

# *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**

**May 8, 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 Snider.

### **Roll Call**

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

Absent: None

### 2007-208    **APPROVE AGENDA**

Moved by Snider, seconded by Engle, to approve the Agenda, adding a recommendation to appoint Ivory Morris to the Community Corrections Committee and Addendum item 11. C. to the Interim Administrators report.

**Motion Carried**

### 2007-209    **APPROVE MINUTES OF THE REGULAR MEETING OF APRIL 24, 2007**

Moved by Buzzell, seconded by Aley, to approve the minutes of the Regular Meeting of April 24, 2007.

**Motion Carried**

2007-210 **PRESENTATION**

Sean Dey - West Michigan Shoreline Regional Development Committee, and Paul Roy - Muskegon County Public Facilities Directory, presented the Transit Facility/Transportation Plan History Overview.

2007-211 **COMMUNICATIONS**

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

- A. Huron County Resolution #07-065; Senate Bill 232
- B. Huron County Resolution #07-066; Alternative Energy Development

**Motion Carried**

2007-212 **ADOPT THE "RESOLUTION RECOGNIZING THE UNREASONABLE ADVERSE EFFECTS ON THE ENVIRONMENT AND PUBLIC HEALTH CAUSED BY THE SALE AND USAGE OF FERTILIZER CONTAINING PHOSPHORUS"**

CD/SP07/05-09

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, to adopt the "Resolution Recognizing the Unreasonable Adverse Effects on the Environment and Public Health Caused by the Sale and Usage of Fertilizer Containing Phosphorus" and that once adopted it be forwarded to the Michigan Department of Agriculture.

**Motion Carried**

2007-213 **APPROVE THE HIRING FREEZE BE WAIVED TO FILL DISTRICT COURT CLERK POSITION**

CPS07/05 -20

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Engle, to approve the hiring freeze be waived to fill District Court Clerk position D15003 and D15006, through the current posting procedures as set forth in the Teamsters Local 214 labor contract.

Roll Call

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

Nays: None

**Motion Carried**

2007-214 **AUTHORIZE THE DIRECTOR OF HEALTH AND COMMUNITY RESOURCES TO APPLY FOR THE HEALTHY PEOPLE AND HEALTHY COMMUNITIES THROUGH IMPROVED ENVIRONMENTAL HEALTH SERVICE DELIVERY GRANT**

HR07/05 -36

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Director of Health and Community Resources to apply for the Healthy People and Healthy Communities through Improved Environmental Health Service Delivery grant from the Center for Disease Control and Prevention with no local match or effect on County General Funds.

Roll Call

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

Nays: None

**Motion Carried**

2007-215 **AUTHORIZE THE DIRECTOR OF HEALTH AND COMMUNITY RESOURCES TO APPLY FOR THE HEALTH AND HUMAN SERVICES COMPASSION CAPITAL FUND DEMONSTRATION PROGRAM**

HR07/05 - 37

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Director of Health and Community Resources to apply for the Health and Human Services Compassion Capital Fund Demonstration Program in the anticipated amount of \$300,000 with an anticipated local match obligation of \$60,000 with no effect on County General Funds.

Roll Call

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

Nays: None

**Motion Carried**

2007-216 **AUTHORIZE THE CMH DIRECTOR TO SIGN A CONTRACT WITH KATHERINE JAWOR, D.O.**

HR07/05 - 38

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the CMH Director to sign a contract with Katherine Jawor, D.O., effective June 1, 2007, through September 30, 2007, at the rate of \$114.40 per hour, for up to 16 hours per week of psychiatric services, and effective October 1, 2007, through September 30, 2008, to contract with Dr. Jawor to provide 32 hours per week of psychiatric services at the rate of \$91.06 per hour, for a total yearly salary of \$151,523, with limited benefits.

(Continued)

2007-216 **AUTHORIZE THE CMH DIRECTOR TO SIGN A CONTRACT WITH  
KATHERINE JAWOR, D.O.**

Roll Call

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

Abstain: McMurray

Nays: None

**Motion Carried**

2007-217 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN  
A CONTRACT WITH BONNIE VOKITS, LMSW, ACSW**

HR07/05 - 39

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with Bonnie Vokits, LMSW, ACSW, to provide outpatient mental health services at a rate of 80 per hour, not to exceed \$5,000, for the 17-month period of May 1, 2007, through September 30, 2008.

Roll Call

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

Nays: None

**Motion Carried**

2007-218 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN  
AMENDMENT #5**

HR07/05 - 40

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign Amendment #5 to the contract with the Michigan Department of Community Health for Medicaid Managed Specialty Supports and Services, effective April 1, 2007, through September 30, 2007, and to accept the additional General Fund allocation of \$4,495.

Roll Call

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

Nays: None

**Motion Carried**

2007-219 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH THE NEWAYGO COUNTY MENTAL HEALTH AUTHORITY FOR THEIR PURCHASE OF GROUP HOME TRAINING SERVICES**

HR07/05 - 41

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign a contract with the Newaygo County Mental Health Authority for their purchase of group home training services for their group home staff from the Community Mental Health Services of Muskegon County at a rate of \$12.31 per hour per staff person trained. This contract will be effective October 1, 2006, through September 30, 2007.

Roll Call

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

Nays: None

**Motion Carried**

2007-220 **AUTHORIZE COMMUNITY MENTAL HEALTH TO APPLY FOR RENTAL ASSISTANCE**

HR7/05 - 42

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health to apply for rental assistance through the 2007 HUD SuperNofa, Continuum of Care Program for Supportive Housing for the grant originated in FY 2005.

Roll Call

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

Nays: None

**Motion Carried**

2007-221 **APPROVE COMMUNITY MENTAL HEALTH'S APPLICATION FOR RENTAL ASSISTANCE**

HR07/05 - 43

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve Community Mental Health's application for rental assistance through the 2007 HUD SuperNofa, Continuum of Care Program for Supportive Housing for the grant originated in FY 2006.

(Continued)

2007-221 **APPROVE COMMUNITY MENTAL HEALTH'S APPLICATION FOR RENTAL ASSISTANCE**

Roll Call

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

Nays: None

**Motion Carried**

2007-222 **APPROVE COMMUNITY MENTAL HEALTH'S PARTICIPATION WITH WEST MICHIGAN THERAPY, INC.**

HR07/05 - 44

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve Community Mental Health's participation with West Michigan Therapy, Inc., in an application to seek funds from the Substance Abuse and Mental Health Services Administration (SM-07-014) for Services in Supportive Housing Programs.

Roll Call

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

Nays: None

**Motion Carried**

2007-223 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN THE REVISED CMH MEDICAID SERVICE PROVIDER AGREEMENT WITH THE LAKESHORE COORDINATING COUNCIL (LCC)**

HR07/05 - 45

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health (CMH) Director to sign the revised CMH Medicaid Service Provider Agreement with the Lakeshore Coordinating Council (LCC) that allows CMH to bill LCC for substance abuse services provided to our agency's Medicaid consumers who have both mental illness and substance abuse problems. This revised agreement has an effective date of March 22, 2007.

Roll Call

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

Nays: None

**Motion Carried**

2007-224 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO  
ACCEPT THE EXECUTIVE SUMMARY OF THE 2007 CMHS FACILITIES  
MASTER PLAN**

HR07/05 - 46

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to accept the Executive Summary of the 2007 CMHS Facilities Master Plan from TowerPinkster Architects and to proceed with the process outlined in this Executive Summary.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-225 **APPROVE THE LAKESHORE BEHAVIORAL HEALTH ALLIANCE'S  
APPLICATION FOR FY 2008 MENTAL HEALTH BLOCK GRANTS**

HR07/05 - 47

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve the Lakeshore Behavioral Health Alliance's application for FY 2008 Mental Health Block Grants to fund further implementation of Evidence-Based Practices and/or Director Services projects.

Roll Call

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

Nays: None

**Motion Carried**

2007-226 **APPROVE THE MUSKEGON COUNTY PROCLAMATION RECOGNIZING  
MAY 2007 AS MENTAL HEALTH AWARENESS MONTH**

HR07/05 - 48

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve the Muskegon County Proclamation Recognizing May 2007 as Mental Health Awareness Month.

Roll Call

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

Nays: None

**Motion Carried**

2007-227 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF APRIL 11, THROUGH APRIL 24, 2007**

WM07/5 - 63

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve payment of the accounts payable of \$6,765,958.96 covering the period of April 11, 2007 through April 24, 2007, as presented by the County Clerk.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-228 **APPROVE THE FY 2007 TRUTH-IN-TAXATION HEARING SCHEDULE**

WM07/5 - 64

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the FY 2007 Truth-in-Taxation Hearing Schedule.

Roll Call

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

Nays: None

**Motion Carried**

2007-229 **WAIVE THE HIRING FREEZE FOR YOUTH SPECIALIST AT THE JUVENILE DETENTION CENTER**

WM07/5 - 65

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to waive the hiring freeze for Youth Specialist at the Juvenile Detention Center in order to maintain regulatory staffing requirements.

Roll Call

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

Nays: None

**Motion Carried**



2007-230 **AUTHORIZE MUSKEGON COUNTY SHERIFF/EMERGENCY SERVICES TO APPLY FOR THE U.S. DEPARTMENT OF HOMELAND SECURITY - 2007 COMPETITIVE GRANT PROGRAM**

WM07/5 - 67

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize Muskegon County Sheriff/Emergency Services to apply for the U.S. Department of Homeland Security - 2007 Competitive Grant Program.

Roll Call

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

Nays: None

**Motion Carried**

2007-231 **REJECT ALL BIDS SUBMITTED FOR THE HALL OF JUSTICE, 4<sup>TH</sup> FLOOR RENOVATION PROJECT AND SOLICIT NEW BIDS**

WM07/5-68

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to reject all bids submitted for the Hall of Justice, 4<sup>th</sup> Floor Renovation Project and solicit new bids to be presented to the Full Board at their May 22, 2007 meeting.

Roll Call

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

Nays: None

**Motion Carried**

2007-232 **MOVE THE AUGUST 2, 2007 WAYS & MEANS COMMITTEE MEETING TO AUGUST 7, 2007**

WM07/5-69

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to move the August 2, 2007 Ways & Means Committee meeting to August 7, 2007.

Roll Call

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

Nays: Gill

**Motion Carried**

## CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Derezinski noted the Smart Committee was hosted by Muskegon County. Chairman Derezinski believes it was a success and thanked Mary Villanueva for her work on coordinating that event.

Commissioner Snider reported that he and Commissioner Collins participated in the Lakeshore Coordination Counsel in Douglas and they continue to move forward combating substance abuse.

Chairman Derezinski reminded Commissioners that the MAC Legislative Updates of April 20, and 27, 2007, were included in agenda packets.

Chairman Derezinski gave an update regarding the Administrator Search, recommending that Jack Niemiec be appointed to that position.

2007-233     **OFFER JACK NIEMIEC THE POSITION OF COUNTY ADMINISTRATOR WITH CONTRACT TO BE NEGOTIATED**

The Chairman recommends, moved by Aley, seconded by Scolnik, to offer Jack Niemiec the position of County Administrator with contract to be negotiated.

Discussion ensued regarding the procedure that was established for filling this position. Several Commissioners expressed an interest in reviewing the resumes and applications as well as to interview Mr. Niemiec. There is a cost savings advantage to appointing Mr. Niemiec to County Administrator as opposed to going through the consultant.

2007-234     **TABLE THE MOTION TO ALLOW COMMISSIONERS TO REVIEW APPLICANTS, INTERVIEW MR. NIEMIEC AND RETURN TO THIS MOTION AT THE NEXT FULL BOARD MEETING**

Moved by Snider, seconded by McMurray, table the motion to allow Commissioners to review applicants, interview Mr. Niemiec and place this on the agenda for the next full Board Meeting.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Snider, Wade, Collins

Nays: Scolnik, Aley, Buzzell, Derezinski

**Motion Carried**

2007-235     **ALLOW INTERVIEW OF ANY CANDIDATE COMMISSIONERS MIGHT WANT TO CONSIDER**

Moved by Engle, seconded by Mahoney, to look at other resumes and interview other viable candidates.

Discussion continued regarding the parameters of the contract with the consultants, picking who is interviewed is not the County's option. It was also noted that there is additional cost to the contract for interviews conducted with any applicants presented by the consultants.

Recessed for 10 minutes at 4:30 p.m.

Reconvened at 4:40 p.m.

Roll Call on item 2007-235

Ayes: Gill, Mahoney, McMurray, Engle

Nays: Scolnik, Snider, Wade, Aley, Buzzell, Collins, Derezinski

**Motion Defeated**

2007-236 **APPOINT IVORY MORRIS TO THE COMMUNITY CORRECTIONS COMMITTEE**

The Chairman recommends, moved by McMurray, seconded by Engle, to appoint Ivory Morris to the Community Corrections Committee.

**Motion Carried**

#### **INTERIM ADMINISTRATOR'S REPORT**

Interim Administrator, Jack Niemiec, expressed his honor and intent to serve the Board and the Community to the best of his ability in whatever capacity they decide whether it be as Director of Finance & Management Services or as the County Administrator.

2007-237 **APPOINT MATT KALEY AS JUVENILE DETENTION CENTER SUPERINTENDENT**

The Administrator recommends, moved by Snider, seconded by Mahoney, to appoint Matt Kaley as Juvenile Detention Center Superintendent, effective April 28, 2007, at Step 4 (or \$57,358) of the salary range of \$49,704 - \$63,095.

Roll Call

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

Nays: None

**Motion Carried**

2006-238 **REAFFIRM THE COUNTY BOARD'S PREVIOUS ACTION APPROVING THE APPLICATION TO THE FEDERAL TRANSPORTATION ADMINISTRATION FOR A NEW TERMINAL/PARKING STRUCTURE IN DOWNTOWN MUSKEGON**

The Administrator recommends, moved by Engle, seconded by Snider, to reaffirm the County Board's previous action approving the application to the Federal Transportation Administration for a new terminal/parking structure in Downtown Muskegon, and to authorize staff to continue working on the project.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-239 **APPROVE THE PRESENTED RESOLUTION REGARDING PUBLIC ACT 2 (LIQUOR TAX) FUNDS**

The Administrator recommends, moved by Snider, seconded by Buzzell, to approve the presented Resolution regarding Public Act 2 (Liquor Tax) funds and that the resolution be forwarded to the governor and legislature.

Roll Call

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

Nays: Gill

**Motion Carried**

**Old Business**

None.

**New Business**

2006-240 **PREPARE A RESOLUTION IN SUPPORT OF 911 FUNDING, SB 410 AND SB 411**

Moved by Aley, seconded by Mahoney, to prepare a resolution in support of 911 funding, SB 410 and SB 411 to be forwarded to legislators.

**Motion Carried**

**Public Participation**

Mike Doyle, Beckering Advisory Incorporated, contractor requested reconsideration to approve their contract for the Michael E Kobza Hall of Justice 4<sup>th</sup> Floor Renovation Project and expressed disappointment in the way this bid was handled.

Michael Redman, 2288 Macarthur, addressed the board regarding flooding and being displaced from the pipeline break on Macarthur Road. Interim Administrator Niemiec noted Dave Kendrick and Steve Barnard with Wastewater are the point people regarding this situation. Mr. Redman expressed great displeasure with the handling during this situation.

Steve Warmington, City of Muskegon Mayor, thanked the 10 Commissioners that reaffirmed the downtown transit project.

Adjourned at 5:05 p.m.

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Marianne L. Hathaway, Deputy County Clerk

MLH/jmp