

*Muskegon County
Board of Commissioners
Hall of Justice, 990 Terrace, 4th Floor
Muskegon, MI 49442*

*Benjamin E. Cross
James Derezinski
Marvin Engle
Susie Hughes
Kenneth Mahoney, Chairman*

*Charles Nash
Terry Sabo
Robert Scolnik
Rillastine R. Wilkins, Vice Chair*

Board Minutes may be found on the web at <http://co.muskegon.mi.us/clerk>

Full Board Meeting

**July 30, 2013
4:00 P.M.**

Chairman Kenneth Mahoney, Presiding

The Full Board Meeting of the Board of Commissioners was called to order by Chairman Mahoney. Chairman Mahoney gave the invocation. The Pledge of Allegiance was recited in unison.

Roll Call

Present: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

Excused: Terry Sabo

Also Present: County Administrator Bonnie B. Hammersley,
County Clerk Nancy A. Waters,
Corporate Counsel Theodore Williams
Chief Deputy County Clerk Marcia L. Wilkes

2013-285 **APPROVAL OF THE AGENDA**

Moved by Derezinski, seconded by Nash, to approve the agenda as presented.

Voice vote.

Motion Carried

2013-286 **APPROVE THE FULL BOARD MINUTES OF TUESDAY, JULY 16, 2013**

Moved by Cross, seconded by Wilkins, to approve the Full Board Minutes of Tuesday, July 16, 2013.

Voice vote.

Motion Carried

PUBLIC COMMENT (on an agenda item)

None

COMMUNICATIONS

The Huron County Board of Commissioners: Resolution Opposing HB 4785 was presented to the Board for their information. It is of particular interest to areas that have rural ambulance service.

COMMITTEE/BOARD REPORTS

2013-287 **APPROVE AND SUPPORT THE “FREE” SHRED DAY TO BE HELD AT THE HALL OF JUSTICE PARKING LOT AT 990 TERRACE STREET, MUSKEGON, MI 49442, FROM 10 A.M. TO 2 P.M. ON SATURDAY, SEPTEMBER 21ST, 2013**

CD/SP13/07 - 09 The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Cross, to approve and support the “FREE” Shred Day to be held at the Hall of Justice parking lot at 990 Terrace Street, Muskegon, MI 49442, from 10 a.m. to 2 p.m. on Saturday, September 21st, 2013. (See attached)

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-288 **APPROVE THE ORGANIZATION FUND AGREEMENT FOR THE FRIENDS OF THE MUSKEGON COUNTY PARKS FUND WITH THE COMMUNITY FOUNDATION FOR MUSKEGON COUNTY AND THE BYLAWS FOR THE FRIENDS OF THE MUSKEGON COUNTY PARKS ADVISORY COMMITTEE**

CD/SP13/07 – 10 The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Cross, to approve the organization fund agreement for the Friends of the Muskegon County Parks Fund with the Community Foundation for Muskegon County and the Bylaws for the Friends of the Muskegon County Parks Advisory Committee.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-289 APPROVE, AND AUTHORIZE THE CHAIRMAN TO SIGN, AN ACCESS AGREEMENT, IN THE AMOUNT OF \$6,073.80 PER YEAR, BETWEEN THE COUNTY AND AEROVISION PROPERTY GROUP III, LLC, PROVIDING AIRCRAFT ACCESS BETWEEN AEROVISION'S PROPERTY AT 509 EAST AIRPORT ROAD AND THE AIRPORT

TR13/07-19 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve, and authorize the Chairman to sign, an Access Agreement, in the amount of \$6,073.80 per year, between the County and Aerovision Property Group III, LLC, providing aircraft access between Aerovision's property at 509 East Airport Road and the Airport.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-290 APPROVE AUTHORIZING THE CHAIR TO EXECUTE, UPON RECEIPT, FEDERAL AND STATE GRANT OFFERS (\$424,768 AND \$11,178, RESPECTIVELY), PROVIDING FUNDING FOR THE AIRPORT'S FY2013 CAPITAL IMPROVEMENT PROJECTS, AND FURTHER AUTHORIZE THE CLERK TO EXECUTE ANY NECESSARY RESOLUTIONS FOR SAID GRANT OFFERS

TR13/07-20 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve authorizing the Chair to execute, upon receipt, Federal and State Grant Offers (\$424,768 and \$11,178, respectively), providing funding for the Airport's FY2013 capital improvement projects, and further authorize the Clerk to execute any necessary resolutions for said Grant Offers.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-291 **APPROVE AWARDING RFB13-2075 TO TRIANGLE ASSOCIATES, AND FURTHER AUTHORIZE THE CHAIR TO EXECUTE A CONTRACT BETWEEN THE COUNTY AND TRIANGLE ASSOCIATES IN THE AMOUNT OF \$266,000 TO PERFORM THE WORK, PENDING RECEIPT OF A FY2013 FEDERAL GRANT OFFER, WITH THE COUNTY'S 2.5% SHARE OF THE PROJECT TO BE \$6,650**

TR13/07-21 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve awarding RFB13-2075 to Triangle Associates, and further authorize the Chair to execute a contract between the County and Triangle Associates in the amount of \$266,000 to perform the work, pending receipt of a FY2013 Federal Grant Offer, with the County's 2.5% share of the project to be \$6,650.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-292 **APPROVE, AND AUTHORIZE THE CHAIRMAN TO SIGN, AMENDMENT NO. 1, IN THE AMOUNT OF \$49,500, TO A CONTRACT DATED MARCH 26, 2013, BETWEEN THE COUNTY AND PREIN & NEWHOF, PENDING RECEIPT OF A FY2013 FEDERAL GRANT OFFER, THE INTENT OF WHICH IS TO COVER THE CONSTRUCTION PHASE ENGINEERING SERVICES OF THE AIRCRAFT RESCUE AND FIRE FIGHTING STATION REHABILITATION PROJECT (RFB13-2075), WITH THE COUNTY'S 2.5% SHARE OF THE AMENDMENT TO BE \$1,238**

TR13/07-22 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve, and authorize the Chairman to sign, Amendment No. 1, in the amount of \$49,500, to a contract dated March 26, 2013, between the County and Prein & Newhof, pending receipt of a FY2013 Federal Grant Offer, the intent of which is to cover the construction phase engineering services of the Aircraft Rescue and Fire Fighting Station Rehabilitation Project (RFB13-2075), with the County's 2.5% share of the Amendment to be \$1,238.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-293 **APPROVE AWARDING RFB13-2076 TO ALLSTATE ELECTRIC, INC., AND FURTHER AUTHORIZE THE CHAIR TO EXECUTE A CONTRACT BETWEEN THE COUNTY AND ALLSTATE ELECTRIC, INC. IN THE AMOUNT OF \$48,640 TO PERFORM THE WORK, PENDING RECEIPT OF A FY2013 FEDERAL GRANT OFFER, WITH THE COUNTY'S 2.5% SHARE OF THE PROJECT TO BE \$1,216**

TR13/07-23 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve awarding RFB13-2076 to Allstate Electric, Inc., and further authorize the Chair to execute a contract between the County and Allstate Electric, Inc. in the amount of \$48,640 to perform the work, pending receipt of a FY2013 Federal Grant Offer, with the County's 2.5% share of the project to be \$1,216.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-294 **APPROVE, AND AUTHORIZE THE CHAIRMAN TO SIGN, AMENDMENT NO. 1, IN THE AMOUNT OF \$15,000, TO A CONTRACT DATED MAY 23, 2013, BETWEEN THE COUNTY AND PREIN & NEWHOF, PENDING RECEIPT OF A FY2013 FEDERAL GRANT OFFER, THE INTENT OF WHICH IS TO COVER THE CONSTRUCTION PHASE ENGINEERING SERVICES OF THE AIRFIELD LIGHTING CONTROL PANEL REPLACEMENT PROJECT (RFB13-2076), WITH THE COUNTY'S 2.5% SHARE OF THE AMENDMENT TO BE \$375**

TR13/07-24 The Transportation Committee recommends, moved by Wilkins, seconded by Hughes, to approve, and authorize the Chairman to sign, Amendment No. 1, in the amount of \$15,000, to a contract dated May 23, 2013, between the County and Prein & Newhof, pending receipt of a FY2013 Federal Grant Offer, the intent of which is to cover the construction phase engineering services of the Airfield Lighting Control Panel Replacement Project (RFB13-2076), with the County's 2.5% share of the Amendment to be \$375.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-295 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,536,057.64
COVERING THE PERIOD OF JULY 6, 2013 THROUGH JULY 16, 2013 AS
PRESENTED BY THE COUNTY CLERK**

WM13/07 – 74 The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to approve payment of the accounts payable of \$3,536,057.64 covering the period of July 6, 2013 through July 16, 2013 as presented by the County Clerk.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-296 **APPROVE THE FY2014 BUDGET HEARING SCHEDULE AS PRESENTED**

WM13/07 – 75 The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to approve the FY2014 Budget Hearing Schedule as presented.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-297 **ACCEPT THE GRANT FROM THE COMMUNITY FOUNDATION OF
MUSKEGON COUNTY FOR \$8,275 TO PROVIDE LOW INCOME YOUTH WITH
A SUMMER YOUTH EXPERIENCE AS APPROVED BY THE MUSKEGON-
OCEANA WORKFORCE DEVELOPMENT BOARD AND AUTHORIZE THE
COUNTY BOARD CHAIR TO SIGN THE GRANT AGREEMENT**

WM13/07 – 76 The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to accept the grant from the Community Foundation of Muskegon County for \$8,275 to provide low income youth with a Summer Youth Experience as approved by the Muskegon-Oceana Workforce Development Board and authorize the County Board Chair to sign the Grant Agreement.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-297 **ACCEPT THE BID IN THE AMOUNT OF \$304,168 FROM TRIDONN
CONSTRUCTION COMPANY FOR THE COMMUNITY MENTAL HEALTH
JOHN HALMOND CENTER INTERIOR RENOVATION PROJECT**

WM13/07 – 77The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to accept the bid in the amount of \$304,168 from Tridonn Construction Company for the Community Mental Health John Halmond Center Interior Renovation Project.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-298 **SUPPORT A RESOLUTION IN HONOR OF GE AVIATION'S (FORMERLY
JOHNSON TECHNOLOGY) 50TH ANNIVERSARY OF SERVICE AND JOB
CREATION TO OUR COMMUNITY**

WM13/07 – 78The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to support a resolution in honor of GE Aviation's (formerly Johnson Technology) 50th Anniversary of service and job creation to our community.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

2013-298 **APPROVE THE SETTLEMENT IN THE PENDING LITIGATION IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN, SOUTHERN DIVISION: *TIMOTHY A. CARL V MUSKEGON COUNTY, ET AL*, CIVIL CASE NO. 1:11-CV-94 AND IN THE 14TH CIRCUIT COURT FOR THE COUNTY OF MUSKEGON: *TIMOTHY A. CARL V MUSKEGON COUNTY, ET AL*, CASE NO. 12-48776-CZ, BASED UPON CORPORATE COUNSEL'S RECOMMENDATION**

WM13/07 – 79The Ways & Means Committee recommends, moved by Derezinski, seconded by Hughes, to approve the settlement in the pending litigation in the United States District Court for the Western District of Michigan, Southern Division: *Timothy A. Carl v Muskegon County, et al*, Civil Case No. 1:11-cv-94 and in the 14th Circuit Court for the County of Muskegon: *Timothy A. Carl v Muskegon County, et al*, Case No. 12-48776-CZ, based upon Corporate Counsel's recommendation.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

CHAIRMAN'S REPORT

Chairman Mahoney stated that the dedication of a bench at Meinert Park in honor of long-time volunteer Gregg Smith will be held at Meinert Park on Thursday, August 1, 2013 at 10:00.

Chairman Mahoney stated that according to the Convention and Visitors Bureau in May Muskegon County accommodations were up 7% and the White Lake area was up 5%.

LIAISON REPORTS

Commissioner Cross stated that the Ravenna Community Library put on an addition which was accomplished through donations of \$275,000. Citizens actually did a lot of the labor as well. Storyville is going well. It is a literacy program for children between the ages of 0 to 5. Also, the Muskegon Heights Library is looking for a new building. One consideration is the Central Elementary Building which is larger and could house other activities as well.

Commissioner Hughes stated that she visited the Wastewater Facility. She was surprised at how far the filter marsh has come. She stated that they were harvesting as well. Also, the Muskegon Stargazers will have a free open house on Saturday August 10, 2013 at 8:00 p.m. and another one on Saturday, September 7, 2013, at 8:00 p.m. and the public is invited. (See attached)

ADMINISTRATOR'S REPORT

2013-299 **ACCEPT THE FUNDING IN THE AMOUNT OF \$27,017 FROM THE MICHIGAN DEPARTMENT OF EDUCATION TO PROVIDE EDUCATION SUPPORT THROUGH SCHOOL PROGRAMMING IN THE PURCHASE OF COMPUTERS AND OTHER EDUCATIONAL TOOLS FOR YOUNG ADULTS (AGES 15-17) INCARCERATED IN THE COUNTY JAIL AND AUTHORIZE THE CHAIRMAN OF THE COUNTY BOARD OF COMMISSIONERS TO SIGN ALL DOCUMENTS**

2013-299 Administrator Bonnie Hammersley recommends, moved by Derezinski, seconded by Cross, to accept the funding in the amount of \$27,017 from the Michigan Department of Education to provide education support through school programming in the purchase of computers and other educational tools for young adults (ages 15-17) incarcerated in the County jail and authorize the Chairman of the County Board of Commissioners to sign all documents.

Discussion followed. Sheriff Roesler stated that this federal grant does have some specific rules which must be followed. The current jail does not have the IT infrastructure necessary to operate video classrooms. The Muskegon County Jail has approximately 200 inmates per year who are between the ages of 17 and 18 that this grant could assist. The grant will also allow contracting with staff from area schools to teach these students.

Roll Call

Yes: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes,
 Kenneth Mahoney, Charles Nash, Robert Scolnik, Rillastine Wilkins

No: None

Excused: Terry Sabo

Motion Carried

OLD BUSINESS

2013-300 Moved by Commissioner Wilkins and seconded by Commissioner Cross, to add to the LGBA Resolution that it will be sent to Governor Snyder, our local state senator and representatives, along with the 82 other county clerks.

Voice vote.

Motion Carried

NEW BUSINESS

None.

PUBLIC COMMENT (on a new topic)

Kay Cummings, MSU Extension, introduced their new staff member, Pam Daniels, who will be promoting education and Disease Prevention and Management Programs. Pam will be working toward motivational support.

Craig L. Monette, the new Probate Administrator, introduced himself to the County Board. He stated that he is originally from Muskegon and looks forward to working here.

Bob Andree, Worker's Freedom Coalition, informed the Board that Kent County has adopted a policy not to do business with LaMar, based out of Hudsonville, because of their past federal violations. He urged the Muskegon County Board to do the same thing on the jail project.

Commissioner Nash stated that Jerry Brand, Grange Construction, will be holding a workshop to work with small, minority, and disadvantaged contractors who wish to bid on jobs associated with the new jail project. This workshop will be held on Wednesday, August 14, 2013, from 5:00 p.m. until 7:00 p.m. at the Muskegon Heights City Hall.

Chairman Mahoney stated that Commissioner Scolnik's wife was home from the hospital and recovering and that Commissioner Derezinski's wife suffered a broken neck in two places while swimming.

Chairman Mahoney acknowledged Donald Studaven, Trustee from Blue Lake Township, who was in the audience.

ADJOURN

2013-301 **MOVED BY WILKINS, SECONDED BY CROSS, TO ADJOURN.**

Voice vote.

Motion Carried

Meeting adjourned at 4:21 p.m.

Nancy A. Waters, County Clerk

NAW:mlw

***Preliminary Minutes
To be approved at the Full Board Meeting on Tuesday, August 13, 2013***