

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

Board of Commissioners

James Derezinski, Chairman

Don Aley

Charles Buzzell

Marvin Engle

Bill Gill

Louis A. McMurray

I. John Snider, Vice-Chairman

Robert Scolnik

Roger C. Wade

Nancy A. Waters

Stephen Wisniewski

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

Regular Meeting

March 28, 2006

3:30 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, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters

Excused: Scolnik, Wisniewski

Absent: None

2006-143 **APPROVE AGENDA**

Moved by Snider, seconded by Waters, to approve the Agenda, moving Item 9. A. Presentation by Tim McGuire to follow approval of Agenda.

Motion Carried

2006-144 **PRESENTATION - TIM MCGUIRE, MICHIGAN ASSOCIATION OF COUNTIES**

Tim McGuire, Michigan Association of Counties provided the Board with MAC Legislative Updates. Commissioner Waters requested Mr. McGuire use whatever influence he might have to urge State support for assistance for County Roads. Commissioner McMurray urged consideration of Muskegon County for future MAC Conference.

2006-145 **APPROVAL OF MINUTES OF MARCH 14, 2006**

Moved by Engle, seconded by Waters, to approve the minutes of the regular meeting of March 14, 2006, adding to page 53 that comments due March 28, 2006.

Motion Carried

2006-146 **OPEN PUBLIC HEARING - YMCA PROPERTY**

Moved by Engle, seconded by Snider, to open the Public Hearing regarding YMCA Property.

Motion Carried

2006-147 **CLOSE PUBLIC HEARING - YMCA PROPERTY**

Moved by Engle, seconded by Waters, to close the Public Hearing regarding YMCA Property.

Motion Carried

2006-148 **APPROVAL OF RESOLUTION FOR PROPERTY ACQUISITION UNDER THE NATURAL RESOURCES TRUST FUND, I.E. YMCA LAND**

Moved by Engle, seconded by Aley, to approve adoption of the Resolution supporting Property Acquisition under the Michigan Natural Resources Trust Fund program for acquisition of the Muskegon YMCA property, committing to a \$550,000 local match, comprised of \$200,000 from Muskegon County, \$200,000 from Summer Celebration, and \$150,000 in the form of donated land value by the Muskegon Family YMCA, authorizing the County Board Chairman to sign the grant application, and to authorize its submission to the Department of Natural Resources.

Roll Call

Ayes: Aley, Buzzell, Derezinski, Engle, Gill, McMurray, Wade, Waters

Abstain: Snider

Nays: None

Motion Carried

2006-149 **PRESENTATIONS - KEN HULKA, MUSKEGON COUNTY ROAD COMMISSION**

Ken Hulka, Managing Director of the Muskegon County Road Commission, addressed the Board, introducing Chairman Gary Conrad, Commissioner Joan Santos; Vice-Chairman Clarence Start. Mr. Hulka updated Commissioners regarding the Brookhaven roads situation. Mr. Hulka introduced Paul Baughman, County Highway Engineer to provide technical information. Mr. Hulka further addressed County Road Commission funding.

2006-150 **SEND A LETTER OR RESOLUTION TO OUR ELECTED OFFICIALS IN LANSING, URGING THEIR SUPPORT AND COOPERATION IN TRYING TO GET ADDITIONAL FUNDING FOR OUR COUNTY ROAD COMMISSIONS**

Moved by Waters, seconded by Buzzell, to send a letter or Resolution to our elected officials in Lansing, urging their support and cooperation in trying to get additional funding for our County Road Commissions.

Motion Carried

2006-151 **COMMUNICATION**

Moved by Engle, seconded by Snider, to receive and place on file the following Communications:

- A. Antrim County Board of Commissioners - Resolution #06-06
- B. Genesee County Board of Commissioners - HB 5831& 5832
- C. State of Michigan - Department of Treasury - Industrial Facility Exemption Certificate No. 2000-711

Motion Carried

2006-152 **AWARD THE BID FOR MUSKEGON AREA TRANSIT SYSTEM SUPPORT VEHICLES TO DON RYPMA CHEVROLET**

TR06/03-10

The Transportation Committee recommends, moved by Gill, seconded by Engle, to award the bid for Muskegon Area Transit System support vehicles to Don Rypma Chevrolet and to purchase three Chevrolet Cobalts (\$32,664 total) and one Chevrolet Silverado regular cab pickup w/plow package (\$18,267 total).

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley

Nays: None

Motion Carried

2006-153 **APPROVE THE CONTRACT FOR INSTALLATION OF TELECOMMUNICATION SERVICES AT THE U. S. COAST GUARD FACILITY TO VERIZON SELECT SERVICES**

TR06/03-11

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the contract for installation of telecommunication services at the U. S. Coast Guard Facility to Verizon Select Services at a cost not to exceed \$23,814.46, which will be recouped through the U. S. Coast Guard Facility Lease.

(Continued)

2006-153 **APPROVE THE CONTRACT FOR INSTALLATION OF TELECOMMUNICATION SERVICES AT THE U. S. COAST GUARD FACILITY TO VERIZON SELECT SERVICES**

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley

Nays: None

Motion Carried

2006-154 **APPROVE A THREE-YEAR OFFICE LEASE AGREEMENT WITH LAKESHORE CORPORATE IDENTITY**

TR06/03-12

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve a three-year office lease agreement with Lakeshore Corporate Identity as presented and further authorize the chairman to execute the agreement as prepared.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley

Nays: None

Motion Carried

2006-155 **APPROVE THE RESOLUTION AUTHORIZING EXECUTION OF MDOT CONTRACT NO. 2006-0212**

TR06/03-13

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the resolution authorizing execution of MDOT Contract No. 2006-0212, in the amount of \$5,500, for Aircraft Rescue and Fire Fighting training.

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley

Nays: None

Motion Carried

2006-156 **APPROVE AN OFFER AS NEGOTIATED TO B&L DEVELOPMENT COMPANY L.L.C. FOR PROPERTY ACQUISITIONS**

TR06/03-14

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an offer as negotiated to B&L Development Company L.L.C. for property acquisitions as part of the required land acquisitions associated with the Airport runway 14/32 extension project, and further authorize Commonwealth & Associates, Inc. to draft said offer and execute the closing.

(Continued)

2006-156 **APPROVE AN OFFER AS NEGOTIATED TO B&L DEVELOPMENT COMPANY L.L.C. FOR PROPERTY ACQUISITIONS**

Roll Call

Ayes: Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley

Nays: None

Motion Carried

2006-157 **APPROVE THE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON
AND MUSKEGON AREA FIRST**

CD/SP06/3-3

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to approve the agreement between the County of Muskegon and Muskegon Area First for the period of October 1, 2005 through September 30, 2006 with annual reports to be submitted the third week in March and to authorize the Board Chair to sign the document.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-158 **AUTHORIZE STAFF TO SOLICIT BIDS FOR WORK ON THE
CARETAKER'S HOUSE AT TWIN LAKE COUNTY PARK**

CD/SP06/3-4

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to authorize staff to solicit bids for work on the caretaker's house at Twin Lake County Park including bathroom remodeling, new windows and exterior staining with costs to be paid from Parks Fund 2080.0691.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-159 **AUTHORIZE STAFF TO PURCHASE THE REMAINING 68 FIRE RINGS
NEEDED FOR PIONEER PARK**

CD/SP06/3-5

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to authorize staff to purchase the remaining 68 fire rings needed for Pioneer Park at an estimated cost of \$7,240 including shipping with costs to be paid from Parks fund, 2080-0691.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-160 **AWARD MOORE & BRUGGINK, INC., THE CONTRACT FOR THE
TOPOGRAPHICAL SURVEY OF HERITAGE LANDING**

CD/SP06/3-6

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to award Moore & Bruggink, Inc., the contract for the topographical survey of Heritage Landing, at a cost not to exceed \$9,900, to be paid from festival ticket surcharge revenue.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-161 **APPROVE THE LICENSE AGREEMENT FOR HERITAGE LANDING
FESTIVAL USE FOR 2006**

CD/SP06/3-7

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to approve the License Agreement for Heritage Landing Festival Use for 2006 and to authorize the Chairman to execute the agreement with the appropriate festivals.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-162 **AUTHORIZE STAFF TO PREPARE A RESOLUTION FOR JUDY CARNES**
CD/SP06/3-8

The Community Development/Strategic Planning Committee recommends, moved by Aley, seconded by Engle, to authorize staff to prepare a resolution for Judy Carnes for retirement from Probate Court.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell

Nays: None

Motion Carried

2006-163 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE**
PERIOD OF FEBRUARY 25, THROUGH MARCH 14, 2006

WM06/3-21

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve payment of the accounts payable of \$6,862,738.88 covering the period of February 25, 2006, through March 14, 2006, as presented by the County Clerk.

Roll Call

Ayes: Engle, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: Gill

Motion Carried

2006-164 **AUTHORIZE THE COUNTY ADMINISTRATOR TO SIGN THE REVISED**
2006 STATE SURVEY AND REMONUMENTATION PROGRAM GRANT
APPLICATION

WM06/3-22

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize the County Administrator to sign the revised 2006 State Survey and Remonumentation Program grant application and submit it to the State for a grant amount of \$119,567 with a local match requirement of \$8,000.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-165 **APPROVE THE ONE-YEAR AGREEMENT FOR THE PARTNERSHIP IN
NEIGHBORHOOD SAFETY PROGRAM**

WM06/3-23

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve the one-year agreement for the Partnership in Neighborhood Safety Program between the Townships of Dalton, Laketon, Fruitland and Whitehall, the Muskegon County Sheriff and the Board of Commissioners, and authorize the Board Chair to sign the document, contingent upon the approval of each of the townships.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Dereziński

Nays: None

Motion Carried

2006-166 **AUTHORIZE THE SHERIFF'S OFFICE TO PURCHASE FROM GREAT
LAKES FORD 3 FORD CROWN VIC POLICE VEHICLES**

WM06/3-24

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize the Sheriff's Office to purchase from Great Lakes Ford 3 Ford Crown Vic police vehicles for PINS for \$63,129.00 to be paid out of the equipment revolving fund.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Dereziński

Nays: None

Motion Carried

2006-167 **CREATE A NEW FULL-TIME JURY CLERK/CIRCUIT COURT POSITION
RESPONSIBLE FOR CIRCUIT COURT JUROR PROCESSING**

WM06/3-25

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to create a new full-time Jury Clerk/Circuit Court position responsible for Circuit Court Juror processing. This position would also assist the Elections Coordinator with maintaining the Qualified Voter File and be trained in general clerk's office duties. This position would be a General Employee Union position at table/grade GU 0190 with a nine step pay range from \$12.13 - \$17.38 per hour (\$25,230 - \$36,150 annually). This position would be funded under 0216 - Circuit Court Records.

Roll Call

Ayes: Engle, McMurray, Snider, Wade, Waters, Aley, Buzzell, Dereziński

Nays: Gill

Motion Carried

2006-168 **RECLASSIFY THE COUNTY CLERK POSITION OF DEPUTY CLERK**

**SUPERVISOR POSITION TO THE FULL-TIME POSITION OF ELECTIONS
COORDINATOR**

WM06/3-26

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to reclassify the County Clerk position of Deputy Clerk Supervisor position #X26001 table NX Grade 00080 with a pay range of \$30,227 - \$38,326 annually to the full-time position of Elections Coordinator table NX Grade 00180 with a pay range of \$35,454 - \$44,884 annually, to facilitate elections, election related publications, Voter registrations, Qualified Voter File (QVF) updates election training, programming of voting machines, liaison with surrounding County, City and Township Clerks and the State Bureau of Elections as well as other election related duties.

Roll Call

Ayes: Engle, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: Gill

Motion Carried

2006-169 **AUTHORIZE PUBLIC FACILITIES TO SOLICIT FORMAL QUOTES FOR
ENGINEERING SERVICES**

WM06/3-27

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize Public Facilities to solicit formal quotes for engineering services to design a replacement well system for the Juvenile Detention Center.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-170 **AUTHORIZE DET/FM TO CONTRACT WITH HOOKER DEJONG FOR
ENGINEERING AND DESIGN SERVICES**

WM06/3-28

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize DET/FM to contract with Hooker DeJong for engineering and design services for the installation of an emergency generator at the John Halmond Community Mental Health Facility, at a cost not to exceed \$7,600.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-171 **WAIVE PERSONNEL RULES AND RE-APPOINT FRED HELMS TO THE
BUDGETED POSITION OF DRAIN INSPECTOR FOR A SIX-MONTH
PERIOD**

WM06/3-29

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to waive Personnel Rules and re-appoint Fred Helms to the budgeted position of Drain Inspector for a six-month period beginning June 5, 2006.

Roll Call

Ayes: Engle, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: Gill

Motion Carried

2006-172 **PARTICIPATE IN THE MUSKEGON SUMMER CELEBRATION'S GRAND PARADE '06**

WM06/3-30

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to participate in the Muskegon Summer Celebration's Grand Parade '06 and authorize the Board Chair to sign the application.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-173 **HOLD A PUBLIC HEARING ON THE PROPOSED ACQUISITION OF THE MUSKEGON FAMILY YMCA PROPERTY**

WM06/3-31

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to hold a Public Hearing on the proposed acquisition of the Muskegon Family YMCA property at the Board of Commissioners meeting on Tuesday, March 28, 2006, and that notice be placed both as a Public Notice and in the Muskegon Chronicle Clippings in order to provide a 5-day notice of the hearing.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-174 **AUTHORIZE ADMINISTRATIVE STAFF TO WORK WITH THE HUMAN RESOURCES DIRECTOR TO DEVELOP A TEAM CONCEPT**

WM06/3-32

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize administrative staff to work with the Human Resources Director to develop a

team concept.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-175 **PREPARE A RESOLUTION FOR THE NORTH MUSKEGON LADY NORSEMEN**

WM06/3-33

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to prepare a resolution for the North Muskegon Lady Norsemen.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

2006-176 **PREPARE A RESOLUTION FOR JACKIE BRASPENNINX OF THE AQUINAS WOMEN'S BASKETBALL TEAM**

WM06/3-34

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to prepare a resolution for Jackie Braspenninx of the Aquinas Women's Basketball Team.

Roll Call

Ayes: Engle, Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski

Nays: None

Motion Carried

Commissioner Gill submitted his explanation for his "No Vote(s)" to be included with the record, see attachment A.

Commissioner Engle introduced new Chair to the Planning Commission, Duane Buckner. Commissioner Engle noted one request by the Planning Commission is to get a paper copy of the MAP plan.

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

2006-177 **DISCUSSION - BOARD OF COMMISSIONER QUESTIONNAIRE REGARDING THE PERFORMANCE OF JAMES BORUSHKO, COUNTY ADMINISTRATOR**

Chairman Derezinski requested Board Members to review the Questionnaire regarding the

performance of James Borushko, County Administrator. Commissioner Waters noted this will be an effective tool providing it does not overstep Mr. Borushko's current contract.

ADMINISTRATOR'S REPORT

2006-178 **SUPPLEMENTAL LEASE AGREEMENT NO. 3 FOR EXPANDING MEDICAL CARE FOR VETERANS**

The Administrator recommends, moved by Buzzell, seconded by Engle, approve the adoption of Supplemental Lease Agreement No. 3 to Lease No. V515R-0015 between the United States of America and the County of Muskegon.

Roll Call

Ayes: Gill, McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski, Engle

Nays: None

Motion Carried

2006-179 **APPROVE REQUEST FOR PERSONNEL HEARING BOARD**

The Chairman recommends, moved by Engle, seconded by Waters, to approve request for Personnel Hearing Board.

Director of Human Resources, James Delaney, conducted the drawing of Members for the Hearing Board with the following conclusion: McMurray, Chairman; Wade, Vice-Chair and Scolnik, Member.

2006-180 **REQUEST TO PURCHASE MUG SHOT CAMERAS**

The Chairman recommends, moved by Engle, seconded by Waters, to authorize Sheriff's Office to purchase 2 new mug shot cameras from CompuDyne Public Safety & Justice in the amount of \$3,894.00 from Equipment Revolving Fund.

Roll Call

Ayes: McMurray, Snider, Wade, Waters, Aley, Buzzell, Derezinski, Engle, Gill

Nays: None

Motion Carried

2006-181 **RESOLUTION OF NECESSITY AND A DECLARATION OF NEED AUTHORIZING CORPORATE COUNSEL TO PROCEED WITH CONDEMNATION PROCEEDINGS REGARDING AIRPORT PROJECT**

The Administrator recommends, moved by Snider, seconded by Engle, the adoption of a Resolution of Necessity and a Declaration of Need authorizing Corporate Counsel to proceed with condemnation proceedings.

Roll Call

Ayes: Snider, Wade, Waters, Aley, Buzzell, Derezinski, Engle, McMurray

Nays: Gill

Motion Carried

2006-182 **FILING OF EQUALIZATION DIRECTOR VACANCY**

Administrator Borushko updated Commissioners on recruitment for new Equalization Director.

2006-183 **CONTRACT WITH THE GENESEE INSTITUTE FOR TECHNICAL ASSISTANCE IN ESTABLISHING A LAND BANK AUTHORITY FOR MUSKEGON COUNTY**

The Administrator recommends, moved by Snider, seconded by Buzzell, to contract with the Genesee Institute in the amount of \$16,256.75 for technical assistance in establishing a Land Bank Authority for Muskegon County.

Roll Call

Ayes: Wade, Waters, Aley, Buzzell, Derezinski, Engle, Gill, McMurray, Snider

Nays: None

Motion Carried

2006-184 **ADOPT A THREE (3) YEAR CONTRACT BETWEEN GREAT LAKES DOWNS**

The Administrator recommends, moved by Snider, seconded by Waters, for the adoption of a three (3) year contract between Great Lakes Downs and the County of Muskegon for the rental and reservation of horse stalls at the County fairgrounds.

Roll Call

Ayes: Waters, Aley, Buzzell, Derezinski, Engle, Gill, McMurray, Snider, Wade

Nays: None

Motion Carried

Old Business

Road Commission Communications Reporting Opinion by Theodore Williams, Corporate Counsel

Commissioner Snider encouraged progress on the Farmland and Open Space implementation to get the Ordinance adopted at the Township level and get the Ag Board

going and get things in order if any funding does become available.

Commissioner Aley inquired about signage on County buildings, to which Administrator Borushko provided possible plans, with potential relocation of the District Library. The total cost is estimated at \$4,550 to be brought back for Commission support.

New Business

Commissioner Waters noted seven County employees were nominated to be considered for the Muskegon Community College Women of Accomplishment. Kathy Herman, Deputy Director of the Health Department, was awarded the title out of 36 nominees. Other County Employees nominated were: Eva Amaya (District Court), Amy Anderson (Victim/Witness Unit (Prosecutor)), Bernadette Arnold (Community Mental Health (CMH)) Cindy Blair (CMH), Annie Gordon (CMH), Mary Villanueva (Administration).

Sophelia Alviar addressed the Board regarding her participation in the Miss Michigan Outstanding Teen Pageant to be held at the Fruenthal Theater in June, asking for support through advertisement in the pageant program.

Public Participation

Joan Santes, Road Commissioner, thanked the Board for support and resolution approved during this meeting.

Adjourn at 5:09 p.m.

Marianne L. Hathaway, County Clerk

MLH/jmp