

# *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**

**October 9, 2007**  
**3:30 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 Doctor Reverend Cabot, of Wolf Lake United Methodist Church.

### **Roll Call**

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

Absent: None

### 2007-489    **APPROVE AGENDA**

Moved by Engle, seconded by Collins, to approve the Agenda adding Addendum.

**Motion Carried**

### 2007-490    **PRESENTATION - FUND RAISER IN MEMORY OF STEVE WISNIEWSKI**

Judy Wisniewski and Sue Moulds presented information regarding the Mary Kay Ash Charitable Foundation which funds Cancer Research and also funds for Battered Women's Shelters. Commissioners were invited to a fund raiser in memory of Steve Wisniewski to be held on November 7, 2007, 7 p.m. - 9 p.m. at Cottage on Mears, 1030 Mears, Whitehall.

### 2007-491    **APPROVE MINUTES OF THE REGULAR MEETING OF SEPTEMBER 25, 2007**

Moved by Aley, seconded by Snider, to approve the minutes of the Regular Meeting of September 25, 2007.

**Motion Carried**

2007-492 **APPROVE THE PUBLIC DEFENDER CONTRACTS**

CPS07/10-52

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Public Defender contracts with Potuznik, Carrozza, Wilson, Fisher & Pannucci, Fred J. Lesica, Al Swanson and Balgooyen Law Offices for fiscal year 2008 and to authorize the Board Chair to sign the agreements.

Roll Call

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

Nays: None

**Motion Carried**

2007-493 **APPROVE THE PROBATE AND CIRCUIT COURT/FAMILY DIVISION LEGAL COUNSEL AGREEMENT FOR FISCAL YEAR 2008**

CPS07/10-53

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to approve the Probate and Circuit Court/Family Division Legal Counsel Agreement for fiscal year 2008 and to authorize the Board Chair to sign the agreement and associated addendums.

Roll Call

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

Nays: None

**Motion Carried**

2007-494 **WAIVE THE HIRING FREEZE AND ALLOW THE CIRCUIT COURT, FAMILY DIVISION TO FILL THE VACANT SURVEILLANCE OFFICER POSITION**

CPS07/10-54

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to waive the hiring freeze and allow the Circuit Court, Family Division to fill the vacant Surveillance Officer position, #G80006.

Roll Call

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

Nays: None

**Motion Carried**

2007-495     **WAIVE THE HIRING FREEZE TO ALLOW THE PROSECUTOR TO FILL  
DEPARTMENTAL CLERK POSITIONS**

CPS07/10-55

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to waive the hiring freeze to allow the Prosecutor to fill Departmental Clerk position #G34018 and Departmental Clerk, position #G20069 effective immediately.

Roll Call

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

Nays: None

**Motion Carried**

2007-496     **AUTHORIZE THE SHERIFF'S OFFICE TO BEGIN THE COUNTY'S BID  
PROCESS FOR FIVE 2008 FORD CROWN VIC POLICE VEHICLES**

CPS07/10-56

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Sheriff's Office to begin the County's bid process for five 2008 Ford Crown Vic police vehicles.

Roll Call

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

Nays: None

**Motion Carried**

2007-497     **AUTHORIZE THE SHERIFF'S OFFICE TO BEGIN THE COUNTY'S BID  
PROCESS FOR ONE 2008 FORD TRUCK CHASSIS FOR THE PRISONER  
TRANSPORT**

CPS07/10-57

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to authorize the Sheriff's Office to begin the County's bid process for one 2008 Ford truck chassis for the prisoner transport.

Roll Call

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

Nays: None

**Motion Carried**

2007-498     **RENEW THE AGREEMENT WITH DAVID H. DEITRICK, MD, FOR  
MEDICAL SERVICES AT THE COUNTY JAIL**

CPS07/10-58

The Courts and Public Safety Committee recommends, moved by Snider, seconded by Collins, to renew the agreement with David H. Deitrick, MD, for medical services at the county jail at the rate of \$2,100 per month for October 1, 2007 to September 30, 2008.

Roll Call

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

Nays: None

**Motion Carried**

2007-499     **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN  
A CONTRACT WITH THOSE SERVICE VENDORS WHO HAVE  
SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE  
PROVISION AT THE CURRENT FISCAL YEAR 2006/2007 RATES**

HR07/10-88

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to sign a contract with those service vendors who have submitted written agreements to continue service provision at the current Fiscal Year 2006/2007 rates for the time period effective October 1, 2007, through September 30, 2008.

Roll Call

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

Nays: None

**Motion Carried**

2007-500     **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN  
A CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH FOR  
FY2008 MENTAL HEALTH BLOCK GRANT FUNDING**

HR07/10-89

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to sign a contract with the Department of Community Health for FY2008 Mental Health Block Grant Funding.

(Continued)

2007-500 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH THE DEPARTMENT OF COMMUNITY HEALTH FOR FY2008 MENTAL HEALTH BLOCK GRANT FUNDING**

Roll Call

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

Nays: None

**Motion Carried**

2007-501 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO RENEW THE LEASE OF THE INDIAN BAY HOME FROM GEORGE DEAN**

HR07/10-90

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to renew the lease of the Indian Bay Home from George Dean effective January 1, 2008, for five years at a monthly rent of \$2,008.20 for the first two years and a monthly rent of \$2,048.36 for the remaining three years of the lease, with an annual cap not to exceed \$24,600 per year.

Roll Call

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

Nays: None

**Motion Carried**

2007-502 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO INITIATE PAYROLL ACTIONS TO MAKE BONUS PAYMENTS**

HR07/10-91

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health (CMH) Director to initiate payroll actions to make bonus payments in compliance with Public Act 330 based on FY2007 wages to CMH staff providing Community Living Supports, Personal Care, and Skill Building services. Employees will receive 2% of wages minus the employer's share of Federal Insurance Contribution Act (FICA) liability. The total cost is approximately \$39,000.

Roll Call

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

Nays: None

**Motion Carried**

2007-503     **APPROVE THE APPOINTMENT OF JOHN NORTH AS THE INTERIM  
DIRECTOR OF COMMUNITY MENTAL HEALTH OF MUSKEGON  
COUNTY**

HR07/10-92

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve the appointment of John North as the Interim Director of Community Mental Health of Muskegon County effective November 1, 2007, at a salary of \$96,181.00.

Roll Call

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

Nays: None

**Motion Carried**

2007-504     **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO  
ACCEPT THE PROPOSED RATE CHANGES BY THOSE  
VENDORS/PROVIDERS EFFECTIVE OCTOBER 1, 2007, THROUGH  
SEPTEMBER 30, 2008**

HR07/10-93

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to accept the proposed rate changes by those vendors/providers effective October 1, 2007, through September 30, 2008.

Roll Call

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

Nays: None

**Motion Carried**

2007-505     **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN  
A CONTRACT WITH PINE REST CHRISTIAN MENTAL HEALTH  
SERVICES, DEMENTIA LIVING CENTER, FOR THE PROVISION OF  
RESIDENTIAL AND CLINICAL SERVICES**

HR07/10-94

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health Director to sign a contract with Pine Rest Christian Mental Health Services, Dementia Living Center, for the provision of residential and clinical services, effective September 10, 2007, through September 30, 2008, at the rate of \$320 per day, not to exceed \$57,600.

(Continued)

2007-505 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN A CONTRACT WITH PINE REST CHRISTIAN MENTAL HEALTH SERVICES, DEMENTIA LIVING CENTER, FOR THE PROVISION OF RESIDENTIAL AND CLINICAL SERVICES**

Roll Call

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

Nays: None

**Motion Carried**

2007-506 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO SIGN THE CONTRACT EXTENSION OF THE FISCAL YEAR 2006/2007 PURCHASE OF SERVICES CONTRACT WITH LIFEWAYS**

HR07/10-95

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the Community Mental Health (CMH) Director to sign the contract extension of the Fiscal Year 2006/2007 purchase of services contract with LifeWays for the provision of credentialed services through the MPRI program through December 31, 2007 and then sign a new contract for said services effective January 1, 2008, through December 31, 2008.

Roll Call

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

Nays: None

**Motion Carried**

2007-507 **APPROVE THE UPDATE TO THE HEALTH DEPARTMENT ENFORCEMENT GUIDELINES AND ADMINISTRATIVE HEARING PROCESS FOR THE FOOD SERVICE SANITATION PROGRAM**

HR07/10-96

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to approve the update to the Health Department Enforcement Guidelines and Administrative Hearing Process for the Food Service Sanitation Program.

Roll Call

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

Nays: None

**Motion Carried**

2007-508     **AUTHORIZE THE ADOPTION OF THE RESOLUTION ENTITLED,  
RESOLUTION TO ADVOCATE FOR PRIORITIZATION OF PUBLIC  
HEALTH SERVICES**

HR07/10-97

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to authorize the adoption of the Resolution entitled, Resolution to Advocate for Prioritization of Public Health Services When the State's Share of the Cost is Less than 50% for the Services.

Roll Call

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

Nays: None

**Motion Carried**

2007-509     **ADOPT THE VECTOR CONTROL REGULATION MONETARY CIVIL  
PENALTIES POLICY**

HR07/10-98

The Human Resources Committee recommends, moved by Buzzell, seconded by Engle, to adopt the Vector Control Regulation Monetary Civil Penalties Policy for the County of Muskegon Vector Control Program.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-510     **REFER ITEM HR07/10-99 BACK TO COMMITTEE**

Moved by Aley, seconded by Snider, to refer item HR07/10-99 back to committee.

**Motion Carried**

2007-511     **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE  
PERIOD OF SEPTEMBER 12- 25, 2007**

WM07/10-145

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$13,513,419.44 covering the period of September 12, 2007 through September 25, 2007, as presented by the County Clerk.



(Continued)

2007-511 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF SEPTEMBER 12- 25, 2007**

Roll Call

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

Nays: Gill

**Motion Carried**

2007-512 **RECOMMEND THE ADOPTION OF THE RESPONSIBLE ENGINEERING AND CONSTRUCTION CONTRACTING POLICY**

WM07/10-146

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to recommend the adoption of the Responsible Engineering and Construction Contracting Policy for implementation.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-513 **APPROVE THE MUSKEGON COUNTY BOARD OF COMMISSIONERS FLOWER FUND POLICY TO INCLUDE ANNUAL REPORTING OF EXPENDITURE AND REVENUE ACTIONS**

WM07/10-147

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Muskegon County Board of Commissioners Flower Fund Policy to include annual reporting of expenditure and revenue actions.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-514 **AUTHORIZE STAFF TO ACCEPT THE PROPOSAL FROM PITNEY BOWES FOR DM1000 MAILING SYSTEM AND A 3 STATION D1380 FOLDER/SEALER IN OFFICE SERVICES**

WM07/10-148

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize staff to accept the proposal from Pitney Bowes for DM1000 Mailing System and a 3 Station D1380 Folder/Sealer in Office Services for a leasing term of 60 months.

(Continued)

2007-514 **AUTHORIZE STAFF TO ACCEPT THE PROPOSAL FROM PITNEY BOWES FOR DM1000 MAILING SYSTEM AND A 3 STATION D1380 FOLDER/SEALER IN OFFICE SERVICES**

Roll Call

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

Nays: None

**Motion Carried**

2007-515 **WRITE OFF THE MUSKEGON COUNTY AIR FAIR DEBT**

WM0710-149

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to write off the Muskegon County Air Fair debt of \$15,000.

Roll Call

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

Nays: Gill

**Motion Carried**

2007-516 **CHANGE THE FAMILY COUNSELOR POSITION**

WM0710-150

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to change the Family Counselor position approved for deletion in the FY2008 budget from position #X37003 to position #X37002.

Roll Call

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

Nays: None

**Motion Carried**

2007-517 **APPROVE THE HIRING FREEZE TO BE WAIVED TO FILL DISTRICT COURT CLERK POSITION**

WM07/10-151

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the hiring freeze to be waived to fill District Court Clerk position #D15021, through the current posting procedures as set forth in the Teamsters Local 214 labor contract.

(Continued)

2007-517 **APPROVE THE HIRING FREEZE TO BE WAIVED TO FILL DISTRICT COURT CLERK POSITION**

Roll Call

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

Nays: None

**Motion Carried**

2007-518 **APPROVE THE MEETING DATE CHANGE OF THE NOVEMBER 1, 2007 WAYS & MEANS COMMITTEE MEETING TO NOVEMBER 6, 2007**

WM07/10-152

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the meeting date change of the November 1, 2007 Ways & Means Committee meeting to November 6, 2007.

Roll Call

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

Nays: Gill

**Motion Carried**

**CHAIR'S REPORT/COMMITTEE LIAISON REPORTS**

Chairman Derezinski noted the MAC Legislative Update of September 21, 2007 was included in the agenda packet.

2007-519 **ELECTION OF BOARD OF CANVASSERS**

Commissioners voted by ballot to fill two positions on the Board of Canvassers, one Republican and one Democrat. The highest number of votes resulted in election of Tom Higgins, Republican, and Linda Whalen, Democrat, to the Muskegon County Board of Canvassers to four-year terms beginning November 1, 2007, ending October 31, 2011.

Chairman Derezinski included the following communication items review by commissioners:

- C. McCormick Sand, Inc. Communication/Correspondence
- D. Appointment of Commissioner Bill Gill to the NACO Steering Committee
- E. Title Check, LLC Correspondence of 9/20/07

2007-520     **THAT THE COMMISSIONERS ASSIGNED TO THE VETERANS  
ADVISORY BOARD OFFICIALLY BE GIVEN ALL RIGHTS AND  
RESPONSIBILITIES TO VOTE**

The Chairman recommends, moved by Buzzell, seconded by Mahoney, that the commissioners assigned to the Veterans Advisory Board officially be given all rights and responsibilities to vote on all matters that come before the committee.

**Motion Carried**

**ADMINISTRATOR'S REPORT**

2007-521     **APPROVE THE RESOLUTION IN SUPPORT OF THE APPLICATION FOR  
PUBLIC ACT 511 CONTINUATION FUNDING**

The Administrator recommends, moved by Snider, seconded by Engle, to approve the resolution in support of the application for Public Act 511 continuation funding from the Michigan Department of Corrections, Office of Community Corrections for fiscal year ending September 30, 2008.

Roll Call

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

Nays: None

**Motion Carried**

Commissioner Gill reported on an incident at the Muskegon County Airport where a service man was not allowed to board his plane and directed to the Grand Rapids Airport.

**Old Business**

None.

**New Business**

2007-522     **SCHEDULE A BOARD WORK SESSION ON OCTOBER 23, 2007**

Moved by Aley, seconded by Mahoney, to schedule a Board Work Session on October 23, 2007, at 11:30 a.m..

**Motion Carried**

**Public Participation**

Jim McCormick addressed the Board regarding request to review invoices in order to place a bid. Mr. McCormick noted many positive things going on in the County.

A student was in attendance from Muskegon High School.

Adjourned at 4:30 p.m.

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Karen D Buie, County Clerk

KDB/jmp