

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

Board of Commissioners

*Paul Baade, Chairman
Douglas Bennett
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

**June 8, 2004
3:31 P.M.**

Acting Chair Louis McMurray, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Acting Chair McMurray. The pledge of Allegiance was recited in unison followed by the invocation given by Commissioner Snider.

Roll Call

Present: Bennett, Buzzell, Derezinski, Engle, McMurray, Scolnik, Snider, Waters, Wisniewski

Excused: Baade, Gill

Absent: None

2004-241 **APPROVAL OF MINUTES OF MAY 25, 2004**

Moved by Bennet, supported by Engle, to approve the minutes of the Regular Meeting of May 25, 2004.

Motion Carried

2004-242 **AUTHORIZE BROOKHAVEN MEDICAL CARE FACILITY TO ENTER INTO AN AGREEMENT WITH CONSUMERS ENERGY**

The Administrator recommends, moved by Engle, supported by Derezinski, to authorize Brookhaven Medical Care Facility to enter into an agreement with Consumers Energy, the terms and conditions of which shall be approved by Corporate Counsel, for a term of 35 years at a cost of \$55,890, to be paid over a 36-month period, to reserve capacity for an alternate power source.

(Continued)

2004-242 **AUTHORIZE BROOKHAVEN MEDICAL CARE FACILITY TO ENTER INTO AN AGREEMENT WITH CONSUMERS ENERGY**

Roll Call

Ayes: Buzzell, Derezinski, Engle, Scolnik, Snider, Wisniewski, McMurray

Nays: Bennett, Waters

Motion Carried

2004-243 **AUTHORIZE STAFF TO INVESTIGATE THE FEASIBILITY OF RELOCATING THE FORMER GRAND TRUNK DEPOT TO HERITAGE LANDING**

CDSP04/5-7

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Wisniewski, to authorize staff to investigate the feasibility of relocating the former Grand Trunk Depot to Heritage Landing.

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-244 **AUTHORIZE THE BOARD CHAIR TO EXECUTE EXTENSION AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND B.S.D. GROUP, LLC**

CDSP04/5-8

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to authorize the Board Chair to execute extension agreement between the County of Muskegon and B.S.D. Group, LLC, covering real property located at 793 W. Western Avenue, Muskegon Michigan providing for closing of sale to occur on or before June 3, 2005.

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-245 **AUTHORIZE THE BOARD CHAIR TO SEND A LETTER OF SUPPORT FOR SENATE BILL S. 1850**

CDSP04/5-9

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to authorize the Board Chair to send a letter of support for Senate Bill S. 1850, the Michigan Lighthouse and Maritime Heritage Act.

(Continued)

2004-245 **AUTHORIZE THE BOARD CHAIR TO SEND A LETTER OF SUPPORT FOR SENATE BILL S. 1850**

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-246 **AUTHORIZE CONTRIBUTION OF \$3,000 FOR PROMOTIONAL EFFORTS TO THE MISS MICHIGAN SCHOLARSHIP PAGEANT**

CDSP04/5-10

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to authorize contribution of \$3,000 for promotional efforts to the Miss Michigan Scholarship Pageant from the Accommodations Tax Fund.

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-247 **SPONSOR THE MUSKEGON HEIGHTS FESTIVAL IN THE PARK**

CDSP04/5-11

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to sponsor the Muskegon Heights Festival in the Park and provide them with \$3,000 financial support for the marketing effort from the Accommodations Tax Fund.

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-248 **PRESENT A RESOLUTION TO LUBAR & CO. WISHING THEM SUCCESS WITH THE CROSS-LAKE FERRY PROJECT**

CDSP04/5-12

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to present a resolution to Lubar & Co. wishing them success with the cross-lake ferry project.

(Continued)

2004-248 **PRESENT A RESOLUTION TO LUBAR & CO. WISHING THEM SUCCESS WITH THE CROSS-LAKE FERRY PROJECT**

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-249 **PRESENT A RESOLUTION TO MARC MORIAL, PRESIDENT, NATIONAL URBAN LEAGUE**

CDSP04/5-13

The Community Development/Strategic Planning Committee recommends, moved by Bennett, to present a resolution to Marc Morial, President, National Urban League, when he visits our community on June 2, 2004.

Roll Call

Ayes: Buzzell, Bennett, Engle, Derezinski, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-250 **ALLOW THE SHERIFF'S OFFICE TO USE ONE OF ITS OLDER USED VEHICLES FOR SPARE PARTS AND SELL 4 INSTEAD OF 5 VEHICLES**

CPS04/6-28

The Courts and Public Safety Committee recommends, moved by Snider, supported by Wisniewski, to allow the Sheriff's Office to use one of its older used vehicles for spare parts and sell 4 instead of 5 vehicles.

Roll Call

Ayes: Engle, Derezinski, Buzzell, Bennett, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-251 **APPROVE THE CONTRACT WITH WEST MICHIGAN THERAPY, INC.**

CPS04/6-29

The Courts and Public Safety Committee recommends, moved by Snider, supported by Wisniewski, to approve the contract with West Michigan Therapy, Inc., for the provision of the following services: Cognitive Restructuring in the amount of \$45,000 for sentenced offenders and \$12,000, for Pretrial defendants; Inmate Substance Abuse Plus Program, in the amount of \$40,000 for Phase I and \$14,000 for Phase II; Probation Residential Services for females, in the amount of \$150,020; and the continuation of the Zero Tolerance Program. Funding for

(Continued)

2004-251 **APPROVE THE CONTRACT WITH WEST MICHIGAN THERAPY, INC.**

these programs, originally awarded for the first half of FY2004 is being extended to cover the entire FY2004 for the State of Michigan, Department of Corrections, Office of Community Corrections.

Roll Call

Ayes: Engle, Derezinski, Buzzell, Bennett, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-252 **AUTHORIZE RESPONSE TO A REQUEST FOR PROPOSAL (RFP) FROM THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY**

HR04/6-43

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize response to a Request for Proposal (RFP) from the Michigan Department of Environmental Quality and to apply for grant funding in the amount of \$90,000.00 under the Michigan Community Pollution Prevention (P2) Grant Program in order to establish a partnership of surrounding counties to enhance customer electronics recycling and mercury switch removal efforts in West Michigan. Further authorize the Director of Health and Community Resources to sign the grant application.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-253 **AUTHORIZE THE HEALTH DEPARTMENT TO RECLASSIFY THE VACANT WIC CLERK POSITION G91503 TO A PUBLIC HEALTH TECHNICIAN POSITION GU00110**

HR04/6-44

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the Health Department to reclassify the vacant WIC Clerk position G91503 to a Public Health Technician position GU00110 at \$9.29 - \$13.18 per hour with no increase in General Fund Appropriations.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-254 **AUTHORIZE THE HEALTH DEPARTMENT TO RE-ESTABLISH AND MAINTAIN A CASH FUND**

HR04/6-45

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the Health Department to re-establish and maintain a cash fund with an initial and maintenance level of \$2,000.00 not to exceed \$22,000.00 for the 2004 Farmers' Market Nutrition Program "Project Fresh", to reimburse local contracted farmers for fresh fruits and vegetables sold to eligible WIC program clients.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-255 **AUTHORIZE CONTINUATION THROUGH SEPTEMBER 30, 2004 OF THE GRANT TO MUSKEGON AREA INTERMEDIATE SCHOOL DISTRICT FOR MENTAL HEALTH PREVENTION SERVICES**

HR04/6-46

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize continuation through September 30, 2004 of the grant to Muskegon Area Intermediate School District for mental health prevention services in the Head Start Program in the amount of \$35,000.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-256 **AWARD ONE TIME GRANTS OF \$2,860 TO PIONEER TRAILS**

HR04/6-47

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to award one time grants of \$2,860 to Pioneer Trails and \$1,000 to Arc/Muskegon for support of the Summer Camp for people with disabilities.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-257 **NOTIFY COUNTY EMPLOYEES THAT THERE WILL NOT BE AN EMPLOYER- FUNDED EMPLOYEE PICNIC THIS YEAR**

HR04/6-48

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to notify County employees that there will not be an employer- funded employee picnic this year due to budgetary constraints.

Roll Call

Ayes: Waters, Wisniewski, Snider, Scolnik, Engle, Derezinski, Buzzell, Bennett, McMurray

Nays: None

Motion Carried

2004-258 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 12, 2004 THROUGH MAY 25, 2004**

WM04/6-56

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to approve payment of the accounts payable of \$3,214,223.37 covering the period of May 12, 2004 through May 25, 2004, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2004-259 **ACCEPT THE GRANT FOR THE 2004 SURVEY AND REMONUMENTATION OFFER**

WM04/6-57

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to accept the grant for the 2004 Survey and Remonumentation Offer and authorize the County Administrator to sign the grant agreement and Request for Payment and return it to the State of Michigan.

Roll Call

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

Nays: None

Motion Carried

2004-260 **AUTHORIZE EXECUTION OF ATTACHED RESOLUTION APPROVING
INSTALLMENT PURCHASE CONTRACT**

WM04/6-58

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to authorize execution of attached Resolution Approving Installment Purchase Contract Pursuant to Act No. 156, Public Acts of Michigan, 1851, providing for the purchase of Muskegon Central Dispatch equipment.

Roll Call

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

Nays: None

Motion Carried

2004-261 **PRESENT A RESOLUTION OF SUPPORT TO THE MICHIGAN STATE
HEAD COACH OF FOOTBALL JOHN L. SMITH**

WM04/6-59

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to present a resolution of support to the Michigan State head coach of football John L. Smith when he visits our community on June 29.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT

2004-262 **RECEIVE AND PLACE ON FILE: MAC LEGISLATIVE UPDATE - MAY 28,
2004; SENIOR RESOURCES FY2005 ANNUAL IMPLEMENTATION PLAN**

The Chairman recommends, moved by Snider, supported by Engle, to receive and place on file the following items:

- A. MAC Legislative Update - May 28, 2004
- B. Senior Resources FY2005 Annual Implementation Plan

Motion Carried

ADMINISTRATOR'S REPORT

2004-263 **AUTHORIZE CHAIRMAN EXECUTION OF THE ATTACHED MEMORANDUM OF AGREEMENT BETWEEN MUSKEGON COUNTY HEALTH PROJECT AND MUSKEGON COUNTY**

The Administrator recommends, moved by Engle, supported by Snider, to authorize Chairman execution of the attached Memorandum of Agreement between Muskegon County Health Project and Muskegon County with regard to efforts to obtain reimbursement for certain expenditures in the nature of "Medicaid Claiming", said Agreement to extend for a period of five (5) years and provide for Health Project and provide for payment to Health Project of up to ten percent (10%) of revenues generated.

Roll Call

Ayes: Buzzell, Bennett, Derezinski, Engle, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

2004-264 **DIRECTOR OF FINANCE AND MANAGEMENT PROVIDE WRITTEN NOTICE TO THE BRANCH LIBRARIES OF THE COUNTY'S INTENT TO CANCEL THE "INTERGOVERNMENTAL AGREEMENT"**

The Administrator recommends, moved by Snider, supported by Wisniewski, that the Director of Finance and Management provide written notice to the branch libraries of the County's intent to cancel the "Intergovernmental Agreement" due to budgetary constraints for FY2005, and further, to direct staff to assist Library Board efforts to maintain Local Unit financial support in the establishment of a new "district" library.

2004-265 **SUSPEND THE RULES AND ALLOW PUBLIC COMMENT**

Moved by Waters, supported by Derezinski, to suspend the rules and allow public comment.

Motion Carried

Roll Call on Item 264

Ayes: Wisniewski, Waters, Bennett, Snider, Scolnik, Engle, Buzzell, Derezinski, McMurray

Nays: None

Motion Carried

2004-266 **AUTHORIZE THE MEN AND WOMEN OF CHARACTER, INC. TO
MANAGE THE PARKING AT THE CARPENTER BROTHERS PROPERTY
AND UNION DEPOT**

The Administrator recommends, moved by Snider, supported by Waters, to authorize the Men and Women of Character, Inc. to manage the parking at the Carpenter Brothers Property and Union Depot for Summer Celebration and other major events at Heritage Landing for fifty percent of the gross proceeds and establish a charge of \$5.00 per vehicle for parking.

Roll Call

Ayes: Bennett, Buzzell, Derezinski, Engle, Scolnik, Snider, Waters, Wisniewski, McMurray

Nays: None

Motion Carried

Acting Chair, McMurray noted his favorable observation of Youth Conflict Resolution at last years Summer Celebration.

Old Business

Commissioner Bennett reiterated his dis-satisfaction with the proposal from Consumers Energy regarding Brookhaven's alternate power source.

Commissioner Waters also noted the time between the letter regarding Consumers Energy's proposal and Commissioners being informed of the proposal.

New Business

None.

Audience Participation

None.

Recessed to the call of the Chair at 4:32 p.m.

—

Karen D. Buie, County Clerk

KDB/jmp