

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

July 28, 2009

3:30 P.M.

Chairman Mahoney, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Mahoney. The invocation was given by Chairman Mahoney followed by the pledge of Allegiance recited in unison.

Roll Call

Present: Buzzell, Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider

Excused: Collins, Wade

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

2009-383 **APPROVE AGENDA**

Moved by Derezinski, seconded by Engle, to approve the Agenda removing Old Business, Taxicab Discussion.

Motion Carried

2009-384 **APPROVE THE MINUTES OF THE FULL BOARD OF JULY 14, 2009**

Moved by Engle, seconded by Snider, to approve minutes of the Full Board of July 14, 2009.

Motion Carried

2009-385 **COMMUNICATIONS**

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

- A. Alger County Resolution No. 2009-22
- B. Barry County Resolution Nos. 09-17, 09-18 and 09-19

Motion Carried

2009-386 **AUTHORIZE STAFF TO BID THE SALE OF THE LODGE BUILDING AT BLUE LAKE PARK TO BE SOLD TO THE HIGHEST BIDDER AND REMOVED FROM THE SITE**

CD/SP09/07-22

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, to authorize staff to bid the sale of the lodge building at Blue Lake Park to be sold to the highest bidder and removed from the site at the bidders expense with proceeds from the sale going to Parks fund 2080-0691.

Motion Carried

MOTION AND SUPPORT WITHDRAWN PENDING ADDITIONAL INFORMATION FOR:

CD/SP09/07-20 To authorize the Fairboard to be the custodians of the Muskegon County Fairgrounds and to negotiate agreements, with County Board final approval of said agreements, to utilize the horse barns that are vacant.

REMOVED FROM AGENDA PRIOR TO CONSIDERATION:

CD/SP09/07-21 To approve the Resolution accepting the Michigan DNR Natural Resources Trust Fund grant offer number TF08-029 in the amount of \$428,300 for the acquisition of approximately 95 acres of land adjacent to Meinert County Park and authorize the Board Chair to execute the grant agreement with the State of Michigan Department of Natural Resources.

2009-387 **AWARD THE BID TO SELL SEVEN SURPLUS BUSES TO HAUGHTON ENTERPRISES**

TR09/07-30

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid to sell seven surplus buses to Haughton Enterprises for the sum of \$4,745.

(Continued)

2009-387 **AWARD THE BID TO SELL SEVEN SURPLUS BUSES TO HAUGHTON ENTERPRISES**

Roll Call

Ayes: Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-388 **AWARD THE BID FOR THE PAINTING OF AIRFIELD SURFACES AT THE AIRPORT TO THE LOWEST OF THREE BIDS RECEIVED, KENMARK, INC.**

TR09/07-32

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the painting of airfield surfaces at the Airport to the lowest of three bids received, Kenmark, Inc., in the amount of \$67,856.25, with the County's 2.5% share to be \$1,697.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: None

Motion Carried

2009-389 **AWARD THE BID FOR CRACK SEALING OF AIRFIELD SURFACES AT THE AIRPORT TO THE LOWEST OF SEVEN BIDS RECEIVED, FAHRNER ASPHALT SEALERS, LLC**

TR09/07-33

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for crack sealing of airfield surfaces at the Airport to the lowest of seven bids received, Fahrner Asphalt Sealers, LLC, in the amount of \$38,400, with the County's 2.5% share to be \$960.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: None

Motion Carried

2009-390 **AWARD THE BID FOR THE ACQUISITION OF A HEAVY DUTY RUNWAY BROOM TRUCK TO THE LOWER OF TWO BIDS RECEIVED, M-B COMPANIES, INC.**

TR09/07-34

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the acquisition of a heavy duty runway broom truck to the lower of two bids received, M-B Companies, Inc., in the amount of \$447,516, with the County's 2.5% share to be \$11,188.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: None

Motion Carried

2009-391 **AWARD THE BID FOR THE ACQUISITION OF A UTILITY TRACTOR WITH VARIOUS SNOW REMOVAL ATTACHMENTS TO THE SECOND LOWEST BIDDER OF TWO BIDS RECEIVED, FREDRICKSON SUPPLY LLC**

TR09/07-35

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to award the bid for the acquisition of a Utility Tractor with various snow removal attachments to the second lowest bidder of two bids received, Fredrickson Supply LLC, in the amount of \$128,587, with the County's 2.5% share to be \$3,215.

Roll Call

Ayes: Derezinski, Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: None

Motion Carried

2009-392 **APPROVE MDOT CONTRACT NO. 2009-0499**

TR09/07-36

The Transportation Committee recommends, moved by Scolnik, seconded by Engle, to approve MDOT Contract No. 2009-0499 between the County and MDOT, the purpose of which is to fix the rights and obligations of both parties with regards to the acquisition of an Aircraft Rescue and Fire Fighting (ARFF) vehicle for the Muskegon County Airport, and further authorize the Chairman to execute the contract and the County Clerk to authorize a certified resolution for the contract.

(Continued)

2009-392 **APPROVE MDOT CONTRACT NO. 2009-0499**

Roll Call

Ayes: Derezinski, Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell

Excused: Collins, Wade

Nays: Gill

Motion Carried

REMOVED FROM AGENDA PRIOR TO CONSIDERATION:

TR09/07-31 Move to accept the terms and conditions for on-site bus service at Meijer Store #19 and to authorize the Chair to execute the agreement.

2009-393 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JULY 1, 2009 THROUGH JULY 14, 2009**

WM09/07-95

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve payment of the accounts payable of \$9,621,054.67 covering the period of July 1, 2009 through July 14, 2009, as presented by the County Clerk.

Roll Call

Ayes: Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-394 **ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

WM09/07-96

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to accept the Edward Byrne Memorial Justice Assistance Grant on behalf of Muskegon County and the five jurisdictions receiving the funds.

(Continued)

2009-394 **ACCEPT THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT**

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: None

Motion Carried

2009-395 **ACCEPT THE LOW QUOTE FROM WEST SHORE ELECTRIC, INC., FOR THE ELECTRICAL WORK AND FROM PRESSURES & PIPES, INC., FOR THE PLUMBING WORK TO BE PERFORMED AT THE SHERIFF'S GARAGE**

WM09/07-97

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to accept the low quote from West Shore Electric, Inc., of \$750.00 for the electrical work and from Pressures & Pipes, Inc., of \$2,678.00 for the plumbing work to be performed at the Sheriff's garage and to pay for these additional costs from the Public Improvement Fund (4930).

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: None

Motion Carried

2009-396 **APPROVE THE PUBLIC DEFENDER CONTRACT WITH CHRISTOPHER WILSON**

WM09/07-99

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the Public Defender contract with Christopher Wilson to commence August 3, 2009 through September 30, 2010; and further to pay a prorated amount for the two month period August 3, 2009 through September 30, 2009, and \$65,000 annually thereafter.

(Continued)

2009-396 **APPROVE THE PUBLIC DEFENDER CONTRACT WITH CHRISTOPHER WILSON**

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: None

Motion Carried

2009-397 **APPROVE A SOLE SOURCE PROPOSAL BY REHMANN ROBSON TO PROVIDE TRAINING IN THE PROPER DOCUMENTATION OF PERSONNEL TIME**

WM09/07-100

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve a sole source proposal by Rehmann Robson to provide training in the proper documentation of personnel time in accordance with Federal regulations at a cost not to exceed \$4,000. All departments charging Federal funds for multiple programs for personnel wages are required to attend.

Roll Call

Ayes: Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-398 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING OFFICE TO SELL COUNTY SURPLUS VEHICLES**

WM09/07-101

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to authorize Finance and Management Services/Purchasing Office to sell County surplus vehicles through the sealed bid process.

Commissioner Nash suggested vehicle sales and other items may get a better price if auctioned on the website rather than by sealed bid. Commissioner Scolnik suggested auction both by sealed bid and website auction to allow for those who are not computer literate.

(Continued)

2009-398 **AUTHORIZE FINANCE AND MANAGEMENT SERVICES/PURCHASING
OFFICE TO SELL COUNTY SURPLUS VEHICLES**

Roll Call

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

Excused: Collins, Wade

Nays: Nash

Motion Carried

2009-399 **RECLASS THE MICROCOMPUTER ANALYST (#N52405) IN THE
SHERIFF'S OFFICE TO AN INFO SYSTEMS TECH III WITH SPECIFIC
PROVISIONS**

WM09/07-102

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to reclass the Microcomputer Analyst (#N52405) in the Sheriff's Office to an Info Systems Tech III, promote the incumbent District Court Microcomputer Analyst position #N52404 to the newly reclassified Info Systems Tech III position and change the labor distribution of this position from 100% 1010-0301 to 50% 1010-0301 / 50% 1010-0136. The Microcomputer Analyst position in District Court will remain open, however, in the event that this arrangement is not successful and the District Court position is refilled, then the Sheriff's Information Systems Tech III position will revert back to a Microcomputer Analyst.

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: None

Motion Carried

2009-400 **APPROVE THE AMENDED FY2010 BUDGET HEARING SCHEDULE**
WM09/07-103

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to approve the Amended FY2010 Budget Hearing Schedule.

DATE	MEETING	
August 6, 2009	Ways & Means	Proposed budge Presented to Board Request Authorization for Budget Public Hearing
August 11, 2009	Full Board	Budget Hearings with Board Request Authorization for Budget Public Hearing
August 20, 2009	Ways & Means	Elected Official Hearing
August 21, 2009		Deliver public hearing notice to Muskegon Chronicle
August 25, 2009	Full Board	Budget Hearings with Board
August 28, 2009		Budget Public Hearing Notice Published in Muskegon Chronicle
September 3, 2009	Ways & Means	Budget Public Hearing
September 8, 2009	Full Board	Budget Hearings with Board
September 15, 2009	Ways & Means	Amendments, Public Act 423 Resolution
September 22, 2009	Full Board	Adoption

Roll Call

Ayes: Engle, Gill, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: None

Motion Carried

2009-401 **CONCUR WITH STAFF RECOMMENDATION CONCERNING THE VERNARD JONES CASE**

WM09/07-104

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to concur with staff recommendation concerning the Vernard Jones case.

(Continued)
2009-401 **CONCUR WITH STAFF RECOMMENDATION CONCERNING THE
VERNARD JONES CASE**

Roll Call

Ayes: Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: Gill

Motion Carried

2009-402 **CONCUR WITH CORPORATE COUNSEL RECOMMENDATION
CONCERNING THE JACQUELINE MARION CASE**

WM09/07-105

The Ways and Means Committee Recommends, moved by Nash, seconded by Engle, to concur with Corporate Counsel recommendation concerning the Jacqueline Marion case.

Roll Call

Ayes: Engle, Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezinski,

Excused: Collins, Wade

Nays: Gill

Motion Carried

Removed from Agenda Prior to Consideration:

WM09/07-98 To waive the policy on prohibiting pets/animals from being brought into Heritage Landing during the time period of the Great Muskegon Dog Fest contingent upon the event entering into a License Agreement for Use of Heritage Landing.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Mahoney reported attending the Holton Parade along with Commissioners Buzzell and Scolnik. Reminder to Commissioners that the North Side Parade takes place August 6 at 7:30 p.m. (line up to begin earlier). Chairman Mahoney reported he and the County Administrator attended a Green Town Conference in Grand Rapids thanks to the generosity of Mr. and Mrs. Zayko. Commissioner Snider was also there and participated in a roundtable discussion with Mayor of Grand Rapids and Holland.

According to MAC update, there is some money available for World Broadband.

Commissioner Scolnik reported on the monthly Department of Human Services Board Meeting and noted their file case count is up to 48,000+ cases, in the last two months that is up by 2,400.

Commissioner Snider attended the Community Corrections, noting there was an Advisory Meeting a week ago and application for funding is in Lansing. Expect that funds should remain the same. A recommendation from Tyrone Perry was made to request funds for employment initiative services for identification and bus passes.

ADMINISTRATOR'S REPORT

2009-403 **APPROVE OF AGREEMENT BETWEEN PROSECUTOR'S OFFICE AND THE CITY OF MUSKEGON FOR PROSECUTION SERVICES; ESTABLISHMENT OF AN HOURLY DEPARTMENTAL CLERK POSITION AND HIRING FREEZE WAIVE TO FILL NEWLY CREATED HOURLY DEPARTMENTAL CLERK POSITION AND VACANT ASSISTANT PROSECUTOR I POSITION**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the Agreement between the Prosecutor's Office and the City of Muskegon for prosecution services for City of Muskegon ordinance violations and civil infractions effective August 1, 2009 for a period of five years; to establish an hourly Departmental Clerk position with a salary range of \$10.82 - \$15.36 per hour; to waive the hiring freeze for the newly created hourly Departmental Clerk position and the currently vacant Assistant Prosecutor I position, X08003; and to affix the signature of the Chairman of the Board to the Agreement.

Roll Call

Ayes: Mahoney, McMurray, Nash, Scolnik, Snider, Buzzell, Derezhinski, Engle

Excused: Collins, Wade

Declined to vote: Gill

Nays: None

Motion Carried

Old Business

Commissioner Derezhinski noted the Fairboard members are volunteers that put in a lot of hours and have made a lot of improvements to the Fairgrounds and to put on the Fair. It was noted that we are still liable should anything happen at the Fairgrounds.

2009-404 **SUSPEND THE RULES AND ALLOW AUDIENCE PARTICIPATION**

Moved by Gill, seconded by McMurray, to suspend the rules and allow audience participation.

Motion Carried

Ron Ballard, Fairboard President, addressed the Board. He noted the Fair and schedule of events has grown and there have been many improvements over the past four years. Volunteers are putting in new bathrooms and covered grandstands, planned to be completed by next years Fair.

The website is: www.muskegonfairgrounds.com

Commissioner Scolnik noted that he was glad to see the County Administrator at various meetings around town.

Commissioner Scolnik encouraged attendance at the final Sesquicentennial event on August 15th on the Port City Princess History Cruises. Commissioner Scolnik will present a report regarding the Sesquicentennial fund-raising efforts hoping to report a surplus. There is a Texas Hold-em event this weekend hosted by the Muskegon Area Chamber of Commerce coming up that still needs volunteers to cover 46 hours.

Commissioner Nash asked that a Resolution Regarding Comprehensive Federal Health Reform be brought back to Ways and Means.

New Business

None.

Public Participation

Brian Chapman addressed the Board regarding Sesquicentennial Events and thanked County Clerk Waters, County Administrator Hammersley, Commissioners Scolnik and Wade, Mary Villanueva and Lisa Chalko for their support.

Chairman Mahoney thanked Mr. Chapman along with a round of applause from those in attendance.

2009-405 **ADJOURN**

Moved by Nash, seconded by Engle, to adjourn.

Motion Carried

Meeting adjourned at 4:14 p.m.

Nancy A. Waters, County Clerk

NAW/jmp