

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

Tuesday, December 19, 2013
4:55 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, Terry Sabo, Robert Scolnik, Rillastine Wilkins

Absent: None

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

2013-489 **APPROVAL OF THE AGENDA**

Moved by Commissioner Cross, seconded by Commissioner Hughes, to approve the agenda, with the following changes under the Chairman's Report: (1) to adopt a resolution for Rev. Don and Grace Mathews, retired pastor from First Presbyterian Church, for their many years of service to our community; (2) adopt a resolution honoring the Muskegon Catholic Central's football team for their state championship; and (3) adopt a tribute to Dr. Grasman for his 46 years of service to our community and to Brookhaven.

Voice vote

Motion Carried

2013-490 **APPROVE THE FULL BOARD MINUTES OF TUESDAY, DECEMBER 10, 2013**

Moved by Commissioner Engle, seconded by Commissioner Cross, to approve the Full Board Minutes of Tuesday, December 10, 2013, with a change to Chairman Mahoney's comment under Public Comment, on a non-agenda item, regarding..."Granger was hired and that we should not meddle" to "Granger was hired and we should not micromanage".

Voice vote

Motion Carried

PUBLIC COMMENT (on an agenda item)

Mr. Paul Billings addressed the Board of Commissioners regarding District Court opting out of the new public defender plan, and the consequences that indigent clients may suffer.

Judge Andrew Wierengo, District Court Judge, addressed the Board of Commissioners. He stated that everyone is focusing on the indigent client, but that there are differing opinions.

Chairman Mahoney stated that the Public Defender Department will do what is best for indigent clients.

COMMITTEE/BOARD REPORTS

Commissioner Scolnik stated that the Community Development and Strategic Planning Committee met on Thursday, December 19, 2013 and there are no actions.

2013-491 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,598,780.58 COVERING THE PERIOD OF NOVEMBER 28, 2013 THROUGH DECEMBER 10, 2013 AS PRESENTED BY THE COUNTY CLERK**

WM13/12 – 139

The Ways & Means Committee recommends, moved by Derezsinski, seconded by Sabo, to approve payment of the accounts payable of \$3,598,780.58 covering the period of November 28, 2013 through December 10, 2013 as presented by the County Clerk.

Roll Call

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

No: None

Motion Carried

2013-492 **APPROVE PROVIDING \$155,250 IN A SEPARATE APPROPRIATION UNDER ADMINISTRATION FOR DISTRICT COURT INDIGENT CRIMINAL DEFENSE SERVICES FOR THE REMAINDER OF FY2014 AND WAIVE THE COUNTY BOARD'S CONTRACT AUTHORIZATION POLICY**

WM13/12 – 140

The Ways & Means Committee recommends, moved by Derezsinski, seconded by Sabo, to approve providing \$155,250 in a separate appropriation under Administration for District Court indigent criminal defense services for the remainder of FY2014 and waive the County Board's contract authorization policy.

2013-493 **MOVED BY COMMISSIONER NASH, SECONDED BY COMMISSIONER CROSS TO SUSPEND THE RULES TO ALLOW FRED JOHNSON, JR., CHIEF PUBLIC DEFENDER, TO SPEAK.**

Voice vote.

Motion Carried

Discussion followed on 2013-492.

Fred Johnson, Jr., Chief Public Defender, answered questions from the Board concerning the communications with the district court judges.

Commissioner Derezinski stated that County's agreement with the District Court would last only through the end of this fiscal year on September 30, 2014.

Commissioner Hughes expressed concern that the Board of Commissioners was not made aware of problems in working with the district court judges earlier.

Administrator Hammersley stated that she took full responsibility for the problems with working with the district court judges. Administrator Hammersley said that in sitting through the meetings she felt that they were working through the problems with district court.

Commissioner Engle expressed the fact that the Board needed to follow the laws and that the Board needed to take the appropriate action.

Commissioner Derezinski stated that everyone knew it was going to be a rocky road and that this is just a bump in the road.

Commissioner Nash expressed concerns that the Board should stop playing politics with peoples' lives. He stated that there is now a new law on the books which we should follow. Commissioner Nash stated that it is not about the judges, it is about the people.

Commissioner Sabo agreed that this is just a bump, but that we need to correct the deficiencies. Commissioner Sabo wanted to remove some language that had been presented in the summary at the Ways and Means Committee Meeting on Tuesday, December 17, 2013.

County Clerk Nancy A. Waters read the motion on the floor to the Commissioners.

Chairman Mahoney said that we all have the indigent clients in mind. He further stated that this District Court issue will be non-functional when the new law from Michigan Indigent Defense Commission goes into effect.

Administrator Hammersley shared that the MIDC was put together two years ago to form the guidelines which the County is now trying to follow.

Roll Call on 2013-492

Yes: James Derezinski, Marvin Engle, Susie Hughes,
Terry Sabo, Robert Scolnik, Rillastine Wilkins, Kenneth Mahoney

No: Benjamin Cross, Charles Nash; Rillastine Wilkins

Motion Carried

2013-494

APPROVE 60TH DISTRICT COURT ACCEPT THE BID FROM DMC CONSULTING, INC., IN THE AMOUNT OF \$37,875.00 TO PURCHASE THE IBMI7 720 SERIES SERVER TO BE PAID FROM DISTRICT COURT, EQUIPMENT REPAIR AND MAINTENANCE 1010-0136-936.000 AS DETAILED IN RFP 14-2102

WM13/12 – 142

The Ways & Means Committee recommends, moved by Derezinski, seconded by Sabo, to approve 60th District Court accept the bid from DMC Consulting, Inc., in the amount of \$37,875.00 to purchase the IBMi7 720 series server to be paid from District Court, Equipment Repair and Maintenance 1010-0136-936.000 as detailed in RFP 14-2102.

Roll Call

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

No: None

Motion Carried

2013-495

EXEMPT THE CLASSIFICATION OF MID-LEVEL MEDICAL PRACTITIONER FROM THE MUSKEGON COUNTY PERSONNEL RULES

WM13/12 – 143

The Ways & Means Committee recommends, moved by Derezinski, seconded by Sabo, to exempt the classification of Mid-Level Medical Practitioner from the Muskegon County Personnel Rules.

Roll Call

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

No: None

Motion Carried

2013-496

APPROVE THE PARKS TO PURCHASE THE REC-TRAC PARKS RESERVATION SOFTWARE AND AN ADDITIONAL 8 SITE LICENSES FROM VERMONT SYSTEMS FOR A TOTAL COST OF \$30,806, BEING PAID FROM PARKS FUND 2080-0691

WM13/12 – 144

The Ways & Means Committee recommends, moved by Derezinski, seconded by Sabo, to approve the Parks to purchase the Rec-Trac parks reservation software and an additional 8 site licenses from Vermont Systems for a total cost of \$30,806, being paid from Parks Fund 2080-0691.

Roll Call

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

No: None

Motion Carried

2013-497 **ACCEPT THE RECOMMENDATION OF CORPORATE COUNSEL TO SETTLE
THE PENDING WORKERS' COMPENSATION DISABILITY CLAIM OF
BRANDI WALKER**

WM13/12 – 145

Moved by Chairman Mahoney, supported by Commissioner Cross, to accept the recommendation of Corporate Counsel to settle the pending workers' compensation disability claim of Brandi Walker.

Roll Call

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

No: None

Motion Carried

Commissioner Scolnik apologized for not being at the Ways & Means Committee on December 17. Commissioner Scolnik shared that he suffered a Palm Pilot glitch and for some reason it showed that the meeting had been cancelled. Mr. Heath Kaplan was working on correcting the problem.

CHAIRMAN'S REPORT/COMMITTEE LIAISON REPORTS

2013-498 **CHAIRMAN MAHONEY RECOMMENDS, MOVED BY COMMISSIONER
HUGHES, SECONDED BY COMMISSIONER CROSS TO MAKE THE
FOLLOWING APPOINTMENTS:**

- Foreign Trade Zone; Bonnie Hammersley; Expiration 12/31/15
- Accommodations Tax Advisory Committee (ATAC); Expiration 12/31/15
Joni Dorsett (Amusement/Attraction)
Jim Rudicil (Sports/Recreation)
Len Piasecki (Sports/Recreation)
Kevin Newton (Festivals/Events)
Susan Simonson (Hotels/Motels)
- MSU Extension Council; Expiration 12/31/16
Andy Mikula (Public)
- Museum Board; Expiration 12/31/16
Sabina Freeman
- Public Works Ex-Officio; Expiration 12/31/15
Kim Arter

Voice vote.

Motion Carried

2013-499 **MOVED BY COMMISSIONER SCOLNIK, SECONDED BY COMMISSIONER CROSS, TO APPROVE A TRIBUTE HONORING DR. GRASMAN FOR HIS 46 YEARS OF SERVICE. DR. GRASMAN WILL BE HONORED AT A LUNCHEON POTLUCK AT BROOKHAVEN ON MONDAY, DECEMBER 30, 2013.**

Voice vote.

Motion Carried

2013-500 **MOVED BY COMMISSIONER DEREZINSKI, SECONDED BY COMMISSIONER CROSS, TO APPROVE A RESOLUTION CONGRATULATING THE MUSKEGON CATHOLIC CENTRAL FOOTBALL TEAM FOR THEIR STATE CHAMPIONSHIP.**

Voice vote.

Motion Carried

2013-501 **MOVED BY COMMISSIONER WILKINS, SECONDED BY COMMISSIONER CROSS, TO APPROVE A RESOLUTION HONORING REV. DON AND GRACE MATTHEWS FOR ALL THEIR WORK IN THE COMMUNITY. THIS WILL BE DELIVERED ON SUNDAY, JANUARY 19, 2014, AT THE PRESBYTERIAN CHURCH.**

Voice vote.

Motion Carried

Commissioner Nash explained his abstention vote on the appointments which Chairman Mahoney has recommended. Commissioner Nash shared that he did not have enough information regarding the individuals.

ADMINISTRATOR'S REPORT

2013-502 **SUPPORT THE JAIL AND JUVENILE TRANSITION CENTER (JJTCC) RECOMMENDATION TO NAME THE NEW FACILITY THE "MUSKEGON COUNTY PUBLIC SAFETY BUILDING.**

The Administrator recommends, moved by Commissioner Nash, seconded by Commissioner Wilkins, to support the Jail and Juvenile Transition Center Committee (JJTCC) recommendation to name the new jail facility the "Muskegon County Public Safety Building".

Discussion followed.

Commission Engle stated no matter what it will always be called the jail.

Commissioner Cross said when he thought of public safety he thought of the police and fire department.

Commissioner Derezinski stated that the Sheriff's first duty is to run the jail.

Commissioner Hughes stated that she also thought of public safety as those who come to help in a time of crises, like the police and fire departments.

Commissioner Sabo said that he was getting a lot of the same feedback from those who work in the public safety field.

Commissioner Hughes said that the building should be called the Muskegon County Sheriff Department and Jail.

Sheriff Dean Roesler addressed the Board stating that his choice was Muskegon County Jail.

Roll Call on 2013-502

Yes: Rillastine Wilkins

No: Benjamin Cross, James Derezinski, Marvin Engle, Susie Hughes, Terry Sabo,
Robert Scolnik, Chairman Mahoney

Abstained: Charles Nash

Motion Defeated

2013-503 **MOVED BY COMMISSIONER DEREZINSKI, SECONDED BY COMMISSIONER CROSS, TO NAME THE NEW JAIL BUILDING THE "MUSKEGON COUNTY JAIL".**

Voice vote.

Motion Carried

OLD BUSINESS

None

NEW BUSINESS

None

PUBLIC COMMENT

None

ADJOURN

2013-504 **MOVED BY COMMISSIONER SABO, SECONDED BY COMMISSIONER ENGLE, TO ADJOURN**

Voice vote

Motion Carried

Meeting adjourned at 5:56 p.m.

Nancy A. Waters
County Clerk

mlw