

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

Board of Commissioners

James Derezinski, Chairman

Don Aley

Charles Buzzell

Lew Collins

Marvin Engle

Bill Gill

I. John Snider, Vice-Chairman

Kenneth Mahoney

Louis A. McMurray

Robert Scolnik

Roger C. Wade

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

Regular Meeting

March 27, 2007

3:30 p.m.

Chairman Derezinski, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Derezinski. The pledge of Allegiance was recited followed by the invocation given by Commissioner Aley.

Roll Call

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

Absent: None

2007-130 **APPROVE AGENDA**

Moved by Engle, seconded by Aley, to approve the Agenda adding the Addendum, add an item F to the Chairman's Report for Resolution by Mahoney and switch the order of items 7 and 8 to allow the presentation before the public hearing.

Motion Carried

2007-131 **APPROVE MINUTES OF THE REGULAR MEETING OF MARCH 13, 2007**

Moved by Engle, seconded by Collins, to approve the minutes of the regular meeting of March 13, 2007, correcting the Liaison Report to reflect that Commissioner Wade, not Buzzell, thanked Wendy Ohst.

Motion Carried

2007-132 **PRESENTATION - MUSKEGON BIKE TIME RESOLUTION**

Chairman Derezinski presented a resolution to Gary Smith in support of the upcoming Muskegon Bike Time event. Mr. Smith thanked Commissioners and noted the State Helmet law is working against this event and causes loss of revenue to our area and state.

2007-133 **PUBLIC HEARING - MICHIGAN NATURAL RESOURCES TRUST FUND -
BERRY JUNCTION BIKE TRAIL**

Moved by Snider, seconded by Engle, to open the Public Hearing regarding the Michigan Natural Resources Trust Fund - Berry Junction Bike Trail.

Motion Carried

John Warner, Public Works Department, noted a resolution to allow the County to apply for the Michigan Natural Resources Trust Fund Grant on behalf of the member local units of the Berry Junction Trail Commission. All five local units have passed resolutions for this grant. Mr. Warner introduced representatives from Johnson/Anderson Engineers, Terri Braymer, Katherine Mackey who gave an explanation of the project. It was noted the construction season would be 2009.

Commissioner McMurray asked about the distance from private property and it was noted that this portion is on existing rights-of-way.

Gary Rice, addressed concerns for advocating for snowmobile use on bike trails. It was noted the trails are designated as a non-motorized. Mr. Rice reported on maintenance and grooming projects that snowmobilers have contributed to other bike trail areas and asked that this issue be considered. Snowmobile funds go toward the very grant that is being requested. There are economic benefits from snowmobilers that would come to the area to ride these trails. It was noted that snowmobile studs may cause damage to the trail and bridges. Mr. Rice noted that newer belts don't require studs and would not cause that problem and that belting from gravel pits are frequently donated and when screwed to the bridge prevents bridge damage. It was further noted that bikers and rollerbladers appreciate this addition.

Greg Scott, Pioneer Resources, noted frequent trips are taken to local bike trails by the leisure and recreation club for people with disabilities. Mr. Scott gave non-motorized support to the trails.

Dean Rosler, Undersheriff, noted support both for his own family activities and for the added safety of moving bikers off the roads and the decrease in auto/bicycle accidents.

Harry Wierenga voiced his support for the development of this bike trail as he has frequently rides the bike trails in Michigan.

Scott Hladki, Dalton Township Supervisor, presented petitions with 822 signatures in support of development of this project.

2007-134 **CLOSE THE PUBLIC HEARING**

Moved by Aley, seconded by Scolnik, to close the Public Hearing.

Motion Carried

2007-135 **APPROVE THE RESOLUTION BETWEEN THE COUNTY OF MUSKEGON**

**AND LOCAL MUNICIPALITIES PROVIDING FOR THE ACQUISITION ,
CONSTRUCTION, FINANCE AND OPERATION OF THE FRED MEIJER
BERRY JUNCTION TRAIL PROJECT AND TO ADOPT THE ATTACHED
RESOLUTION ACCEPTING THE ASSIGNMENT OF THE ATTACHED
LEASE BETWEEN DALTON TOWNSHIP AND THE MICHIGAN
DEPARTMENT OF NATURAL RESOURCES**

Moved by Snider, seconded by Collins, to approve the Resolution between the County of Muskegon and the Townships of Laketon, Dalton, Muskegon, Fruitland and the City of North Muskegon providing for the acquisition , construction, finance and operation of the Fred Meijer Berry Junction Trail Project and to adopt the attached Resolution accepting the assignment of the attached Lease between Dalton Township and the Michigan Department of Natural Resources to cover property, commonly known as the former CSX Railroad property, extending from Section 32 Dalton Township to the pont where the former railroad grade crosses White Lake Drive at the Fruitland Township-City of Whitehall boundary for the purpose of constructing a bicycle/pedestrian trail, and as more particularly described in Attachment A to the Lease.

Roll Call

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

Nays: None

Motion Carried

2007-136 **APPROVE OPERATION OF THE 2007 TROLLEY ROUTE PROGRAM**

TR07/03-05

The Transportation Committee recommends, moved by Collins, seconded by Engle, to approve operation of the 2007 Trolley Route Program as proposed.

Roll Call

Ayes: Aley, Buzzell, Collins, Derezsinski, Engle, Mahoney, Scolnik, Snider, Wade

Abstain: McMurray

Nays: Gill

Motion Carried

2007-137 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO ESTABLISH
A 2007 SUMMER "HAUL PASS"**

TR07/03-06

The Transportation Committee recommends, moved by Collins, seconded by Engle, to authorize the Muskegon Area Transit System to establish a 2007 Summer "HAUL PASS" promotion for students, as proposed.

(Continued)

2007-137 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO ESTABLISH
A 2007 SUMMER "HAUL PASS"**

Roll Call

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

Abstain: McMurray

Nays: None

Motion Carried

2007-138 **APPROVE AMENDMENT NO. 2 TO THE AGREEMENT FOR
PROFESSIONAL ENGINEERING SERVICES**

TR07/03-07

The Transportation Committee recommends, moved by Collins, seconded by Engle, to approve Amendment No. 2 to the Agreement for Professional Engineering Services dated September 27, 2005, between the County and Prein & Newhof, establishing a fee, in the amount of \$323,000, for services to be performed during Phase II of runway extension construction and relocation of navigational aids associated with the extension of the runway, with the County's 2.5% share to be \$8,075, and further authorize the Chairman to sign said Amendment.

Roll Call

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

Abstain: McMurray

Nays: Gill

Motion Carried

2007-139 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE
AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR07/03-08

The Transportation Committee recommends, moved by Collins, seconded by Engle, to approve the extension of seven (7) T-Hangar Lease Agreements at Muskegon County Airport expiring in the second quarter of 2007 as follows: Scott Kelley, \$190/month; Richard Smith, \$160/month; Larry Duthler, \$180/month; Jim Fishel, \$170/month; Doug Parker, \$170/month; Fred Riplo, \$170/month; and Mark Cybulski, \$170/month.

(Continued)

2007-139 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

Roll Call

Ayes: Aley, Buzzell, Collins, Derezsinski, Engle, Gill, Mahoney, Scolnik, Snider, Wade

Abstain: McMurray

Nays: None

Motion Carried

2007-140 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF FEBRUARY 24, 2007 THROUGH MARCH 13, 2007**

WM07/3-35

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$7,191,685.91 covering the period of February 24, 2007 through March 13, 2007, as presented by the County Clerk.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Derezsinski, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-141 **ENTER INTO A LIBRARY MANAGEMENT CONTRACT WITH THE MUSKEGON AREA DISTRICT LIBRARY BOARD**

WM07/3-36

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, that the County enter into a Library Management contract (Administrative Services Agreement) with the Muskegon Area District Library Board for the period beginning on January 1, 2007, and ending on September 30, 2007, and that the Chairman be authorized to sign.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Derezsinski, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-142 **APPROVE THE PURCHASE AGREEMENT FOR 125 E. SOUTHERN AVENUE BETWEEN THE COUNTY OF MUSKEGON (SELLER) AND**

HACKLEY HOSPITAL (BUYER)

WM07/3-37

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Purchase Agreement for 125 E. Southern Avenue between the County of Muskegon (seller) and Hackley Hospital (buyer) for the purchase price of \$1,136,337.23 and that the Chairman be authorized to sign said Purchase Agreement.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-143 **ADOPT THE LEASE BETWEEN COMMUNITY MENTAL HEALTH AND HACKLEY HOSPITAL FOR THE RENTAL OF SPACE AT 125 E. SOUTHERN AVENUE**

WM07/3-38

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to adopt the Lease between Community Mental Health and Hackley Hospital for the rental of space at 125 E. Southern Avenue and that the Chairman be authorized to execute said Lease.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-144 **APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MUSKEGON AND LAKESHORE COORDINATING COUNCIL**

WM07/3-39

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Memorandum of Understanding between the County of Muskegon and Lakeshore Coordinating Council and authorize the Board Chair to sign the agreement.

(Continued)

2007-144 **APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE COUNTY OF MUSKEGON AND LAKESHORE COORDINATING COUNCIL**

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Gill, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: None

Motion Carried

2007-145 **APPROVE A RESOLUTION APPROVING AMENDMENT TO AN INSTALLMENT PURCHASE CONTRACT**

WM07/3-40

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve a Resolution Approving Amendment to an Installment Purchase Contract and the Amended Installment Purchase Agreement for Muskegon Central Dispatch and authorize the County Clerk and the Interim County Administrator to sign the document.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-146 **APPOINT JACK NIEMIEC AS THE COUNTY GRANT ADMINISTRATOR FOR THE STATE SURVEY AND REMONUMENTATION GRANT**

WM07/3-41

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to appoint Jack Niemiec as the County Grant Administrator for the State Survey and Remonumentation Grant retroactive back to February 1, 2007.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

2007-147 **AUTHORIZE ADMINISTRATION STAFF TO RESERVE A TROLLEY FOR THE BOARD OF COMMISSIONERS FOR THE MUSKEGON SUMMER CELEBRATION PARADE**

WM07/03-42

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize Administration staff to reserve a trolley for the Board of Commissioners for the Muskegon Summer Celebration Parade and to process payment of the \$50 entry fee to be paid from the Board's budget.

Roll Call

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

Abstain: McMurray

Nays: Gill

Motion Carried

2007-148 **APPROVE LAKESHORE OFFICE FURNITURE TO DISSEMBLE, RELOCATE, RECONFIGURE AND REASSEMBLE MODULAR EQUIPMENT**

WM07/03-43

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve Lakeshore Office Furniture, at a cost of \$5,720.00 to disassemble, relocate, reconfigure and reassemble modular equipment as required to temporarily relocate current Hall of Justice 4th floor occupants during the renovation project. The cost to be charged to the overall project budget.

Roll Call

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

Abstain: McMurray

Nays: None

Motion Carried

2007-149 **APPROVE THE HALL OF JUSTICE USE PROPOSAL SUBMITTED BY CENTRAL DISPATCH TO PLACE ANTENNA, SATELLITE DISHES, AND SUPPORTING EQUIPMENT ON THE ROOF OF THE HALL OF JUSTICE**

WM07/03-44

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Hall of Justice Use Proposal submitted by Central Dispatch to place antenna, satellite dishes, and supporting equipment on the roof of the Hall of Justice (HOJ), and further to authorize Central Dispatch to create a secure, environmentally controlled space within the south penthouse, with the cost to be paid by Central Dispatch. County Departments and other entities which currently have equipment on the roof of the HOJ, that would like to move that equipment to the new space, will do so at their own expense.

(Continued)

2007-149 **APPROVE THE HALL OF JUSTICE USE PROPOSAL SUBMITTED BY CENTRAL DISPATCH TO PLACE ANTENNA, SATELLITE DISHES, AND SUPPORTING EQUIPMENT ON THE ROOF OF THE HALL OF JUSTICE**

Roll Call

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

Abstain: McMurray

Nays: Gill

Motion Carried

2007-150 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE "MACP AWARD GRANT"**

WM07/03-45

The Ways and Means Committee recommends, moved by Aley, 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 \$6,000.00 from February 23, 2007 to September 30, 2007 and establish a budget.

Roll Call

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

Abstain: McMurray

Nays: None

Motion Carried

2007-151 **ESTABLISH 2 ADDITIONAL POSITIONS OF BUILDING SECURITY OFFICER - HOURLY**

WM07/03-46

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to establish 2 additional positions of Building Security Officer - Hourly, pay grade NO 00138 (\$13.229/hr - \$15.875/hr), for the Hall of Justice and South Campus security with no additional funding required.

Roll Call

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

Abstain: McMurray

Nays: None

Motion Carried

2007-152 **APPROVE THE ONE-YEAR AGREEMENT FOR THE PARTNERSHIP IN**

NEIGHBORHOOD SAFETY PROGRAM

WM07/03-47

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the one-year 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 on the approval of each of the townships.

Further, that the following funding transfers be approved:

Position	From	To
S05010	1240-0303 (PINS)	1010-0301 (Sheriff)
S05005	1010-0301 (Sheriff)	1010-0355 (Courtroom)

Roll Call

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

Abstain: McMurray

Nays: Gill

Motion Carried

2007-153 **WAIVE THE CURRENT HIRING FREEZE TO FILL THE POSITION #G02006 ACCOUNT CLERK II**

WM07/03-48

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to waive the current hiring freeze to fill the position #G02006 Account Clerk II - Full Time through the current posting procedures as set forth in the Teamsters Local 214 general employees unit labor contract.

Roll Call

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

Abstain: McMurray

Nays: None

Motion Carried

2007-154 **AUTHORIZE CMHS OF MUSKEGON COUNTY STAFF TO APPLY FOR FUNDING**

WM07/03-49

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize CMHS of Muskegon County staff to apply for funding in conjunction with the Sheriff's Department from SAMHSA (CFDA 93.243) through its Targeted Expansion Capacity Program for Jail Diversion in the amount of \$254,862.

(Continued)

2007-154 **AUTHORIZE CMHS OF MUSKEGON COUNTY STAFF TO APPLY FOR**

FUNDING

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Gill, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: None

Motion Carried

2007-155 **FOREGO THE CHRONICLE AD IN THE MUSKEGON CHRONICLE FOR COUNTY GOVERNMENT WEEK**

WM07/03-50

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to forego the Chronicle ad in *The Muskegon Chronicle* for County Government Week.

Roll Call

Ayes: Wade, Snider, Scolnik, Mahoney, Engle, Dereziński, Collins, Buzzell, Aley

Abstain: McMurray

Nays: Gill

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Scolnik, regarding the DHS Board, noted a State-level movement to privatize foster care functions now being handled by DHS. Commissioner Scolnik asked Interim Administrator about the impact on the County.

Interim Administrator, Jack Niemiec, noted the Governor's Executive Order and the Republican's Supplemental Bill contain several items that are detrimental to the County, one of those being privatizing Foster Care and Juvenile Detention Facilities. The County impact would be on the Child Care Fund \$270,000 and \$135,000 to General Fund. Governor's proposed to reduce the liquor tax by 50%, which is money we already have that we may have to pay back or would reduce other incoming funds. Additional \$216,000 cuts to District Court Assessment Program and the Health Department Substance Abuse Prevention Program. Additional undetermined cuts to Community Mental Health, Health Department and Medicaid rates which would affect Brookhaven, Community Corrections, Court Equity Fund and the

Transit Operating and Capital. It was noted we are already working at a \$250,000 deficit. Commissioner Aley urged everyone to contact legislators about this issue. Commissioner Scolnik noted the issue is quality of life and should not be taken out on the most vulnerable. Commissioner McMurray asked about shared information between both public and private foster care.

Commissioner Aley noted the new President of Muskegon Area First, Ed Garner, is on the job.

Chairman Derezinski referenced the following items:

- A. MAC Legislative Updates of March 9 and 16, 2007
- B. Notice of Public Hearing Before City Commission Regarding Michigan Natural Resources Trust Fund Grant Application for Smith-Ryerson Park
- C. Antrim County Board of Commissioners Resolution #13-07

2007-156 **APPOINT KENNETH MAHONEY TO LISTED COMMITTEES**

The Chairman recommends, moved by Buzzell, seconded by Engle, to appoint Kenneth Mahoney: Hilt's Landing, Michigan Association of Local Public Health Officials, Accommodations Tax Advisory Committee, Muskegon County Board of Public Works, and the Water Board Policy Board (SMART Committee)

Motion Carried

2007-157 **TO SCHEDULE A SPECIAL ELECTION IN MUSKEGON COUNTY, COMMISSION DISTRICT 1**

The Chairman recommends, moved by Aley, seconded by Collins, to schedule a special election in Muskegon County, Commission District 1 to be held on November 6, 2007, with a primary, if necessary, on August 7, 2007, and that the filing date for all candidates be June 19, 2007.

Motion Carried

2007-158 **PREPARE A RESOLUTION IN HONOR OF FIRE FIGHTER, MIKE HOLMAN**

The Chairman recommends, moved by Mahoney, seconded by Gill, to prepare a resolution in honor of fire fighter, Mike Holman, Fire Fighter of the Year from Montague.

Motion Carried

INTERIM ADMINISTRATOR'S REPORT

2007-158 **APPROVE AN ADDITIONAL EXPENDITURE TO LAKESHORE OFFICE
FURNITURE FOR THE 4TH FLOOR RENOVATION PROJECT**

The Administrator recommends, moved by Engle, seconded by Aley, to approve an additional expenditure of \$4,400.00 to Lakeshore Office Furniture, to disassemble/reassemble the remaining modulars on the 4th floor of the Hall of Justice and \$4,200.00 for the rental and placement of trailers to store all furnishings and equipment for the duration of the 4th floor renovation project.

Roll Call

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

Nays: Gill

Motion Carried

Old Business

None.

New Business

Commissioner McMurray asked Corporate Counsel, Ted Williams, about the Personnel Hearing Board. Corporate Counsel Williams noted the meeting was adjourned to April 23.

Discussion ensued when Commissioner Aley asked about rescheduling the Ways & Means Board Work Session and it was determined to reschedule to April 24, at 11:30.

Commissioners Scolnik and Buzzell reminded Commissioners about the Jail Committee trip to Jackson, leaving Hall of Justice at 9:30 a.m.

Public Participation

Mark Mangione addressed the Board regarding responsible contractor policy.

Adjourned at 4:48 p.m.

Karen D. Buie