

# *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 27, 2001**

**3:30 P.M.**

**Honorable Vice Chairman Bill Gill, Presiding**

The Meeting of the Board of Commissioners was called to order by Vice-Chairman Gill. 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

2001-131 **APPROVAL OF MINUTES**

Moved by Frye, supported by Start, to approve the minutes of the Regular Meeting of March 13, 2001 as presented.

**Motion Carried**

2001-132 **OPEN PUBLIC HEARING - BLUE LAKE PARK MDNR GRANT APPLICATION**

Moved by Start, supported by Baade, to open the Public Hearing regarding the Blue Lake Park MDNR Grant Application.

**Motion Carried**

2000-133 **CLOSE PUBLIC HEARING - BLUE LAKE PARK MDNR GRANT APPLICATION**

Mr. Bednarek, Administrator/Controller, noted he had not received any written or verbal communications regarding the Blue Lake Park MDNR Grant Application. There being no audience comment, moved by McMurray, supported by Start, to close the Public Hearing.

**Motion Carried**

2001-134 **COMMUNICATIONS**

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

- A. US Army Corps of Engineers Public Notice re: Beach Grooming and Access on Great Lakes
- B. Industrial Facilities Exemption Certificate - Dymet Corporation

**Motion Carried**

**Chairman Hulka arrived**

2001-135 **WAIVE BID FORMALITIES AND APPROVE THE PURCHASE OF 50 KNOLL TOLEDO CHAIRS FOR THE BROWNSTONE RESTAURANT**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to waive bid formalities and approve the purchase of 50 Knoll Toledo chairs for The Brownstone Restaurant at the Muskegon County Airport from Lakeshore Office Furniture of Muskegon with a total bid of \$24,450.

2001-136 **SUSPEND RULES FOR PUBLIC COMMENT**

Moved by Frye, supported by Kobza, to suspend the rules and open the floor for public comment.

**Motion Carried**

Jim Duncan of Harborfront Interiors and J. Arthur Anderson addressed the Board regarding the cost of chairs for the Brownstone Restaurant.

**Roll Call on Item 2001-135**

Ayes: McMurray

Nays: Baade, Bennett, Frye, Gill, Kobza, Moulatsiotis, Start, Hulka

**Motion Defeated**

2001-137 **APPROVE THE ATTACHED RESOLUTION AUTHORIZING EXECUTION OF MDOT CONTRACT #2001-0388**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve the attached resolution authorizing execution of MDOT Contract #2001-0388 for 2001 improvements to the Muskegon County Airport and further authorize the Chairman to execute the resolution and contracts as prepared.

Roll Call

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

Nays: None

**Motion Carried**

2001-138 **APPROVE THE FEDERAL AVIATION ADMINISTRATION TERMS AND CONDITIONS OF ACCEPTING AIRPORT IMPROVEMENT PROGRAM GRANTS**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve the Federal Aviation Administration Terms and Conditions of accepting Airport Improvement Program Grants and further authorize the Chairman to execute the document as prepared.

Roll Call

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

Nays: None

**Motion Carried**

2001-139 **APPROVE THE ADDITION OF THE HARVEY ROUTE**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve the addition of the Harvey Route as proposed.

Roll Call

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

Nays: None

**Motion Carried**

2001-140 **APPROVE MDOT CONTRACT 2001-0273**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve MDOT Contract 2001-0273, and to authorize the Chairperson to execute the Contract.

Roll Call

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

Nays: None

**Motion Carried**

2001-141 **AWARD A CONTRACT TO HOLLAND MOTOR HOMES AND BUS COMPANY**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to award a contract to Holland Motor Homes and Bus Company for the provision of five (5) vehicles and to allow the Chair to execute the contract.

2001-141 **AWARD A CONTRACT TO HOLLAND MOTOR HOMES AND BUS COMPANY (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-142 **APPROVE THE 2001/2002 CHARTER SERVICE PROPOSAL**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve the 2001/2002 Charter Service Proposal and to publish the public notice.

Roll Call

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

Nays: None

**Motion Carried**

2001-143 **APPROVE CHANGE ORDER 2 TO THE MUSKEGON AREA TRANSIT SYSTEM OPERATIONS AND MAINTENANCE FACILITY**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to approve Change Order 2 to the Muskegon Area Transit System Operations and Maintenance Facility project and authorize the Chair to execute the agreement.

Roll Call

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

Nays: None

**Motion Carried**

2001-144 **ACCEPT AND PLACE ON FILE THE TRANSPORTATION DEPARTMENT DIRECTORS REPORT AND OPERATIONS REPORT**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Start, to accept and place on file the Transportation Department Directors Report and Operations Report.

Roll Call

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

Nays: None

**Motion Carried**

2001-145 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 3<sup>RD</sup>, 2001 THROUGH MARCH 16<sup>TH</sup>, 2001**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve payment of the accounts payable of \$9,108,139.98 covering the period of March 3<sup>rd</sup>, 2001 through March 16<sup>th</sup>, 2001 as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2001-146 **AUTHORIZE THE TREASURER TO PURCHASE SOFTWARE**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize the Treasurer to purchase software not to exceed \$3,000 to be used for redistricting and for other departments to use when the redistricting is completed.

Roll Call

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

Nays: None

**Motion Carried**

2001-147 **AUTHORIZE STAFF TO SELL ONE EXTEK SILVER MICROFILM DUPLICATING MACHINE**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize staff to sell one Extek Silver Microfilm Duplicating Machine to RB Associates for \$100.00.

Roll Call

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

Nays: None

**Motion Carried**

2001-148 **ESTABLISH A PERSONNEL HEARING BOARD**

The Ways and Means Committee recommends, moved by Baade, supported by Start, establish a personnel hearing board composed of Commissioners Hulka, Baade and Gill as requested by Andrew LaHaie.

Roll Call

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

Nays: None

**Motion Carried**

2001-149 **APPROVE MICHIGAN DEPARTMENT OF NATURAL RESOURCES (DNR) GRANT APPLICATION**

The Ways and Means Committee recommends, moved by Baade, supported by Start, that the Michigan Department of Natural Resources (DNR) grant application for ADA accessible restroom and shower facility and upgraded camp sites and pathways, at Blue Lake campground, estimated cost of \$180,000 including \$68,400 local share, be approved and a public hearing set for March 27, 2001.

Roll Call

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

Nays: None

**Motion Carried**

2001-150 **APPROVE THE COUNTY TO ENTER INTO AN AGREEMENT WITH THE ART TRAIN**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the County to enter into an agreement with the Art Train and authorize the Board Chair to sign the agreement.

Roll Call

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

Nays: None

**Motion Carried**

2001-151 **AUTHORIZE THE ADMINISTRATOR/CONTROLLER TO EXECUTE DOCUMENTS NECESSARY TO IMPLEMENT THE 457 DEFERRED COMPENSATION PLAN**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize the Administrator/Controller to execute documents necessary to implement the 457 deferred compensation plan with Great West Life Insurance Services.

Roll Call

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

Nays: None

**Motion Carried**

2001-152 **ACCEPT THE OFFER FROM THE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTER TO PAY FOR IMPROVEMENTS**

The Ways and Means Committee recommends, moved by Baade, supported by Start, accept the offer from the Department of Veterans Affairs Medical Center to pay for improvements under a lease arrangement with the West Michigan Veterans, Inc., the County of Muskegon, and the U. S. Veterans Administration.

Roll Call

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

Nays: None

**Motion Carried**

2001-153 **ADMINISTRATION BE DIRECTED TO PREPARE A RESOLUTION PROCLAIMING APRIL 22-28, 2001 AS NATIONAL COUNTY GOVERNMENT WEEK**

The Ways and Means Committee recommends, moved by Baade, supported by Start, that Administration be directed to prepare a resolution proclaiming April 22-28, 2001 as National County Government Week, to arrange for each Commissioner to be paired with a student for meetings during the week and for a full page ad to be placed in The Muskegon Chronicle, covering major county projects and events at an approximate cost of \$4,000.

Roll Call

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

Nays: None

**Motion Carried**

2001-154 **THE GREEK FLAG BE RAISED ON THE COUNTY FLAGPOLE ON**

**SATURDAY AND SUNDAY, MARCH 24<sup>TH</sup> AND 25<sup>TH</sup>, 2001, IN HONOR OF  
MARCH 25<sup>TH</sup>, GREEK INDEPENDENCE DAY**

The Ways and Means Committee recommends, moved by Baade, supported by Start, that in honor of March 25<sup>th</sup>, Greek Independence Day, the Greek flag be raised on the County flagpole on Saturday and Sunday, March 24<sup>th</sup> and 25<sup>th</sup>, 2001.

Roll Call

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

Nays: None

**Motion Carried**

2001-155 **PUBLIC HEARING TO CLOSE OUT THE DANA CORPORATION  
INFRASTRUCTURE PROJECT GRANT BE SET FOR APRIL 10, 2001 AT  
3:30 P.M.**

The Courts and Public Safety Committee recommends, moved by Bennett, supported by Moulatsiotis, that a public hearing to close out the Dana Corporation infrastructure project grant be set for the County Board of Commissioners meeting, April 10, 2001 at 3:30 p.m.

Roll Call

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

Nays: None

**Motion Carried**

2001-156 **OPTION AGREEMENT WITH DRISENGA & ASSOCIATES, INC. BE  
EXTENDED**

The Courts and Public Safety Committee recommends, moved by Bennett, supported by Moulatsiotis, that the option agreement with Driesenga & Associates, Inc. be extended for one year for lot #9 at the Airport Business Park with a consideration of \$5,100.

Roll Call

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

Nays: None

**Motion Carried**



## **CHAIR'S REPORT**

### 2001-157     **REAPPOINTMENTS TO COMMUNITY MENTAL HEALTH BOARD**

The Chairman recommends, moved by Gill, supported by Frye, to reappoint Ralph Christiansen and Duane Gaultney to the Community Mental Health Board for three-year terms.

**Motion Carried**

### 2001-158     **APPOINTMENT TO ACCOMMODATIONS TAX ADVISORY COMMITTEE**

The Chairman recommends, moved by Gill, supported by Moulatsiotis, to appoint Patty Blankenship to the Accommodations Tax Advisory Committee.

**Motion Carried**

## **ADMINISTRATOR'S REPORT**

None.

### **Old Business**

None.

### **New Business**

#### 2001-159     **PREPARE A RESOLUTION IN HONOR OF J. D. DRIVER**

Moved by Moulatsiotis, supported by Frye, to prepare a resolution in honor of J. D. Driver who is being inducted into the Racquet Ball Hall of Fame.

**Motion Carried**

#### 2001-160     **PREPARE A RESOLUTION FROM THE COUNTY BOARD OF COMMISSIONERS TO THE DEQ**

Moved by Frye, supported by Start, to prepare a resolution from the County Board of Commissioners to the DEQ for total clean up of Tannery Bay in Whitehall, Michigan.

**Motion Carried**

### **Audience Participation**

Dave Eling, Veterans Affairs; Lupe Alviar, Jr., Vietnam Veterans of America Chapter #31 with similar letters from Merritt Lamb American Legion Post #9, Merritt Lamp American Legion Post 9 Auxiliary, Sherman Moore American Legion post #297, Wood-Tazelaar Disabled American Veterans Unit #11, William J. Beal Veterans of Foreign Wars Post #446 Auxiliary, Don Rea Veterans of foreign wars post #8846, White Lake Veterans of Foreign Wars Post #3256, Air Force Sergeants Association Chapter #772 and Air Force Sergeants Association Chapter #A772; Amy Whiteman; Clita Anderson; Wayne Sebring; Gerry Veldman; Michael James Percy; Beverly Kozik and Joe Beyrle addressed the Board of Commissioners regarding concern about a County Commissioner does not properly pledge Allegiance to the American Flag.

Delores Cole, Ted Davis, Michael James Percy and Clita Anderson addressed the Board regarding making Dr. Martin Luther King, Jr. Day an official County Holiday.

Marianne Harris Darnell, Chair of Black Women's Political Caucus, addressed the Board regarding naming the building which houses the Health Department after former Director John Arthur Scott.

Norma York Bremer, representing the Muskegon Area Chamber of Commerce, addressed the Board with two resolutions to name the White Pine as the official County Tree and the National Tree of the united States of America.

2001-161     **ADOPT THE RESOLUTIONS FOR THE WHITE PINE FOR THE COUNTY OF MUSKEGON AS WELL AS THE NATIONAL TREE**

Moved by Frye, supported by Start, to adopt the resolutions for the White Pine for the County of Muskegon as well as the National Tree as it is already the Tree for the State of Michigan.

### **Motion Carried**

Elmarie Veitenheimer, First Junior Vice Commander of the State of Michigan and State Legislative Chairman of Michigan, requested the Commissioner who does not believe in saluting the flag to come forward.

2001-162     **COUNTY DECLARE A COUNTY HOLIDAY FOR MARTIN LUTHER KING HOLIDAY**

Moved by McMurray, supported by Gill, that the County declare a County Holiday for Martin Luther King Holiday, that it be done by negotiation or by general funds, to be in place by January 15, 2002.

2001-163     **TABLE THE MOTION FOR THE MARTIN LUTHER KING, JR. HOLIDAY**

Moved by Frye, supported by Bennett, to table the motion for the Martin Luther King, Jr. Holiday until conclusion of the contract negotiations.

Roll Call

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

Nays: Gill, McMurray

**Motion Carried**

**Audience Participation (continued)**

Ron Henry addressed the Board regarding renovations at Blue Lake Park.

Students were in attendance from Muskegon High School.

Meeting adjourned at 4:55 p.m.

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Susan R. Doriot, County Clerk

/jmp