

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

April 25, 2006

3:31 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 Donald Mathews - Pastor Emeritus Presbyterian.

Roll Call

Present: Aley, Buzzell, Derezinski, Engle, Gill, McMurray, Scolnik, Snider, Wade, Waters, Wisniewski

Absent: None

2006-214 **APPROVE AGENDA**

Moved by Engle, seconded by Buzzell, to approve the Agenda with the addition to the Chairman's Report of item D, May 4, National Day of Prayer.

Motion Carried

2006-215 **APPROVAL OF MINUTES OF APRIL 11, 2006**

Moved by Engle, seconded by Buzzell, to approve the minutes of the regular meeting of April 11, 2006.

Motion Carried

2006-216 **COMMUNICATION**

Moved by Engle, seconded by Snider, to receive and place on file the Communication from Tuscola County - Support of Restoration of State Revenue Sharing Resolution & Support of MAC Amicus Curiae Brief Resolution

Motion Carried

2006-217 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MARCH 29, THROUGH APRIL 11, 2006**

WM06/4-42

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve payment of the accounts payable of \$4,665,827.14 covering the period of March 29, 2006, through April 11, 2006, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2006-218 **HIRE ACTING EQUALIZATION DIRECTOR, LARRY MILLARD**

WM06/4-43

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to hire Acting Equalization Director, Larry Millard, as the Equalization Director at the 6th step of the pay range with an annual rate of pay of \$86,806.73.

Roll Call

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

Nays: None

Motion Carried

2006-219 **APPROVE THE RESOLUTION ESTABLISHING THE 2006 EQUALIZED VALUATION FOR MUSKEGON COUNTY**

WM06/4-44

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve the resolution establishing the 2006 equalized valuation for Muskegon County as determined and submitted by the Muskegon County Equalization Department.

(Continued)

2006-219 **APPROVE THE RESOLUTION ESTABLISHING THE 2006 EQUALIZED VALUATION FOR MUSKEGON COUNTY**

Roll Call

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

Nays: None

Motion Carried

2006-220 **AUTHORIZE THE HIRING OF JEFF HAWKINS AS SEASONAL PARK RANGER**

CD/SP06/4-9

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Engle, to authorize the hiring of Jeff Hawkins as Seasonal Park Ranger, position T22511 for the 2006 park season.

Roll Call

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

Nays: None

Motion Carried

2006-221 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072\Z14**
TR06/04-15

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve MDOT Project Authorization 2002-0072\Z14 with the Muskegon Area Transit System providing \$49,600 in FY2005 state toll credits, and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

Motion Carried

2006-222 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO PUBLISH
THE PUBLIC NOTICE REGARDING THE FY2006 FEDERAL OPERATING
AND CAPITAL APPLICATION**

TR06/04-16

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System to publish the public notice regarding the FY2006 Federal Operating and Capital application and to authorize staff to execute the electronic grant applications if there is no request for public hearing.

Roll Call

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

Nays: None

Motion Carried

2006-223 **AUTHORIZE THE MUSKEGON AREA TRANSIT SYSTEM TO ESTABLISH
A 2006 SUMMER "HAUL PASS"**

TR06/04-17

The Transportation Committee recommends, moved by Gill, seconded by Engle, to authorize the Muskegon Area Transit System to establish a 2006 Summer "HAUL PASS" promotion for students, as proposed.

Roll Call

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

Nays: None

Motion Carried

2006-224 **APPROVE THE EXTENSION OF THREE (3) T-HANGAR LEASE
AGREEMENTS**

TR06/04-18

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the extension of three (3) T-Hangar Lease Agreements at Muskegon County Airport expiring in the second quarter of 2006 as follows: Larry Duthler, \$180/month; Doug Parker, \$170/month; and Fred Riplo, \$170/month.

Roll Call

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

Nays: None

Motion Carried

2006-225 **APPROVE AMENDMENT NO. 7 TO THE CONTRACT DATED NOVEMBER**

18, 2000, BETWEEN THE COUNTY AND COMMONWEALTH ASSOCIATES

TR06/04-19

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve Amendment No. 7 to the contract dated November 18, 2000, between the County and Commonwealth Associates for Airport land acquisitions, resulting in a net increase of \$8,404, with the County's 2.5% share to be \$210, and further authorize the Chairman to sign said Amendment.

Roll Call

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

Nays: None

Motion Carried

2006-226 **APPROVE EXECUTION OF A PURCHASE AGREEMENT BY COMMONWEALTH ASSOCIATES, INC.**

TR06/04-20

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve execution of a purchase agreement in the amount of \$46,500 by Commonwealth Associates, Inc., on behalf of the County, for the acquisition of land from Doss Industrial Development Corporation in furtherance of the Airport's runway extension project.

Roll Call

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

Nays: None

Motion Carried

2006-227 **APPROVE REIMBURSABLE AGREEMENT NO. AGL-415**

TR06/04-21

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve Reimbursable Agreement No. AGL-415 in the amount of \$39,683 between the Federal Aviation Administration (FAA) and the County in furtherance of the Airport's runway extension project.

Roll Call

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

Nays: None

Motion Carried

2006-228 **APPROVE PAYMENT TO VERIZON**

TR06/04-22

The Transportation Committee recommends, moved by Gill, seconded by Engle, to

approve payment to Verizon in the amount of \$459,642.97 for the engineering and construction of their utility relocation associated with the Airport's runway extension project, and further authorize the Chairman to sign the agreement and necessary easement.

Roll Call

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

Nays: None

Motion Carried

2006-229 **APPROVE PAYMENT TO DTE ENERGY FOR THE ENGINEERING AND CONSTRUCTION OF THEIR UTILITY RELOCATION ASSOCIATED WITH THE AIRPORT'S RUNWAY EXTENSION PROJECT**

TR06/04-23

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve payment to DTE Energy in the amount of \$125,034 for the engineering and construction of their utility relocation associated with the Airport's runway extension project, and further authorize the Chairman to sign the agreement and necessary easement.

Roll Call

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

Nays: None

Motion Carried

2006-230 **APPROVE PAYMENT TO COMCAST FOR THE ENGINEERING AND CONSTRUCTION OF THEIR UTILITY RELOCATION ASSOCIATED WITH THE AIRPORT'S RUNWAY EXTENSION PROJECT**

TR06/04-24

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve payment to Comcast in the amount of \$94,568 for the engineering and construction of their utility relocation associated with the Airport's runway extension project, and further authorize the Chairman to sign the agreement and necessary easement.

Roll Call

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

Nays: None

Motion Carried

2006-231 **APPROVE PAYMENT TO CONSUMERS ENERGY FOR THE ENGINEERING AND CONSTRUCTION OF THEIR TRANSMISSION LINE RELOCATION ASSOCIATED WITH THE AIRPORT'S RUNWAY EXTENSION PROJECT**

TR06/04-25

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve payment to Consumers Energy in the amount of \$579,500 for the engineering and construction of their Transmission line relocation associated with the Airport's runway extension project, and further authorize the Chairman to sign the agreement and necessary easement.

Roll Call

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

Nays: None

Motion Carried

2006-232 **APPROVE PAYMENT TO CONSUMERS FOR THE ENGINEERING AND CONSTRUCTION OF THEIR DISTRIBUTION LINE RELOCATION ASSOCIATED WITH THE AIRPORT'S RUNWAY EXTENSION PROJECT**

TR06/04-26

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve payment to Consumers Energy in the amount of \$109,000 for the engineering and construction of their Distribution line relocation associated with the Airport's runway extension project, and further authorize the Chairman to sign the agreement and necessary easement.

Roll Call

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

Nays: None

Motion Carried

2006-233 **APPROVE THE LEASE FOR THE NEW U.S. COAST GUARD HANGAR FACILITY LOCATED AT THE AIRPORT**

TR06/04-27

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the lease for the new U.S. Coast Guard hangar facility located at the Airport, and further authorize the Chairman to sign said lease agreement once a final walk-through and acceptance has been performed by the U.S. Coast Guard, to be completed on May 1, 2006. The current lease agreement allows for reimbursement, over the five year term, of all but \$36,044.37 (known as of 4/20/07). A Memorandum of Understanding will be brought back to the Board indicating how and over what term, following the initial 5 year term, these additional costs, incurred by the County, will be recovered.

(Continued)

2006-233 **APPROVE THE LEASE FOR THE NEW U.S. COAST GUARD HANGAR FACILITY LOCATED AT THE AIRPORT**

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Commissioner Waters noted the Metropolitan Planning Committee met on Wednesday, April 19, at which time they adopted the resolution to concur with Blue Lake on the Owassippi issue. Commissioner Waters asked that Commissioners meet to get direction on this issue. Chairman Derezinski noted that may be covered at the training session.

Vice-Chairman Snider noted he and Commissioner Gill attended a LCC meeting. It appears the LCC operation will continue through the end of the year. It was noted that certain funding has not yet been forwarded.

Commissioner Scolnik referred to an invitation in Commissioners mailboxes regarding a speaker brought in by Muskegon Area First, encouraging Commissioners to attend.

Chairman Derezinski noted MAC Legislative Updates are included in agenda packets for review.

2006-234 **COUNTY GOVERNMENT WEEK - COMMISSIONER-FOR-A-DAY**

Commissioner introduced their junior Commissioner's

Commissioner Buzzell - Cloey Buzzell
Commissioner Gill - Char Perez
Commissioner Aley - Nicholas Aley
Commissioner Snider - I John Snider IV
Commissioner McMurray - Dontel McMurray and Darwin McMurray
Commissioner Scolnik - Noah Edwards

2006-235 **OFFICE OF CORPORATE COUNSEL - PERFORMANCE EVALUATION QUESTIONNAIRE**

The Chairman recommends, moved by Gill, seconded by Engle, to adopt attached Performance Evaluation Questionnaire for use as format for evaluation of Corporate Counsel.

Motion Carried

2006-236 **ADOPT THE MAY 4, NATIONAL DAY OF PRAYER PROCLAMATION**

The Chairman recommends, moved by McMurray, seconded by Waters, to adopt the May 4, National Day of Prayer proclamation.

Motion Carried

ADMINISTRATOR'S REPORT

2006-237 **APPROVAL TO SUBMIT THE STORMWATER POLLUTION PREVENTION INITIATIVE PLAN TO THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

The Administrator recommends, moved by Snider, seconded by Aley, to authorize staff to submit a final copy of the attached Stormwater Pollution Prevention Initiative Plan to the Michigan Department of Environmental Quality on behalf of Muskegon County.

Fred Cowles, Consultant for Fishback Thompson, Carn & Huber presented brief overview of project.

Roll Call

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

Nays: None

Motion Carried

2006-238 **APPROVAL OF THE PROMOTION OF THE WASTEWATER/SOLID WASTE ACCOUNT CLERK TO THE WASTEWATER ADMINISTRATIVE ANALYST POSITION**

The Administrator recommends, moved by Aley, seconded by Engle, based on the Board of Public Works recommendation, the promotion of the Wastewater/Solid Waste Account Clerk at the Wastewater System (position #W37502) to the Wastewater Administrative Analyst position (X04002) at Step 1 and further to recommend that the Wastewater/Solid Waste Account Clerk position #W37502 be deleted, all effective April 30, 2006.

(Continued)

2006-238 **APPROVAL OF THE PROMOTION OF THE WASTEWATER/SOLID WASTE ACCOUNT CLERK TO THE WASTEWATER ADMINISTRATIVE ANALYST POSITION**

Dave Kendrick, Director of Public Works, addressed Board inquiries regarding Human Resource Analysis disagreements for the promotion based on job description and qualifications verses the fact that this person has been and is currently performing the job duties for this position.

Roll Call

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

Nays: None

Motion Carried

2006-239 **APPROVAL TO APPLY FOR A PROJECT SAFE NEIGHBORHOOD ANTI-GANG GRANT FROM THE UNITED STATES DEPARTMENT OF JUSTICE**

The Administrator recommends, moved by Waters, seconded by Buzzell to authorize the Prosecutor to apply for a Project Safe Neighborhoods Anti-Gang Grant from the United States Department of Justice, for the purpose of prosecution of gang related activities and initiating anti-gang education and prevention efforts in the amount of \$132,404 with no impact on the General Fund.

Roll Call

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

Nays: None

Motion Carried

Old Business

Chairman Derezinski noted training will be on Thursday. Evaluations are due by May 8.

Commissioner Aley introduced new Equalization Director, Larry Millard. Also, challenged Commissioners to attend Thursday's Ways & Means for Budget outlook.

New Business

Sam Wendling, Community Development, spoke regarding the Lake Express Ferry open house reporting the turn out in Muskegon had moderate express. In Milwaukee, over 5000 people turned out eager to learn more about Muskegon.

Commissioner McMurray, noted, inspirational speaker Les Brown will be speaking at the Frauenthal Theatre on April 27 @ 10:00 a.m.

Commissioner Scolnik presented certificates for Commissioners of a Day.

Public Participation

Students were in attendance from Mona Shores High School.

Adjourn at 4:29 p.m.

Karen D. Buie, County Clerk

KDB/jmp