

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

September 25, 2007
3:52 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 Scolnik.

Roll Call

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

Absent: None

2007-467 **APPROVE AGENDA**

Moved by Aley, seconded by Engle, to approve the Agenda adding property sale item to Administrator's Report.

Motion Carried

2007-468 **APPROVE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 11, 2007**

Moved by Engle, seconded by Buzzell, to approve the minutes of the Regular Meeting of September 11, 2007.

Motion Carried

2007-469 **COMMUNICATION**

Moved by Engle, seconded by Aley, to receive and place on file the Communication from Lake County - Resolution #09/12/2007 1142

Motion Carried

2007-470 **AUTHORIZE THE CONVENTION AND VISITORS BUREAU TO
CONTRACT WITH THE WHITE LAKE CHAMBER OF COMMERCE TO
RUN THE NORTH COUNTY INFORMATION AND PROMOTION CENTER**

CD/SP07/09 - 21

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to authorize the Convention and Visitors Bureau to contract with the White Lake Chamber of Commerce to run the North County information and promotion center under the same terms and conditions as the current contract, and in the same amount of \$78,500.00 and to authorize the Board Chair to execute the contract.

Roll Call

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

Nays: Gill

Motion Carried

2007-471 **APPROVE THE SOLID WASTE BUDGET FOR FY 2008**

The Board of Public Works recommends, moved by McMurray, seconded by Engle, to approve the Solid Waste budget for FY 2008 as presented (with Solid Waste, fund 5710 revenues of \$5,362,492 and expenditures of \$5,298,593; Fly Ash, fund 5711 with revenues of \$53,000 and expenditures of \$120,656).

Roll Call

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

Nays: None

Motion Carried

2007-472 **APPROVE THE BUDGET FOR FY 2008 FOR THE MUSKEGON COUNTY
REGIONAL WATER SYSTEM**

The Board of Public Works recommends, moved by McMurray, seconded by Engle, to approve the budget for FY 2008 for the Muskegon County Regional Water System as presented (operating fund 5910 revenues of \$2,834,229 and expenditures of \$2,625,532; construction fund 4150 revenues of \$1,863,634 and expenditures of \$2,898,249).

Roll Call

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

Nays: None

Motion Carried

2007-473 **RECOMMEND ADOPTION OF THE PROPOSED FY 2008 WASTEWATER OPERATIONS AND MAINTENANCE BUDGET**

The Board of Public Works recommends, moved by McMurray, seconded by Engle, to recommend adoption of the proposed FY 2008 Wastewater Operations and Maintenance budget (Fund 5920 with expenditures and revenues of \$11,549,913), to leave the gallonage rate unchanged at \$1096.26 per million gallons, setting the debt retirement rate at \$173.32 per million gallons for the \$17M bond issue and recommend the Wastewater capital budget (Funds 5921 and 4911) and the recommended Laboratory Fee Table, all for FY2008.

Roll Call

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

Nays: None

Motion Carried

2007-474 **ACCEPT THE PROPOSED FEE STRUCTURE FOR ARCHITECTURE/ENGINEERING SERVICES WITH HOOKER|DEJONG ARCHITECTS**

TR07/09-28

The Transportation Committee recommends, moved by Gill, seconded by Collins, to accept the proposed fee structure for Architecture/Engineering Services with Hooker|DeJong Architects, providing for a three-step fee range from \$188,100 to \$215,650, based on the eventual facility design and associated construction cost of the facility, and to authorize the Board Chairperson to execute an agreement for A&E services on the Muskegon Area Transit System downtown Transit Center and Parking Structure.

Roll Call

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

Nays: Gill

Motion Carried

2007-475 **AUTHORIZE WAIVER OF THE CURRENT COUNTY HIRING FREEZE AND TO APPOINT GARY NIELSEN TO THE BUDGETED AIRPORT MAINTENANCE WORKER/6 MONTHS**

TR07/09-29

The Transportation Committee recommends, moved by Gill, seconded by Collins, to authorize waiver of the current County hiring freeze and to appoint Gary Nielsen to the budgeted Airport Maintenance Worker/6 Months Position #F15005, at salary step 5, \$16.237 per hour.

(Continued)

2007-475 **AUTHORIZE WAIVER OF THE CURRENT COUNTY HIRING FREEZE AND TO APPOINT GARY NIELSEN TO THE BUDGETED AIRPORT MAINTENANCE WORKER/6 MONTHS**

Roll Call

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

Nays: None

Motion Carried

2007-476 **APPROVE LAW ENFORCEMENT OFFICER REIMBURSEMENT AGREEMENT**

TR07/09-30

The Transportation Committee recommends, moved by Gill, seconded by Collins, to approve Law Enforcement Officer Reimbursement Agreement, award number HSTS0208HSLR212, between the County of Muskegon and the Transportation Security Administration, providing funds for law enforcement officer (LEO) support at the Airport, in the amount of \$142,021.50 over five years.

Roll Call

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

Nays: Gill

Motion Carried

2007-477 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF AUGUST 29, 2007 THROUGH SEPTEMBER 11, 2007**

WM07/9-135

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve payment of the accounts payable of \$5,531,103.18 covering the period of August 29, 2007 through September 11, 2007, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2007-478 **APPROVE THE EQUALIZATION DEPARTMENT'S REQUEST TO WAIVE
THE HIRING FREEZE AND FILL UPCOMING VACANT APPRAISAL
TECHNICIAN POSITION**

WM07/9-136

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the Equalization Department's request to waive the hiring freeze and fill upcoming vacant Appraisal Technician position G09201.

Roll Call

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

Nays: Gill

Motion Carried

2007-479 **AUTHORIZE THE COUNTY EQUALIZATION DIRECTOR AND/OR
INTERIM TO ENGAGE IN THE AUDIT OF ANNUAL PRINCIPAL
RESIDENCE EXEMPTIONS WITH THE COUNTY TREASURER**

WM07/9-137

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize the County Equalization Director and/or Interim to engage in the audit of annual Principal Residence Exemptions with the County Treasurer under the provisions provided by the Michigan General Property Tax Act Public Act 1893 as amended by signing the County Election to Audit Principal Residence Exemptions Form.

Roll Call

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

Nays: Gill

Motion Carried

2007-480 **AUTHORIZE THE HEALTH DEPARTMENT TO ENTER INTO AN
AGREEMENT WITH ACCESS HEALTH, INC.**

WM07/9-138

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize the Health Department to enter into an agreement with Access Health, Inc., in the amount not to exceed \$246,000 for the delivery of health care related services for indigent and low-income residence of Muskegon County for the 2007-2008 fiscal year. Further move to authorize the Board Chairman and the Director of Health and Community Resources to sign the grant agreement.

Roll Call

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

Nays: None

Motion Carried

2007-481 **ADOPT THE RESOLUTION INITIATING PUBLIC ACT 423 FOR THE 2008 FISCAL YEAR**

WM07/9-139

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to adopt the Resolution initiating Public Act 423 for the 2008 fiscal year and authorize the Board Chair to sign it.

Roll Call

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

Nays: None

Motion Carried

2007-482 **APPROVE THE JOB DESCRIPTION FOR THE POSITION OF COUNTY ADMINISTRATOR**

WM07/9-140

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the job description for the position of County Administrator.

Roll Call

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

Nays: Gill

Motion Carried

2007-483 **AUTHORIZE INTERGOVERNMENTAL TRANSFERS TO THE STATE OF MICHIGAN**

WM07/9-141

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to authorize intergovernmental transfers to the State of Michigan of General Fund dollars with other qualifying dollars, with the total not to exceed \$240,000 and to commit those funds to increase health care funding in the community to support Indigent Care Agreements - based DSH payments to community hospitals. This is the State of Michigan Disproportionate Share Hospital Program (DSH).

Roll Call

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

Nays: Gill

Motion Carried

2007-484 **AMEND THE FY2008 BUDGET OF THE DRAIN COMMISSION**

WM07/9-142

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to amend the FY2008 budget of the Drain Commission to be reduced by \$50,000.00.

Roll Call

Ayes: Collins, Buzzell, Aley, Engle

Nays: Derezinski, Gill, Mahoney, McMurray, Scolnik, Snider, Wade

Motion Failed

2007-485 **ADOPT THE FY2008 COUNTY OF MUSKEGON APPROPRIATION ORDINANCE INCLUDING THE BUDGET AMENDMENTS**

WM07/9-143

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to adopt the FY2008 County of Muskegon Appropriation Ordinance including the Budget Amendments, position changes, FY2008 Equipment Items and FY2008 Capital Projects, which collectively represent the implementation of the County of Muskegon's FY2008 Operating Budget as amended.

Roll Call

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

Nays: Gill

Motion Carried

2007-486 **APPROVE THE RESOLUTION TO HONOR HAROLD J. WORKMAN**

WM07/9-144

The Ways and Means Committee recommends, moved by Aley, seconded by Snider, to approve the Resolution to honor Harold J. Workman.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Derezinski noted the MAC Legislative Updates of September 7th and 14th, 2007, are attached to the agenda.

2007-487 **APPROVE BUILDING AUTHORITY APPOINTMENTS**

The Chairman recommends, moved by Aley, seconded by Buzzell, to approve Building Authority Appointments: Duane Buckner and Peter Sartorius; Terms - 7/1/07 through 6/30/10

Motion Carried

ADMINISTRATOR'S REPORT

2007-488 **APPROVE THE ATTACHED PURCHASE AGREEMENT WITH MR. SCOTT ERDMAN FOR THE SALE OF THE WHITEHALL WASTEWATER PLANT PROPERTY**

The Administrator recommends, moved by Engle, seconded by Mahoney, to approve the attached Purchase Agreement with Mr. Scott Erdman for the sale of the Whitehall Wastewater Plant property for \$1,325,000 per the terms in this Agreement and authorize the Public Works Board Chairman to sign same.

Motion Carried

Old Business

Commissioner Scolnik commended Scott Erdman for his entrepreneurial of the year award five years ago for building his business from scratch and expressed confidence in Mr. Erdman's ability to achieve his goals with this property.

New Business

None.

Public Participation

Dennis Babcock, Whitehall Township Supervisor, addressed the Board regarding the sale of the Whitehall property to Mr. Erdman. It was noted how much this sale will help with the trickle down effect to increase tax rolls.

Scott Erdman, thanked Board members for voting for the sale of the property and looks forward to the positive changes to come.

Commissioner Gill addressed the Board regarding the violation of people's rights. Mr. Gill noted he would be checking with Congressman Hoekstra to get copies of the Constitution for each member of the Board.

Pat Jordan, Muskegon Township Supervisor, addressed the Board expressing support of the property sale and development of alternative fuels in our area.

Dave Johnson addressed the Board in support of Scott Erdman.

Students were in attendance from Muskegon Community College.

Adjourned at 5:01 p.m.

Karen D Buie, County Clerk

KDB/jmp