

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

December 18, 2007
4:11 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 Snider.

Roll Call

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

Excused: Engle

Absent: None

2007-626 **APPROVE AGENDA**

Moved by Wade, seconded by Buzzell, to approve the Agenda .

Motion Carried

2007-627 **APPROVE MINUTES OF THE REGULAR MEETING OF DECEMBER 11, 2007**

Moved by Aley, seconded by Collins, to approve the minutes of the Regular Meeting of December 11, 2007.

Motion Carried

2007-628 **PRESENTATION - TRIBUTE TO 2007 DIVISION 4 STATE CHAMPION WESTERN MICHIGAN CHRISTIAN SOCCER TEAM**

Commissioner Scolnik presented a resolution to Assistant Athletic Director, Fred Vanderbrand, in recognition of State Championship.

2007-629 **ADOPT THE RESOLUTION CONCERNING ROAD COMMISSIONERS' SALARIES AND FRINGE BENEFITS**

CD/SP07/12-27

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, to adopt the Resolution concerning Road Commissioners' salaries and fringe benefits.

Roll Call

Ayes: Aley, Buzzell, Derezinski, McMurray, Scolnik, Snider

Nays: Collins, Gill, Mahoney, Wade

Motion Carried

2007-630 **APPROVE THE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND MUSKEGON AREA FIRST**

CD/SP07/12-28

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, approve the Agreement between the County of Muskegon and Muskegon Area First for the period of October 1, 2007 through September 30, 2008 and to authorize the Board Chair to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2007-631 **ADOPT A RESOLUTION IN SUPPORT OF LAND CONSERVANCY**

CD/SP07/12-29

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Snider, to adopt a Resolution in support of Land Conservancy of West Michigan's acquisition of Mierendorf property.

Roll Call

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

Nays: Gill

Motion Carried

2007-632 **APPROVE THE MUSKEGON AREA TRANSIT SYSTEM'S FTA DRUG AND ALCOHOL TESTING PROGRAM AND POLICY**

TR07/12-36

The Transportation Committee recommends, moved by Wade, seconded by Collins, to approve the Muskegon Area Transit System's FTA Drug and Alcohol Testing Program and Policy, dated October 2007.

Roll Call

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

Nays: Gill

Motion Carried

2007-633 **AUTHORIZE THE COUNTY TO SUBMIT A LETTER OF SUPPORT TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION FOR THE PROPOSED EXIT/ENTRY OPTION AT I96 AND STERNBERG ROAD**

TR07/12-37

The Transportation Committee recommends, moved by Wade, seconded by Collins, to authorize the County to submit a letter of support to the Michigan Department of Transportation for the proposed exit/entry option at I96 and Sternberg Road and to authorize the Chairman to sign the letter.

Roll Call

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

Nays: Gill

Motion Carried

2007-634 **APPROVE THE EXTENSION OF THREE (3) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR07/12-38

The Transportation Committee recommends, moved by Wade, seconded by Collins, to approve the extension of three (3) T-Hangar Lease Agreements at Muskegon County Airport expiring in the first quarter of 2008 as follows: Frank VanKempen, \$160/month; James Radowski, \$180/month; and Matt Koppel, \$170/month.

Roll Call

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

Nays: None

Motion Carried

2007-645 **APPROVE AMENDMENT NO. 3 IN THE AMOUNT OF \$69,000 TO THE AGREEMENT FOR PROFESSIONAL ENGINEERING SERVICES BETWEEN THE COUNTY AND PREIN & NEWHOF**

TR07/12-39

The Transportation Committee recommends, moved by Wade, seconded by Collins, to approve Amendment No. 3 in the amount of \$69,000 to the Agreement for Professional Engineering Services between the County and Prein & Newhof for design services related to the airport's runway 14/32 shift and extension project, of which the County's share will be 2.5%, or \$1,725.

Roll Call

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

Nays: Gill

Motion Carried

2007-646 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF COVERING THE PERIOD OF NOVEMBER 28, 2007 THROUGH DECEMBER 11, 2007**

WM07/12-189

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve payment of the accounts payable of \$6,032,614.21 covering the period of November 28, 2007 through December 11, 2007, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2007-647 **APPROVE THE CONTRACT WITH WILLIAMS, HUGHES & COOK, PLLC, FOR LEGAL SERVICES**

WM07/12-190

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the contract with Williams, Hughes & Cook, PLLC, for legal services for the period of January 1, 2008 through December 31, 2008.

Roll Call

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

Nays: None

Motion Carried

2007-648 **APPROVE THE CHANGE ORDERS AND ADDITIONAL PROJECT COSTS FOR THE MICHAEL E. KOBZA HALL OF JUSTICE 4TH FLOOR REMODELING PROJECT**

WM07/12-191

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Change Orders and additional project costs of \$399,113.98 for the Michael E. Kobza Hall of Justice 4th Floor Remodeling Project as identified on the Summary of Remodeling Costs reports, for a new project total of \$1,568,913.38.

Roll Call

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

Nays: None

Motion Carried

2007-649 **AUTHORIZE TOWER PINKSTER TITUS TO DEVELOP ARCHITECTURAL DESIGN AND BID SPECIFICATIONS FOR A NEW COMMUNITY MENTAL HEALTH FACILITY AND RENOVATIONS TO THE JOHN HALMOND CENTER**

WM07/12-192

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize Tower Pinkster Titus to develop architectural design and bid specifications for a new Community Mental Health facility and renovations to the John Halmond Center at a cost not to exceed \$315,000 and to authorize the Board Chair to sign the agreement.

Roll Call

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

Nays: None

Motion Carried

2007-650 **ADOPT POLICY GRANTING THE ADMINISTRATOR LIMITED SPENDING AUTHORITY**

WM07/12-193

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to adopt the Policy granting the Administrator limited spending authority.

Roll Call

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

Nays: Gill

Motion Carried

2007-651 **REIMBURSE THE MUSKEGON AREA DISTRICT LIBRARY FOR THE ACCRUED, BUT UNUSED, SICK AND ANNUAL LEAVE BENEFIT**

WM07/12-194

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to reimburse the Muskegon Area District Library in the amount of \$66,358.54 for the accrued, but unused, sick and annual leave benefit payout made to Karla Bates and that the Chairman be authorized to execute the Settlement Agreement.

Roll Call

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

Nays: None

Motion Carried

2007-652 **AUTHORIZE THE ADMINISTRATOR TO SIGN THE 2008 STATE SURVEY AND REMONUMENTATION PROGRAM GRANT APPLICATION**

WM07/12-195

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize the Administrator to sign the 2008 State Survey and Remonumentation Program Grant application and submit it to the state for a grant in the amount of \$99,823 with a local match requirement of \$8,000.00.

Roll Call

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

Nays: None

Motion Carried

2007-653 **ADOPT THE ADMINISTRATIVE SETTLEMENT AUTHORITY**

WM07/12-196

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to adopt the Administrative Settlement Authority.

Roll Call

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

Nays: Gill

Motion Carried

2007-654 **APPROVE THE JOINT REQUESTS TO TRANSFER MERS ASSETS AND LIABILITIES AND FUNDS BE TRANSFERRED FROM THE COUNTY OF MUSKEGON TO THE MUSKEGON AREA DISTRICT LIBRARY**

WM07/12-197

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the Joint Requests to Transfer all MERS Assets and Liabilities and funds be transferred from the County of Muskegon to the Muskegon Area District Library for four (4) bargaining employees of MERS Division 10 in the amount of \$93,541 and eight (8) non-bargaining employees from MERS Division 11 in the amount of \$615,357. Further, authorize the Board Chair to sign the joint agreements.

Roll Call

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

Nays: None

Motion Carried

2007-655 **AUTHORIZE TRANSFER OF MERS RETIREE HEALTH CARE PLAN TRUST FUND ASSETS FROM THE COUNTY OF MUSKEGON RETIREE HEALTH CARE PLAN TRUST FUND TO THE MUSKEGON AREA DISTRICT LIBRARY RETIREE HEALTH CARE PLAN TRUST FUND**

WM07/12-198

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize the transfer of MERS retiree health care plan trust fund assets from the County of Muskegon retiree health care plan trust fund to the Muskegon Area District Library retiree health care plan trust fund in the amount of \$99,749. Further, authorize the Board Chair to sign the agreement to transfer the assets.

Roll Call

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

Nays: None

Motion Carried

2007-656 **AUTHORIZE PUBLIC FACILITIES TO SEEK REQUEST FOR PROPOSALS FOR FURNITURE**

WM07/12-199

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize Public Facilities to seek Request for Proposals for furniture for all County facilities.

Roll Call

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

Nays: None

Motion Carried

2007-657 **APPROVE THE HIRING FREEZE BE WAIVED TO FILL DISTRICT COURT
CLERK POSITION #D15001**

WM07/12-200

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve the hiring freeze be waived to fill District Court Clerk position #D15001, through the current posting procedures as set forth in the Teamsters Local 214 labor contract.

Roll Call

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

Nays: None

Motion Carried

2007-658 **APPROVE DMC CONSULTING, INC. TO CREATE A SOFTWARE
PROGRAM FOR THE DISTRICT COURT**

WM07/12-201

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to approve DMC Consulting, Inc., to create a software program for the District Court which will interface with JIS to enhance the court calendaring system, collections, and check writing functions of the court at a cost of \$76,824 to be charged to the Equipment Revolving Loan Fund and charged back to the District Court over five years.

Roll Call

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

Nays: None

Motion Carried

2007-659 **AUTHORIZE BROOKHAVEN MEDICAL CARE FACILITY TO CONTRACT
WITH TRINITY HEALTH-MICHIGAN**

WM07/12-202

The Ways and Means Committee recommends, moved by Aley, seconded by Collins, to authorize Brookhaven Medical Care Facility to contract with Trinity Health-Michigan for the provision of pharmaceutical services.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

MAC Legislative Update of December 7, 2007 included in agenda packets.

Commissioner Scolnik reminded Commissioners of the MAC Conference February 10 - 12, 2008.

Chairman Derezinski thanks Commissioner Scolnik for hosting the Commissioner's Christmas dinner.

ADMINISTRATOR'S REPORT

Jack Niemiec wished Board Members a Merry Christmas and Happy New Year and thanked all County staff for efforts during 2007 and look forward to working with everyone in the coming year.

Old Business

Commissioner Aley noted the Communications item on Ways and Means was overlooked; the Corporate Counsel performance evaluation is due January 3, 2008.

Commissioner Aley thanked supporters on Senate Bills 410 and 411.
None.

New Business

None.

Public Participation

None.

Adjourned at 4:33 p.m.

KDB/jmp

Karen D. Buie, County Clerk