

# *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** ~~\_\_\_\_\_~~ **April 10, 2001**

**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 Father LaGoe.

### **Roll Call**

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

Absent: None

2001-164 **APPROVAL OF MINUTES**

Moved by Frye, supported by McMurray, to approve the minutes of the Regular Meeting of March 27, 2001 reflecting that Vice Chairman Gill presided over the opening of the meeting and Chairman Hulka arrived following Communication Items.

**Motion Carried**

2001-165 **ACCEPT AN ADDITIONAL \$9,725 FROM THE DEPARTMENT OF STATE POLICE**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, accept an additional \$9,725 from the Department of State Police to expand safety belt enforcement patrol efforts over the Memorial and Labor day holidays.

### Roll Call

Ayes: Baade, Frye, Kobza, McMurray, Moulatsiotis,

Nays: Bennett, Gill, Start, Hulka

**Motion Carried**

2001-165 **GRANT PERMISSION TO THE SHERIFF'S OFFICE TO APPLY FOR THE MICHIGAN DEPARTMENT OF COMMUNITY HEALTH FOR AN OFFICE OF DRUG CONTROL POLICY BYRNE MEMORIAL GRANT**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, grant permission to the Sheriff's Office to apply for the Michigan Department of Community Health for an Office of Drug Control Policy Byrne Memorial Grant to cover 75% or \$62,273 for the cost of a new tenprinter.

Roll Call

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

Nays: None

**Motion Carried**

2001-166 **AUTHORIZE THE EXPENDITURE OF \$977.00 FOR THE WIRING OF THE 4<sup>TH</sup> FLOOR COMPUTER ROOM**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, authorize the expenditure of \$977.00 for the wiring of the 4<sup>th</sup> floor computer room to accommodate both microcomputer analysts.

Roll Call

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

Nays: None

**Motion Carried**

2001-167 **AUTHORIZE FAMILY COURT SERVICES TO PROCEED WITH THE NECESSARY ELECTRICAL AND CABLING WORK**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, authorize Family Court Services to proceed with the necessary electrical and cabling work at a cost not to exceed \$2,967.00.

Roll Call

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

Nays: None

**Motion Carried**

2001-168 **AUTHORIZE THE RECLASSIFICATION OF AN ACCOUNT CLERK I POSITION (G0101) TO A CLERK II POSITION**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, authorize the reclassification of an Account Clerk I position (G0101) to a Clerk II position at the GU 00040 pay range.

Roll Call

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

Nays: None

**Motion Carried**

2001-169 **AUTHORIZE THE FAMILY DIVISION TO PURCHASE A CARRIAGE STYLE FILE SYSTEM**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, authorize the Family Division to purchase a carriage style file system from the same vendor utilized by the District Court to be used to house inactive Family Division files offsite in an amount not to exceed \$45,000.

Roll Call

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

Nays: None

**Motion Carried**

2001-170 **EXTEND SYMPATHY TO KENNETH HULKA, IN THE RECENT PASSING OF HIS FATHER**

The Courts and Public Safety Committee recommends, moved by Kobza, supported by Start, extend sympathy to Chairman Kenneth Hulka and his family, in the recent passing of his father, John Hulka.

Roll Call

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

Nays: None

**Motion Carried**

2001-171 **ENTER INTO RECIPROCAL CONTRACTS BETWEEN MUSKEGON CMH  
AND OTHER MDCH-CONTRACTED CMH BOARDS**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, enter into reciprocal contracts between Muskegon CMH and other MDCH-contracted CMH Boards for authorization and payment of mental health services to Muskegon County residents placed out-of-county and for other county residents placed in Muskegon County.

Roll Call

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

Nays: None

**Motion Carried**

2001-172 **APPROVE A CONTRACT WITH EAST MUSKEGON ROOFING AND SHEET  
METAL CO.**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, approve a contract with East Muskegon Roofing and Sheet Metal Co., 1665 Holton Road, Muskegon, MI 49445-1498 in an amount not to exceed \$131,160 for the renovation of the John Halmond Center HVAC system as per the prepared mechanical engineer prepared specifications.

Roll Call

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

Nays: None

**Motion Carried**

2001-173 **AUTHORIZE THE CMH DIRECTOR TO CONTRACT WITH CATHOLIC  
SOCIAL SERVICES**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize the CMH Director to contract with Catholic Social Services, 1095 Third Street, Muskegon, MI 49442 for the provision of guardianship services for the period extending from March 1, 2001 through September 30, 2001 at a rate of \$45.00 per CMH authorized client per month, not to exceed a maximum of \$9,000.00.

Roll Call

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

Nays: None

**Motion Carried**

2001-174 **AUTHORIZE THE CMH DIRECTOR TO AMEND THE EXISTING FISCAL YEAR 2000/2001**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize the CMH Director to amend the existing fiscal year 2000/2001 for specialized residential and enhanced staffing contract with Benchmark Residential Services, Inc., Saginaw, Michigan to include Benchmark 5, with no change in per diem and unit rates and no increase in annual maximum amount of the contract.

Roll Call

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

Nays: None

**Motion Carried**

2001-175 **AUTHORIZE THE CMH DIRECTOR TO CONTRACT WITH MARY FREE BED REHAB TECHNOLOGY-ORTHO.S.E.A.T.**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize the CMH Director to contract with Mary Free Bed Rehab Technology-Ortho.S.E.A.T., effective October 1, 2000 through September 30, 2001, for provision of adaptive equipment/services at their usual and customary Medicaid rates, including discount and an annual maximum of \$12,000.

Roll Call

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

Nays: None

**Motion Carried**

2001-176 **AUTHORIZE BROOKHAVEN MCF TO CONTRACT WITH GNA & ASSOCIATES**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize Brookhaven MCF to contract with GNA & Associates (D.B.A. as Brooks Rehab) for provision of therapy services for residents for a two (2) year period at a rate of \$.95/minute for Medicare Part A and 80% of fee scheduled for non-Medicare A residents.

Roll Call

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

Nays: Gill

**Motion Carried**

2001-177 **AUTHORIZE BROOKHAVEN MCF TO DISPOSE OF FORTY-FIVE (45) RESIDENT BEDS**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize Brookhaven MCF to dispose of forty-five (45) resident beds upon receipt of resident high/low beds, and as part of that process, five beds be offered to the Nurse Aide training groups currently affiliated with Brookhaven and the remaining beds be offered to the following charitable organizations: World Vision International Aide, Love, Inc., Red Cross, Salvation Army and City Rescue Mission.

Roll Call

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

Nays: Gill

**Motion Carried**

2001-178 **AUTHORIZE THE LIBRARY TO RECLASSIFY X52004 LIBRARIAN III TO A LIBRARIAN II**

The Human Resources Committee recommends, moved by Frye, supported by Kobza, authorize the Library to reclassify X52004 Librarian III to a Librarian II for the North Muskegon branch.

Roll Call

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

Nays: None

**Motion Carried**

2001-179 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 17, 2001 THROUGH MARCH 30, 2001**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve payment of the accounts payable of \$5,651,494.74 covering the period of March 17, 2001 through March 30, 2001, as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2001-180 **APPROVE THE 2000 COST ALLOCATION PLAN AS SUBMITTED**

The Ways and Means Committee recommends, moved by Baade, supported by Start, approve the 2000 Cost Allocation Plan as submitted.

Roll Call

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

Nays: None

**Motion Carried**

2001-181 **ACCEPT AND PLACE ON FILE THE 2000 SINGLE AUDIT REPORT**

The Ways and Means Committee recommends, moved by Baade, supported by Start, accept and place on file the 2000 Single Audit Report as submitted.

Roll Call

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

Nays: None

**Motion Carried**

2001-182 **ACCEPT AND PLACE ON FILE THE MANAGEMENT LETTER**

The Ways and Means Committee recommends, moved by Baade, supported by Start, accept and place on file the Management Letter for year ending September 30, 2000, prepared by BDO Siedman, LLP as submitted.

Roll Call

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

Nays: None

**Motion Carried**

2001-183 **AUTHORIZE AWARD OF THE COMMAND/COMMUNICATIONS VEHICLE BID TO FARBER SPECIALTY VEHICLES**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize award of the Command/Communications Vehicle bid to Farber Specialty Vehicles at a cost of \$100,720 and give Emergency Management approval to proceed with securing purchase agreement.

2001-183 **AUTHORIZE AWARD OF THE COMMAND/COMMUNICATIONS VEHICLE  
BID TO FARBER SPECIALTY VEHICLES (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-184 **EXTEND THE OPTION AGREEMENT FOR LOT #5 IN THE AIRPORT  
BUSINESS PARK WITH STARIHA PROPERTY, LLC**

The Ways and Means Committee recommends, moved by Baade, supported by Start, extend the option agreement for Lot #5 in the Airport Business Park with Stariha Property, LLC for one year with a consideration of \$5,700 to be applied to the purchase price if the option is extended.

Roll Call

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

Nays: None

**Motion Carried**

2001-185 **AUTHORIZE THE ORDERING OF 100 CATCH-THE-WAVE CREAM  
COLOR CANVAS BAGS WITH BURGUNDY HANDLES AND DESIGN  
FROM TROPHY HOUSE**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize the ordering of 100 Catch-the-Wave cream color canvas bags with burgundy handles and design from Trophy House at a cost of \$2.69 each plus shipping.

Roll Call

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

Nays: None

**Motion Carried**

2001-186 **RECEIVE AND PLACE ON FILE THE FEBRUARY 21, 2001, LETTER  
FROM NORTON SHORES ABOUT REDUCTION IN LIBRARY HOURS**

The Ways and Means Committee recommends, moved by Baade, supported by Start, receive and place on file the February 21, 2001, letter from Norton Shores about reduction in library hours and reduction in the city's assessing contract and the February 27, 2001, memorandum from Clifford A. Turner, Equalization Director, re: city of Norton Shores Operational Support.

2001-186 **RECEIVE AND PLACE ON FILE THE FEBRUARY 21, 2001, LETTER FROM NORTON SHORES ABOUT REDUCTION IN LIBRARY HOURS (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-187 **AUTHORIZE PAINTING OF THE CABOOSE**

The Ways and Means Committee recommends, moved by Baade, supported by Start, authorize painting of the caboose from the Contingency Fund at a cost not to exceed \$1,200.

Roll Call

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

Nays: None

**Motion Carried**

**CHAIR'S REPORT**

Chairman Hulka thanked the County and Community for support following the loss of his father.

**ADMINISTRATOR'S REPORT**

2001-188 **ACCEPT LOW BID FROM GREAT LAKES DOCK AND MATERIALS FOR IMPROVEMENTS TO HERITAGE LANDING, PHASE VIIIA**

The Administrator/Controller recommends, moved by Gill, supported by Baade, that the low bid from Great Lakes Dock and Materials in the amount of \$367,3000 be accepted for improvements to Heritage Landing, Phase VIIIA to be paid from the Clean Michigan Initiative (CMI) grant and the Capital Improvement budget in accord with the grant agreement.

Roll Call

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

Nays: None

**Motion Carried**

2001-189 **OPEN PUBLIC HEARING REGARDING DANA CORPORATION BLOCK GRANT**

The Administrator/Controller recommends, moved by Kobza, supported by Frye, to open the Public Hearing regarding Dana Corporation Block Grant.

**Motion Carried**

2001-190 **CLOSE PUBLIC HEARING REGARDING DANA CORPORATION BLOCK GRANT**

Mr. Bednarek, Administrator/Controller; and Susan R. Doriot, County Clerk, noted they had not received any written or verbal communications regarding the Dana Corporation Block Grant. Moved by Frye, supported by Baade, to close the public hearing.

**Motion Carried**

2001-191 **RESOLUTION PROCLAIMING APRIL 22-28, 2001 AS NATIONAL COUNTY GOVERNMENT WEEK**

The Administrator/Controller recommends, moved by Kobza, supported by Frye, approval of the attached resolution, Proclaiming April 22 - 28, 2001 as National County Government Week.

**Motion Carried**

**Old Business**

Commissioner Frye introduced Donald E. Studaven, Blue Lake Supervisor.

Commissioner Moulatsiotis questioned the status of the Atrium project and was informed by Frank Bednarek, Administrator/Controller, that the project is on schedule.

Commissioner Kobza questioned the progress on remodeling the Hall of Justice.

**New Business**

None.

**Audience Participation**

Delores Cole, Ted Davis, Patricia Pitkins and Rick Witham addressed the Board regarding making Dr. Martin Luther King, Jr.'s birthday a County Holiday.

**Audience Participation (continued)**

Jason McVoy of Muskegon Area Community First, invited Commissioners to a press release scheduled for Wednesday, April 11, 2001.

Father LaGoe addressed the Board regarding the Pledge of Allegiance.

2001-192 **CLOSED SESSION RE: CHANDLER V. COUNTY**

Moved by Frye, supported by McMurray, to go into closed session re: Chandler v. County.

Roll Call

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

Nays: Gill

**Motion Carried**

Returned to open session at 5:12 p.m.

2001-193 **ACCEPT CORPORATE COUNSEL RECOMMENDATION CONCERNING SETTLEMENT OF THE THOMAS CHANDLER LAWSUIT**

Moved by Kobza, supported by Start, to accept Corporate Counsel recommendation concerning settlement of the Thomas Chandler lawsuit.

Roll Call

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

Nays: None

**Motion Carried**

Meeting adjourned at 5:15 p.m.

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Susan R. Doriot, County Clerk

/jmp