

# *M u s k e g o n   C o u n t y*

## *Board of Commissioners*

*Vacant, Chairman*  
*Don Aley*  
*Charles Buzzell*  
*James Derezinski*  
*Marvin Engle*  
*Louis A. McMurray*

*Bill Gill, Vice-Chairman*  
*Robert Scolnik*  
*I. John Snider*  
*Nancy A. Waters*  
*Stephen Wisniewski*

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

### **Regular Meeting**

**May 24, 2005**  
**3:40 P.M.**

### **Vice-Chairman Gill, Presiding**

The Regular Meeting of the Board of Commissioners was called to order by Vice-Chairman Gill. The pledge of Allegiance was recited followed by the invocation given by Pastor Jerry Pimpleton.

### **Roll Call**

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

Absent: None

### 2005-240    **APPROVAL OF MINUTES OF MAY 10, 2005**

Moved by Snider, supported by Engle, to approve the minutes of the regular meeting on May 10, 2005.

### Roll Call

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

Nays: None

**Motion Carried**

### 2005-241    **COMMUNICATIONS**

Moved by Wisniewski, supported by Engle, to receive and place on file the following Communications:

1.    Opposing cuts in funding for community development programs
2.    Gratitude to Rep. Huizenga for assistance on House Bill 5657

**Motion Carried**

2005-242 **APPROVE MDOT CONTRACT 2001-0855/A2**

TR05/05-17

The Transportation Committee recommends, moved by Scolnik, supported by Engle, to approve MDOT Contract 2001-0855/A2, providing a two-year extension of capital funding with the Muskegon Area Transit System, and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

2005-243 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072/Z4/R1**

TR05/05-18

The Transportation Committee recommends, moved by Scolnik, supported by Engle, to approve MDOT Project Authorization 2002-0072/Z4/R1, providing a two-year extension of capital funding with the Muskegon Area Transit System, and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

2005-244 **APPROVE THE EXTENSION OF THREE (3) T-HANGAR LEASE AGREEMENTS**

TR05/05-19

The Transportation Committee recommends, moved by Scolnik, supported by Engle, to approve the extension of three (3) T-Hangar Lease Agreements at Muskegon County Airport expiring in the second quarter of 2005 as follows: Dan Duthler, \$180/month; Doug Parker, \$170/month; and Fred Riplo, \$170/month.

Roll Call

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

Nays: None

**Motion Carried**

2005-245 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF APRIL 27, THROUGH MAY 10, 2005**

WM05/5-47

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve payment of the accounts payable of \$3,549,555.74 covering the period of April 27, 2005 through May 10, 2005 as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2005-246 **ESTABLISH A PERSONNEL HEARING BOARD**

WM05/5-48

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to establish a Personnel Hearing Board as requested by Patricia Fanberg.

Roll Call

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

Nays: None

**Motion Carried**

2005-247 **APPROVE KAREN BUIE, COUNTY CLERK, ENTERING INTO AGREEMENT WITH GOVERNMENT PAYMENT SERVICES, INC. (GPS)**

WM05/5-49

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve Karen Buie, County Clerk, entering into agreement with Government Payment Services, Inc. (GPS) for processing payments by credit card for Fines, Court Costs, and New Court Filing Fees for Muskegon County Circuit Court and having the option to implement the same for payments in the County Clerk's office in the future.

Roll Call

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

Nays: None

**Motion Carried**

2005-248 **ACCEPT THE FINANCE & MANAGEMENT SERVICES  
RECOMMENDATION FOR ACCOUNTS RECEIVABLE COLLECTION  
SERVICES FROM NATIONAL RECOVERY AGENCY**

WM05/5-50

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to accept the Finance & Management Services recommendation for accounts receivable collection services from National Recovery Agency for a three-year contract commencing on July 1, 2005, with renewals possible in future years.

Roll Call

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

Nays: None

**Motion Carried**

2005-249 **APPROVE OPTION #2 OF THE HOOKER DEJONG HALL OF JUSTICE  
GENERATOR**

WM05/5-51

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve Option #2 of the Hooker DeJong Hall of Justice Generator; to authorize DET/FM to contract with Hooker DeJong to develop those bid specifications, at a cost of \$15,925, and to go out for bids to purchase a 750kw generator; to authorize an additional \$3,530, to design the specifications to relocate the existing generator to the Oak Avenue Building; further, to authorize Hooker DeJong to develop bid specifications for air conditioning and electrical needs for the Central Dispatch Communications Room, at a cost of \$6,480; and, to authorize DET/FM to go out for bid for these services.

Roll Call

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

Nays: None

**Motion Carried**

2005-250 **AUTHORIZE APPOINTMENTS AND RECLASSIFICATIONS AS SET  
FORTH IN THE FOLLOWING MOTION**

WM05/5-52

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Drain Commission to appoint Fred Helms to the budgeted position of Drain Inspector for a six-month period; approve the Prosecutor's request for reclassification of Assistant Prosecutor II, position X08505 to Senior Assistant Prosecutor effective immediately; delete Clerk II position G20095 effective immediately, and restructure Assistant Prosecutor I salary range by adding a seventh step at the front end of the salary range immediately; and

(Continued)

2005-250 **AUTHORIZE APPOINTMENTS AND RECLASSIFICATIONS AS SET FORTH IN THE FOLLOWING MOTION**

authorize the Treasurer's Office reorganization plan by reclassifying the Accountant II position number X02005 to Cash Manager (position number to be established) from a salary range NX-00220 to NX-00300 retroactively to January 24, 2005 and reclassify the Administrative Analyst position number X04005 to Accountant I (position number to be established from a salary range NX-00220 to NX-00130.

Roll Call

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

Nays: None

**Motion Carried**

2005-251 **AMEND THE PROSECUTOR'S COOPERATIVE REIMBURSEMENT CONTRACT**

WM05/5-53

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to amend the Prosecutor's Cooperative Reimbursement Contract with the State of Michigan, Department of Human Services and adjust the budget in the revised FY2005 budget process.

Roll Call

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

Nays: None

**Motion Carried**

2005-252 **CREATE A WATER SYSTEM SUPERVISOR JOB CLASSIFICATION**

The Board of Public Works recommends, moved by McMurray, supported by Engle, the creation of a Water System Supervisor job classification at NX290, the promotion of the current Environmental Planner/Recycling Coordinator (position X33001) to step 3 in this classification, the addition of an Account Clerk II position at GU138, and the deletion of the Environmental Planner/Recycling Coordinator position at NX210 in the Public Works Department.

Roll Call

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

Nays: None

**Motion Carried**

2005-253 **CREATE A WASTEWATER UTILITY ASSISTANT**

The Board of Public Works recommends, moved by McMurray, supported by Engle, that the job of Wastewater Utility Assistant be created for the Wastewater System at Table WW and Grade 00045 (5% higher than WW00040), and that the Hourly Sampler, Agricultural Laborer, and two Laborer/Seasonal positions be deleted in FY2006.

Roll Call

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

Nays: None

**Motion Carried**

**CHAIR'S REPORT**

Vice-Chairman Gill noted the MAC Legislative Updates for May 13, 2005, are included in agenda packets.

2005-254 **INTERIM APPOINTMENT FOR COMMISSIONER DISTRICT 10**

The Chairman recommends, moved by Aley, supported by Buzzell, to appoint Roger C Wade as Interim Commissioner for Commission District 10, to fill the vacancy until the pending election.

Commissioner Snider noted the Commission as a whole represents the County and District 10 will be represented sufficiently until the election, letting the will of the people in that District elect their own representative.

Roll Call

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

Nays: Scolnik, Snider, Wisniewski, Engle

**Motion Carried**

Interim Commissioner for District 10, Roger C Wade, introduced himself and accepted the appointment, thanking Commissioners for their vote of confidence.

2005-255 **PREPARE A RESOLUTION IN RECOGNITION OF THE FURY HOCKEY TEAM**

The Chairman recommends, moved by Derezinski, supported by Snider, to prepare a resolution in recognition of the Fury Hockey Team.

**Motion Carried**

Commission and audience wished Commissioner Scolnik a Happy Birthday!

**ADMINISTRATOR'S REPORT**

2005-256 **ACCEPT PROPOSAL FROM ARIALINK BROADBAND FOR  
IMPLEMENTATION OF DIGITAL DIVIDE INVESTMENT PROGRAM**

The Administrator recommends, moved by Wisniewski, supported by Waters, to authorize Finance and Management Services/Information Systems to accept the proposal from Arialink Broadband for the implementation of the Digital Divide Investment Program for Muskegon County, to accept the CDBG grant from the Michigan Broadband Development Authority in the amount not to exceed \$2,216,000.00, and to enter into a contract agreement with the Michigan Broadband Development Authority for the administration of such grant, and to authorize the Vice Chair to sign the grant and contract documents.

Roll Call

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

Nays: None

**Motion Carried**

**Old Business**

Commissioner Derezinski commended Corporate Counsel for success in ALJ audit.

**New Business**

2005-257 **ELECT JIM DEREZINSKI AS THE NEW COUNTY COMMISSION CHAIR**

Moved by Buzzell, supported by Wisniewski, to elect, by secret ballot, Jim Derezinski as the new County Commission Chairperson to fill the vacancy until term has expired.

Vice-Chairman Gill called the action Out of Order.

2005-258 **CHAIR CHALLENGED**

Commssioner Snider Challenged the Chair

Roll Call on Challenge

Ayes: Gill, McMurray, Waters

Nays: Wisniewski, Aley, Buzzell, Derezinski, Engle, Scolnik, Snider

**Motion Failed**

2005-259 **TABLE THE MOTION UNTIL THE NEXT FULL BOARD**

Moved by McMurray, Supported by Waters, to table the motion until the next Full Board meeting.

Roll Call

Ayes: Aley, Gill, McMurray, Waters

Nays: Buzzell, Derezinski, Engle, Scolnik, Snider, Wisniewski

**Motion Failed**

Friendly amendment by motion makers to remove words "by secret ballot" from the motion and allow for a voice vote.

2005-260 **RECESS UNTIL NEXT FULL BOARD**

Moved by Vice-Chairman Gill, supported by Waters, to recess until the next Full Board meeting.

There was no voice or roll call vote to recess.

Several Commissioners called for Out-of-Order.

Vice-Chairman Gill left at 4:23 p.m.

**Reconvened:** Commissioner Aley, having been previously appointed as a back-up for Vice-Chairman Gill, reconvened the meeting at 4:40 p.m.

It was noted that during the recess, newly appointed Commissioner Wade had been sworn in and was now seated with the Commission.



**Roll Call**

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

Absent: Gill

**Roll Call on motion to recess**

Ayes: Derezinski, McMurray, Waters, Wade, Aley

Nays: Buzzell, Engle, Scolnik, Snider, Wisniewski

**Motion Defeated**

Roll Call on motion 2005-257 as amended to read: Moved by Buzzell, supported by Wisniewski, to elect Jim Derezinski as the new County Commission Chairperson to fill the vacancy until term has expired.

Commissioner McMurray urged Commissioners to defeat this motion noting that it had previously been agreed that the nomination and election of the Chair would take place at the June 14, 2005, Full Board meeting .

Commissioner Derezinski urged Commissioners to defeat this motion noting that, regardless what kind of Chair they would be, with all that had transpired, no one could be successful as Chair or have the faith of the County being elected under the current conditions.

**Roll Call on amended Motion 2005-257**

Ayes: Buzzell, Engle, Wisniewski,

Nays: Wade, Aley, Derezinski, McMurray, Waters

Abstain: Snider, Scolnik

**Motion Failed**

**Audience Participation**

Duane Buckner, Sullivan Township Clerk, reprimanded County Commissioners and urged them to work together

Lois Morris addressed the Board suggesting Commissioners attend Institute of Racial Healing in order to work for the betterment of the Community.

Paul Billings, Verdel Toes and Marianne Harris-Darnell expressed their disappointment in Commissioners behavior.

**Audience Participation (continued)**

Jeff Kenny noted Commissioners are there to make a stand and expressed disapproval of those that abstained from the vote. Mr. Kenny also expressed that newly appointed Commissioner Wade should be given a chance and not be included in the disapproval previously expressed.

Adjourned at 5:10 p.m.

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Karen D. Buie, County Clerk

KDB/jmp