

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

**January 26, 2010
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, Deputy County Clerk Marcia L. Wilkes, Secretary to County Clerk Jeanne Pezet

2010-43 **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda, adding Committee Liaison appointment to Workforce Development Board.

Motion Carried

2010-44 **APPROVE THE MINUTES OF THE ORGANIZATIONAL MEETING OF JANUARY 5, 2010 AND THE FULL BOARD OF JANUARY 12, 2010**

Moved by Engle, seconded by Nash, to approve minutes of the Organizational Meeting of January 5, 2010 and the Full Board of January 12, 2010.

Voice vote, one opposed

Motion Carried

2010-45 **PRESENTATIONS**

Commissioner McMurray presented a Tribute to the family of Tommie Lee Watson.

Drain Commissioner, Jeff Hepler presented an update to his October report.

2010-46 **COMMUNICATIONS**

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

- A. Allegan County Resolution in Support of Legislative Commission Statutory Mandate Final Report, December 2009
- B. Charlevoix County Resolution Regarding Funding Obligations - State Mandated Services
- C. Oceana County Resolution in Support of the Final Report of the Legislative Commission on Statutory Mandates, December 2009
- D. Oscoda County Resolution #2009-022; Urging Implementation of the State Substance Abuse Treatment & Prevention Allocation Formula

Motion Carried

2010-47 **AUTHORIZE THAT SPECIFIC LISTED FINANCIAL CONTRIBUTIONS BE MADE AND THAT THE FUNDS BE UTILIZED FROM THE CVB'S COMMUNITY PROMOTIONS (902020) LINE ITEM**

CD/SP10/01-01

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize that the following financial contributions be made and that the funds be utilized from the CVB's Community Promotions (902020) line item: Muskegon Chamber of Commerce/White Lake Area Chamber of Commerce joint film project - \$2,000.00; Muskegon Main Street - \$1,000.00; Muskegon Summer Celebration - \$500.00 to be spent on marketing by the CVB to promote the event; Muskegon Winter Sports Complex - \$1,200.00 to be spent on marketing by the CVB to promote the complex.

Roll Call

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

Nays: None

Motion Carried

2010-48 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM'S FY2011 APPLICATION FOR \$2,011,796 IN STATE OPERATING AND CAPITAL ASSISTANCE**

TR10/01-01

The Transportation Committee recommends, moved by Gill, seconded by Derezinski, to approve the Muskegon Area Transit System's FY2011 application for \$2,011,796 in state operating and capital assistance, to authorize the Resolution of Intent to apply for financial assistance, to name the County Administrator as the Transportation Coordinator, and to publish the public notice.

Roll Call

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

Nays: None

Motion Carried

2010-49 **AWARD RFB 09-1671 FOR SMALL TRANSIT BUSES TO HOLLAND BUS COMPANY**

TR10/01-02

The Transportation Committee recommends, moved by Gill, seconded by Derezinski, to award RFB 09-1671 for Small Transit Buses to Holland Bus Company, and to authorize an initial order of two vehicles, at a cost not to exceed \$175,000.

Roll Call

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

Nays: None

Motion Carried

2010-50 **APPROVE THE PURCHASING DEPARTMENT TO BID FIVE PIECES OF AIRPORT SNOW REMOVAL EQUIPMENT**

TR10/01-03

The Transportation Committee recommends, moved by Gill, seconded by Derezinski, to approve the Purchasing Department to bid five pieces of Airport snow removal equipment to be purchased with FY2010 Airport Improvement Program (AIP) Entitlement funds.

(Continued)

2010-50 **APPROVE THE PURCHASING DEPARTMENT TO BID FIVE PIECES OF AIRPORT SNOW REMOVAL EQUIPMENT**

Roll Call

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

Nays: None

Motion Carried

2010-51 **APPROVE A PROFESSIONAL ENGINEERING SERVICES CONTRACT BETWEEN THE COUNTY AND PREIN & NEWHOF TO DEVELOP BID SPECIFICATIONS AND PROVIDE ADMINISTRATIVE ASSISTANCE FOR THE PURCHASE OF FIVE PIECES OF SNOW REMOVAL EQUIPMENT**

TR10/01-04

The Transportation Committee recommends, moved by Gill, seconded by Derezinski, to approve a Professional Engineering Services Contract between the County and Prein & Newhof in the not-to-exceed amount of \$9,800, allowing Prein & Newhof to develop bid specifications and provide administrative assistance for the purchase of five pieces of snow removal equipment, with the County's 2.5% share not to exceed \$245.

Roll Call

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

Nays: Gill, Nash

Motion Carried

2010-52 **APPROVE A TWO-YEAR LEASE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND SKYWEST AIRLINES, INC. (SKYWEST), FOR SPACE IN THE AIRPORT TERMINAL BUILDING**

TR10/01-05

The Transportation Committee recommends, moved by Gill, seconded by Derezinski, to approve a two-year lease agreement between the County of Muskegon and SkyWest Airlines, Inc. (SkyWest), for space in the airport terminal building in furtherance of commercial airline service activities beginning on February 11, 2010.

Roll Call

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

Nays: None

Motion Carried

2010-53 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF DECEMBER 31, 2009 THROUGH JANUARY 12, 2010**

WM10/01-06

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve payment of the accounts payable of \$4,161,676.54 covering the period of December 31, 2009 through January 12, 2010, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2010-54 **RECLASSIFY THE CLERK II POSITION #'S G20009, G20010, G20018, G20024, G20034, G20003; JURY CLERK POSITION #G44501 AND STATISTICAL CLERK POSITION #G75001 TO CIRCUIT COURT CLERK**

WM10/01-07

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to reclassify the Clerk II position #'s G20009, G20010, G20018, G20024, G20034, G20003 (salary grade GU00070 \$11.02 -\$13.54/hr); Jury Clerk position #G44501 (salary grade GU00190 \$12.78-\$18.31/hr) and Statistical Clerk position #G75001 (salary grade GU00138 \$10.82-\$15.36/hr) to Circuit Court Clerk (salary grade GU00138 \$10.82-\$15.36/hr). Further move to waive the hiring freeze to allow the filling of two of the three newly reclassified currently vacant Circuit Court Clerk positions at step 1.

Roll Call

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

Nays: None

Motion Carried

2010-55 **AUTHORIZE THE ADOPTION OF THE RESOLUTION APPLICATION FOR DEFERMENT OF TAXES FOR THE PURPOSE OF WAIVING THE INTEREST AND FEES FOR THE PERIOD MARCH 1ST THROUGH APRIL 30TH IN ACCORDANCE WITH THE GENERAL PROPERTY TAX ACT SECTION 211.59 AND 211.51**

WM10/01-08

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize the adoption of the 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: Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade, Buzzell, Collins, Derezinski, Engle

Nays: None

Motion Carried

2010-56 **WAIVE THE RESTRICTIONS OF THE FY2010 CONTINGENCY PLAN TO ALLOW COMMUNITY MENTAL HEALTH TO IMMEDIATELY RECRUIT AND HIRE SUPPORT COORDINATOR/ACT POSITION**

WM10/01-09

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to waive the restrictions of the FY2010 Contingency Plan to allow Community Mental Health to immediately recruit and hire Support Coordinator/ACT position #N77507 at step 1.

Roll Call

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

Nays: None

Motion Carried

2010-57 **RECLASSIFY THE CURRENTLY VACANT GEOGRAPHIC INFORMATION TECHNICIAN POSITION (G38501) INTO TWO (2) GIS TECHNICIAN - 25 HOUR PART TIME POSITIONS**

WM10/01-10

to reclassify the currently vacant Geographic Information Technician position (G38501) into two (2) GIS Technician - 25 Hour Part Time positions using the salary schedule GU 00230 (\$14.60 - \$20.91/hr), and a pro-rated benefits package, and to waive the hiring freeze to allow for the hiring of the two (2) newly reclassified positions at step 1.

(Continued)

- 2010-57 **RECLASSIFY THE CURRENTLY VACANT GEOGRAPHIC INFORMATION TECHNICIAN POSITION (G38501) INTO TWO (2) GIS TECHNICIAN - 25 HOUR PART TIME POSITIONS**

Roll Call

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

Nays: None

Motion Carried

- 2010-58 **APPROVE THE 2009-1020 MUSKEGON-OCEANA CONSORTIUM LISTED SUB-RECIPIENT BUDGETS**

WM10/01-11

to approve the 2009-1020 Muskegon-Oceana Consortium sub-recipient budgets for Older Youth, JET, Wagner-Peyser, In-School Youth, WIA Adult, WIA Dislocated Worker, NEG and Food Stamp Program as allocated to Every Woman's Place, Family Services Center, Goodwill, Muskegon Heights, Oceana Employment & Training, Orchard View and White Lake and delete Account Clerk II BP#G02010, Clerk II BP#'s G20023, G20039, G20097, G20098, G20099, Information Systems Technician III BP#X43901 and Workforce Development Client Services Aide BP#N87101.

Roll Call

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

Nays: None

Motion Carried

- 2010-59 **AUTHORIZE THE DEPARTMENT OF EMPLOYMENT AND TRAINING TO HAVE AN RFP FOR ALL WIA AND JET SERVICES PROVIDED BY THE MUSKEGON/OCEANA CONSORTIUM, MICHIGAN WORKS!**

WM10/01-12

to authorize the Department of Employment and Training to have an RFP for all WIA and JET services provided by the Muskegon/Oceana Consortium, Michigan Works! with bid documents issued by County Purchasing Department.

Roll Call

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

Nays: None

Motion Carried

2010-60 **APPROVE ESTABLISHING A LINE ITEM BUDGET FOR THE STRENGTHENING COMMUNITIES PROJECT GRANT (2676-2620) FOR FY2010**

WM10/01-13

to approve establishing a line item budget for the Strengthening Communities Project Grant (2676-2620) for FY2010.

Roll Call

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

Nays: None

Motion Carried

2010-61 **AUTHORIZE CONSTANCE V. BURCHFIELD, DISTRICT COURT CLERK, TO PURCHASE FIVE (5) YEARS OF MERS GENERIC SERVICE CREDIT**

WM10/01-14

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize Constance V. Burchfield, District Court Clerk, to purchase five (5) years of MERS generic service credit at a cost of \$30,623.00 as provided by the MERS Plan Document and in keeping with the County policy regarding purchase of generic service credit with 100 percent of the total actuarial cost being paid by the employee.

Roll Call

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

Nays: None

Motion Carried

2010-62 **AUTHORIZE HUMAN RESOURCES TO SOLICIT PROPOSALS FOR INSURANCE BROKERAGE SERVICES FOR MEDICAL, DENTAL, LIFE, LONG TERM DISABILITY AND SECTION 125 HEALTH AND CHILD CARE THIRD PARTY ADMINISTRATION**

WM10/01-15

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize Human Resources to solicit proposals for insurance brokerage services for medical, dental, life, long term disability and Section 125 Health and Child Care Third Party Administration.

(Continued)

2010-62 **AUTHORIZE HUMAN RESOURCES TO SOLICIT PROPOSALS FOR INSURANCE BROKERAGE SERVICES FOR MEDICAL, DENTAL, LIFE, LONG TERM DISABILITY AND SECTION 125 HEALTH AND CHILD CARE THIRD PARTY ADMINISTRATION**

Roll Call

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

Nays: None

Motion Carried

2010-63 **APPROVE THE CONTRACT WITH WILLIAMS, HUGHES & COOK, PLLC, FOR LEGAL SERVICES**

WM10/01-16

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve the contract with Williams, Hughes & Cook, PLLC, for legal services for the period of January 1, 2010 through December 31, 2010.

Roll Call

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

Nays: Gill

Motion Carried

2010-64 **AUTHORIZE A REQUEST FOR PROPOSALS FOR AUDITING SERVICES**

WM10/01-17

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize a request for proposals for auditing services commencing with the 2010 annual audit and include both the State required audit and Federal Single audit.

Roll Call

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

Nays: None

Motion Carried

2010-65 **AUTHORIZE A REQUEST FOR PROPOSAL (RFP) BY COUNTY ADMINISTRATION FOR FINANCIAL SOFTWARE CONSULTING SERVICES**

WM10/01-18

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize a Request for Proposal (RFP) by County Administration for Financial Software Consulting Services to assist in the replacement of the County's current financial system.

Roll Call

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

Nays: None

Motion Carried

2010-66 **AUTHORIZE A RESOLUTION IN SUPPORT OF CLOSING THE CHICAGO AREA LOCKS TO KEEP THE GREAT LAKES SAFE FROM ASIAN CARP**

WM10/01-19

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize a Resolution in support of closing the Chicago area locks to keep the Great Lakes safe from Asian Carp.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT

2010-67 **APPROVE THE FOLLOWING COMMITTEE APPOINTMENTS AND REAPPOINTMENTS**

The Chairman recommends, moved by Engle, seconded by Collins, to approve the following Committee appointments and reappointments:

- A. Airport Advisory Committee Reappointments
- Richard Dolack (City of Norton Shores); 1/1/2010 - 12/31/2011
 - Michele Yasenak (Private Sector); 1/1/2010 - 12/31/2011
 - Paul Billings (Private Sector); 1/1/2010 - 12/31/2011
 - William Moulatsiotis (Private Sector); 1/1/2010 - 12/31/2011
 - Lewis Collins (Commissioner Liaison); 1/1/2010 - 12/31/2010

(Continued)

2010-67 **APPROVE THE FOLLOWING COMMITTEE APPOINTMENTS AND REAPPOINTMENTS**

- B. Community Corrections Advisory Board
 - Louis Churchwell - Reappointment (Community Service); 1/1/2010 - 12/31/2012
 - Bridget Burks - New Appointment (General Public); 1/1/2010 - 12/31/2012
- C. County Museum Board
 - Tom Malloy - Reappointment (General Public); 1/1/2010 - 12/31/2012
- D. Workforce Development Board
 - Mark Mangione - Reappointment (Organized Labor); 1/1/2010 - 12/31/2012
 - Lisa Valez - Reappointment (Private Sector); 1/1/2010 - 12/31/2012
 - Bill Lowry - Reappointment (Private Sector); 1/1/2010 - 12/31/2012

Commissioner Gill noted Airport Advisory Board appointments should have been discussed with him prior to these appointments. Commissioner Scolnik corrected the spelling of Tom Maloy's name for the County Museum Board. Commissioner Snider asked if there were applications and interviews, etc. for these appointments and strongly support following the process for filling these vacancies.

2010-68 **AMEND MOTION 2010-67 TO REMOVE APPOINTMENT OF WADE AS LIAISON TO THE WORKFORCE DEVELOPMENT BOARD**

Moved by McMurray, seconded by Gill, to amend motion 2010-67 to remove appointment of Wade as liaison to the Workforce Development Board.

Discussion continued regarding the functions of the Workforce Development Board and getting reports from that Board.

Roll Call on 2010-68 to amend 2010-67

Ayes: McMurray, Scolnik

Nays: Mahoney, Snider, Wade, Buzzell, Collins, Derezinski, Engle, Nash,

Abstain: Gill

Motion Failed

Roll Call on motion 2010-67 as originally presented

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

Nays: McMurray

Motion Carried

Commissioner Nash noted the new appointment, Bridget Burks, will do an excellent job and has experience in Community Corrections.

Commissioner Snider noted he had no objections to the appointments, but wants to be consistent in the process of appointments.

ADMINISTRATOR'S REPORT

Administrator Hammersley noted she had nothing to report at this time.

COMMITTEE LIAISON REPORTS

Commissioner Snider noted the Interagency Jail Committee met and an analysis of the program has been prepared. Commissioner Snider requested this analysis be distributed to all Commissioners.

Commissioner Wade noted WMSRDC met and re-elected Officers, passed audit and noted the largest grant, \$10,000, going on in Michigan at this time is the clean-up on the South Shore of Muskegon Lake.

Commissioner Collins reported that he and Commissioner Wade made an unannounced visit of the Sheriff Garage and was impressed with the facility and the attitude of the young man in charge. Commissioner Collins encouraged other departments to funnel work to the Sheriff garage for cost savings.

Commissioner Scolnik noted John McGarry, at the Museum Board Meeting, proposed a project to relocate a home from the Whitehall/Montague area that was a stop on the Underground Railroad to the Hilt Landing property.

Commissioner Scolnik also noted hearing a story on the radio regarding bail/jail situation suggesting people will show up for court if they get a reminder phone call. Commissioner Snider reported on jail diversion efforts including a pay or stay program.

Commissioner McMurray requested a report from the Sobriety program as to who is being trained and noted the importance to report on things that are turning around and improving.

Chairman Mahoney reported that the Library Board is working on their strategic plan for the coming years focusing on computer access.

Commissioner Engle gave a brief update from the Road Commission noting they are doing well with the salt and sand usage.

Old Business

None.

New Business

2010-69 **RESOLUTION OF SUPPORT, TRIBUTE AND THANKS TO JACK LAGOE FOR 28 YEARS OF SERVICE AND TO DAVE HABELTLER FOR 26 YEARS OF SERVICE TO THE PRISON MINISTRY**

Moved by Snider, seconded by Gill, to prepare a resolution of support, tribute and thanks to Jack LaGoe for 28 years of service and to Dave Habetler for 26 years of service to the Prison Ministry.

Motion Carried

2010-70 **PREPARE A DRAFT RESOLUTION IN SUPPORT OF THE FINDINGS AND RECOMMENDATIONS IN THE INTERIM AND FINAL REPORTS OF THE LEGISLATIVE COMMISSION ON STATUTORY MANDATES**

Moved by Nash, seconded by Gill, to prepare a draft resolution in support of the findings and recommendations in the interim and final reports of the Legislative Commission on Statutory Mandates, to be approved at a future Board Meeting.

Motion Carried

2010-71 **DEVELOP A PROCLAMATION FOR FEBRUARY 2010 NATIONAL HEART HEALTH MONTH**

Moved by Nash, seconded by Gill, to develop a Proclamation for February 2010 National Heart Health Month.

Motion Carried

Public Participation

T.C. Nash addressed the Board regarding how Committee appointments are made and if there are vacancies. It was noted there are three vacancies on the Workforce Development Board and one vacancy on the Airport Advisory Board.

Sean Mullally introduced himself and announced his Candidacy for the 92nd District of Michigan State House of Representatives. Commissioner Snider inquired about Mr. Mullally's background. Mr. Mullally noted he has a Bachelor's degree from Michigan State University and is sitting on the Executive Board of UAW Local 1243 at Alcoa Howmet.

Jerry Nichols, representing a motorcycle entity promoting motorcycle safety and awareness, addressed the Board regarding campground accommodations at the Carpenter Brother's property during the 4th Annual Bike Time event. Mr. Nichols introduced Jule Geiger, Secretary of this 501(3)(c) non-profit.

Commissioner Nash suggested that a process be developed by the Board in support of the Administrator, regarding how Federal dollars are dispersed and that hiring practices are followed in accordance with State and Federal guidelines.

Commissioner Gill reminded Board Members that the County Commission District 8 representative has never been invited to any of the meetings for events which have taken place in County Commission District 8, including Bike Time.

ADJOURN

Moved by Nash, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:37 p.m.

Marcia L. Wilkes, Deputy County Clerk

MLW/jmp