

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

May 26, 2009

3:30 P.M.

Chairman Kenneth Mahoney, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Mahoney. Chairman Mahoney invited everyone to pray silently for the invocation. The pledge of Allegiance was recited in unison.

Roll Call

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

Excused: Derezinski

Absent: None

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters, Circuit Court Jury Clerk Ivy Greiner

2009-268 **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda adding 6B. To approve minutes of the Closed Session of May 12, 2009.

Motion Carried

2009-269 **APPROVE THE MINUTES OF THE FULL BOARD AND CLOSED SESSION OF MAY 12, 2009**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board and Closed Session of May 12, 2009.

Motion Carried

2009-270 **COMMUNICATIONS**

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

- A. Calhoun County Resolution No. 79-2009 re: MSU Agriculture Experiment Station Budget Reduction.
- B. Huron County Resolution No. 09-75C re: Senate Joint Resolution H
- C. Lake County Resolution No. 5/13/2009 1193 re: Michigan Energy Fair
- D. Lake County Resolution No. 5/13/2009 1195 re: Road Rage Awareness Week
- E. Ottawa County Resolution re: Revenue Sharing

Motion Carried

2009-271 **AUTHORIZE THE CHAIR TO SIGN THE NOTICE OF AESTHETIC IMPACT, MDEQ REFERENCE NO. NAI-RRD-213-08-004**

CD/SP09/05-16

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to authorize the Chair to sign the Notice of Aesthetic Impact, MDEQ Reference No. NAI-RRD-213-08-004 and that the Corporate Counsel be authorized to record same.

Roll Call

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

Nays: None

Motion Carried

2009-272 **APPROVE THE LICENSE AGREEMENT FOR THE USE OF HERITAGE LANDING BETWEEN THE COUNTY OF MUSKEGON AND MUSKEGON SUMMER CELEBRATION FOR 2009 AND 2010**

CD/SP09/05-17

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve the License Agreement for the Use of Heritage Landing between the County of Muskegon and Muskegon Summer Celebration for 2009 and 2010 and to authorize the Board Chair to sign agreement.

Roll Call

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

Nays: None

Motion Carried

2009-273 **APPROVE A CONTRIBUTION TO THE MUSKEGON HEIGHTS FESTIVAL
IN THE AMOUNT OF \$3,000.00**

CD/SP09/05-18

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve a contribution to the Muskegon Heights Festival in the amount of \$3,000.00 - funding to come from the CVB marketing budget.

Roll Call

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

Nays: None

Motion Carried

2009-274 **APPROVE A CONTRIBUTION OF \$3,000.00 TO THE MISS MICHIGAN
PAGEANT**

CD/SP09/05-19

The Community Development/Strategic Planning Committee recommends, moved by Wade, seconded by Collins, to approve a contribution of \$3,000.00 to the Miss Michigan Pageant to come from the CVB marketing budget.

Roll Call

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

Nays: None

Motion Carried

2009-275 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO OFFER FOR
SALE, TO THE HIGHEST RESPONSIBLE BIDDER, FIVE (5) HEAVY-DUTY
TRANSIT BUSES AND TWO (2) CUTAWAY BUSES**

TR09/05-17

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System and the purchasing department to offer for sale, to the highest responsible bidder, five (5) heavy-duty transit buses and two (2) cutaway buses that have met their useful life.

Roll Call

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

Nays: None

Motion Carried

2009-276 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO ENGAGE LOCAL JURISDICTIONS TO DEVELOP PLANS FOR BUS STOP LOCATIONS AND AMENITIES**

TR09/05-18

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System to engage local jurisdictions to develop plans for bus stop locations and amenities and to work with the purchasing department to issue requests for proposals for bus stop equipment and amenities.

Roll Call

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

Nays: None

Motion Carried

2009-277 **APPROVE PURCHASING DEPARTMENT TO SOLICIT BIDS TO PAINT THE AIRPORT'S RUNWAY AND TAXIWAY SYSTEM**

TR09/05-19

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the Purchasing Department to solicit bids to paint the airport's runway and taxiway system, with the County's 2.5% share of the project not to exceed \$2,500.

Roll Call

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

Nays: None

Motion Carried

2009-278 **APPROVE THE PURCHASING DEPARTMENT TO SOLICIT BIDS TO CRACK SEAL THE AIRPORT'S RUNWAY AND TAXIWAY SYSTEM**

TR09/05-20

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the Purchasing Department to solicit bids to crack seal the Airport's runway and taxiway system, with the County's 2.5% share of the project not to exceed \$1,250.

Roll Call

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

Nays: None

Motion Carried

2009-279 **APPROVE AN AMENDMENT TO THE AIRPORT SERVICE FACILITY LEASE AGREEMENT BETWEEN AVIS RENT-A-CAR SYSTEM, LLC AND THE COUNTY**

TR09/05-21

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an amendment to the Airport Service Facility Lease Agreement between Avis Rent-a-Car System, LLC and the County, extending the Service Facility Lease Agreement to June 30, 2011, and to authorize the Chair to sign the amendment.

Roll Call

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

Nays: None

Motion Carried

2009-280 **APPROVE AN AMENDMENT TO THE AIRPORT SERVICE FACILITY LEASE AGREEMENT BETWEEN ARELCO, INC., D/B/A NATIONAL CARE RENTAL, AND THE COUNTY**

TR09/05-22

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an amendment to the Airport Service Facility Lease Agreement between Arelco, Inc., d/b/a National Car Rental, and the County, extending the Service Facility Lease Agreement to June 30, 2011, and to authorize the Chair to sign the amendment.

Roll Call

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

Nays: None

Motion Carried

2009-281 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 2 - 12, 2009**

WM09/05-57

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve payment of the accounts payable of \$21,240,748.53 covering the period of May 2, 2009 through May 12, 2009, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2009-282 **APPROVE THE INCREASE IN ARCHITECTURAL FEE BY \$4,365.00 FROM \$215,000.00 TO \$219,365.00 FOR THE RENOVATION PROJECT OF THE 1ST AND 2ND FLOOR OF THE HALL OF JUSTICE**

WM09/05-58

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve the increase in architectural fee by \$4,365.00 from \$215,000.00 to \$219,365.00 for the renovation project of the 1st and 2nd floor of the Hall of Justice.

Roll Call

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

Nays: None

Motion Carried

2009-283 **ADOPT THE RESOLUTION SETTING JUNE 9, 2009, AS THE DATE FOR THE TRUTH IN TAXATION PUBLIC HEARING**

WM09/05-59

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to adopt the resolution setting June 9, 2009, as the date for the Truth in Taxation public hearing for the purpose of discussing and receiving testimony regarding the proposed tentative levy of 5.6984 mills for Muskegon County general operating in July 2009, the proposed tentative levy of 0.3221 mills for Lakeshore Museum Center operating in December 2009, the proposed tentative levy of 0.0752 mills for Department of Veterans Affairs operating in December 2009, the proposed tentative levy of 0.3000 mills for Muskegon County Central Dispatch operating in December 2009 and the proposed tentative levy of 0.3000 mills for Quality of Life Bond repayment in December 2009.

Roll Call

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

Nays: None

Motion Carried

2009-284 **AUTHORIZE THE CHAIR TO SIGN THE 2010 TITLE IV-D COOPERATIVE REIMBURSEMENT PROGRAM APPLICATION IN THE AMOUNT OF \$2,039,400**

WM09/05-60

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to authorize the Chair to sign the 2010 Title IV-D Cooperative Reimbursement Program application in the amount of \$2,039,400.

Roll Call

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

Nays: Gill

Motion Carried

2009-285 **WRITE OFF WASTEWATER BAD DEBT IN THE WASTEWATER FUND (5920) OF \$835 FOR STATESIDE DELIVERY, INC.**

WM09/05-61

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to write off Wastewater bad debt in the Wastewater fund (5920) of \$835 for Stateside Delivery, Inc.

Roll Call

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

Nays: Gill

Motion Carried

2009-286 **WAIVE THE HIRING FREEZE AND ALLOW THE DRAIN COMMISSION TO FILL THE OPEN POSITION FOR DRAIN INSPECTOR, POSITION**

WM09/05-62

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to waive the hiring freeze and allow the Drain Commission to fill the open position for Drain Inspector, Position #N28001.

Roll Call

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

Nays: None

Motion Carried

2009-287 **APPROVE THE JUVENILE DETENTION CENTER'S REQUEST TO WAIVE THE HIRING FREEZE AND FILL THE VACANT SHIFT SUPERVISOR POSITION**

WM09/05-63

The Ways and Means Committee Recommends, moved by Collins, seconded by Nash, to approve the Juvenile Detention Center's request to waive the hiring freeze and fill the vacant Shift Supervisor position, #N46503.

Roll Call

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

Nays: None

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney noted he and Commissioners Gill and Scolnik have been busy with interviews for the Airport Advisory Board and plan to have recommendations at the next Full Board. It was noted that over 20 candidates applied and all were very good; it will be a tough decisions. A temporary list will be presented to the Board prior to the selection.

Commissioner Wade reported attendance at the West Michigan Shoreline Regional Development Commission meeting in Baldwin where discussion took place regarding stimulus monies.

Commissioner Nash noted a schedule conflict for the most recent Muskegon Area First meeting. However, at the previous meeting, Ed Gardner explained that he had only Commissioner Scolnik and Vice-Chairman Nash on the list to receive meeting reports. If any other Commissioners would like to receive the report via e-mail, they should contact Ed Gardner and he will add them to the list.

Chairman Mahoney noted the MAC Legislative Updates of May 1, 8 and 15, 2009, were included in agenda packets.

ADMINISTRATOR'S REPORT

2009-288 PRESENTATION - DISTINGUISHED BUDGET PRESENTATION AWARD

Muskegon County Administrator, Bonnie H. Hammersley, presented the Distinguished Budget Presentation Award to Budget Staff Members: Beth Dick, Budget Manager; Bruce Schouten, Senior Budget Specialist, Carson Lehigh, Budget Specialist.

Ms. Hammersley noted there are many budgets that are reviewed and the criteria for this award is very tough. What this means is that our budget is presented in a way that not only we can understand but others not living here can understand. Ms. Hammersley noted it has been an honor to work with them on a weekly basis and recognizes that they are a very dedicated staff.

2009-289 APPROVAL TO EXECUTE ARRA AIRPORT SPONSOR CERTIFICATIONS AND APPROVAL OF GRANT OFFER WHEN RECEIVED FROM FAA

The Administrator recommends, moved by Nash, seconded by Engle, to approve the Chairman and Counsel to execute the two attached certifications as attached, and further approve the Chairman and Counsel to execute the Grant Offer when received from the FAA.

Roll Call

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

Nays: None

Motion Carried

2009-290 **APPROVAL OF BOND REFUNDING CONTRACT AND RESOLUTION TO REFUND BUILDING AUTHORITY FOR WALKER ARENA AND FRAUENTHAL BUILDING**

The Administrator recommends, moved by Snider, seconded by Wade, to approve a Bond refunding contract and resolution to issue up to \$8,250,000 in Building Authority bonds to refund the Building Authority 1999 refunded bonds for the Walker Arena and Frauenthal building.

Roll Call

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

Nays: Gill

Motion Carried

Old Business

2009-291 **PRESENTATION - 2009 CLASS D STATE BASKETBALL CHAMPIONS WESTERN MICHIGAN CHRISTIAN HIGH SCHOOL**

Commissioner Scolnik presented a Resolution to Coach Jim Goorman for the 2009 Class D State Basketball Champions Western Michigan Christian High School.

New Business

None.

Public Participation

Michael Johnson addressed the Board regarding a legal battle with Lakeshore Coordinating Council and West Michigan Therapy.

Charles Larson addressed the Board regarding his application for the Airport Advisory Committee and would like to be considered for this in spite of missing his interview time.

2009-292 **ADJOURN**

Moved by Gill, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:14 p.m.

Nancy A. Waters, County Clerk

NAW/jmp