

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

Board of Commissioners

*Kenneth J. Hulka, Chairman
Paul Baade
Douglas Bennett
Nancy Frye
James J. Kobza*

*Bill Gill, Vice-Chairman
Louis A. McMurray
Tony Moulatsiotis
Clarence Start*

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

Regular Meeting

**March 26, 2002
3:30 P.M.**

Honorable Chairman Kenneth J. Hulka, Presiding

The Meeting of the Board of Commissioners was called to order by Chairman Hulka. The pledge of Allegiance was recited in unison followed by the invocation given by Commissioner McMurray.

Roll Call

Present: Baade, Bennett, Frye, Gill, Hulka, Kobza, McMurray, Moulatsiotis, Start

Absent: None

2002-136 **APPROVAL OF MINUTES**

Moved by Frye, supported by Baade, to approve the minutes of the Regular Meeting of March 12, 2002, correcting item 2002-102 to include the name of Brian Martin, Mark Grimmette's partner.

Motion Carried

2002-137 **PUBLIC HEARING - PIONEER COUNTY PARK RENOVATIONS GRANT APPLICATION**

The Administrator/Controller recommends, moved by Start, supported by Kobza, to open the Public Hearing regarding Pioneer County Park Renovations Grant Application.

Motion Carried

2002-138 **CLOSE THE PUBLIC HEARING**

Rob Ribbens, Public Works, noted he had not received any written or verbal communications regarding Pioneer County Park Renovations Grant Application. Moved by Start, supported by Frye, to close the public hearing.

Motion Carried

2002-139 **PRESENTATIONS - MUSKEGON COUNTY LIBRARY ANNUAL REPORT
(ON COMMISSION DESK)**

Jeff King of the Muskegon County Library and Elizabeth Winsche of the Muskegon County Library distributed the annual report, presented highlights and thanked Commissioners for financial support.

2002-140 **COMMUNICATIONS**

Moved by Frye, supported by Start, to receive and place on file the following communications:

- A. Michigan Association of Counties - Summer Tax Collection
- B. County of Cheboygan Resolution re: Juvenile Facilities
- C. Isabella County Resolution re: Records Media Act

Motion Carried

2002-141 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE
PERIOD OF MARCH 2 - 15, 2002**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve payment of the accounts payable of \$3,536,392.97 covering the period of March 2, 2002 through March 15, 2002 as presented by the County Clerk.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-142 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO SIGN
A SUBSTANCE ABUSE BLOCK GRANT AND MI CHILD AGREEMENT
WITH LAKESHORE COORDINATING COUNCIL**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize the Community Mental Health Director to sign a Substance Abuse Block Grant and MI Child Agreement with Lakeshore Coordinating Council to provide outpatient substance abuse treatment services to dually diagnosed consumers for the period of January 2, 2002 through September 30, 2002.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-143 **APPROVE THE RENEWAL AGREEMENT WITH THE WEST MICHIGAN HAZARDOUS MATERIALS ASSOCIATION, INC.**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the renewal agreement with the West Michigan Hazardous Materials Association, Inc., a not-for-profit corporation and that the general liability insurance be procured at a cost of \$18,434.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-144 **AUTHORIZE THE TWIN LAKE CIVIC ASSOCIATION'S USE OF TWIN LAKE PARK FOR THE TWIN LAKE FESTIVAL, JUNE 22 AND 23**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize the Twin Lake Civic Association's use of Twin Lake Park for the Twin Lake Festival, June 22 and 23, in accordance with the letter of request and requirements of the Park Superintendent.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-145 **APPROVE THE 20-YEAR OPERATING AND MAINTENANCE PLAN WITH THE MUSKEGON CONSERVATION DISTRICT**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the 20-year Operating and Maintenance Plan with the Muskegon Conservation District as presented.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-146 **APPROVE THE RESOLUTION REGARDING THE EXTENSION OF THE
NORTHSIDE WATER SYSTEM AND TO SUBMIT THE COMMUNITY
DEVELOPMENT BLOCK GRANT APPLICATION**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the resolution regarding the extension of the Northside Water System and to submit the Community Development Block Grant application.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-147 **AUTHORIZE A PUBLIC HEARING BE HELD ON MARCH 26, 2002 AT 3:30
PM FOR THE REGARDING THE GRANT APPLICATION FOR PIONEER
COUNTY PARK RENOVATIONS**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize a public hearing be held on March 26, 2002 at 3:30 PM for the purpose of hearing any public comments regarding the grant application for Pioneer County Park renovations through the Michigan Department of Natural Resources Trust Fund and the Land & Water Conservation Fund and authorize submittal of grant application.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-148 **APPROVE THE GRANT ENTITLED "COMMUNITY GUN VIOLENCE
PROSECUTION PROGRAM" WITH A LOCAL MATCH REQUIREMENT OF
20%**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the grant entitled "Community Gun Violence Prosecution Program" from the U.S. Department of Justice which provides funding for one full-time Assistant Prosecutor I from April 1, 2002 through September 30, 2002, with a local match requirement of 20%.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-149 **APPROVE A RESOLUTION TO FRUITPORT AND RAVENNA VARSITY VOLLEYBALL TEAMS FOR THEIR RECENT SUCCESS**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve a resolution to Fruitport and Ravenna varsityvolleyball teams for their recent success.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-150 **APPROVE AN ASSIGNMENT OF THE EXECUTIVE AIR TRANSPORT INC. GROUND LEASE TO RILEY REAL ESTATE LLC.**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, approve an assignment of the Executive Air Transport Inc. ground lease to Riley Real Estate LLC. as outlined and further authorize the Chairman to execute the assignment as prepared by Corporate Counsel.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-151 **APPROVE OF A RESOLUTION AUTHORIZING EXECUTION OF AN AIRPORT RESCUE AND FIRE FIGHTING TRAINING AGREEMENT WITH MDOT**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, approve a resolution authorizing execution of an Airport Rescue and Fire Fighting training agreement with MDOT contract #2002-0313.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

Motion Carried

2002-152 **APPROVE A TRAVEL AGENCY LEASE/CONCESSIONAIRE AGREEMENT WITH CARLSON WAGONLIT TRAVEL**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, approve a TravelAgencyLease/Concessionaire agreement with CarlsonWagonlitTraveland further authorize the Chairman to execute the agreement as prepared by Corporate Counsel.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

Motion Carried

2002-153 **APPROVE SUBMISSION OF A PROPOSAL TO UNITED AIRLINES FOR NON-STOP UNITED EXPRESS REGIONAL JET SERVICE TO CHICAGO O'HARE INTERNATIONAL AIRPORT**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, approve submission of a proposal to United Airlines for non-stop United Express regional jet service to Chicago O'Hare International Airport.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-154 **APPROVE ADJUSTING THE DEPUTY AIRPORT DIRECTOR SALARY RANGE**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, approve adjusting the Deputy Airport Director salary range from \$43,908.80 - \$55,737.76 to a salary range of \$51,324.00 - \$64,904.32.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-155 **CHANGE THE HOURS OF POSITION #NO8006 FROM HOURLY TO FULL-TIME**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, change the hours of position #NO8006 from hourly to full-time.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-156 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO DISPOSE OF EXCESS VEHICLES**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, authorize the Muskegon Area Transit System to dispose of excess vehicles through sealed bids.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

Motion Carried

2002-157 **AUTHORIZE PUBLISHING THE PUBLIC NOTICE REGARDING THE APPLICATIONS FOR FEDERAL TRANSIT ADMINISTRATION OPERATING AND CAPITAL ASSISTANCE**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, authorize publishing the public notice regarding the applications for Federal Transit Administration operating and capital assistance, and to submit the applications if there is no request for public hearing.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

2002-158 **IMPOSE AN IMMEDIATE MORATORIUM, ON ANY FURTHER CAPITAL EXPENDITURES FOR THE ACQUISITION OF PROPERTY RELATING TO THE AIRPORT EXPANSION PENDING DOCUMENTATION FROM BUDGET DIRECTOR, PUBLIC WORKS DIRECTOR, CORPORATE COUNSEL, PROPERTY MANAGER, CENTRAL SERVICES DIRECTOR AND AIRPORT DIRECTOR**

The Transportation Committee recommends, moved by Gill, supported by Moulatsiotis, to impose an immediate moratorium, for a period of 60 days or less, on any further capital expenditures for the acquisition of property relating to the airport expansion pending documentation from Budget Director, Public Works Director, Corporate Counsel, Property Manager, Central Services Director and Airport Director to show that: (a) this project will have economic benefits [i.e., more and bigger flights]; (b) this project is legally required by the Federal Government and there will be a guaranteed repayment by the Federal Government and (c) airplane passenger safety will or will not be compromised by not proceeding with this project.

2002-159 **SUSPEND THE RULES TO ALLOW AUDIENCE PARTICIPATION**

Moved by Gill, supported by Start, to suspend the rules to allow audience participation.

James Rush addressed the Board noting that he acted in good faith that the County would acquire his property for Airport expansion under Imminent Domain. Mr. Rush has purchased another home, uprooting his family, only to learn that the County may delay or renege on their purchase of his property causing hardship for him and the people with whom he has entered into agreement. Mr. Rush urged Commissioners to follow through with the purchase of his property without delay.

Roll Call on item 2002-158

Ayes: Frye, Gill, McMurray, Moulatsiotis, Start, Hulka

Nays: Baade, Bennett, Kobza

Motion Carried

CHAIR'S REPORT

2001-160 **REAPPOINT VERN BRUSSEAU, CHERYL NATTE AND JOSEPHINE HOUSE TO THE COMMUNITY MENTAL HEALTH BOARD**

The Chairman recommends, moved by Moulatsiotis, supported by Frye, reappoint Vern Brusseau, Cheryl Natte and Josephine House to the Community Mental Health Board.

Motion Carried

ADMINISTRATOR'S REPORT

2002-161 **AUTHORIZE EQUALIZATION TO PURCHASE A LARGE-FORMAT PLOTTER**

The Administrator/Controller recommends, moved by Gill, supported by Kobza, to award purchase of a large format plotter from Service Reproduction Company at a cost not to exceed \$7,400.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

Motion Carried

Old Business

None.

New Business

2002-162 **PREPARE A RESOLUTION FOR THE LATE DONALD COLE IN MEMORY OF HIS YEARS OF SERVICE ON THE PLANNING COMMISSION**

Moved by McMurray, supported by Start, to prepare a resolution for the late Donald Cole in memory of his years of service on the Planning Commission.

Motion Carried

2002-163 **PREPARE A RESOLUTION IN SUPPORT OF WHITE RIVER TOWNSHIP'S APPLICATION TO THE DNR BEING SUBMITTED FOR ACQUISITION OF PROPERTY**

Moved by Kobza, supported by Frye, to prepare a resolution in support of White River Township's application to the DNR being submitted for acquisition of property.

Motion Carried

Audience Participation

None.

Meeting adjourned at 4:20 p.m.

Marianne L. Hathaway, Deputy County Clerk

/jmp