION TO PROVIDE STRATEGIC PLANNING, FINANCIAL PLANNING AND BUDGETING FOR OUTCOMES SERVICES TO MUSKEGON COUNTY**

WM09/10-151

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to allow the County Administrator to negotiate a contract with MSU Extension to provide strategic planning, financial planning and Budgeting for Outcomes services to Muskegon County at a cost not to exceed \$5,000 contingent upon a review by Corporate Counsel.

Roll Call

Ayes: Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell, Collins, Dereziński, Engle

Excused: Scolnik

Nays: None

Motion Carried

2009-572 **ESTABLISH A PETTY CASH ACCOUNT FOR THE COUNTY CLERK'S CIRCUIT COURT RECORDS OFFICE IN THE AMOUNT OF \$400 AND INCREASE THE COUNTY CLERK'S VITAL RECORDS OFFICE PETTY CASH ACCOUNT TO \$700 TO BE USED FOR MAKING CHANGE**

WM09/10-152

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to establish a petty cash account for the County Clerk's Circuit Court Records office in the amount of \$400 and increase the County Clerk's Vital Records office petty cash account to \$700 to be used for making change to serve our customers.

(Continued)

2009-572 **ESTABLISH A PETTY CASH ACCOUNT FOR THE COUNTY CLERK'S
CIRCUIT COURT RECORDS OFFICE IN THE AMOUNT OF \$400 AND
INCREASE THE COUNTY CLERK'S VITAL RECORDS OFFICE PETTY
CASH ACCOUNT TO \$700 TO BE USED FOR MAKING CHANGE**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-573 **APPOINT INDIVIDUALS TO THE MUSKEGON/OCEANA CONSORTIUM
MICHIGAN WORKS! BOARD OF DIRECTORS**

WM09/10-153

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to appoint the following individuals to the Muskegon/Oceana Consortium Michigan Works! Board of Directors: Oceana County - Robert Moritz-private sector; Nicole Schwarz-community-based organizations; Michael Potter-private sector; Muskegon County - Thomas O'Brien-post-secondary education; Christine Robere-community-based organizations; Sherry White-private sector; Mary Ann Herbst-education; Lisa Stafford-private sector and Edward Garner-economic development.

Commissioner Nash asked for an explanation. Administrator Hammersley noted this is a housekeeping issue to approve this Board that has been in office for half their term without County Board approval.

Roll Call

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

Excused: Scolnik

Nays: Gill, Nash

Motion Carried

Commissioner Nash explained his "no" vote based on the fact that there is a process in place for filling these positions.

2009-574 **APPROVE RENEWAL OF THE ASSESSMENT ADMINISTRATION SERVICES CONTRACT PROVIDED BY THE EQUALIZATION DEPARTMENT TO THE TOWNSHIP OF MONTAGUE**

WM09/10-154

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the Township of Montague 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: Gill, Mahoney, McMurray, Nash, Snider, Wade, Buzzell, Collins, Derezhinski, Engle

Excused: Scolnik

Nays: None

Motion Carried

2009-575 **AUTHORIZE HUMAN RESOURCES TO SOLICIT PROPOSALS FOR AN AIRPORT LIABILITY INSURANCE CARRIER**

WM09/10-155

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize Human Resources to solicit proposals for an airport liability insurance carrier to be effective January 1, 2010.

Commissioner Nash inquired if this is going out for bid. Administrator Hammersley noted this is a Risk Management issue and she will follow up and report back to the Board.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-576 **AWARD THE PURCHASE OF THE COUNTY CLERK'S HIGH DENSITY SHELVING TO EXCEL SYSTEMS GROUP**

WM09/10-156

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to award the purchase of the County Clerk's high density shelving to Excel Systems Group for their quote of \$13,250 with costs being paid from the Hall of Justice renovation fund 4130-4131.

(Continued)

2009-576 **AWARD THE PURCHASE OF THE COUNTY CLERK'S HIGH DENSITY
SHELVING TO EXCEL SYSTEMS GROUP**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-577 **AWARD THE ABATEMENT CONSULTING SERVICES CONTRACT, RFP-
09-1660, TO FISHBECK, THOMPSON, CARR & HUBER (FTC&H)**

WM09/10-157

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to award the Abatement Consulting Services contract, RFP-09-1660, to Fishbeck, Thompson, Carr & Huber (FTC&H) for their not-to-exceed fee of \$37,115 plus required materials testing, currently estimated at \$2,630 for a total estimated cost of \$39,745 with costs being paid from the Hall of Justice Renovation fund 4130-4131 and direct staff to negotiate a contract document with FTC&H for the Chairman to sign.

Roll Call

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

Excused: Scolnik

Nays: Nash

Motion Carried

Commissioner Nash explained his "no" vote concern since the County already has a policy and process that may not have been followed.

2009-578 **AUTHORIZE PAYMENT OF ONE-HALF OF THE FEES ASSOCIATED
WITH A FORMAL APPRAISAL OF THE Y PROPERTY AS PRESENTED
BY THE COMMUNITY FOUNDATION**

WM09/10-158

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize payment of one-half of the fees associated with a formal appraisal of the Y property as presented by the Community Foundation in a letter to the Department of Environmental Quality.

(Continued)

2009-578 **AUTHORIZE PAYMENT OF ONE-HALF OF THE FEES ASSOCIATED WITH A FORMAL APPRAISAL OF THE Y PROPERTY AS PRESENTED BY THE COMMUNITY FOUNDATION**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

Commissioner Gill requested information from the County Clerk with regard to the process that went through for Rambusch Fuchs for a \$1 million loan that was not collected and the same information for the Waters project that was loaned over \$100,000 and the conditions, and requested that the report be delivered to the Administrator's office.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted he is looking forward to the State settling their budget so the County's job will be much easier. Chairman Mahoney noted the MAC Legislative Update of October 2, 2009 is included in agenda packets.

Commissioner Nash reported on the Muskegon Areawide Planning Implementation meeting held on September 30, covering land use, environment management and comprehensive economic development. WMSRDC is asking jurisdictions to present projects to be submitted with their report.

Commissioner Nash noted Governor Granholm signed bill 4437, Dept. of Corrections budget, but vetoed line for County Jail reimbursements. This will likely be revisited and MACC is hoping to get this back into the budget.

Commissioner Snider attended the Community Correction Advisory meeting and there is a plan for funding that will hopefully be accepted. Commissioners Snider and Collins attended the Lakeshore Coordinating Council meeting - they are moving ahead. There is a task force regarding restructuring the Lakeshore Coordinating Council. The Coalition for a Drug-free Muskegon and the Lakeshore Coordinating Council sponsored a lunch that gave recognition to law enforcement and the educational activities in cooperative efforts by Berrien, Allegan, Ottawa and Muskegon to reduce the incidents of underage drinking and enforcement in bars and stores is as accurate as it can be.

Commissioner Nash reported that he had attended a meeting with Administrator Hammersley regarding stimulus bonds for funding private development. The American Recovery Reinvestment Act - Muskegon County received \$13 million in Public Infrastructure Economic Development Bonds and \$20 million for Private Development Facilities Bonds (only in bonds, not cash awards)

2009-579 **MUSKEGON COUNTY FAIR BOARD LIAISON APPOINTMENT**

The Chairman recommends, moved by Derezinski, seconded by Snider, to appoint Commissioner Engle as Muskegon County Fair Board Liaison.

Motion Carried

2009-580 **MUSKEGON COUNTY ROAD COMMISSION APPOINTMENT INTERVIEW COMMITTEE**

The Chairman recommends, moved by Gill, seconded by Wade, to appoint, Commissioners Engle, Snider, Mahoney, Nash and Collins to the Muskegon County Road Commission Appointment Interview Committee.

Motion Carried

Commissioner McMurray requested a list of the questions that will be asked at the Road Commission interviews.

ADMINISTRATOR'S REPORT

2009-581 **APPROVE THE 15-YEAR PERFORMANCE CONTRACT WITH HONEYWELL INTERNATIONAL, INC., FOR PROJECT IMPROVEMENTS AND AUTHORIZE COVERING ANNUAL GENERAL FUND CASH FLOW SHORTFALL FROM FAIRGROUNDS TRAINING FACILITY RETAINED EARNINGS**

The Administrator recommends, moved by Derezinski, seconded by Snider, to approve entering into a 15-year performance contract with Honeywell International, Inc. for project improvements totaling \$7.9 million, authorize the Board Chair to sign the final contract contingent upon Corporate Counsel's final review, and further authorize covering any annual General Fund cashflow shortfall resulting from the project improvements from the Fairgrounds Training Facility retained earnings.

(Continued)

2009-581 **APPROVE THE 15-YEAR PERFORMANCE CONTRACT WITH HONEYWELL INTERNATIONAL, INC., FOR PROJECT IMPROVEMENTS AND AUTHORIZE COVERING ANNUAL GENERAL FUND CASH FLOW SHORTFALL FROM FAIRGROUNDS TRAINING FACILITY RETAINED EARNINGS**

Commissioner Gill requested information about Honeywell's employment makeup. Administrator Hammersley noted she will get that information and report back to Commissioners. Commissioner Nash inquired about funding. It was further noted that the energy savings will be the payback and that it is a performance based contract.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-582 **APPROVE PROBATE COURT TO INCREASE CONTRACT COMPENSATION FOR MASTER'S IN SOCIAL WORKER HOME INVESTIGATOR, IMPLEMENTATION OF FEE SCHEDULE AND BUDGET ADJUSTMENT**

The Administrator recommends, moved by Gill, seconded by Wade, to approve the request by the Probate Court to: 1) increase the contract compensation for the Master's in Social Work home investigator to \$22,200.00; 2) implement the fee schedule of \$100 per adoption investigation, \$60 per initial minor guardianship home investigation and \$30 per minor and adult guardianship review effective November 1, 2009; 3) adjust the budget accordingly.

Commissioner Derezinski inquired as to why the Administrator items did not go before Committee. Administrator Hammersley noted most were time sensitive and it is planned that there will be fewer items to come to the Board in this manner. Kathy Hoogstra, Probate Court Administrator noted she brought this to the Administrator based on a shorttime window for this item.

(Continued)

2009-582 **APPROVE PROBATE COURT TO INCREASE CONTRACT
COMPENSATION FOR MASTER'S IN SOCIAL WORKER HOME
INVESTIGATOR, IMPLEMENTATION OF FEE SCHEDULE AND BUDGET
ADJUSTMENT**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-583 **APPROVE TO AWARD POST CONSTRUCTION CLEANING OF THE
HALMOND CENTER TO WEST MICHIGAN JANITORIAL SERVICES**

The Administrator recommends, moved by Derezinski, seconded by Collins, to award the post construction cleaning of the Halmond Center (RFB-09-1673) to West Michigan Janitorial Services for their low bid of \$5,975.00.

Commissioners Nash and McMurray expressed concern over the bid and process.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

2009-584 **AWARD THE BID FOR A MUSKEGON AREA TRANSIT SYSTEM
CUSTOMIZED BUS SHELTER TO TRIDONN CONSTRUCTION**

The Administrator recommends, moved by Derezinski, seconded by Snider, to award the bid for a Muskegon Area Transit System customized bus shelter to Tridonn Construction for a price of \$14,400.00.

Commissioner Gill requested information regarding Tridonn employment makeup.

Chairman Mahoney asked how many people will fit in this shelter.

(Continued)

2009-584 **AWARD THE BID FOR A MUSKEGON AREA TRANSIT SYSTEM
CUSTOMIZED BUS SHELTER TO TRIDONN CONSTRUCTION**

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

Old Business

2009-585 **CANCEL THE THURSDAY, OCTOBER 15, 2009, COMMUNITY
DEVELOPMENT/STRATEGIC PLANNING COMMITTEE MEETING**

Moved by Wade, seconded by Snider, to cancel the Thursday, October 15, 2009, Community Development/Strategic Planning Committee Meeting due to lack of an agenda.

Motion Carried

New Business

Commissioner Nash noted the SMART Committee will be hosted by Muskegon County, November 4, 2009.

2009-586 **PREPARE A RESOLUTION HONORING OF DAN BONNER, MANAGING
ATTORNEY FOR LEGAL AID OF WEST MICHIGAN**

Moved by Gill, seconded by Snider, to prepare a resolution honoring of Dan Bonner, Managing Attorney for Legal Aid of West Michigan for his award for providing high quality legal services to the people of Muskegon County who cannot otherwise afford representation.

Roll Call

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

Excused: Scolnik

Nays: None

Motion Carried

Commissioner Gill excused at 4:35 p.m.

Public Participation

Mark Mangione addressed the Board inquiring about County projects, urging investigation into contracting problems to know who is doing the work on these projects.

Larry Gardener, Great Lakes Removal, addressed the Board stating Great Lake Removal is ready for the contract the next time it comes up for bid.

Paul Hickman addressed the Board regarding disagreement between the Road Commission and the Township over Graham Street.

Don Studaven, Blue Lake Township Supervisor, addressed the Board commending Drain Commissioner Hepler with helping his constituents.

Commissioner Nash, in response to Mr. Mangione's comments, that the County might review and fine tune our policy on contracts.

Chairman Mahoney welcomed Township Supervisors, Thompson, Studaven and Kieft.

Commissioner McMurray noted he will be out of town requested being excused from meetings October 31 - November 7, 2009.

2009-587 **ADJOURN**

Moved by Wade, seconded by Derezinski, to adjourn.

Motion Carried

Meeting adjourned at 4:46 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

October 27, 2009

3:30 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, Engle, Gill, Mahoney, McMurray, Nash, Wade

Absent: Scolnik

Excused: Snider

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

2009-588 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve the Agenda adding the addendum and approve Minutes of Full Board of October 13, 2009, correcting motion regarding Honeywell motion 2009-581, should have been \$7.4 million not \$7.9 million.

Motion Carried

2009-589 **PRESENTATION- TRIBUTE TO DAN BONNER**

Chairman Mahoney presented a tribute to Dan Bonner, Managing Attorney, Legal Aid of Western Michigan, in recognition of the Michael Frank Award from the Michigan State Bar for providing high quality legal services to people who cannot otherwise afford representation.

2009-590 **PRESENTATION - FOLLOW-UP INFORMATION REGARDING GRANT INFORMATION QUESTIONS**

Deborah Groeneveld presented follow-up information regarding Grant Information questions from the Ways and Means Committee. Ms. Groeneveld noted MSHDA funds had been used for Land Bank homes which were not eligible for reimbursement. However, with the questioned amendment, Muskegon County would be allowed to extend the grant to keep the money and use it for additional rehabilitation work.

A second motion #166, Strengthening Communities Project Grant, which Muskegon County received one of ten grants awarded from the Federal Department of Health and Human Services. Muskegon County has been granted \$250,000 to be used over two years which can be given out in \$5,000 mini-grants to Townships, faith-based organizations or non-profits. These groups can get training to help with writing grants, with financial statements, translation services and strategic planning for their organization. By receiving this grant, Muskegon County will be eligible for additional grant funding for different projects to help people in the community.

2009-591 **COMMUNICATIONS**

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

- A. Barry County Resolution - Request Michigan Legislature to Adopt State-Wide Ban on Use of Residential Fertilizers Containing Phosphorus
- B. Oceana County Resolution - In Support of Oceana County Sheriff's Opposition to Current LEIN Funding Formula
- C. VanBuren County Resolution - Support of Immediate Funding for *Pure Michigan* Program

2009-592 **SUSPEND THE RULES TO ALLOW THE SHERIFF TO ADDRESS THE BOARD**

Moved by Gill, seconded by Nash, to suspend the rules to allow the Sheriff to address the Board regarding Oceana County's resolution regarding LEIN funding formula.

Motion Carried

Sheriff Roesler stated the resolution from Oceana County was well written and he would encourage Muskegon County to adopt it and take a similar stance in putting our monies aside in a fund until our questions are answered.

Vincent Michael Port addressed the Board from a Community Corrections view, emphasizing the importance of the LEIN system for the protection of the community.

Voice vote on 2009-591 COMMUNICATIONS

Motion Carried

2009-593 **DEVELOP A RESOLUTION IN SUPPORT OF MUSKEGON COUNTY SHERIFF'S OPPOSITION TO CURRENT LEIN FUNDING FORMULA**

Moved by Nash, seconded by Wade, to develop a resolution in support of Muskegon County Sheriff's opposition to current LEIN funding formula to be returned to the Board for approval.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-594 **APPROVE MDOT PROJECT AUTHORIZATION 2007-0264\Z15 WITH THE MUSKEGON AREA TRANSIT SYSTEM PROVIDING FY2010 STATE SPECIALIZED SERVICES OPERATING ASSISTANCE**

TR09/10-50

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Project Authorization 2007-0264\Z15 with the Muskegon Area Transit System providing FY2010 state specialized services operating assistance in the amount of \$65,499, and the third party contracts with Pioneer Resources, American Red Cross, and Goodwill Industries, and to authorize the Chairperson to execute the contracts.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-595 **ACCEPT THE TERMS AND CONDITIONS FOR ON-SITE BUS SERVICE
AT MEIJER STORE #19**

TR09/10-51

The Transportation Committee recommends, moved by Gill, seconded by Collins, to accept the terms and conditions for on-site bus service at Meijer Store #19 and to authorize the Chair to execute the agreement.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-596 **AUTHORIZE THE CHAIRPERSON TO SIGN AGREEMENTS WITH THE
CITY OF MUSKEGON HEIGHTS TO LOCATE THE MUSKEGON
TROLLEY COMPANY OFFICE FUNCTIONS AT THE CITY OF
MUSKEGON HEIGHTS CITY HALL BUILDING**

TR09/10-52

The Transportation Committee recommends, moved by Gill, seconded by Collins, to authorize the Chairperson to sign agreements with the City of Muskegon Heights to locate the Muskegon Trolley Company office functions at the City of Muskegon Heights City Hall building at the rate of \$3,120.00 per year.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-597 **APPROVE A RATES AND CHARGES IMPACT STUDY PROPOSAL
BETWEEN THE COUNTY AND SIXEL CONSULTING**

TR09/10-53

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve a Rates and Charges Impact Study Proposal between the County and Sixel Consulting, in the amount of \$5,000, with the County's share to be \$500, contingent upon grant funding, for consultant services related to analyzing current Airport rates and charges and compare them to similar sized airports in the Midwest, provide an estimate of the impact of any recommended rate increases/decreases on tenancy and passenger traffic, and provide an optimal rate structure to maximize revenue while producing minimal impact on tenant loss.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-598 **APPROVE AN ESSENTIAL AIR SERVICE (EAS) DEVELOPMENT
AGREEMENT BETWEEN THE AIRPORT AND SIXEL CONSULTING, INC.**

TR09/10-54

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve an Essential Air Service (EAS) Development Agreement between the Airport and Sixel Consulting, Inc., in the amount of \$28,500, with the County's share to be \$2,850, contingent upon grant funding.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-599 **APPROVE THE TRANSPORTATION PLAN AND \$1,400 COST FOR THE VETERAN'S DAY EVENT TO BE HELD ON NOVEMBER 8, 2009**

TR09/10-55

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the transportation plan and \$1,400 cost for the Veteran's Day event to be held on November 8, 2009.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-600 **OFFER A RESOLUTION TO HONOR THE AIRPORT WORKERS FOR THEIR FIFTH CONSECUTIVE YEAR OF "NO DISCREPANCIES" DURING THEIR ANNUAL CERTIFICATION INSPECTION**

TR09/10-56

The Transportation Committee recommends, moved by Gill, seconded by Collins, to offer a resolution to honor the Airport workers for their fifth consecutive year of "no discrepancies" during their annual certification inspection.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

Commissioner Gill noted the following motion was Tabled at committee

TR09/10-57

Move that the Board offer a resolution to commend the 14th Circuit Court and staff and the County Clerk and staff for the efforts they have made to work together in a recognition that comes from the State of Michigan Supreme Court commending their work of protecting our statutes and records provided by our state laws and rules. **Tabled until everyone has a chance to read the report.**

2009-601 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$18,184,933.49
COVERING THE PERIOD OF SEPTEMBER 26, 2009 THROUGH
OCTOBER 13, 2009**

WM09/10 - 159

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$18,184,933.49 covering the period of September 26, 2009 through October 13, 2009, as presented by the County Clerk.

Roll Call

Ayes: Engle, Mahoney, McMurray, Wade, Buzzell, Collins, Dereziński

Absent: Scolnik

Excused: Snider

Nays: Gill, Nash

Motion Carried

2009-602 **APPROVE THE FINANCIAL POLICIES OF MUSKEGON COUNTY AS
PRESENTED BY FINANCE AND MANAGEMENT SERVICES STAFF**

WM09/10 - 160

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Financial Policies of Muskegon County as presented by Finance and Management Services staff and authorize that they be included as part of the FY2010 Budget document.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Wade, Buzzell, Collins, Dereziński

Absent: Scolnik

Excused: Snider

Abstain: Nash

Nays: None

Motion Carried

Commissioner Nash explained that he abstained because he has not had a chance to thoroughly review the policy.

2009-603 **APPROVE THE ALLOCATION OF \$7,400,000 OF MUSKEGON COUNTY'S TOTAL RECOVERY ZONE BOND ALLOCATION OF \$13,890,000 TO THE COUNTY OF MUSKEGON TO BE USED ON THE HONEYWELL ENERGY PROJECT IMPROVEMENTS**

WM09/10 - 161

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the allocation of \$7,400,000 of Muskegon County's total Recovery Zone bond allocation of \$13,890,000 to the County of Muskegon to be used on the Honeywell energy project improvements.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-604 **APPROVE THE COUNTY CLERK'S OFFICE-VITAL RECORDS OFFICE AND CIRCUIT COURT RECORDS OFFICE TO NOTARIZE DOCUMENTS FOR THE PUBLIC FOR A FEE OF \$10 PER DOCUMENT**

WM09/10-162

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the County Clerk's Office-Vital Records Office and Circuit Court Records Office to notarize documents for the public for a fee of \$10 per document. Documents filed with the County Clerk (Vitals Office and Circuit Court Records Office) are exempt from this fee. Notarization of those documents is part of daily business transactions. The revenue collected from the fee will be placed into a technology fund for the County Clerk's Office.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-605 **ADOPT THE 2009 APPORTIONMENT REPORT AS PREPARED AND
SUBMITTED BY THE MUSKEGON COUNTY EQUALIZATION
DEPARTMENT**

WM09/10-163

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to adopt the 2009 Apportionment Report as prepared and submitted by the Muskegon County Equalization Department.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Wade, Buzzell, Collins, Derezinski

Absent: Scolnik

Excused: Snider

Nays: Nash

Motion Carried

2009-606 **APPROVE BOARD ORDINANCE TO ISSUE UP TO \$3,000,000 IN
REVENUE BONDS THROUGH THE MICHIGAN MUNICIPAL BOND
AUTHORITY OF THE MUSKEGON COUNTY WASTEWATER
MANAGEMENT SYSTEM FOR THE PURPOSE OF REBUILDING
SULLIVAN AND LAKETON STATIONS**

WM09/10-164

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve Board Ordinance to issue up to \$3,000,000 in revenue bonds through the Michigan Municipal Bond Authority of the Muskegon County Wastewater Management System for the purpose of rebuilding Sullivan and Laketon stations. 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: Engle, Gill, Mahoney, McMurray, Nash, Wade, Buzzell, Collins, Derezinski

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-607 **ACCEPT THE AMENDMENT TO GRANT #MSC - 2008-0787-HOA
COMMUNITY DEVELOPMENT BLOCK GRANT**

WM09/10-165

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the amendment to Grant #MSC - 2008-0787-HOA Community Development Block Grant to ensure that all of the dollars allocated to Muskegon County are expended and to accept the current definition of emergency repairs by MSHDA.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-608 **ACCEPT THE GRANT AWARD OF \$250,000 FOR TWO YEARS OR
\$125,000 PER YEAR FROM THE DEPARTMENT OF HEALTH AND
HUMAN SERVICES**

WM09/10-166

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the grant award of \$250,000 for two years or \$125,000 per year from the Department of Health and Human Services for the Strengthening Communities and Government Capacity Building program.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-609 **AUTHORIZE THE CHAIRMAN OF THE BOARD TO SIGN ON BEHALF OF MUSKEGON COUNTY THAT THE APPLICATION BY COMMUNITY MENTAL HEALTH SERVICES OF MUSKEGON COUNTY AND WEST MICHIGAN THERAPY**

WM09/10-167

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the Chairman of the Board to sign on behalf of Muskegon County that the application by Community Mental Health Services of Muskegon County and West Michigan Therapy for funding under the Supportive Housing Program, CFDA 14.235 are consistent with Muskegon County's Consolidated Plan.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-610 **AUTHORIZE PUBLIC HEALTH TO ACCEPT THE FY2010 COMPREHENSIVE, PLANNING, BUDGET AND CONTRACTING AGREEMENT AND AMENDMENT #1 TO THE FY2010 CPBC AGREEMENT**

WM09/10-168

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize Public Health to accept the FY2010 Comprehensive, Planning, Budget and Contracting agreement and Amendment #1 to the FY2010 CPBC agreement for \$3,292,513.00 from the Michigan Department of Community Health, with no changes to the Public Health General Fund allocation. Further authorize the Board Chair to sign the associated agreement.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-611 **AUTHORIZE STAFF TO PURCHASE AND HAVE INSTALLED, ONE BOSS
SNOWPLOW AND 2 CYD POLY ELECTRIC SALT BOX/SPREADER**

WM09/10 - 169

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize staff to purchase and have installed, from Monroe Truck and Accessories, one Boss snowplow and 2 cyd poly electric salt box/spreader for a total cost of \$9,265 for Facilities Management truck to be used for snow removal activities with costs to be paid from fund 1010-0265.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2009-612 **PREPARE A RESOLUTION OF SUPPORT OF MSU EXTENSION**

The Chairman recommends, moved by Gill, seconded by Engle, to prepare a resolution of support of MSU Extension and what they do for Muskegon County.

Motion Carried

2009-613 **PREPARE A RESOLUTION FOR MONTAGUE EARLY ELEMENTARY FOR
BEING AWARDED THE GOLD AWARD**

The Chairman recommends, moved by Gill, seconded by Nash, to prepare a resolution for Montague Early Elementary for being awarded the Gold Award.

Motion Carried

Commissioner Wade reported they have had sales with the Land Bank so things are looking up.

Chairman Mahoney noted the MAC Legislative Update of October 9, 2009 is included in the agenda packet.

ADMINISTRATOR'S REPORT

2009-614 **AUTHORIZE DISTRICT COURT TO TERMINATE CONTRACT WITH JAMES MAREK AND APPROVE CONTRACT WITH MARY FARRELL FOR PUBLIC DEFENDER SERVICES**

The Administrator recommends, moved by Derezinski, seconded by Nash, that the Board authorize the District Court to terminate the public defender contract with James Marek and approve a contract with Mary Farrell, through its Chief Judge and Honorable Andrew Wierengo III for the remainder of the \$45,000 board approved contract through September 30, 2010 and authorize Board Chair to sign said contract.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

2009-615 **APPROVE THE MOVING AND FURNITURE SUPPLY BIDS (RFB-09-1679) TO LAKESHORE OFFICE FURNITURE**

The Administrator recommends, moved by Collins, seconded by Engle, to approve the moving and furniture supply bids (RFB-09-1679) to Lakeshore Office Furniture for their combined low bid of \$20,558.00 with costs being paid from the Hall of Justice Renovation fund, 4130-4131.

Roll Call

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

Absent: Scolnik

Excused: Snider

Nays: None

Motion Carried

Old Business

Commissioner Derezinski inquired about Personnel Hearings. It was noted one had been postponed and the second was requested to be postponed so they will likely be rescheduled on the same date.

Commissioner Nash reminded Commissioners of the SMART meeting on November 4, 2009, to be held at the newly renovated Halmond Center. Thanked Mary Villanueva and Administrator Hammersley for their help in the arrangements for this meeting.

Commissioner Nash thanked Public Works and Wastewater staff in answering his questions.

New Business

2009-616 **USE COMMISSIONER'S FLOWER FUND TO SEND FLOWERS TO
BISHOP BURRELL'S FAMILY ON BEHALF OF THE COMMISSION**

Moved by Nash, seconded by Gill, to use Commissioner's flower funds to send flowers to Bishop Burrell's family on behalf of the Commission.

Discussion ensued.

Commissioner Derezinski Called for the vote.

Discussion continued.

2009-617 **TABLE THIS MOTION PENDING REVIEW OF FLOWER FUND RULES**

Moved by Buzzell, seconded by Engle, to table this motion pending review of flower fund rules.

Roll Call

Ayes: Buzzell, Derezinski, Engle

Absent: Scolnik

Excused: Snider

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

Motion Failed

Roll call on motion 2009-616 USE COMMISSIONER'S FLOWER FUND . . .

Ayes: Gill, Mahoney, McMurray, Nash, Collins, Derezinski

Absent: Scolnik

Excused: Snider

Nays: Engle, Wade, Buzzell

Motion Carried

Commissioner Derezinski apologized for being out of order and asked for a review of the Flower Fund from the time he was Chair to the present. Mary Villanueva noted she will be presenting an annual report regarding the Flower Fund.

Public Participation

Don Studaven, Blue Lake Township Supervisor, expressed his disappointment in the way the previous motion was addressed by the County Commissioners.

Student, Katelyn Squires, was in attendance from Way Point Academy.

Sonia Hernandez, Schools to Careers in Transitions Coordinator at Way Point Academy, thanked County Clerk, Nancy A. Waters, and Elections Coordinator, Kimberly Grimm, for allowing Katelyn to spend the day with Clerk staff and noted this meeting was very interesting.

Sean Holder and Brian Fortune were in attendance from Mr. Nash's Political Science class.

Chairman Mahoney recognized Township Supervisors in attendance, Chris Hall, Don Studaven and Mike Thompson

Commissioner McMurray noted, even though they may have voted "no", many Commissioners contributed for Bishop Burrell's fund.

2009-618 **ADJOURN**

Moved by Engle, seconded by Nash, to adjourn.

Motion Carried

Meeting adjourned at 4:35 p.m.

Nancy A. Waters, County Clerk

NAW/jmp

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

November 10, 2009

3:30 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: Collins, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Excused: Buzzell, Scolnik

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Ted Williams, Deputy County Clerk Marcia L. Wilkes, Secretary to the County Clerk Jeanne Pezet

2009-619 **APPROVE AGENDA**

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

Motion Carried

2009-620 **APPROVE THE MINUTES OF THE FULL BOARD OF OCTOBER 27, 2009**

Moved by Snider, seconded by Engle, to approve minutes of the Full Board of October 27, 2009.

Motion Carried

2009-621 **PRESENTATION - ROAD COMMISSION 09/10 BUDGET**

Kenneth Hulka, Managing Director, Muskegon County Road Commission, presented the Road Commission 09/10 Budget. Mr. Hulka noted the decline in revenue and increase in expenses that the Road Commission is experiencing in the current economy. Mr. Hulka stated that the Scenic Drive project is the major project for the Road Commission this fiscal year.

2009-622 **COMMUNICATIONS**

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

- A. Alger County Resolution - #2009-24 Support of Michigan Department of Agriculture Remain a Stand-Alone Department of the State of Michigan
- B. Barry County Resolution – Opposing a Veto of MSUE and MAES Funding from the State of Michigan

Motion Carried

2009-623 **AUTHORIZE THE 60TH DISTRICT COURT TO INCREASE THEIR PETTY CASH**

CPS09/11-74

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to authorize the 60th District Court to increase their petty cash from \$700.00 to \$1,000.00, whereby requesting an increase of \$300.00.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-624 **ACCEPT THE AGREEMENT BETWEEN MUSKEGON COMMUNITY COLLEGE AND THE COUNTY OF MUSKEGON ON BEHALF OF THE SHERIFF DEPARTMENT/EMERGENCY SERVICES**

CPS09/11-75

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to accept the Agreement between Muskegon Community College and the County of Muskegon on behalf of the Sheriff Department/Emergency Services, and direct the Board Chair and appropriate staff to sign the agreement.

(Continued)

2009-624 **ACCEPT THE AGREEMENT BETWEEN MUSKEGON COMMUNITY COLLEGE AND THE COUNTY OF MUSKEGON ON BEHALF OF THE SHERIFF DEPARTMENT/EMERGENCY SERVICES**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-625 **AUTHORIZE THE SHERIFF'S OFFICE TO BEGIN THE COUNTY'S BID PROCESS FOR FOUR 2010 FORD CROWN VIC POLICE VEHICLES**

CPS09/11-76

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to authorize the Sheriff's Office to begin the County's bid process for four 2010 Ford Crown Vic police vehicles.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-626 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT A 2006 FEATHERLITE TRAILER AND ADD SUCH TRAILER TO THE FLEET**

CPS09/11-77

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to authorize the Sheriff's Office to accept a 2006 featherlite trailer and add such trailer to the fleet.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-627 **RECLASSIFY THE CURRENT VACANT REGISTERED NURSE/SHERIFF FT POSITION (N65303) WITH A PAY RANGE OF \$19.42 TO \$24.57/HR TO AN LPN/SHERIFF FT WITH A PAY RANGE OF \$16.01 TO \$20.32/HR AND WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE VACANT POSITION**

CPS09/11-78

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to reclassify the current vacant Registered Nurse/Sheriff FT position (N65303) with a pay range of \$19.42 to \$24.57/hr to an LPN/Sheriff FT with a pay range of \$16.01 to \$20.32/hr and waive the hiring freeze and allow the Sheriff's Office to fill the vacant position.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-628 **ENTER INTO AN ADVANCED FUNDING AGREEMENT WITH OTTAWA AND ALLEGAN COUNTIES TO ADVANCE WEMET UP TO \$200,000 TO COVER OPERATIONAL COSTS TO BE PAID BACK BY FORFEITURE INCOME**

CPS09/11-79

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to enter into an Advanced Funding Agreement with Ottawa and Allegan counties to advance WEMET up to \$200,000 to cover operational costs to be paid back by forfeiture income as it becomes available and to fund 1/3 of lost investment income resulting from the advance.

Commissioner Gill questioned how this will be funded. Sheriff Roesler noted the monies are already being held and will be requested through the civil process. Commissioner Gill objected to increased investigations to obtain these monies.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: Gill

Motion Carried

2009-629 **SCHEDULE A BOARD PLANNING SESSION ON NOVEMBER 19TH AT 11:00 A.M., FOR THE PURPOSE OF DISCUSSING THE 2010 BUDGET AND THE MUNICIPAL SERVICES AGREEMENT**

CPS09/11-80

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to schedule a Board Planning Session on November 19th at 11:00 a.m., for the purpose of discussing the 2010 budget and the Municipal Services Agreement.

Roll Call

Ayes: Collins, Derezhinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-630 **AUTHORIZE A TRIBUTE IN HONOR OF THE CITY OF MUSKEGON HEIGHTS POLICE CHIEF CLIFTON JOHNSON**

CPS09/11-81

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to authorize a Tribute in honor of the City of Muskegon Heights Police Chief Clifton Johnson.

Roll Call

Ayes: Collins, Derezhinski, Engle, Gill, Mahoney, McMurray, Nash, Snider, Wade

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-631 **AUTHORIZE A REQUEST FOR BIDS PROCESS BY THE COUNTY PURCHASING DEPARTMENT TO REPLACE COMMUNITY MENTAL HEALTH VEHICLES THAT HAVE EXCEEDED MILEAGE OR AGE LIMITS**

HR09/11-98

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize a Request for Bids process by the County Purchasing Department to replace Community Mental Health vehicles that have exceeded mileage or age limits.

(Continued)

2009-631 **AUTHORIZE A REQUEST FOR BIDS PROCESS BY THE COUNTY PURCHASING DEPARTMENT TO REPLACE COMMUNITY MENTAL HEALTH VEHICLES THAT HAVE EXCEEDED MILEAGE OR AGE LIMITS**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-632 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO SIGN A CONTRACT WITH MICHIGAN DEPARTMENT OF COMMUNITY HEALTH TO ASSUME THE REGIONAL COORDINATION OF THE PARENT MANAGEMENT TRAINING - OREGON MODEL FOR REGION 3**

HR09/11-99

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Community Mental Health Services Director to sign a contract with Michigan Department of Community Health to assume the Regional Coordination of the Parent Management Training - Oregon Model for Region 3, effective October 1, 2009 through September 30, 2010, for a total budget of \$50,000.00 with no impact on the County General Fund.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-633 **AUTHORIZE COMMUNITY MENTAL HEALTH (CMH) OF MUSKEGON COUNTY TO APPLY FOR FUNDING FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR RENTAL ASSISTANCE**

HR09/11-100

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize Community Mental Health (CMH) of Muskegon County to apply for funding from the Department of Housing and Urban Development for rental assistance and administrative costs in the amount of \$44,546 through the 2009 HUD SuperNofa, Continuum of Care program for permanent supportive housing with CMH providing \$41,000 in supports as the in-kind match.

(Continued)

2009-633 **AUTHORIZE COMMUNITY MENTAL HEALTH (CMH) OF MUSKEGON COUNTY TO APPLY FOR FUNDING FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR RENTAL ASSISTANCE**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: Gill

Motion Carried

2009-634 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO INITIATE THE TRANSFER OF \$100,000 IN FY2009 ADULT BENEFIT WAIVER SAVINGS TO CMH OF OTTAWA COUNTY, IN RETURN FOR AN EQUIVALENT TRANSFER OF OTTAWA MEDICAID SAVINGS TO MUSKEGON CMH**

HR09/11-101

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Community Mental Health (CMH) Director to initiate the transfer of \$100,000 in FY2009 Adult Benefit Waiver savings to CMH of Ottawa County, in return for an equivalent transfer of Ottawa Medicaid Savings to Muskegon CMH.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-635 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN CONTRACTS WITH THOSE SERVICE VENDORS/PROVIDERS WHO HAVE SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE PROVISION AT THE CURRENT FISCAL YEAR 2008/2009 RATES**

HR09/11-102

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Community Mental Health Director to sign contracts with those service vendors/providers who have submitted written agreements to continue service provision at the current Fiscal Year 2008/2009 rates for the time period effective October 1, 2009, through September 30, 2010.

(Continued)

2009-635 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN CONTRACTS WITH THOSE SERVICE VENDORS/PROVIDERS WHO HAVE SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE PROVISION AT THE CURRENT FISCAL YEAR 2008/2009 RATES**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-636 **AUTHORIZE COMMUNITY MENTAL HEALTH OF MUSKEGON COUNTY TO ACCEPT THE PROPOSED RATE CHANGES BY THOSE VENDORS/PROVIDERS LISTED IN ATTACHMENT A: FY 2009/2010 PROPOSED VENDOR RATE CHANGES**

HR09/11-103

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize Community Mental Health of Muskegon County to accept the proposed rate changes by those vendors/providers listed in Attachment A: FY 2009/2010 Proposed Vendor Rate Changes, effective October 1, 2009, through September 30, 2010.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-637 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO PASS ON THE RATE INCREASES TO THE VENDORS AS IDENTIFIED ON ATTACHMENT A**

HR09/11-104

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Community Mental Health Services Director to pass on the rate increases to the vendors as identified on Attachment A, effective October 1, 2009 through September 30, 2010.

(Continued)

2009-637 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES DIRECTOR TO PASS ON THE RATE INCREASES TO THE VENDORS AS IDENTIFIED ON ATTACHMENT A**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-638 **AUTHORIZE THE COMMUNITY MENTAL HEALTH SERVICES OF MUSKEGON COUNTY DIRECTOR TO SIGN A CONTRACT WITH GREGORY G. GREEN, MD, FOR THE DELIVERY OF FORTY (40) HOURS PER WEEK OF PSYCHIATRIC SERVICES AND AFTER-HOURS CONSULTATION SERVICES**

HR09/11-105

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Community Mental Health Services of Muskegon County Director to sign a contract with Gregory G. Green, MD, for the delivery of forty (40) hours per week of Psychiatric Services and After-Hours Consultation Services, effective December 1, 2009, through November 30, 2010, with the option for renewal for two (2) additional years.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-639 **AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE AGREEMENT WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE RENDERING OF TECHNICAL SERVICES**

HR09/11-106

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize the Public Health Director to sign the agreement with the Michigan Department of Environmental Quality for the rendering of technical services effective from October 1, 2009, to September 30, 2010, with no effect on County General Fund.

(Continued)

2009-639 **AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE AGREEMENT WITH THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE RENDERING OF TECHNICAL SERVICES**

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-640 **AUTHORIZE PUBLIC HEALTH TO ENTER INTO AN AGREEMENT WITH VOLUNTEER MUSKEGON THROUGH MUSKEGON COUNTY MEDICAL RESERVE CORPS (MRC)**

HR09/11-107

The Human Resources Committee recommends, moved by Collins, seconded by Snider, to authorize Public Health to enter into an agreement with Volunteer Muskegon through Muskegon County Medical Reserve Corps (MRC) for an amount not to exceed \$25,000 and terminate no later than 7/31/10.

Roll Call

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

Excused: Buzzell, Scolnik

Nays: None

Motion Carried

2009-641 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF OCTOBER 14, 2009 THROUGH OCTOBER 30, 2009**

WM09/11-170

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve payment of the accounts payable of \$9,015,394.85 covering the period of October 14, 2009 through October 30, 2009, as presented by the County Clerk.

(Continued)

2009-641 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF OCTOBER 14, 2009 THROUGH OCTOBER 30, 2009**

Roll Call

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

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: Gill

Motion Carried

2009-642 **APPROVE A NOTICE OF INTENT RESOLUTION FOR THE ISSUANCE OF GENERAL OBLIGATION CAPITAL IMPROVEMENT BONDS NOT TO EXCEED \$7,500,000 TO FINANCE THE HONEYWELL ENERGY PROJECT IMPROVEMENTS**

WM09/11-171

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve a Notice of Intent Resolution for the Issuance of General Obligation Capital Improvement Bonds not to exceed \$7,500,000 to finance the Honeywell energy project improvements. This bond issue is subject to the 45 day referendum period and must be published in the Muskegon Chronicle in large point type and take up no less than one-quarter of the page upon which it appears. The notice must be run as a display. Further authorize the County Clerk to sign said document.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-643 **APPROVE THE FOLLOWING: 1) TO ISSUE REQUEST FOR PROPOSALS (RFP) TO FINANCIAL INSTITUTIONS FOR THESE CAPITAL IMPROVEMENT BONDS; 2) TO APPROVE THE SELECTION OF THE LOWEST NET INTEREST COST PROVIDER RESULTING FROM THE RFP PROCESS; 3) TO AUTHORIZE THE BOARD CHAIR TO EXECUTE THE NOTE DOCUMENTS CONTINGENT UPON FINAL REVIEW BY CORPORATE COUNSEL AND BOND COUNSEL**

WM09/11-172

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the following: 1) to issue Request for Proposals (RFP) to financial institutions for these Capital Improvement bonds; 2) to approve the selection of the lowest net interest cost provider resulting from the RFP process; 3) to authorize the Board Chair to execute the note documents contingent upon final review by corporate counsel and bond counsel.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-644 **APPROVE THE ALLOCATION OF \$1.0 MILLION FROM THE PUBLIC IMPROVEMENT FUND (4930) TO THE HONEYWELL ENERGY PROJECT FOR START UP COSTS**

WM09/11-173

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the allocation of \$1.0 million from the Public Improvement Fund (4930) to the Honeywell energy project for start up costs and further approve the Reimbursement Resolution that authorizes these funds to be reimbursed with the financing proceeds once they become available.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-645 **APPROVE THE ISSUANCE OF REQUESTS FOR PROPOSALS FOR SURVEYOR AND REMONUMENTATION SERVICES**

WM09/11-174

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the issuance of Requests for Proposals for surveyor and remonumentation services covering the time period 2010-2012.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-646 **APPROVE THE WHITE LAKE CHAMBER OF COMMERCE TOURISM AGREEMENT FOR FY2010**

WM09/11-175

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the White Lake Chamber of Commerce Tourism Agreement for FY2010 in the amount of \$78,500 and authorize the Board Chair to execute the agreement.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-647 **APPROVE THE ISSUANCE OF REQUESTS FOR PROPOSALS FOR CONTRACTUAL SNOWPLOWING SERVICES TO BE USED IN EMERGENCY SITUATIONS**

WM09/11-176

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the issuance of Requests for Proposals for contractual snowplowing services to be used in emergency situations and to cover the cost of this service within the existing Facilities Management budget resources.

(Continued)

2009-647 **APPROVE THE ISSUANCE OF REQUESTS FOR PROPOSALS FOR CONTRACTUAL SNOWPLOWING SERVICES TO BE USED IN EMERGENCY SITUATIONS**

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-648 **AUTHORIZE HUMAN RESOURCES TO SELECT GOOD TEMPS AS THE VENDOR FOR TEMPORARY STAFFING SERVICES**

WM09/11-177

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize Human Resources to select Good Temps as the vendor for Temporary Staffing Services through September 30, 2014.

Commissioner Nash asked if a four-year contract is normal and that he would have preferred a two-year contract to allow for competitive bidding.

Roll Call

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

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: Nash, Gill

Motion Carried

2009-649 **ALLOW JUVENILE DETENTION CENTER TO ACCEPT THE 2010 EQUIPMENT ASSISTANCE GRANT THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

WM09/11-178

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to allow Juvenile Detention Center to accept the 2010 Equipment Assistance Grant through the American Recovery and Reinvestment Act (ARRA) in the amount of \$8,884.00 and that the Budget Department establish a budget for the receipt of this grant in the amount of \$8,884.00.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-650 **AUTHORIZE STAFF TO SOLICIT PROPOSALS FOR A CONSULTATION TO AID MUSKEGON COUNTY IN ASBESTOS AND OTHER POTENTIALLY HAZARDOUS MATERIALS IDENTIFICATION AND ABATEMENT IN SEVERAL COUNTY-OWNED FACILITIES**

WM09/11-179

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize staff to solicit proposals for a consultation to aid Muskegon County in asbestos and other potentially hazardous materials identification and abatement in several County-owned facilities prior to the commencement of the Honeywell Energy Project, with costs being paid by the Honeywell Energy Project fund.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-651 **AUTHORIZE VANDERVEN CONSTRUCTION TO PLACE THE SIX
CONCRETE SLABS AROUND THE COUNTY FACILITIES**

WM09/11-180

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize VanderVen Construction to place the six concrete slabs around the County facilities for a total cost of \$7,330.00 with costs being paid from the grounds maintenance portion of the Facilities Management budget.

Motion Tabled see item 2009-654

2009-652 **SUSPEND THE RULES TO ALLOW MR. MCKINLEY TO ADDRESS ITEM
WM09/11-180**

Moved by Nash, seconded by Gill, to suspend the rules to allow Mr. McKinley to address item WM09/11-180.

Motion Carried

Mike McKinley addressed the board stating that his business is on the Muskegon County Bidder's list and he has been trying to get work with the County for eight years but was not notified of this particular job. As a disadvantaged contractor, Mr. McKinley distributed a counter-bid to Commissioners asking for consideration for this job.

2009-653 **RETURN TO THE FULL REGULAR SESSION**

Moved by Engle, seconded by Snider, to return to regular session.

Motion Carried

Commissioner Nash requested information from the Purchasing Department as to why Mr. McKinley was not contacted for this job. Joe Siedenstrang, Accounting Manager stated he would find out.

John Warner, Deputy Director of Public Works, noted the time sensitivity of this job since it must be completed before it is too cold to pour concrete.

Commissioner Nash made a friendly amendment to accept the bid from Mr. McKinley. Commissioner Collins accepted the friendly amendment.

Discussion ensued as to the danger of accepting bids at the Full Board meeting and the unfair advantage, once the committee minutes are posted, that other companies would be able to underbid.

2009-654 **TABLE WM09/11-180 UNTIL THE NEXT BOARD MEETING ON
NOVEMBER 19, 2009**

Moved by Snider, seconded by Derezinski, to table WM09/11-180 until the next Board Meeting on November 19, 2009.

Roll Call

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

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: Gill, Nash

Motion Carried

Commissioner Nash asked if the tabled motion was as amended. Commissioner Snider challenged the friendly amendment since it was not voted on. Commissioner Gill asserted once a motion is tabled it is no longer up for discussion.

2009-655 **AUTHORIZE STAFF TO PURCHASE TWO NEW TORO SNOW BLOWERS
FROM AGARD'S**

WM09/11-181

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to authorize staff to purchase two new Toro snow blowers from Agard's for a cost of \$2699.80 with costs coming from the Facilities Management funds.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

2009-656 **APPROVE THE RESOLUTION AUTHORIZING THE USE OF A CREDIT CARD, THE GUIDELINES AND RESPONSIBILITIES FOR THE USAGE OF SAME AND TO FURTHER APPROVE THE AGREEMENT TO ACCEPT MUSKEGON COUNTY CREDIT CARD**

WM09/11-182

The Ways and Means Committee Recommends, moved by Collins, seconded by Snider, to approve the Resolution authorizing the use of a credit card, the guidelines and responsibilities for the usage of same and to further approve the Agreement to Accept Muskegon County Credit Card.

Roll Call

Ayes: Gill, Mahoney, Nash, Snider, Wade, Collins, Derezinski, Engle

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Snider reported the LCC Board met and is working on re-organization.

Commissioner Snider noted the LSCC will continue to function until the re-organization until the plan returns to this Board and all other participating Boards.

Commissioner Snider commended the work of the inter-agency Diversion Committee Chaired by Sheriff Roesler. The number of diversions from the County Jail have increased with alcohol and mental health identification in advance.

Commissioner Nash thanked Commissioners, Administrator, Karen Benson and staff for all the help with SMART meeting. Special thanks to Merrick Center, Mr. Hern, and stand-in for their presentation, Mr. Vanderveen.

2009-657 **WEST MICHIGAN SHORELINE REGIONAL DEVELOPMENT
COMMISSION (WMSRDC), TRIBUTE TO COMMISSIONER LOUIS
MCMURRAY**

Sean Dey, Executive Director of West Michigan Shoreline Regional Development Commission (WMSRDC), addressed the Board to pay tribute to Commissioner Louis McMurray. Commissioner McMurray has represented the Board of Commissioners for over two decades on the WMSRDC. Commissioner McMurray has been a good friend and supporter of WMSRDC. Commissioner McMurray is one of those Community Leaders that is able to think beyond his local jurisdiction and to look at the big picture as we all work together in West Michigan to promote and foster regional development through cooperation among local governments. Mr. Dey presented Commissioner McMurray with a plaque in recognition of this tribute.

Chairman Mahoney noted the MAC Legislative Updates of October 16, 23 and 30, 2009 were included in agenda packets.

Chairman Mahoney reminded Board Members of the Board Planning Session on Thursday, November 19th, at 11:00 a.m., to be held at the Louis McMurray Conference & Transportation Center.

Chairman Mahoney noted the December 2009 Board Calendar was included in the agenda packet for review.

Chairman Mahoney noted the interview committee for the Muskegon County Road Commissioner Appointment interviewed 10 qualified candidates.

2009-658 **APPOINT JOHN DEWOLF TO THE MUSKEGON COUNTY ROAD
COMMISSION**

The Chairman recommends, moved by Wade, seconded by Gill, to appoint John DeWolf to the Muskegon County Road Commission.

Commissioner Snider noted Mr. DeWolf will be a good addition to the Road Commission. Commissioner Engle noted he was on the committee and was out voted as Mr. DeWolf was not his first Choice. Commissioner Derezinski initiated a monolog stating he was not on the committee and accused party politics, at which time Chairman Mahoney interrupted.

(Continued)
2009-658 APPOINT JOHN DEWOLF TO THE MUSKEGON COUNTY ROAD COMMISSION

Roll Call

Ayes: Mahoney, Nash, Wade, Collins, Gill,

Excused: Buzzell, Scolnik

Abstain: McMurray

Nays: Snider, Derezinski, Engle

Motion Carried

ADMINISTRATOR'S REPORT

2009-659 RE-ADOPT THE ACCESS HEALTH MUSKEGON ARTICLES OF INCORPORATION

The Administrator recommends, moved by Nash, seconded by Engle, that the Access Health Muskegon Articles of Incorporation, which were originally adopted at the full Board Meeting on May 21, 1999, be re-adopted.

Roll Call

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

Excused: Buzzell, Scolnik,

Nays: None

Motion Carried

Old Business

2009-660 ACCEPT A RESOLUTION IN SUPPORT OF MUSKEGON COUNTY SHERIFF'S OPPOSITION TO CURRENT LAW ENFORCEMENT INFORMATION NETWORK (LEIN) FUNDING FORMULA

Moved by Nash, seconded by Snider, to accept a Resolution in support of Muskegon County Sheriff's opposition to current Law Enforcement Information Network (LEIN) funding formula.

Motion Carried

2009-661 **ADOPT A RESOLUTION OF THANKS AND TRIBUTE FOR LUPE ALVIAR
FOR THE VETERAN'S DAY EVENT AT VETERAN'S MEMORIAL PARK
ON SUNDAY, NOVEMBER 8, 2009**

Moved by Snider, seconded by Gill, to adopt a Resolution of thanks and tribute for Lupe Alviar for the Veteran's Day event at Veteran's Memorial Park held on Sunday, November 8, 2009.

Motion Carried

New Business

None.

Public Participation

Dean Roesler thanked the Board for their Resolution in recognition of Mr Alviar noting that, as a the son of a WWII Veteran, the ceremony was a terrific event. Also, as a proud parent of a Reeths-Puffer marching band member, reported they won the State Division title for the fifth year in a row.

Bobby McCowan questioned the board regarding the disparity of percentage of money being spent on the black community compared to the percentage of Muskegon County's black population.

Phillis Loudermill Watson thanked Commissioners for their contribution and condolences to her family regarding Clifton Johnson. Also, addressing the issue of minority contractors, stating everyone needs to be open minded and involved.

Vincent Port addressed the Board regarding Robert's Rules and how citizens can have a voice in the Board process. Mr. Port further commended the County on the good things that are going on, the great Administrator, viable and intelligent Board and great Sheriff. With 16.7% unemployment, something needs to be done to make jobs more available.

Commissioner Nash, with regard to the Road Commission appointment, objects to people being classified within one group. No matter who would be appointed, it would be considered political.

Commissioner Nash agreed with citizens that the problem of disadvantage workers needs to be addressed.

Commissioner Engle noted his sales have also dropped by 98%.

Chairman recognized Egelston Township Treasurer, Deb Hasley Ackerman and Blue Lake Township Supervisor, Don Studaven

2009-662 **ADJOURN**

Moved by Collins, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:42 p.m.

Marcia L. Wilkes, Deputy County Clerk

MLW/jmp

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

**November 19, 2009
3:30 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 Commissioner Snider followed by the Pledge of Allegiance recited in unison.

Roll Call

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

Excused: McMurray

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters, Deputy County Clerk Marcia L. Wilkes

2009-663 **APPROVE AGENDA**

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

Motion Carried

2009-664 **APPROVE THE MINUTES OF THE FULL BOARD OF NOVEMBER 10, 2009, WITH THE NECESSARY CORRECTIONS AND SPELLING.**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board of November 10, 2009.

Motion Carried

2009-665 **PRESENTATION**

- A) **Muskegon County: Living United for 150 Years End of Campaign.**
Christian Toebe made the presentations to the County department winners. The large department winner was Muskegon Community Mental Health and the small department winner was the County Administrator's Office. Christine Robear thanked Muskegon County for their wonderful participation in this program.
- B) **City of Whitehall Sesquicentennial on 2010.** Whitehall City Counsel Member Tanya Cabala and Director of White Lake Chamber of Commerce Amy Van Loon presented a very detailed program regarding the City of Whitehall's Sesquicentennial, including activities scheduled every month.

2009-666 **COMMUNICATIONS**

A motion was made and seconded to place the communications on file.

Motion Carried

2009-667

CD/SP09/11 - 22 A motion was made by Wade, seconded by Collins to approve the Muskegon County CVB's Fiscal Year 2010 Marketing Plan/Budget as presented.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, and Wade.

Absent: Gill

Excused: McMurray

Motion Carried

2009-668

TR09/11-58 Moved by Scolnick and seconded by Nash to approve the attached Federal Aviation Administration's (FAA) Memorandum of Agreement (MOA) DTFAGL-09-L-00058 for the Muskegon County Airport, for a period of twenty (20) years, commencing October 1, 2010, and continuing through September 30, 2030, allowing the FAA to construct, operate, and maintain FAA owned navigation, communication and weather aid facilities in areas on the Airport and establishing the fact that the airport required navigational aid facilities in order to operate,

with no cost to the County, and the Chair be authorized to sign the agreement.

2009-669
TR09/11-59

Moved by Scolnick and seconded by Nash to authorize the Chairperson to sign a no-cost property lease agreement with the City of Muskegon Heights to facilitate the placement of a bus shelter at the City of Muskegon Heights Farmers Market property.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, Gill and Wade.

Excused: McMurray

Motion Carried

2009-670
WM09/11 - 183

Moved by Collins and seconded by Snider to approve payment of the accounts payable of \$5,715,480.99 covering the period of October 31, 2009 through November 10, 2009, as presented by the County Clerk.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, and Wade.

Nays: Gill

Excused: McMurray

Motion Carried

2009-671
WM09/11 – 184

Moved by Collins and seconded by Snider to direct the County Administrator and Corporate Counsel to prepare a loan agreement between the County of Muskegon, EDC and Great Lakes Die Cast for a five (5) year term in the maximum amount of \$65,000.00.

Roll Call

Ayes: Buzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, Gill and Wade.

Excused: McMurray

Motion Carried

2009-672

WM09/11 - 185 Moved by Collins and seconded by Snider to approve the 2009 Revision to the Muskegon County Accounts Receivable and Debt Recovery Policy.

Roll Call

Ayes: Buzzzell, Collins, Derezinski, Engle, Scolnik, Snider, and Wade.

Nays: Gill, Mahoney and Nash

Excused: McMurray

Motion Carried

2009-673

WM09/11 – 186 Moved by Collins and seconded by Snider to approve renewal of the Assessment Administration Services Contract provided by the Equalization Department to the City of Roosevelt Park 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: Buzzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, Gill and Wade.

Excused: McMurray

Motion Carried

2009-674

WM09/11 – 187 Moved by Collins and seconded by Snider to approve the Winter Tax Collection Bond from 12/1/09 through 3/31/10 with Hartford Insurance Company in the amount of \$6,776.

Roll Call

Ayes: Buzzzell, Collins, Derezinski, Engle, Mahoney, Nash, Scolnik, Snider, Gill and Wade.

Excused: McMurray

Motion Carried

CHAIRMAN REPORTS/COMMITTEE LIASON REPORTS

Commissioner Scolnik asked Chairman Mahoney to ask the County District Library Board look into opening their libraries on Sundays.

ADMINISTRATOR'S REPORT

Nothing to report.

NEW BUSINESS

2009-675

Moved by Nash and seconded by Snyder that the Board adopt a Resolution praising the Reeths Puffer Marching Band for winning the fifth state championship in a row.

Motion Carried

2009-676

Moved by Nash and seconded by Gill that the Board adopt a resolution supporting SB 857 and HB5469 regarding continued economic development for the battery industry.

Roll Call

Ayes: Buzzell, Collins, Derezhinski, Engle, Mahoney, Nash, Scolnik, Snider, Gill and Wade.

Abstained: Engle

Excused: McMurray

Motion Carried

Commissioner Derezhinski indicated he would appreciate getting resolution items on the agendas for future meetings.

2009-677

A motion was made by Chairman Mahoney and seconded by Snider to change the December 22nd Full Board Meeting to December 17th.

By voice vote, motion carries, one opposed.

Motion Carried

PUBLIC PARTICIPATION

None.

2009-678

ADJOURN

Moved by Collins, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:55 p.m.

Nancy A. Waters, County Clerk

NAW:mlw