

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 13, 2008

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 Mahoney.

Roll Call

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

Excused: Gill

Absent: None

2008-218 **APPROVE AGENDA**

Moved by Aley, seconded by Engle, to approve the Agenda as amended, adding a couple discussion items under Old Business.

Motion Carried

2008-219 **APPROVE MINUTES OF THE REGULAR MEETING OF APRIL 22, 2008**

Moved by Engle, seconded by Snider, to approve the minutes of the Regular Meeting of April 22, 2008.

Motion Carried

2008-220 **COMMUNICATION**

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

(Continued)

2008-220 **COMMUNICATION**

- A. Hines Building Condominium Notice of Proposed Action
- B. Kalkaska County Resolution Number 2007-40

Motion Carried

2008-221 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO ENTER INTO AN AGREEMENT WITH THE HURON-MANISTEE NATIONAL FOREST**

CPS08/05-16

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to grant permission to the Sheriff's Office to enter into an agreement with the Huron-Manistee National Forest from May 1, 2008 to September 30, 2008 to enhance State and local law enforcement on National Forest Service lands. Patrolling will be reimbursed up to \$4,000.00.

Roll Call

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

Nays: None

Motion Carried

2008-222 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE ADDITIONAL SAFE COMMUNITIES GRANT FROM THE STATE OFFICE OF HIGHWAY SAFETY PLANNING**

CPS08/05-17

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Sheriff's Office to accept the additional Safe Communities Grant from the State Office of Highway Safety Planning for enforcement patrols and amend the budget from \$65,983.00 to \$85,557.00.

Roll Call

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

Nays: None

Motion Carried

2008-223 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO FILL THE SOON TO BE VACANT CORRECTIONS OFFICER/NR POSITION**

CPS08/05-18

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to waive the hiring freeze and allow the Sheriff's Office to fill the soon to be vacant Corrections Officer/NR position #O05019.

(Continued)

2008-223 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO
FILL THE SOON TO BE VACANT CORRECTIONS OFFICER/NR
POSITION**

Roll Call

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

Nays: None

Motion Carried

2008-224 **AUTHORIZE THE PROSECUTOR TO APPLY FOR THE FY2009 CRIME
VICTIMS RIGHTS GRANT FROM THE MICHIGAN DEPARTMENT OF
COMMUNITY HEALTH**

CPS08/05-19

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Prosecutor to apply for the FY2009 Crime Victims Rights grant from the Michigan Department of Community Health, for the purpose of continuing funding for the Crime Victims Rights Unit of the Prosecutor's Office, in the amount of \$155,000.

Roll Call

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

Nays: None

Motion Carried

2008-225 **APPROVE WAIVING THE HIRING FREEZE TO ALLOW THE
PROSECUTOR TO FILL DEPARTMENTAL CLERK POSITION**

CPS08/05-20

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve waiving the hiring freeze to allow the Prosecutor to fill Departmental Clerk position #G34010 effective immediately.

Roll Call

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

Nays: None

Motion Carried

2008-226 **AUTHORIZE BROOKHAVEN MCF TO CREATE ONE (1) NEW FULL-TIME ACTIVITIES AIDE POSITION THROUGH THE ELIMINATION OF TWO (2) BUDGETED AND VACANT HOSPITALITY AIDE POSITIONS**

HR08/05-32

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize Brookhaven MCF to create one (1) new full-time Activities Aide position through the elimination of two (2) budgeted and vacant Hospitality Aide positions, A13503 and A13504.

Roll Call

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

Nays: None

Motion Carried

2008-227 **AUTHORIZE THE HEALTH DEPARTMENT TO RE-ESTABLISH AND MAINTAIN A CASH FUND**

HR08/05-33

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Health Department to re-establish and maintain a cash fund with an initial and maintenance level of \$2,000.00 not to exceed \$10,000.00 for the 2008 Farmers' Market Nutrition Program "Project Fresh", to reimburse local contracted farmers for fresh fruits and vegetables sold to eligible WIC program participants. Further authorize the Health Department to enter into an agreement with the State of Michigan and with each of the local farmers and authorize these agreements to be signed by the Director of Health and Community Resources.

Roll Call

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

Nays: None

Motion Carried

2008-228 **AUTHORIZE THE HEALTH DEPARTMENT TO WAIVE THE BID PROCESS AND PURCHASE AN XLP 300A LEAD PAINT ANALYZER FROM THERMO NITON ANALYZERS LLC**

HR08/05-34

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Health Department to waive the bid process and purchase an Xlp 300A Lead Paint Analyzer from Thermo Niton Analyzers LLC for the purpose of lead inspections, in the amount of \$21,214.80, with no effect on County General Fund.

(Continued)

2008-228 **AUTHORIZE THE HEALTH DEPARTMENT TO WAIVE THE BID PROCESS AND PURCHASE AN XLP 300A LEAD PAINT ANALYZER FROM THERMO NITON ANALYZERS LLC**

Roll Call

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

Nays: None

Motion Carried

2008-229 **AUTHORIZE THE DIRECTOR OF HEALTH AND COMMUNITY RESOURCES TO SIGN THE RENEWAL OF THE CLEAN MICHIGAN INITIATIVE INLAND BEACH MONITORING GRANT CONTRACT**

HR08/05-35

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Director of Health and Community Resources to sign the renewal of the Clean Michigan Initiative Inland Beach Monitoring grant contract in the amount of \$7,983.00 with the Michigan Department of Environmental Quality, to provide funding in exchange for work to be performed for inland bathing beach monitoring effective from April 1, 2008 to October 31, 2008, with no effect on County General Funds.

Roll Call

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

Nays: None

Motion Carried

2008-230 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SUBMIT PROPOSALS FOR MICHIGAN HEALTH BLOCK GRANT FUNDS**

HR08/05-36

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Community Mental Health Director to submit proposals for Michigan Health Block Grant funds for Clubhouse, Health Care/Behavioral Health Integration and Anti-Stigma Programs to the Michigan Department of Community Health.

Roll Call

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

Nays: None

Motion Carried

2008-231 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO APPLY FOR FUNDING FROM THE U.S. DEPARTMENT OF JUSTICE**

HR08/05-37

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Community Mental Health Director to apply for funding from the U.S. Department of Justice (CFDA 16.580) through its Edward Byrne Discretionary Grants Programs, FY 2008, Congressionally Mandated Awards for total funding not to exceed \$352,500 for a 12 month period.

Roll Call

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

Nays: None

Motion Carried

2008-232 **AUTHORIZE COMMUNITY MENTAL HEALTH TO APPLY FOR FUNDING UNDER THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH'S CHILDREN'S BLOCK GRANT**

HR08/05-38

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize Community Mental Health to apply for funding under the Michigan Department of Community Health's Children's Block grant in the amount of \$75,000 with an in-kind match of \$12,500 and a cash match of \$12,500 for services provided to children in the Youth Services program.

Roll Call

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

Nays: None

Motion Carried

2008-233 **APPROVE THE MUSKEGON COUNTY PROCLAMATION RECOGNIZING MAY 2008 AS MENTAL HEALTH AWARENESS MONTH**

HR08/05-39

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to approve the Muskegon County Proclamation Recognizing May 2008 as Mental Health Awareness Month.

Roll Call

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

Nays: None

Motion Carried

2008-234 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO PARTICIPATE IN THE REQUEST FOR PANEL PARTICIPATION**

HR08/05-40

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize the Community Mental Health Director to participate in the Request for Panel Participation organized by the Inpatient Affiliation Group of eight Community Mental Health Boards for Inpatient, Partial Hospitalization, and Electroconvulsive Therapy services for the contract effective October 1, 2008 through September 30, 2011.

Roll Call

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

Nays: None

Motion Carried

2008-235 **AWARD THE BID FOR VIDEO CONFERENCING EQUIPMENT FOR COMMUNITY MENTAL HEALTH TO AVI SYSTEMS**

HR08/05-41

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to award the bid for video conferencing equipment for Community Mental Health to AVI Systems of Kentwood, Michigan, in the amount of \$18,543.00.

Roll Call

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

Nays: None

Motion Carried

2008-236 **AUTHORIZE COMMUNITY MENTAL HEALTH SERVICES TO CONDUCT THE 2008 ANNUAL CONSUMER OUTREACH EVENT**

HR08/05-42

The Human Resources Committee recommends, moved by Buzzell, seconded by Mahoney, to authorize Community Mental Health Services to conduct the 2008 Annual Consumer Outreach Event, for a total cost not to exceed \$2,000.00

Roll Call

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

Nays: None

Motion Carried

2008-237 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF APRIL 9 - 25, 2008**

WM08/05-70

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$5,840,429.68 covering the period of April 9, 2008 through April 25, 2008, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2008-238 **APPROVE THE FY2008 TRUTH-IN-TAXATION HEARING SCHEDULE**

WM08/05-71

to approve the FY2008 Truth-in-Taxation Hearing Schedule.

Roll Call

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

Nays: None

Motion Carried

2008-239 **APPROVE THE OAK AVENUE INITIAL RENOVATION BUDGET**

WM08/05-73

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Oak Avenue Initial Renovation Budget of \$465,723; to award the construction contract to the low bidder, VanderVen Construction, at a cost not to exceed \$204,496; and to award the asbestos abatement contract to the low bidder Martin & Associates at a cost not to exceed \$38,170. In addition, move to approve the increase in the asbestos study fee for Fishbeck, Thompson, Carr & Huber from \$6,800 to \$16,800 and an increase in architectural and engineering fee for Tower Pinkster Titus from \$25,000 to \$41,500 and authorize the County Administrator to sign the amended contracts.

Roll Call

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

Nays: None

Motion Carried

2008-240 **WAIVE THE HIRING FREEZE TO ALLOW THE EQUALIZATION DEPARTMENT TO FILL VACANT APPRAISER POSITION AND APPRAISAL TECHNICIAN POSITION**

WM08/05-74

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to waive the hiring freeze to allow the Equalization Department to fill vacant Appraiser position #G08002 and Appraisal Technician position #G09204 that will become vacant soon.

Roll Call

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

Nays: None

Motion Carried

2008-241 **TABLE MOTION WM08/05 - 75, TO WAIVE THE HIRING FREEZE AND ALLOW THE COUNTY CLERK TO FILL VACANT CLERK II**

WM08/05-76

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to table motion WM08/05 - 75, to waive the hiring freeze and allow the County Clerk to fill Vacant Clerk II position G20024.

Roll Call

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

Nays: Wade

Motion Carried

2008-242 **APPROVE A TRIBUTE IN RECOGNITION OF UAW 539 AND CWC TEXTRON'S 100TH YEAR ANNIVERSARY**

WM08/05-77

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve a Tribute in recognition of UAW 539 and CWC Textron's 100th Year Anniversary.

Roll Call

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

Nays: None

Motion Carried

2008-243 **APPROVE A RESOLUTION IN RECOGNITION OF FRUITPORT HIGH SCHOOL CULINARY TEAM**

WM08/05-78

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve a Resolution in recognition of Fruitport High School Culinary Team's 2nd Place finish in a National Culinary Competition.

Roll Call

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

Nays: None

Motion Carried

2008-244 **ESTABLISH A PERSONNEL HEARING BOARD**

WM08/05-79

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to establish a Personnel Hearing Board at the request of Willie Williams.

Roll Call

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

Nays: Snider

Motion Carried

2008-245 **PRESENTATION**

Commissioner Scolnik presented a Tribute in Recognition of the 2008 Class D State Basketball Champions The West Michigan Christian Warriors.

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

- A. MAC Legislative Updates of April 18 and 25 and May 2, 2008
- B. Little River Band of Ottawa Indians

ADMINISTRATOR'S REPORT

2008-246 APPROVE THE SECOND AMENDMENT TO THE REAL ESTATE PURCHASE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON PUBLIC WORKS BOARD, THE COUNTY OF MUSKEGON AND ERDMAN HOLDINGS, LLC

The Administrator recommends, moved by Engle, seconded by Snider, approve the Second Amendment to the Real Estate Purchase Agreement between the County of Muskegon Public Works Board, the County of Muskegon and Erdman Holdings, LLC, extending the contingency period to January 22, 2009.

Motion Carried

Old Business

- DNR Trust Fund Grand Application for Property Adjacent to Meinert Park Discussion

Commissioner Aley suggested Doris Ruck be considered for the vacancy created by Nancy Water's resignation from the Road Commission. Vice-Chair Snider noted a process has been established that should be followed for filling board vacancies.

New Business

Commissioner Wade attended the local Emergency Planning Committee noted diligent work is being done and 25 new firefighters have been trained and qualified for this area.

Public Participation

Mark Mangionie addressed the Board regarding mis-classification of workers and prevailing wage violations.

Brian Chapman spoke regarding sesquicentennial celebration.

Dan Decker addressed the Board regarding Meinert Park.

Adjourned at 4:57 p.m.

MLH/jmp

Marianne L. Hathaway, Deputy County Clerk