

*Muskegon County  
Board of Commissioners  
Hall of Justice, 990 Terrace, 4<sup>th</sup> Floor  
Muskegon, MI 49442*

*Benjamin E. Cross  
James Derezinski  
Marvin Engle  
Susie Hughes  
Kenneth Mahoney, Chairman*

*Charles Nash  
Terry Sabo  
Robert Scolnik  
Rillastine R. Wilkins, Vice Chair*

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

**Full Board Meeting**

**January 29, 2013  
3:30 P.M.**

**Chairman Kenneth Mahoney, Presiding**

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Mahoney. Chairman Mahoney gave the invocation. The Pledge of Allegiance was recited in unison.

**Roll Call**

Present: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Terry Sabo, Robert Scolnik, Rillastine Wilkins

Absent: None

Also Present: County Administrator Bonnie B. Hammersley  
Chief Deputy County Clerk Marcia L. Wilkes,  
Secretary to the County Clerk Jeanne Pezet,  
Corporate Counsel Theodore N. Williams, Jr.

2013-25     **APPROVAL OF THE AGENDA ADDING ADDITIONAL APPOINTMENTS UNDER THE CHAIRMAN'S REPORT**

Moved by Wilkins, seconded by Hughes, to approve the agenda as amended.

Voice vote.

**Motion Carried**

2013-26     **APPROVE THE MINUTES OF THE ORGANIZATIONAL MEETING OF THURSDAY, JANUARY 3, 2013 AND THE FULL BOARD MINUTES OF TUESDAY, JANUARY 15, 2013**

Moved by Derezinski, seconded by Cross, to approve the Minutes of the Organizational Meeting of Thursday, January 3, 2013 and the Full Board Minutes of Tuesday, January 15, 2013.

Voice vote.

**Motion Carried**

**PUBLIC COMMENT ON AN AGENDA ITEM**

There was no public comment on an agenda item.

**COMMUNICATION/INFORMATION**

There were no Communication/Informational items to come before the Board.

**COMMITTEE REPORTS**

2013-27      **ADOPT THE AGREEMENT WITH BEANBOX COMPANY TO PROVIDE BICYCLE RENTALS FROM THE UNION DEPOT WITH COMMISSIONS PAID TO THE CVB/COUNTY OF MUSKEGON BASED UPON MONTHLY RENTAL REVENUES AND TO AUTHORIZE THE CHAIRPERSON OF THE COUNTY BOARD TO EXECUTE THE AGREEMENT**

CD/SP13/01-01

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Cross, to adopt the Agreement with BeanBox Company to provide bicycle rentals from the Union Depot with commissions paid to the CVB/County of Muskegon based upon monthly rental revenues and to authorize the Chairperson of the County Board to execute the agreement.

Roll Call

Yes: James Derezinski, Marvin Engle, Susie Hughes, Charles Nash, Terry Sabo,  
Bob Scolnik, Rillastine Wilkins, Ben Cross, Kenneth Mahoney

No: None

**Motion Carried**

2013-28      **AUTHORIZE A FREE "MUSKEGON COUNTY PARKS DAY" FOR TWIN LAKE PARK AND PIONEER PARK ON SATURDAY, MAY 4TH, FROM 10:00 A.M. TO 4:00 P.M.**

CD/SP13/01-02

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Cross, to authorize a free "Muskegon County Parks Day" for Twin Lake Park and Pioneer Park on Saturday, May 4th, from 10:00 a.m. to 4:00 p.m.

Commissioner Cross inquired about flyers for this event and Commissioner Wilkins inquired about the possibility of park passes being sold at some County Departments. Administrator Hammersley noted staff is working on this project and updates will be forthcoming.

Roll Call

Yes: James Derezinski, Marvin Engle, Susie Hughes, Charles Nash, Terry Sabo,  
Bob Scolnik, Rillastine Wilkins, Ben Cross, Kenneth Mahoney

No: None

**Motion Carried**

2013-29 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM'S FY2014 APPLICATION FOR \$1,124,215 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**

TR13/01-01

The Transportation Committee recommends, moved by Wilkins, seconded by Sabo, to approve the Muskegon Area Transit System's FY2014 application for \$1,124,215 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

Yes: Marvin Engle, Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik,  
Rillastine Wilkins, Ben Cross, James Derezinski, Kenneth Mahoney

No: None

**Motion Carried**

2013-30 **APPROVE LEASE AMENDMENT NO. 2 TO LEASE NO. GS-05B-17680 BETWEEN THE COUNTY AND THE TRANSPORTATION SECURITY ADMINISTRATION (TSA), PROVIDING 246 SQUARE FEET OF OFFICE SPACE TO THE TSA IN THE AIRPORT TERMINAL BUILDING, SUBSEQUENTLY, EXTENDING THE LEASE FOR UP TO SEVEN YEARS AND INCREASING THE ANNUAL RENTAL RATE TO \$52.20/SF**

TR13/01-02

The Transportation Committee recommends, moved by Wilkins, seconded by Sabo, to approve Lease Amendment No. 2 to Lease No. GS-05B-17680 between the County and the Transportation Security Administration (TSA), providing 246 square feet of office space to the TSA in the Airport terminal building, subsequently, extending the lease for up to seven years and increasing the annual rental rate to \$52.20/SF.

Roll Call

Yes: Marvin Engle, Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik,  
Rillastine Wilkins, Ben Cross, James Derezinski, Kenneth Mahoney

No: None

**Motion Carried**

2013-31 **APPROVE A ONE-YEAR LEASE BETWEEN THE COUNTY AND SKYWEST AIRLINES, INC. (SKYWEST) IN FURTHERANCE OF SKYWEST'S INTENT TO CONTINUE TO PROVIDE COMMERCIAL AIRLINE SERVICE**

TR13/01-03

The Transportation Committee recommends, moved by Wilkins, seconded by Sabo, to approve a one-year lease between the County and SkyWest Airlines, Inc. (SkyWest) in furtherance of SkyWest's intent to continue to provide commercial airline service.

Roll Call

Yes: Marvin Engle, Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Kenneth Mahoney

No: None

**Motion Carried**

2013-32 **APPROVE THE PAYMENT OF THE ACCOUNTS PAYABLE OF \$5,060,636.00 COVERING THE PERIOD OF DECEMBER 29, 2012 THROUGH JANUARY 15, 2013 AS PRESENTED BY THE COUNTY CLERK**

WM13/01-04a

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to approve the payment of the accounts payable of \$5,060,636.00 covering the period of December 29, 2012 through January 15, 2013 as presented by the County Clerk.

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

2013-33 **APPROVE THE RECOMMENDED CHANGES TO BOARD POLICY #2007-512 RESPONSIBLE ENGINEERING AND CONSTRUCTION CONTRACTING AS PRESENTED**

WM13/01-05

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to approve the recommended changes to Board Policy #2007-512 Responsible Engineering and Construction Contracting as presented.

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

2013-34 **APPROVE A PUBLIC HEARING ON FEBRUARY 12, 2013 TO ACCEPT  
CITIZEN COMMENTS ON THE MUSKEGON COUNTY RECREATION  
PLAN UPDATE, 2013**

WM13/01-06

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to approve a public hearing on February 12, 2013 to accept citizen comments on the Muskegon County Recreation Plan Update, 2013.

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins,  
Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

2013-35 **AUTHORIZE THE CHAIRMAN OF THE COUNTY BOARD OF  
COMMISSIONERS TO SIGN A CONTRACT WITH DETECT P.I. &  
RECOVERY, LLC AT A FLAT FEE OF \$30.00 FOR REVIEW OF  
DISCOVERY AND AN HOURLY RATE OF \$45.00 PER HOUR AND  
MILEAGE REIMBURSEMENT AT \$.55.5 PER MILE AND PRE-APPROVED  
OVERNIGHT OR OUT OF STATE COSTS BEGINNING ON JANUARY 1,  
2013 THROUGH SEPTEMBER 30, 2013 PENDING MONTHLY REVIEW OF  
EXPENDITURES**

WM13/01-07

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to authorize the Chairman of the County Board of Commissioners to sign a contract with Detect P.I. & Recovery, LLC at a flat fee of \$30.00 for review of discovery and an hourly rate of \$45.00 per hour and mileage reimbursement at \$.55.5 per mile and pre-approved overnight or out of state costs beginning on January 1, 2013 through September 30, 2013 pending monthly review of expenditures.

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins,  
Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

2013-36 **REVISE THE COUNTY OF MUSKEGON PURCHASING POLICY, SECTION V. BID PROCESS, E. TIE BIDS LANGUAGE TO STATE: "IN THE CASE OF A TIE BID OR QUOTE, WHEN ALL FACTORS INCLUDING PRICING ARE CONSIDERED EQUAL, A COIN TOSS SHALL BE USED TO DETERMINE WHICH OF THE TIED BIDDERS RECEIVE THE AWARD"**

WM13/01-08

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to revise the County of Muskegon purchasing Policy, Section V. Bid Process, E. Tie Bids language to state: "in the case of a tie bid or quote, when all factors including pricing are considered equal, a coin toss shall be used to determine which of the tied bidders receive the award".

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

2013-37 **AUTHORIZE THE PROSECUTOR TO INITIATE THE RFP PROCESS FOR COLLECTION AGENCY SERVICES FOR COLLECTION OF OUTSTANDING BALANCES FOR PROSECUTION COSTS ASSESSED TO INDIVIDUALS PURSUANT TO COUNTY ORDINANCE 2011-393**

WM13/01-09

The Ways and Means Committee recommends, moved by Derezinski, seconded by Nash, to authorize the Prosecutor to initiate the RFP process for collection agency services for collection of outstanding balances for prosecution costs assessed to individuals pursuant to County Ordinance 2011-393.

Roll Call

Yes: Susie Hughes, Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Marvin Engle, Kenneth Mahoney

No: None

**Motion Carried**

### **CHAIRMAN'S REPORT**

2013-38 **REAPPOINT KENNETH MAHONEY TO MUSKEGON AREA FIRST, WITH A TERM THROUGH 12/31/2014**

The Chairman recommends, moved by Derezinski, seconded by Cross, to reappoint Kenneth Mahoney to Muskegon Area First with a term through 12/31/2014.

Voice vote.

**Motion Carried**

2013-39 **APPOINT DOUG KADZBAN EX-OFFICIO MEMBER TO THE PUBLIC WORKS BOARD WITH A TERM THROUGH 12/31/2014**

The Chairman recommends, moved by Cross, seconded by Sabo, to appoint Doug Kadzban, Ex-Officio Member to the Public Works Board with a term through 12/31/2014.

Voice vote.

**Motion Carried**

2013-40 **REAPPOINT BONNIE HAMMERSLEY TO THE BUILDING AUTHORITY WITH A TERM THROUGH 06/30/2015**

The Chairman recommends, moved by Derezinski, seconded by Wilkins, to reappoint Bonnie Hammersley to the building Authority with a term through 06/30/2015.

Voice vote.

**Motion Carried**

2013-41 **APPROVE THE FOLLOWING LISTED APPOINTMENTS TO THE MUSKEGON PORT ADVISORY COMMITTEE WITH TERMS THROUGH 12/31/14**

The Chairman recommends, moved by Derezinski, seconded by Hughes, to approve the following listed appointments to the Muskegon Port Advisory Committee with terms through 12/31/14:

Representation: Private Operators

Kenneth Szallai, Lake Express  
Ron Matthews, Verplank  
Scott Musselman, West Michigan Dock and Market  
Joe Bailey, Great Lakes Dock  
Mike Calando, Andrie, Inc.

Representation: Rail

Ken Livingston, Rail America

Representation: City of Muskegon

Bryon Mazade, City Manager

Representation: University

Arn Boezaart, MAREC

Representation: Road Commission

Ken Hulka, Managing Director

Representation: West Michigan Economic Development Corporation

Rick Chapla, Right Place

Representation: Consumers Energy

Dennis Marvin

Representation: County Commission

Terry Sabo, Public Works Chairman  
Kenneth Mahoney, County Commission Chairman  
Ben Cross, Southern Area of Muskegon Lake  
Charles Nash, Northern Area of Muskegon Lake

Voice vote.

**Motion Carried**

2013-42     **APPOINT GLORIA WHITE GARDNER AS A PRIVATE SECTOR REPRESENTATIVE TO THE AIRPORT ADVISORY COMMITTEE, TERM EXPIRING 12/31/14**

The Chairman recommends, moved by Wilkins, seconded by Nash, to appoint Gloria White Gardner Private Sector Representative to the Airport Advisory Committee, term expiring 12/31/14.

Voice vote.

**Motion Carried**

Commissioner Derezinski noted a conflict in the meeting times for the Airport Advisory Committee and WMSRDC for both himself and Commissioner Wilkins and asked that this be reviewed.

2013-43     **REAPPOINT LOUIS CHURCHWELL AS THE COMMUNITY SERVICE REPRESENTATIVE TO THE COMMUNITY CORRECTIONS ADVISORY BOARD, TERM EXPIRING 12/31/15**

The Chairman recommends, moved by Cross, seconded by Nash, to reappoint Louis Churchwell as the Community Service Representative to the Community Corrections Advisory Board, term expiring 12/31/15.

Voice vote.

**Motion Carried**

2013-44     **APPOINT MARY BETH RAMOS TO THE LAKESHORE MUSEUM CENTER BOARD OF TRUSTEES, TERM EXPIRING 12/31/15**

The Chairman recommends, moved by Scolnik, seconded by Hughes, to appoint Mary Beth Ramos to the Lakeshore Museum Center Board of Trustees, term expiring 12/31/15.

Voice vote.

**Motion Carried**

2013-45     **PREPARE A RESOLUTION IN RECOGNITION OF ED KORYZNO, SR. FOR HIS YEARS OF SERVICE ON THE VETERAN'S ADVISORY COUNCIL AND YEARS OF SERVICE TO HIS COUNTRY**

Moved by Cross, seconded by Wilkins, to prepare a Resolution in recognition of Ed Koryzno, Sr. for his years of service on the Veteran's Advisory Council and years of service to his Country.

Voice vote.

**Motion Carried**



2013-46      **APPROVE FOLLOWING APPOINTMENTS TO THE VETERAN'S ADVISORY COUNCIL: DON ALEY AND CHUCK BUZZELL, TERMS EXPIRING 12/31/16 AND TERRY SABO AS COUNTY COMMISSIONER LIAISON, TERM EXPIRING 12/31/14**

The Chairman recommends, moved by Derezhinski, seconded by Hughes, to approve following appointments to the Veteran's Advisory Council: Don Aley and Chuck Buzzell, terms expiring 12/31/16, and Terry Sabo as County Commissioner Liaison, term expiring 12/31/14.

Voice vote.

**Motion Carried**

2013-47      **REAPPOINT KAREN FRAZIER AND CINDY LARSEN AS PRIVATE SECTOR REPRESENTATIVES AND MARK MANGIONE AS ORGANIZED LABOR REPRESENTATIVE TO THE WORKFORCE DEVELOPMENT BOARD, TERMS EXPIRING 12/31/15**

The Chairman recommends, moved by Nash, seconded by Hughes, to reappoint Karen Frazier and Cindy Larsen as Private Sector Representatives and Mark Mangione as Organized Labor Representative to the Workforce Development Board, terms expiring 12/31/15.

Voice vote.

**Motion Carried**

### **COMMITTEE LIAISON REPORTS**

Commissioner Cross reported that the Library Board is moving forward with the feasibility study for Storyville.

Commissioner Wilkins reported that she attended a FEMA meeting and encouraged everyone to call for the energy savers that they will be passing out for free.

Commissioner Sabo attended the Community Corrections Advisory Board meeting and looks forward to learning more about what this Board does. The committee has had issues with getting a quorum.

Commissioner Scolnik asked Commissioners to assist in reaching a proposed goal of raising \$450 from the Muskegon County Board for the MAC-PAC fundraiser.

Chairman Mahoney gave kudos to Brookhaven Medical Care Facility for receiving the Award of Excellence from Great Lakes Caring, a Jackson-based group providing home health care, hospice and medical equipment to Michigan, Ohio and Indiana.

Commissioner Nash reported attending the CMH meeting and commended Julia Rupp, CMH Executive Director, on her well-rounded presentation at the Board Planning session.

Commissioner Nash also stated he expects quorums for the Community Corrections Advisory Board to improved once appointments are complete.

### **ADMINISTRATOR'S REPORT**

2013-48      **APPROVE THE CONTRACT FOR CORPORATE COUNSEL SERVICES FOR THE CALENDAR YEAR 2013 WITH THEODORE N. WILLIAMS, JR. AND WILLIAMS HUGHES, PLLC AND THAT THE CHAIRMAN BE AUTHORIZED TO EXECUTE THE CONTRACT**

The Administrator recommends, moved by Scolnik, seconded by Derezinski, to approve the contract for Corporate Counsel Services for the calendar year 2013 with Theodore N. Williams, Jr. and Williams Hughes, PLLC and that the Chairman be authorized to execute the contract.

Discussion ensued regarding conflict of interest and going out for bids.

Commissioner Scolnik expressed thanks for fair and impartial treatment in his experience with Corporate Counsel.

Roll Call

Yes: Charles Nash, Terry Sabo, Bob Scolnik, Rillastine Wilkins, Ben Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney

No: None

**Motion Carried**

2013-49      **THAT THE NOTICE OF PROPOSED AMENDMENTS TO THE MUSKEGON COUNTY BOARD OF COMMISSIONERS' RULES BE MADE A PART OF THE OFFICIAL BOARD MINUTES**

The Administrator recommends, moved by Derezinski, seconded by Cross, that the Notice of Proposed Amendments to the Muskegon County Board of Commissioners' Rules be made a part of the official Board Minutes.

Discussion ensued regarding the procedure for revisions to County Rules, Policies and Procedures.

Voice vote.

**Motion Carried**

**OLD BUSINESS**

There was no old business to come before the Board of Commissioners.

**NEW BUSINESS**

Commissioner Hughes enquired on how to prepare a resolution.

2013-50      **PREPARE A RESOLUTIONS OF APPRECIATION IN RECOGNITION OF  
BOB CUTLER AND LAWRENCE BURT**

Moved by Nash, seconded by Wilkins, to prepare a Resolutions of Appreciation in Recognition of Bob Cutler and Lawrence Burt.

Voice vote.

**Motion Carried**

Commissioner Nash invited all of the men to the Men's Health Fair on Saturday, February, 2, 2013 from 9:00 a.m. until 1:00 p.m. at the Muskegon Heights High School, located at 2427 Jefferson, Muskegon Heights, Michigan.

**PUBLIC COMMENT (ON A NEW TOPIC)**

Dr. Abiade addressed the Board to introduce himself as a candidate for Mayor for the City of Muskegon.

Ryan Bennett addressed the Board regarding the impact of prevailing wage on area construction.

Deb Ackerman thanked the Board for reappointing her to the Land Bank Fast Track Authority.

Tommy Watson commented on the new Veteran's Building noting, though it looks nice, it is not user friendly for access. Commissioner Derezinski noted the Veteran's Advisory Council agrees with this observation but it is a federal government facility.

Chairman Mahoney recognized audience members: Deb Ackerman, Egelston Township Treasurer; Dave Kieft, Muskegon Charter Township Supervisor; and Chuck Woods, City of North Muskegon Council Member

**ADJOURN**

2013-51 **MOVED BY NASH, SECONDED BY CROSS, TO ADJOURN.**

Voice vote.

**Motion Carried**

Meeting adjourned at 4:16 p.m.

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Marcia L. Wilkes, Chief Dep County Clerk

MLW/jmp

***Minutes approved with revisions***

2013-53 **APPROVE THE FULL BOARD MINUTES OF TUESDAY, JANUARY 29, 2013 WITH CORRECTIONS REQUESTED BY COMMISSIONER NASH TO PAGE 26 - CHANGE IMPROVED TO IMPROVE AND PAGE 27 TO CHANGE "TO PREPARE A RESOLUTION . . ." TO "TO PREPARE RESOLUTIONS . . ."**

Moved by Derezinski, seconded by Cross, to approve the Full Board Minutes of Tuesday, January 29, 2013 with corrections requested by Commissioner Nash to page 26 - change improved to improve and page 27 to change "to prepare a Resolution . . ." to "to prepare Resolutions . . .".

Voice vote.

**Motion Carried**

***at the Full Board Meeting on Tuesday, February 12, 2013***