

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

March 23, 2010
3:34 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, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Wade

Excused: Derezinski

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

2010-159 **APPROVE AGENDA**

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

Voice Vote

Motion Carried

2010-160 **APPROVE THE MINUTES OF THE FULL BOARD OF MARCH 9, 2010**

Moved by Engle, seconded by Scolnik, to approve minutes of the Full Board of March 9, 2010.

Voice Vote

Motion Carried

2010-161 **ADD THE ADDENDUM TO THE AGENDA**

Moved by Engle, seconded by Collins to add the Addendum to the Agenda.

Voice Vote

Motion Carried

2010-162 **COMMUNICATIONS**

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

- A. Alger County Resolution #2010-05: Asian Carp
- B. St. Joseph Resolution #5-2010: Legislative Commission on Statutory Mandates
- C. VanBuren County A11/03 - 09-2010: Legislative Commission on Statutory Mandates

Voice Vote

Motion Carried

2010-163 **AUTHORIZE THE COUNTY ADMINISTRATOR TO APPLY FOR A \$2.1 MILLION GRANT FROM THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION, UNDER THE TRADE ADJUSTMENT ASSISTANCE FOR COMMUNITIES PROGRAM**

CD/SP10/03-02

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize the County Administrator to apply for a \$2.1 million grant from the U.S. Department of Commerce, Economic Development Administration, under the Trade Adjustment Assistance for Communities program, to provide needed water distribution for the proposed Fortu high technology battery plant.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-164 **APPROVE THE FINANCIAL CONTRIBUTIONS BE MADE AND THAT THE FUNDS BE UTILIZED FROM THE CVB'S COMMUNITY PROMOTIONS**

CD/SP10/03-03

The Community Development/Strategic Planning Committee recommends, moved by Wade, to approve the financial contributions be made and that the funds be utilized from the CVB's Community Promotions (902020) line item: Muskegon Heights "Festival in the Park" - \$3,000.00; The Association of Concert Bands 2011 National Convention Committee - \$500.00; the Miss Michigan Scholarship Pageant - \$3,000.00.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-165 **ADOPT THE FISCAL YEAR 2011 - 2014 TRANSPORTATION IMPROVEMENT PROGRAM RESOLUTION**

TR10/03-11

The Transportation Committee recommends, moved by Gill, seconded by Nash, to adopt the Fiscal Year 2011 - 2014 Transportation Improvement Program resolution and proposed project list as developed by the Muskegon Area Transit System for consideration by the West Michigan Shoreline Regional Development Commission.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-166 **APPROVE OPERATION OF A 2010 TROLLEY ROUTE PROGRAM AS PROPOSED**

TR10/03-12

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve operation of a 2010 Trolley Route Program as proposed.

(Continued)

2010-166 **APPROVE OPERATION OF A 2010 TROLLEY ROUTE PROGRAM AS PROPOSED**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-167 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM'S FTA DRUG AND ALCOHOL TESTING PROGRAM AND POLICY, DATED DECEMBER 29, 2009**

TR10/03-13

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve the Muskegon Area Transit System's FTA Drug and Alcohol Testing Program and Policy, dated December 29, 2009.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-168 **APPROVE THE AWARD OF TWO (2) INTERMEDIATE-SIZED PLOW TRUCKS USED FOR SNOW REMOVAL OPERATIONS AT THE AIRPORT, TO THE LOWEST BIDDER, WESTERN MICHIGAN INTERNATIONAL TRUCKS LLC**

TR10/03-14

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve the award of two (2) intermediate-sized plow trucks used for snow removal operations at the Airport, to the lowest bidder, Western Michigan International Trucks LLC, in the amount of \$352,212.74, contingent upon receipt of a Grant Offer from the Federal Aviation Administration (FAA) and a Contract from Michigan Department of Transportation - Aeronautics (AERO), with the County's 2.5% share of the acquisition to be \$8,805.32.

(Continued)

2010-168 **APPROVE THE AWARD OF TWO (2) INTERMEDIATE-SIZED PLOW TRUCKS USED FOR SNOW REMOVAL OPERATIONS AT THE AIRPORT, TO THE LOWEST BIDDER, WESTERN MICHIGAN INTERNATIONAL TRUCKS LLC**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-169 **APPROVE THE AWARD OF TWO (2) LARGE-SIZED PLOW TRUCKS USED FOR SNOW REMOVAL OPERATIONS AT THE AIRPORT, TO THE LOWEST BIDDER, OSHKOSH CORPORATION**

TR10/03-15

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve the award of two (2) large-sized plow trucks used for snow removal operations at the Airport, to the lowest bidder, Oshkosh Corporation, in the amount of \$764,096.40, contingent upon receipt of a Grant Offer from the Federal Aviation Administration (FAA) and a Contract from Michigan Department of Transportation - Aeronautics (AERO), with the County's 2.5% share of the acquisition to be \$19,102.41.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-170 **APPROVE THE CHAIRMAN TO EXECUTE REIMBURSABLE AGREEMENT NUMBER AJW-FN-CSA-09-0866 BETWEEN THE COUNTY AND THE FEDERAL AVIATION ADMINISTRATION (FAA)**

TR10/03-16

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve the Chairman to execute Reimbursable Agreement Number AJW-FN-CSA-09-0866 between the County and the Federal Aviation Administration (FAA) in the amount of \$120,175.00 to fund the design and installation of an Instrument Landing System (ILS) control switch for runway 14/32, with the County's 2.5% share to be \$3,004.38.

(Continued)

2010-170 **APPROVE THE CHAIRMAN TO EXECUTE REIMBURSABLE AGREEMENT NUMBER AJW-FN-CSA-09-0866 BETWEEN THE COUNTY AND THE FEDERAL AVIATION ADMINISTRATION (FAA)**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-171 **APPROVE THE PURCHASING DEPARTMENT TO ISSUE AN RFP ON BEHALF OF THE AIRPORT, SEEKING PROPOSALS FROM INTERESTED TRAVEL AGENCIES TO LOCATE THEIR BUSINESS IN THE TERMINAL BUILDING**

TR10/03-17

The Transportation Committee recommends, moved by Gill, seconded by Nash, to approve the Purchasing Department to issue an RFP on behalf of the Airport, seeking proposals from interested Travel Agencies to locate their business in the terminal building.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

TR10/03-10 REMOVED FROM AGENDA BY CHAIRMAN BILL GILL.

2010-172 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF FEBRUARY 24, - MARCH 9, 2010**

WM10/03-55

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$4,785,980.11 covering the period of February 24, 2010 through March 9, 2010, as presented by the County Clerk.

(Continued)

2010-172 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF FEBRUARY 24, - MARCH 9, 2010**

Roll Call

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

Nays: Gill

Excused: Derezinski

Motion Carried

2010-173 **AWARD THE THREE-YEAR CONTRACTS FOR SURVEYOR SERVICES FOR THE REMONUMENTATION PROGRAM**

WM10/03-56

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to award the three-year contracts for surveyor services for the Remonumentation Program to Moore & Bruggink for \$138,915, Westshore Consulting for \$138,915 and Driesenga & Associates, Inc., for \$138,915.

Roll Call

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

Nays: Gill

Excused: Derezinski

Motion Carried

2010-174 **APPROVE THE ACCEPTANCE OF THE ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT**

WM10/03-57

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the acceptance of the Energy Efficiency & Conservation Block Grant for \$537,945 and authorize the County Administrator to sign the grant agreement.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-175 **CHANGE THE SALARY RANGE OF THE EMPLOYMENT AND TRAINING
MANAGER (BP# X32201) FROM SALARY GRADE NX00390 TO NX00362
AND FILL THE POSITION AT STEP 1**

WM10/03-58

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to change the salary range of the Employment and Training Manager (BP# X32201) from salary grade NX00390 to NX00362 and fill the position at step 1.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-176 **WAIVE THE HIRING FREEZE AND ALLOW THE HUMAN RESOURCES
DEPARTMENT TO FILL THE VACANT HUMAN RESOURCES ANALYST
POSITION #N39502 AT STEP 1**

WM10/03-59

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to waive the hiring freeze and allow the Human Resources Department to fill the vacant Human Resources Analyst position #N39502 at step 1 and change the funding from 100% 1010-0226 to 75% 1010-0226 and 25% 6770-0203.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-177 **APPROVE PROFESSIONAL BENEFITS SERVICES (PBS) FOR THE
THIRD PARTY ADMINISTRATION OF THE MUSKEGON COUNTY
RETIREE DENTAL PLAN**

WM10/03-60

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve Professional Benefits Services (PBS) for the Third Party Administration of the Muskegon County retiree dental plan from 4/1/2010 - 9/30/2012 at a rate of \$1.90 per line item.

(Continued)

2010-177 **APPROVE PROFESSIONAL BENEFITS SERVICES (PBS) FOR THE
THIRD PARTY ADMINISTRATION OF THE MUSKEGON COUNTY
RETIREE DENTAL PLAN**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-178 **AUTHORIZE COMMUNITY MENTAL HEALTH TO PURCHASE ONE
ADDITIONAL MID-SIZED SEDAN FROM SIGNATURE FORD**

WM10/03-61

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize Community Mental Health to purchase one additional mid-sized sedan from Signature Ford for \$14,145.00.

Roll Call

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

Nays: Gill

Abstain: Nash

Excused: Derezinski

Motion Carried

2010-179 **AUTHORIZE THE PROSECUTOR TO ACCEPT THE BYRNE JUSTICE
ASSISTANCE GRANT FROM THE MICHIGAN DEPARTMENT OF STATE
POLICE FOR THE PURPOSE OF TECHNOLOGY ENHANCEMENT**

WM10/03-62

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the Prosecutor to accept the Byrne Justice Assistance Grant from the Michigan Department of State Police for the purpose of technology enhancement in the amount of \$14,400 with a local match obligation of \$1,600 to be provided by the Prosecutor's Forfeiture Fund, for a total grant amount of \$16,000.

(Continued)

2010-179 **AUTHORIZE THE PROSECUTOR TO ACCEPT THE BYRNE JUSTICE ASSISTANCE GRANT FROM THE MICHIGAN DEPARTMENT OF STATE POLICE FOR THE PURPOSE OF TECHNOLOGY ENHANCEMENT**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-180 **GRANT THE CHAIRPERSON OF THE MUSKEGON COUNTY BOARD OF COMMISSIONERS AND THE COUNTY CLERK THE AUTHORITY TO SIGN NECESSARY CONTRACTS WITH WEB TECS, INC., AND OTTAWA COUNTY**

WM10/03-63

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to grant the Chairperson of the Muskegon County Board of Commissioners and the County Clerk the authority to sign necessary contracts with Web Tecs, Inc., and Ottawa County.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted there was an excellent meeting with the fortu high technology battery plant. It is a great move forward for Muskegon County.

Commissioner Snider noted the Community Corrections Advisory Board met and, although there was not a quorum, there was good discussion about various diversions and alternatives and restructuring of Criminal Justice Coordinating Council.

Commissioner Nash reported that Muskegon Area First Met and a copy of the last month's minutes and report will be distributed to Commissioners. Commissioner Nash also noted that discussion took place regarding Wastewater and suggested the County work with the Chamber and State to be more proactive to alleviate costs by increasing economic development.

Commissioner Collins attended the Road Commission and noted there were some residents in attendance that were concerned about the pulverized roads. Commissioner Collins distributed the Road Commissioner's Salt and Sand Report.

Commissioner Wade attended the West Michigan Shoreline Regional Development Commission (WMSRDC) meeting and noted programs and projects are moving forward.

Commissioner Nash was pleased to hear the analysis of why Fortu decided on Muskegon County because of land opportunities, people, workforce as well as relationship they have with the Bayer group.

Chairman Mahoney noted the MAC Legislative Updates of March 5th and 12th, 2010 were included in agenda packets.

2010-181 **RESOLUTION IN SUPPORT OF AZULSTAR, INC.**

The Chairman recommends, moved by Snider, seconded by Wade, to approve a resolution of support for Azulstar, Inc.'s Application for Broadband Wireless Network.

It was noted that Azulstar will not be in competition with Arialink.

Voice Vote

Motion Carried

ADMINISTRATOR'S REPORT

2010-182 **CREATE THE POSITION OF WATER SYSTEM ENGINEERING AIDE/SEASONAL FOR OUR REGIONAL WATER SYSTEM**

The Administrator recommends, moved by Snider, seconded by Engle, to create the position of Water System Engineering Aide/Seasonal for our Regional Water System effective May 1, 2010, at a pay rate of \$8.50 per hour (50% 5910-0546 and 50% 5910-0552) per the attached Request for New Position form.

(Continued)

2010-182 **CREATE THE POSITION OF WATER SYSTEM ENGINEERING AIDE/SEASONAL FOR OUR REGIONAL WATER SYSTEM**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-183 **THAT THE COUNTY OF MUSKEGON ADOPT THE MUNICIPAL SERVICES AGREEMENT BETWEEN THE COUNTY OF MUSKEGON, THE CHARTER TOWNSHIP OF FRUITPORT AND THE LITTLE RIVER BAND OF OTTAWA INDIANS**

The Administrator recommends, moved by Engle, seconded by Buzzell, that the County of Muskegon adopt the Municipal Services Agreement between the County of Muskegon, the Charter Township of Fruitport and the Little River Band of Ottawa Indians and that the Chairperson be authorized on behalf of the county to sign the Agreement.

Chairman Mahoney thanked Commissioners Buzzell and Engle, Corporate Counsel and the Administrator for their involvement in this issue.

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-184 **ADOPT THE COOPERATIVE LAW ENFORCEMENT AGREEMENT BETWEEN THE CHARTER TOWNSHIP OF FRUITPORT, THE LITTLE RIVER BAND OF OTTAWA INDIANS AND THE COUNTY OF MUSKEGON**

The Administrator recommends, moved by Collins, seconded by Engle, to adopt the Cooperative Law Enforcement Agreement between the Charter Township of Fruitport, the Little River Band of Ottawa Indians and the County of Muskegon and that the chairperson be authorized, on behalf of the County, to sign the Agreement.

Chairman Mahoney repeated his thanks as with the prior motion.

(Continued)

2010-184 **ADOPT THE COOPERATIVE LAW ENFORCEMENT AGREEMENT BETWEEN THE CHARTER TOWNSHIP OF FRUITPORT, THE LITTLE RIVER BAND OF OTTAWA INDIANS AND THE COUNTY OF MUSKEGON**

Roll Call

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

Nays: None

Excused: Derezinski

Motion Carried

2010-185 **AUTHORIZE CREATION OF THE EMPLOYEE CLASSIFICATION, PARATRANSIT OPERATOR, AT SALARY GRADE GU 00110 (\$10.36 - \$14.70 PER HOUR), AND TO AUTHORIZE MATS TO FILL TWO (2) NEW FULL TIME POSITIONS AND SIX (6) NEW HOURLY POSITIONS IN THIS CLASSIFICATION**

The Administrator recommends, moved by Gill, seconded by Nash, to authorize creation of the employee classification, Paratransit Operator, at salary grade GU 00110 (\$10.36 - \$14.70 per hour), and to authorize MATS to fill two (2) new full time positions and six (6) new hourly positions in this classification.

Chairman noted this was part of the expansion of Transit System. It was further noted that these funds have been previously budgeted. Commissioner Gill asked the Chairman to ask the Administrator to explain to the audience what this motion will accomplish. The Administrator noted these positions will allow more flexibility in the new expanded bus service with driving the Go-Bus as well as other related functions within the Transit System.

Roll Call

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

Nays: None

Commissioner McMurray had stepped out of the room prior to the vote.

Excused: Derezinski,

Motion Carried

Old Business

None.

New Business

None.

Public Participation

Jim Riley intended to address the Board during discussion of an item on the agenda. It was explained that public discussion can be done at Committee meetings.

Larry Romanelli, Tribal Chief for Ogema, for the Little River Band of Ottawa Indians. Thanked the County for their involvement and cooperation in the MSA. Introduced Lead Executive Attorney, Dan Green and Director of Commerce, Robert Memberto.

Alan Gager addressed the Board regarding bad roads in Muskegon County.

Don Studaven, Blue Lake Township Supervisor, addressed the issue in White Lake Area regarding changes in the month-long free dump day at Solid Waste.

Deb Ackerman, Egelston Township Treasurer, thanked the Chairman for his attendance at the Egelston Township Board Meeting. Ms. Ackerman also thanked the County Administrator for her quick response to an issue she raised at a previous Board Meeting.

ADJOURN

Moved by Scolnik, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:15 p.m.

Nancy A. Waters, County Clerk

NAW/jmp