

M u s k e g o n C o u n t y

Board of Commissioners

*Paul T. Baade, Chairman
Douglas Bennett
Charles Buzzell
James Derezinski
Marvin Engle
Louis A. McMurray*

*Bill Gill, Vice-Chairman
Robert Scolnik
I. John Snider
Nancy A. Waters
Stephen Wisniewski*

Board Minutes may be found on the web at <http://co.muskegon.mi.us/clerk>

Regular Meeting

**February 24, 2004
3:30 P.M.**

Chairman Paul Baade, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Baade. The pledge of Allegiance was recited in unison followed by the invocation given by Karen Buie, County Clerk.

Roll Call

Present: Baade, Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski

Excused: Derezinski, Gill, Scolnik, Snider

Absent: None

2004-68 **APPROVAL OF MINUTES OF FEBRUARY 12, 2004**

Moved by Bennett, supported by McMurray, to approve the minutes of the Regular Meeting of February 12, 2004.

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-69 **COMMUNICATIONS**

Moved by Buzzell, supported by Engle, to receive and place on file the following Communications:

- A. Industrial Facilities Exemption Certificate - Re-Source Industries
- B. Department of Transportation - MI Travel Counts
- C. Wastewater - Industrial Pre-Treatment Fines for 2003
- D. Benefit Control Methods - National Prescription Health Plan

Motion Carried

2004-70 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JANUARY 28, THROUGH FEBRUARY 10, 2004**

WM04/2-8

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to approve payment of the accounts payable of \$4,554,851.32 covering the period of January 28, 2004 through February 10, 2004, as presented by the County Clerk.

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-71 **ACCEPT AND PLACE ON FILE THE COST ALLOCATION PLAN**

WM04/2-9

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to accept and place on file the Cost Allocation Plan for the fiscal year ended September 30, 2003.

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-72 **EXEMPT DEFINED GROUPS FROM INTEREST AND ADMINISTRATION FEES IN EXCESS OF THE 1% CHARGED BY THE LOCAL UNITS**

WM04/2-10

The Ways and Means Committee recommends, moved by Waters, supported by Engle, that senior citizens, paraplegics, quadriplegics, eligible service veterans and service persons, eligible widows and widowers of service veterans, the permanently disabled and the blind be exempt from interest and administration fees in excess of the one percent charged by the local units through April 30, 2004 on their current property tax bills as permitted by law.

(continued)

2004-72 **EXEMPT DEFINED GROUPS FROM INTEREST AND ADMINISTRATION
FEES IN EXCESS OF THE 1% CHARGED BY THE LOCAL UNITS**

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-73 **ADOPT THE RESOLUTION AUTHORIZING THE COUNTY OF
MUSKEGON TO BORROW AGAINST ANTICIPATED DELINQUENT
TAXES**

WM04/2-11

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to adopt the resolution authorizing the County of Muskegon to borrow against anticipated delinquent taxes.

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-74 **AWARD THE BID FOR FORESTRY SERVICES TO LOW BIDDER, SAPPI
FINE PAPER**

WM04/2-12

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to award the bid for forestry services to low bidder, Sappi Fine Paper/Boyd Kahler, for 8% of the fees collected by the County from the sale of selectively thinned timber on County properties.

2004-75 **DEFER ITEM WM04/2-12 (2004-74) BACK TO COMMITTEE**

Moved by Waters, supported by McMurray, to defer item WM04/2-12 (2004-74) back to committee.

Roll Call

Ayes: McMurray, Waters, Wisniewski

Nays: Bennett, Buzzell, Engle, Baade

Motion Failed

Roll Call on item 2004-74

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-76 **ACCEPT THE PROPOSAL FROM BOSMA ARCHITECTS FOR DESIGN AND ENGINEERING SERVICES FOR THE PIONEER COUNTY PARK IMPROVEMENT PROJECT**

WM04/2-13

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to accept the proposal from Bosma Architects for design and engineering services for the Pioneer County Park Improvement Project for the amount of \$37,500 plus additional costs shown in proposal.

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-77 **RETAIN/HIRE CARETAKERS FOR MOORE AND PATTERSON PARKS**

WM04/2-14

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to retain Steve & Lisa Bull as caretakers of Moore Park and hire Kenneth and Mary Sturtevant as caretakers for Patterson Park.

Roll Call

Ayes: Waters, Wisniewski, McMurray, Engle, Buzzell, Bennett, Baade

Nays: None

Motion Carried

2004-78 **APPROVE THE PRELIMINARY 2004 TROLLEY PROGRAM**

TR04/02-04

The Transportation Committee recommends, moved by Baade, supported by Waters, to approve the preliminary 2004 trolley program and to authorize the Purchasing Department to issue a Request for Proposals for the provision of trolley route services for 2004 for the Muskegon Area Transit Program.

(continued)

2004-78 **APPROVE THE PRELIMINARY 2004 TROLLEY PROGRAM**

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-79 **APPROVE THE ENGINEERING CONTRACT WITH PREIN & NEWHOF**
TR04/02-05

The Transportation Committee recommends, moved by Baade, supported by Waters, to approve the engineering contract with Prein & Newhof, NTE \$28,500, for the security fence and runway improvement projects at the Muskegon County Airport.

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-80 **ADOPT THE ATTACHED RESOLUTION OF SUPPORT FOR USE OF MUSKEGON COUNTY AIRPORT BY BOTH FOR-PROFIT AND NOT-FOR-PROFIT ORGANIZATIONS**

TR04/02-06

The Transportation Committee recommends, moved by Baade, supported by Waters, to adopt the attached Resolution of Support for Use of Muskegon County Airport by both for-profit and not-for-profit organizations.

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-81 **APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE WEST MICHIGAN SUSTAINABLE BUSINESS FORUM (WMSBF) AND THE COUNTY OF MUSKEGON**

The Board of Public Works recommends, moved by McMurray, supported by Bennett, to approve the Memorandum of Understanding between the West Michigan Sustainable Business Forum (WMSBF) and the County of Muskegon.

(continued)

2004-81

APPROVE THE MEMORANDUM OF UNDERSTANDING BETWEEN THE WEST MICHIGAN SUSTAINABLE BUSINESS FORUM (WMSBF) AND THE COUNTY OF MUSKEGON

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

CHAIR'S REPORT

Chairman Baade noted the Mac Legislative Updates for February 6 and 13, 2004, are included in the agenda packet.

ADMINISTRATOR'S REPORT

None.

Old Business

Commissioner Bennett asked that Corporate Counsel investigate how Muskegon County may be involved in the efforts to create a positive entry area for the Muskegon dock area for the cross-lake ferry – something we can all be proud of.

Commissioner McMurray noted the need for minority employment in Muskegon County and the hope that Mr. Lubbers will take that into consideration when hiring staff in association with the cross-lake ferry.

Chairman Baade noted there may be homeland security grant monies available for the cross-lake ferry.

New Business

None.

Audience Participation

Nicole Lindsay, student at Orchard View High School was in attendance preparing for the Washington DC close-up group. Ms. Lindsay noted many of her peers would like the opportunity to work with the cross-lake ferry.

2004-82 **CLOSED SESSION - PENDING LITIGATION AND PROPERTY ACQUISITION**

Moved by McMurray, supported by Engle, to go into Closed Session re: pending litigation and property acquisition.

Roll Call

Ayes: McMurray, Engle, Buzzell, Bennett, Waters, Wisniewski, Baade

Nays: None

Motion Carried

Returned to Open Session at 4:45 p.m.

2004-83 **ACCEPT MEDIATION AND SETTLE BOTH CASES FOR PROPERTY AT 5126 GRAND HAVEN ROAD AND 5068 GRAND HAVEN ROAD**

Moved by Bennett, supported by Engle, to accept mediation of \$350,000 and settle both cases for property at 5126 Grand Haven Road and 5068 Grand Haven Road for an amount not to exceed \$400,000 subject to Michigan Aeronautics approval.

Roll Call

Ayes: Engle, Bennett, Buzzell, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-84 **APPROVE PAYMENT OF REASONABLE AND NECESSARY EXPENSES ASSOCIATED WITH DISINTERMENT AND POST MORTEM TO BE PERFORMED UPON JOSHUA N. LEFFERING**

Moved by Wisniewski, supported by Buzzell, to approve payment of reasonable and necessary expenses associated with disinterment and post mortem to be performed upon Joshua N. Leffering for criminal investigative purposes.

(continued)

2004-84 **APPROVE PAYMENT OF REASONABLE AND NECESSARY EXPENSES
ASSOCIATED WITH DISINTERMENT AND POST MORTEM TO BE
PERFORMED UPON JOSHUA N. LEFFERING**

Roll Call

Ayes: Bennett, Buzzell, Engle, McMurray, Waters, Wisniewski, Baade

Nays: None

Motion Carried

2004-85 **AMEND 2001 MUSKEGON COUNTY RECREATION PLAN UPDATE**

Moved by McMurray, supported by Bennett, that the 2001 Muskegon County Recreation Plan Update be amended to include the following language:

“The County of Muskegon desires to acquire available land along the shoreline of Muskegon Lake for the purposes of securing lakefront property in public trust, provide public access to shoreline properties, and create enhanced access for fishing, potential tie-in to current and proposed bike trails and other recreational activities. The County of Muskegon also desires to acquire said properties to provide for and ensure appropriate green space protection as part of the Muskegon downtown renewal process.”

Roll Call

Ayes: Waters, McMurray, Wisniewski, Buzzell, Engle, Bennett, Buzzell

Nays: None

Motion Carried

Adjourned at 4:50 p.m.

Karen D. Buie, County Clerk

/jmp