

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

June 23, 2009

3:30 P.M.

Vice-Chairman Charles Nash, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Vice-Chairman Nash.

Roll Call

Present: Buzzell, Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade

Excused: Mahoney, Scolnik

Absent: None

Also Present: County Administrator Bonnie B. Hammersley, Corporate Counsel Ted Williams, County Clerk Nancy A. Waters, Secretary to the County Clerk Jeanne Pezet

The invocation was given by Commissioner McMurray followed by the pledge of Allegiance recited in unison.

2009-320 **APPROVE THE MINUTES OF THE FULL BOARD OF JUNE 9, 2009 AS AMENDED TO CORRECT ITEM NUMBERS ON PAGES 146 AND 147**

Moved by Engle, seconded by Collins, to approve minutes of the Full Board of June 9, 2009 as amended to correct item numbers on pages 146 and 147.

Motion Carried

2009-321 **APPROVE AGENDA**

Moved by Derezinski, seconded by Wade, to approve the Agenda.

Motion Carried

2009-322 **COMMUNICATIONS**

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

- A. Oscoda County Resolutions
 - 1. Support for Third Option to Fill Vacant Road Commission Seats
 - 2. Supporting Adequate State Funding to Hold Counties Harmless from the Department of Human Services Lawsuit Settlement Agreement
 - 3. To Oppose SJR H Constitutional Amendment
 - 4. Proclaiming July 12-18, 2009 as Road Rage Awareness Week
- B. Oscoda County Ordinance Authorizing and Regulation the Operation of Off-Road Vehicles on Roads within Oscoda County
- C. Charlevoix County Resolution Unfunded Mandate re: DHS Lawsuit Settlement Agreement with Children's Rights

Motion Carried

2009-323 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 30, THROUGH JUNE 9, 2009**

WM09/06-70

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve payment of the accounts payable of \$7,199,723.93 covering the period of May 30, 2009 through June 9, 2009, as presented by the County Clerk.

Roll Call

Ayes: Collins, Derezhinski, Engle, McMurray, Nash, Snider, Wade, Buzzell

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-324 **APPOINT JUDITH KELL AS THE ACTING EMPLOYMENT AND TRAINING MANAGER**

WM09/06-71

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to appoint Judith Kell as the Acting Employment and Training Manager (NX00390) at Step 5 (37.986) until a permanent decision is made regarding the leadership for the Department of Employment and Training.

(Continued)

2009-324 **APPOINT JUDITH KELL AS THE ACTING EMPLOYMENT AND TRAINING
MANAGER**

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-325 **AUTHORIZE THE HUMAN RESOURCES DEPARTMENT TO ACCEPT THE
PROPOSAL FOR LIFE, AD&D AND LONG-TERM DISABILITY
INSURANCE, FOR ELIGIBLE EMPLOYEES, WITH CIGNA**

WM09/06-72

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to authorize the Human Resources Department to accept the proposal for Life, AD&D and Long-Term Disability insurance, for eligible employees, with CIGNA at a rate of thirteen cents (\$.13) per \$1,000 of covered payroll for Life Insurance, two (\$.02) per \$1,000 of covered payroll for AD&D and twenty-four cents (\$.24) for Long-Term Disability effective July 1, 2009 through June 30, 2011.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-326 **APPOINT DEBORAH GROENEVELD AS EMPLOYER DELEGATE AND
KRISTEN WADE AS EMPLOYER ALTERNATE TO THE 2009 MUNICIPAL
EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

WM09/06-73

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to appoint Deborah Groeneveld as employer delegate and Kristen Wade as employer alternate to the 2009 Municipal Employees Retirement System (MERS) annual meeting and the cost of attending for the employer and employee delegates and alternates be paid from the Risk Management fund.

(Continued)

2009-326 **APPOINT DEBORAH GROENEVELD AS EMPLOYER DELEGATE AND
KRISTEN WADE AS EMPLOYER ALTERNATE TO THE 2009 MUNICIPAL
EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-327 **APPROVE THE SUMMER TAX COLLECTION BOND FROM 07/01/09
THROUGH 03/31/10 WITH HARTFORD INSURANCE COMPANY**

WM09/06-74

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve the Summer Tax Collection Bond from 07/01/09 through 03/31/10 with Hartford Insurance Company in the amount of \$8,610.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-328 **ACCEPT THE 2009-2010 RENEWAL RATE FROM DELTA DENTAL PLAN
OF MICHIGAN**

WM09/06-75

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to accept the 2009-2010 renewal rate from Delta Dental Plan of Michigan, which is \$58.78 for group 2993-001 effective July 1, 2009.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-329 **APPROVE CHANGE ORDER NO. 2 TO MUSKEGON QUALITY BUILDERS CONTRACT FOR THE TREASURER/EQUALIZATION/REGISTER OF DEEDS RENOVATION PROJECT**

WM09/06-76

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to approve Change Order No. 2 to Muskegon Quality Builders contract for the Treasurer/Equalization/Register of Deeds renovation project in the amount of \$53,929.00 for a new contract total amount of \$577,137.00.

Roll Call

Ayes: Collins, Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-330 **CANCEL THE REGULARLY SCHEDULED MEETING OF THE COMMUNITY DEVELOPMENT/STRATEGIC PLANNING MEETING SCHEDULED FOR JUNE 18, 2009**

WM09/06-77

The Ways and Means Committee Recommends, moved by Collins, seconded by Engle, to cancel the regularly scheduled meeting of the Community Development/Strategic Planning meeting scheduled for June 18, 2009.

Roll Call

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

Nays: Derezinski, Gill

Excused: Mahoney, Scolnik

Motion Carried

WAYS AND MEANS MOTION FROM FLOOR TABLED

To authorize staff to draft a resolution regarding federal health care reform as proposed by NACO President, Don Stapley.

2009-331 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z11/R2**

TR09/06-23

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Project Authorization 2002-0072/Z11/R2 with the Muskegon Area Transit System, providing for a two-year extension to complete the purchase of bus stop equipment and amenities, and to authorize the Chair to execute the agreement.

(Continued)

2009-331 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z11/R2**

Roll Call

Ayes: Derezinski, Engle, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-332 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z15/R1**

TR09/06-24

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve MDOT Project Authorization 2002-0072/Z15/R1 with the Muskegon Area Transit System, providing for a two-year extension to complete the purchase of bus stop equipment and amenities, and to authorize the Chair to execute the agreement.

Roll Call

Ayes: Derezinski, Engle, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: Gill

Excused: Mahoney, Scolnik

Motion Carried

2009-333 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH THE PUBLIC NOTICE REQUESTING \$915,774 IN A FY2009 FEDERAL OPERATING ASSISTANCE APPLICATION AND \$162,000 IN A FY2009 CMAQ CAPITAL ASSISTANCE APPLICATION**

TR09/06-25

The Transportation Committee recommends, moved by Gill, seconded by Collins, to authorize the Muskegon Area Transit System to publish the public notice requesting \$915,774 in a FY2009 Federal Operating Assistance application and \$162,000 in a FY2009 CMAQ Capital Assistance application and to authorize staff to execute the electronic grant applications if there is no request for public hearing.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-334 **APPROVE CONTRACT MODIFICATION 001 TO CONSTRUCTION CONTRACT 61191-102872 FOR RUNWAY EXTENSION WORK**

TR09/06-26

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve Contract Modification 001, in the amount of \$228,315.28, to construction contract 61191-102872 for runway extension work done at the Airport under the FY2008 Airport Improvement Program, with the County's 2.5% share to be \$5,708.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-335 **APPROVE AMENDMENT NO. 5 TO CONSTRUCTION ENGINEERING CONTRACT BETWEEN THE COUNTY AND PREIN & NEWHOF FOR ENGINEERING SERVICES PROVIDED TO THE AIRPORT**

TR09/06-27

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve Amendment No. 5, in the amount of \$13,500, to construction engineering contract between the County and Prein & Newhof for engineering services provided to the Airport in association with the FY2008 Airport Improvement Program, with the County's 2.5% share to be \$338.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-336 **APPROVE AWARD OF THE BID FOR ACQUISITION OF AN AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLE TO THE LOWER OF TWO BIDS RECEIVED, ROSENBAUER FIREFIGHTING TECH**

TR09/06-28

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve award of the bid for acquisition of an Aircraft Rescue and Fire Fighting (ARFF) vehicle to the lower of two bids received, Rosenbauer Firefighting Tech, in the amount of \$666,570, funded 100% by the American Recovery and Reinvestment Act of 2009.

(Continued)

2009-336 **APPROVE AWARD OF THE BID FOR ACQUISITION OF AN AIRCRAFT RESCUE AND FIRE FIGHTING (ARFF) VEHICLE TO THE LOWER OF TWO BIDS RECEIVED, ROSENBAUER FIREFIGHTING TECH**

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

2009-337 **APPROVE THE EXTENSION OF SEVEN (7) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR09/06-29

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve the extension of seven (7) T-Hangar Lease Agreements at Muskegon County Airport expiring in the third quarter of 2009 as follows: Roger Babb, \$190/month; Gary Salerno, \$190/month; Mark Malnor, \$180/month; Jack DeHorn, \$180/month; Rex Vanderlinde, \$180/month; Brad Oostindie, \$180/month; and Barb Veldman, \$160/month.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Nash, Snider, Wade, Buzzell, Collins

Nays: None

Excused: Mahoney, Scolnik

Motion Carried

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2009-338 **AIRPORT ADVISORY COMMITTEE APPOINTMENTS**

Vice-Chairman Nash, in the absence of Chairman Mahoney, read recommended appointments to the Airport Advisory Committee as follows:

Airport Business Park Tenants: Rex VanderLinde and John Workman
Public and Private Sector: Michelle Yasenak, Ron Bossett, Paul Billings and William Moulatsiotis

Commissioner Buzzell inquired as to which person was the public appointee. It was noted the list included both public and private appointments. Commissioner Gill reported that the Chair wanted every Community involved and to include someone from each of the seven Cities. Vice-Chairman Nash noted that in addition to those listed today, prior appointments included City of Norton Shores appointment Dick Dolack and Muskegon Area Chamber of Commerce appointment Cindy Larson. Further discussion noted that the bylaws and rules included specific categories and it appears to have changed from what had been previously approved by the Board.

2009-339 **TABLE AIRPORT ADVISORY APPOINTMENTS UNTIL RETURN OF THE CHAIRMAN**

Moved by Derezinski, seconded by Engle, to table Airport Advisory appointments until return of the Chairman.

Roll Call

Ayes: Engle, McMurray, Nash, Snider, Wade, Buzzell, Collins, Derezinski,

Nays: Gill

Excused: Mahoney, Scolnik,

Motion Carried

Commissioner Snider reported as liaison for the Community Corrections Advisory Board noting the previous meeting was without a quorum. However, it was noted that the 5-11 State funding was filed on time and definitions are being established so all programs will be fully utilized. Also, Commissioner Snider noted that he and Commissioner McMurray attended a Public Hearing on the Remediation Plan for the Division Street outfall into Muskegon Lake. The plan will be subject to public hearing up until July 7th at which time they will start engineering. Commissioner Snider complimented the Department of Public Works for their assistance to utilize 50 acres of 50 thousand tons of material to be dredged.

Commissioner Engle reported regarding the Road Commissioner's meeting and the option of possibly grounding up more roads rather than replacing asphalt.

Commissioner Snider noted Federal Stimulus projects focus on roads, many project listed are in Muskegon County and his copy of the printout is available to others, if they wish to review it.

Commissioner Derezinski inquired, regarding the Road Commission, who has the authority to approve raises for the Road Commissioners. Corporate Counsel, Theodore Williams, indicated he would research the issue and report back to the Board.

Vice-Chairman Nash noted he and County Clerk, Nancy A. Waters, attended the Smart Meeting on June 10th which was held at the Kalamazoo new Juvenile Detention facility. The facility was very impressive. Their collaboration demonstrated how much can be accomplished when departments work together. Tim McQuire gave a MAC update which was not great but said they are still working to find answers.

Commissioner Derezinski inquired regarding the closing of the Correctional Facility and what has been investigated as far as the use by our departments. Administrator Hammersley noted she spoke with the State Management and Budget and will be visiting along with the Sheriff and others to see if there might be ways the County could use that facility. It was suggested that the Parole Department and Tyrone Perry also be included since it may tie in with 5-11 funds from the State.

Vice-Chairman Nash reported for Muskegon Area First, noting three entities have been started, and three entities have closed. It was further noted that more entities are on the horizon.

ADMINISTRATOR'S REPORT

2009-339 **APPROVE APPLICATION BY THE DEPARTMENT OF EMPLOYMENT & TRAINING TO THE DEPARTMENT OF HEALTH & HUMAN SERVICES FOR THE STRENGTHENING COMMUNITIES AND GOVERNMENT CAPACITY BUILDING PROGRAM**

The Administrator recommends, moved by Derezinski, seconded by Engle, to support the application by the Muskegon County Department of Employment and Training to the Department of Health and Human Services for funding not to exceed \$250,000 for strengthening communities and Government Capacity Building program and authorize the Board Chair to sign said application.

Discussion ensued as to the value of requesting a grant for training on how to write grants. It was noted that with retirements, more training will be required.

Roll Call

Ayes: McMurray, Nash, Wade Buzzell, Collins, Derezinski, Engle,

Nays: Gill, Snider

Excused: Mahoney, Scolnik

Motion Carried

2009-340 **APPROVE APPLICATION BY THE LAND BANK AUTHORITY TO THE DEPARTMENT OF HOUSING & URBAN DEVELOPMENT FOR THE NEIGHBORHOOD STABILIZATION 2 PROGRAM**

The Administrator recommends, moved by Snider, seconded by Collins, to support the application by the Muskegon County Land Bank Authority to the Department of Housing and Urban Development for funding under the Neighborhood Stabilization 2 Program not to exceed \$1,000,000.

Roll Call

Ayes: McMurray, Nash, Snider, Wade, Buzzell, Collins, Derezinski, Engle

Nays: Gill

Excused: Scolnik, Mahoney

Motion Carried

Old Business

Commissioner Snider asked everyone to keep Commissioner Scolnik in their thoughts and prayers for a speedy recovery following his motorcycle accident this past weekend.

Commissioner Buzzell noted the closure of the Correctional Facility is not a favorable option losing 250 State employees. If it does close, it should be considered but it would be good to remain opened. Commissioner Nash urged all to make calls and send letters to keep our local Correctional Facility opened. Commissioners Engle and Snider noted, should the facility close, there is a possibility of cooperative, such as a regional jail.

2009-341 **PREPARE A RESOLUTION IN RECOGNITION OF 80 YEAR MUSKEGON RESIDENT, MS. VIRGINIA MURDOCH, ON HER 100TH BIRTHDAY**

Moved by Gill, seconded by McMurray, to prepare a resolution in recognition of 80 year Muskegon resident, Ms. Virginia Murdoch, on her 100th Birthday on July 3 with a celebration on July 27th at New Hope Baptist Church.

Motion Carried

County Clerk, Nancy A. Waters, in response to a request of the Board, presented a report on resolutions which have been received from other Counties. The report shows when the resolution appeared on the agenda, the disposition by this Board and where the Board approved a similar resolution. Commissioners thanked the Clerk for the information and agreed that a quarterly report would be sufficient.

New Business

None.

Public Participation

Jim Riley addressed the Board reporting the success of the Wings of Mercy event.

Michael Johnston, Public Protection, commended Administrator Hammersley on the hard decisions that have had to made recently. Mr. Johnston noted change is hard but can be good as it creates opportunity.

2009-342 **ADJOURN**

Moved by Snider, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:17p.m.

Nancy A. Waters, County Clerk

NAW/jmp