

# *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 14, 2008**

**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 Aley.

### **Roll Call**

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

Excused: Snider

Absent: None

### 2008-491    **APPROVE AGENDA**

Moved by Engle, seconded by Wade, to approve the Agenda, adding update on search to Old Business.

**Motion Carried**

### 2008-492    **APPROVE MINUTES OF THE MEETINGS OF SEPTEMBER 23, 2008**

Moved by Engle, seconded by Collins, to approve the minutes of the Regular Meeting of September 23, 2008.

**Motion Carried**

### 2008-493    **COMMUNICATION**

Moved by Engle, seconded by Collins, to receive and place on file the following Communication: Lenawee County Resolution Re: PA 177.

**Motion Carried**

2008-494 **APPROVE THE MUSKEGON COUNTY CVB'S FISCAL YEAR 2009  
MARKETING PLAN/BUDGET**

CD/SP08/10-21

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to approve the Muskegon County CVB's Fiscal Year 2009 Marketing Plan/Budget as presented.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-495 **AUTHORIZE THE BOARD CHAIR TO EXECUTE THE CONTRACT WITH  
THE WHITE LAKE CHAMBER OF COMMERCE FOR FISCAL YEAR 2009**

CD/SP08/10-22

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to authorize the Board Chair to execute the contract with the White Lake Chamber of Commerce for Fiscal Year 2009 in the amount of \$78,500.00.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-496 **APPROVE AND PLACE ON FILE THE ZONING ORDINANCE  
AMENDMENT AS SUBMITTED BY WHITE RIVER TOWNSHIP**

CD/SP08/10-23

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to approve and place on file the zoning ordinance amendment "An Ordinance to Amend Sections 3.17 and 5.19 of the White River Township Zoning Ordinance, as amended, and to add a new and additional section 5.20, as submitted by White River Township on August 27, 2008.

Roll Call

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

Nays: Aley

**Motion Carried**

2008-497 **AUTHORIZE STAFF TO ADVERTISE FOR QUALIFIED CANDIDATES TO  
FILL THE CONTRACT POSITION OF PATTERSON PARK CARETAKER**

CD/SP08/10-24

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to authorize staff to advertise for qualified candidates to fill the contract position of Patterson Park caretaker, to interview the candidates and to bring back to the Board a recommendation for the position.

Roll Call

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

Nays: None

**Motion Carried**

2008-498 **ENDORSE A RESOLUTION OF SUPPORT TO THE MUSKEGON COUNTY  
MUSEUM TO CONTINUE TO MOVE FORWARD WITH THE  
SESQUICENTENNIAL EVENT PLANNING**

CD/SP08/10-25

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to endorse a Resolution of Support to the Muskegon County Museum to continue to move forward with the Sesquicentennial Event Planning.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-499 **ENDORSE A RESOLUTION OF SUPPORT TO THE MUSKEGON COUNTY  
MUSEUM TO CONTINUE TO MOVE FORWARD WITH THE HILTS  
LANDING - MICHIGAN'S HERITAGE PARK PROJECT**

CD/SP08/10-26

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Collins, to endorse a Resolution of Support to the Muskegon County Museum to continue to move forward with the Hilts Landing - Michigan's Heritage Park project.

Roll Call

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

Nays: Gill

**Motion Carried**

2008-500 **WAIVE THE HIRING FREEZE AND ALLOW THE SHERIFF'S OFFICE TO  
FILL THE VACANT ACCOUNT CLERK II**

CPS08/10-57

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to waive the hiring freeze and allow the Sheriff's Office to fill the vacant Account Clerk II position #G02011.

Roll Call

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

Nays: None

**Motion Carried**

2008-501 **AUTHORIZE THE SHERIFF'S OFFICE TO BEGIN WITH THE COUNTY'S  
BID PROCESS FOR FOUR 2009 FORD CROWN VIC POLICE VEHICLES**

CPS08/10-58

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to authorize the Sheriff's Office to begin with the County's bid process for four 2009 Ford Crown Vic police vehicles.

Roll Call

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

Nays: None

**Motion Carried**

2008-502 **ENTER INTO AN ADVANCED FUNDING AGREEMENT WITH OTTAWA  
AND ALLEGAN COUNTIES TO ADVANCE WEMET UP TO \$200,000 TO  
COVER OPERATIONAL COSTS**

CPS08/10-59

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to enter into an Advanced Funding Agreement with Ottawa and Allegan counties to advance WEMET up to \$200,000 to cover operational costs to be paid back by forfeiture income as it becomes available and to fund 1/3 of any shortfalls resulting from forfeitures not covering the amount advanced or for lost investment income resulting from the advance.

Roll Call

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

Nays: None

**Motion Carried**

2008-503 **AUTHORIZE THE CIRCUIT COURT - FAMILY DIVISION TO SEEK BIDS ON THE PURCHASE OF TWO NEW FULL SIZE AUTOMOBILES**

CPS08/10-60

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to authorize the Circuit Court - Family Division to seek bids on the purchase of two new full size automobiles.

Roll Call

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

Nays: None

**Motion Carried**

2008-504 **AUTHORIZE THE PROSECUTOR TO APPLY FOR THE PROJECT SAFE NEIGHBORHOODS GRANT**

CPS08/10-61

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to authorize the Prosecutor to apply for the Project Safe Neighborhoods grant from the United States Department of Justice in the amount of \$11,916, for the purpose of reducing gun crimes in Muskegon County.

Roll Call

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

Nays: None

**Motion Carried**

2008-505 **APPROVE THE EXTENSION OF THE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON, COMMUNITY CORRECTIONS, JUVENILE DETENTION CENTER AND WHITEHALL PUBLIC SCHOOLS**

CPS08/10-62

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to approve the extension of the Agreement between the County of Muskegon, Community Corrections, Juvenile Detention Center and Whitehall Public Schools to provide for the delivery of educational services to juvenile detainees residing at the Muskegon County Juvenile Detention Center for the 2008-2009 school year.

Roll Call

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

Nays: None

**Motion Carried**

2008-506 **MOVE THE COURTS/PUBLIC SAFETY COMMITTEE MEETING FROM  
NOVEMBER 4, 2008, TO NOVEMBER 6, 2008**

CPS08/10-63

The Courts and Public Safety Committee recommends, moved by Aley, seconded by Engle, to move the Courts/Public Safety Committee meeting from November 4, 2008, to November 6, 2008, 3:30 p.m., Hall of Justice, 4<sup>th</sup> Floor, 990 Terrace Street, Muskegon, MI.

Roll Call

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

Nays: None

**Motion Carried**

2008-507 **AUTHORIZE THE PUBLIC HEALTH DIRECTOR TO SIGN THE  
AGREEMENT WITH THE MICHIGAN DEPARTMENT OF  
ENVIRONMENTAL QUALITY**

HR08/10-73

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Public Health Director to sign the agreement with the Michigan Department of Environmental Quality for the rendering of technical services effective from October 1, 2008, to September 30, 2009, with no effect on County General Funds.

Roll Call

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

Nays: None

**Motion Carried**

2008-508 **AUTHORIZE PUBLIC HEALTH TO COMMENCE BID PROCESS FOR  
PURCHASING THREE VEHICLES**

HR08/10-74

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Public Health, with assistance of Purchasing, to commence bid process for the purpose of purchasing three vehicles for the Environmental Health, Food Service and Vector Control Programs, and to include compressed natural gas alternative vehicles to the bid specifications.

Roll Call

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

Nays: None

**Motion Carried**

2008-509 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MEDICAID MANAGED SPECIALTY SUPPORTS AND SERVICES**

HR08/10-75

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign the contract with the Michigan Department of Community Health for Medicaid Managed Specialty Supports and Services, effective October 1, 2008, through September 30, 2009.

Roll Call

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

Nays: None

**Motion Carried**

2008-510 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN THE CONTRACT WITH THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR MANAGED MENTAL HEALTH SUPPORTS AND SERVICES**

HR08/10-76

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign the contract with the Michigan Department of Community Health for Managed Mental Health Supports and Services, effective October 1, 2008, through September 30, 2009.

Roll Call

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

Nays: None

**Motion Carried**

2008-511 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN CONTRACTS ACCEPTING THE PROPOSED RATE CHANGES BY THOSE VENDORS/PROVIDERS**

HR08/10-77

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign contracts accepting the proposed rate changes by those vendors/providers listed in FY 2008/2009 Proposed Vendor Rate Changes, effective October 1, 2008 through September 30, 2009.

(Continued)

2008-511 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN CONTRACTS ACCEPTING THE PROPOSED RATE CHANGES BY THOSE VENDORS/PROVIDERS**

Roll Call

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

Nays: None

**Motion Carried**

2008-512 **AUTHORIZE COMMUNITY MENTAL HEALTH SERVICES OF MUSKEGON COUNTY TO APPROVE THE EXTENSION OF FISCAL YEAR 2007/2008 VENDOR/PROVIDER CONTRACTS**

HR08/10-78

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Community Mental Health Services of Muskegon County to approve the extension of Fiscal Year 2007/2008 vendor/provider contracts for up to 90 days for those vendors/providers who have not completed Fiscal Year 2008/2009 rate negotiations or submitted network re-applications.

Roll Call

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

Nays: None

**Motion Carried**

2008-513 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN CONTRACTS WITH THOSE SERVICE VENDORS/PROVIDERS WHO HAVE SUBMITTED WRITTEN AGREEMENTS TO CONTINUE SERVICE**

HR08/10-79

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize the Community Mental Health Director to sign contracts with those service vendors/providers who have submitted written agreements to continue service provision at the current Fiscal Year 2007/2008 rates for the time period effective October 1 2008, through September 30, 2009.

Roll Call

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

Nays: None

**Motion Carried**



2008-514 **AUTHORIZE LAKESHORE OFFICE FURNITURE TO MOVE COMMUNITY MENTAL HEALTH YOUTH SERVICES/HOME BASED SERVICES PROGRAM AND SUPPORT STAFF FROM SOUTH CAMPUS BLDG. C TO 1611 OAK STREET**

HR08/10-80

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to authorize Lakeshore Office Furniture to move Community Mental Health Youth Services/Home Based Services program and support staff from South Campus Bldg. C to 1611 Oak Street, Muskegon, MI 49442, at a cost not to exceed \$21,012.50.

Roll Call

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

Nays: None

**Motion Carried**

2008-515 **APPROVE ESTABLISHING A POSITION AND CLASSIFICATION FOR WRAP-AROUND COORDINATOR**

HR08/10-81

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to approve establishing a position and classification for Wrap-Around Coordinator with a salary grade of NX00210 (\$19.416-\$24.565/hr) in the Community Mental Health Youth Services program to be funded by the Michigan Department of Community Health Block Grant.

Roll Call

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

Nays: None

**Motion Carried**

2008-516 **MOVE THE HUMAN RESOURCES COMMITTEE MEETING FROM NOVEMBER 4, 2008, TO NOVEMBER 6, 2008**

HR08/10-82

The Human Resources Committee recommends, moved by Buzzell, seconded by Collins, to move the Human Resources Committee meeting from November 4, 2008, to November 6, 2008, 3:30 p.m. Hall of Justice, 4<sup>th</sup> Floor, 990 Terrace Street, Muskegon, MI.

Roll Call

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

Nays: None

**Motion Carried**

2008-517 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF SEPTEMBER 10, THROUGH 26, 2008**

WM08/10-153

The Ways and Means Committee recommends, moved by Aley, seconded by Buzzell, to approve payment of the accounts payable of \$10,939,450.06 covering the period of September 10, 2008 through September 26, 2008, as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2008-518 **ACCEPT THE GRANT FOR FUNDING UNDER THE EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM**

WM08/10-154

The Ways and Means Committee recommends, moved by Aley, seconded by Buzzell, to accept the grant for funding under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program in the amount of \$16,776.00 to purchase tasers and to authorize the Chairman of the County Board of Commissioners to sign the Inter-Local Agreement between the City of Muskegon and Muskegon County as previously amended to include the clause "which will be used by the Muskegon County Sheriff Department for law enforcement activities".

Roll Call

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

Nays: None

**Motion Carried**

2008-519 **AUTHORIZE STAFF TO IMPLEMENT A GYPSY MOTH SUPPRESSION PROGRAM FOR 2009**

WM08/10-155

The Ways and Means Committee recommends, moved by Aley, seconded by Buzzell, to authorize staff to implement a Gypsy Moth suppression program for 2009 and to develop a fee schedule such that all costs are covered by participating Local Units and/or the State of Michigan and that an up front fee of \$300.00 per participating Local Unit be charged to cover the front end costs of field work, mapping and administration and that the program be administered to the State of Michigan, Department of Agriculture requirements in order to qualify for maximum possible cost recovery.

Roll Call

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

Nays: None

**Motion Carried**

2008-520 **APPROVE A \$3,500 CONTRIBUTION TO THE MUSKEGON AREA  
LABOR-MANAGEMENT COMMITTEE**

WM08/10-156

The Ways and Means Committee recommends, moved by Aley, seconded by Buzzell, to approve a \$3,500 contribution to the Muskegon Area Labor-Management Committee to assist with the Tribute to Industry and Labor Dinner (to be paid from the Miscellaneous Contingency budget; 1010-0941-959020).

Roll Call

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

Nays: None

**Motion Carried**

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

Chairman Derezinski noted the MAC Legislative Updates of September 19<sup>th</sup> and 26<sup>th</sup>, and October 3<sup>rd</sup>, 2008 were included in agenda packets.

The Corporate Counsel Legal Opinion 2008-037 regarding Muskegon County Building Authority Commission Membership was also included in agenda packets. Discussion ensued noting Jack Niemiec did resign from the County Building Authority Commission.

2008-521 **APPOINT JAMES ELWELL TO THE MUSKEGON COUNTY BUILDING  
AUTHORITY AND TO THE FOREIGN TRADE ZONE**

The Chairman recommends, moved by Gill, seconded by McMurray, to appoint James Elwell to the Muskegon County Building Authority (term expiration 6/30/09) and to the Foreign Trade Zone (term expiration 6/30/09).

Roll Call

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

Nays: None

**Motion Carried**

**ADMINISTRATOR'S REPORT**

None.

### Old Business

Commissioner Mahoney noted six quotes have been received for consideration for a search committee for the County Administrator position.

Chairman Derezinski reminded Commissioners of the work session scheduled for Wednesday, October 15, 2008.

Commissioner Buzzell and Mahoney noted continuing concerns of constituents in their area regarding Arialink Broadband. Sheriff Roesler noted Deputies have reported problems with Arialink communication when patrolling certain areas. It was further noted that where Arialink works, people love it. It just seems hit and miss where one house gets it and their neighbor cannot.

### New Business

2008-522 **CANCEL THE OCTOBER 16, 2008 COMMUNITY DEVELOPMENT/STRATEGIC PLANNING COMMITTEE MEETING**

Moved by Scolnik, seconded by Engle, to cancel the October 16, 2008, Community Development/Strategic Planning Committee meeting.

**Motion Carried**

### Public Participation

Brian Chapman addressed the Board regarding the upcoming Sesquicentennial and his part with it. Discussion ensued referring the issue both to Administrator Elwell to contact former Administrator Niemiec to determine what had been discussed and agreed to in the past and also to the Community Development/Strategic Planning Committee for future planning while keeping in contact with Mr. Chapman.

Meeting adjourned at 4:14 p.m.

KDB/jmp

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Karen D. Buie, County Clerk