

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, Derezinski, 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, Derezinski, 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