

# *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**

**June 20, 2006**

**4:04 p.m.**

### **Chairman Derezinski, Presiding**

The Regular Meeting of the Board of Commissioners was called to order by Chairman Derezinski.

Roll Call

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

Excused: Buzzell, Wisniewski

Nays: None

**Motion Carried**

### 2006-326    **APPROVE AGENDA**

Moved by Engle, seconded by Waters, to approve the Agenda including the Addendum with Item B added to the Administrator's Report and adding Item C. Ways & Means, to section 9. Commissioner Waters to move a Resolution under New Business.

**Motion Carried**

### 2006-327    **APPROVAL OF MINUTES OF JUNE 13, 2006**

Moved by Engle, seconded by McMurray, to approve the minutes of the regular meeting of June 13, 2006.

**Motion Carried**

### 2006-328    **PRESENTATION**

Wendy Ohst, Deputy Director Employment & Training presented the Workforce Development Update

2006-329 **ADOPT THE ORDINANCE TO BAN FERTILIZER CONTAINING PHOSPHORUS IN MUSKEGON COUNTY**

CD/SP06/6-12

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Engle, to adopt the Ordinance to Ban Fertilizer Containing Phosphorus in Muskegon County, effective January 1, 2007.

**Motion Carried**

2006-330 **ADOPT THE ORDINANCE TO REPEAL THE ORDINANCE CREATING THE MUSKEGON COUNTY METROPOLITAN PLANNING COMMISSION**

CD/SP06/6-13

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Engle, to adopt the Ordinance to Repeal the Ordinance Creating the Muskegon County Metropolitan Planning Commission, effective July 1, 2006.

**Motion Carried**

2006-331 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072\Z8\R1 WITH THE MUSKEGON AREA TRANSIT SYSTEM**

TR06/06-31

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve MDOT Project Authorization 2002-0072\Z8\R1 with the Muskegon Area Transit System, providing for a one-year extension to complete the heavy-duty bus procurement project, and to authorize the Chair to execute the agreement.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-332 **APPROVE ACCEPTANCE OF A GRANT OFFER FROM THE FEDERAL AVIATION ADMINISTRATION**

TR06/06-32

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve acceptance of a Grant Offer from the Federal Aviation Administration to fund 95% of the Airport's runway extension project (AIP 3-26-0071-2706), in the amount of \$5,082,500, and further authorize the Chairman to execute the Grant Offer and the Clerk to authorize the resolution.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-333 **APPROVE MDOT CONTRACT NO. 2006-0405**

TR06/06-33

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve MDOT Contract No. 2006-0405 between the County of Muskegon and the State of Michigan, providing the State's 2.5% share (\$148,248) of the estimated \$5,929,958 for the Airport runway 14/32 extension project expenses in FY2006, and further authorize the Chairman to execute the contract and the Clerk to authorize the resolution.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-334 **APPROVE THE EXTENSION OF FOUR (4) T-HANGAR LEASE AGREEMENTS AT MUSKEGON COUNTY AIRPORT**

TR06/06-34

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve the extension of four (4) T-Hangar Lease Agreements at Muskegon County Airport expiring in the third quarter of 2006 as follows: Roger Babb, \$190/month; Rex Vanderlinde, \$190/month; Mark Malnor, \$180/month; and Rex Vanderlinde, \$180/month.

Roll Call

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

Nays: None

**Motion Carried**

2006-335 **APPROVE A VEHICLE RENTAL CAR CONCESSION AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND THREE (3) RENTAL CAR OPERATORS (AVIS, HERTZ, AND NATIONAL)**

TR06/06-35

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve a Vehicle Rental Car Concession Agreement between the County of Muskegon and three (3) rental car operators (Avis, Hertz, and National), setting new rates and terms for the operation of an on-site rental car operation at the Airport, and further authorize the Chairman to sign said Agreement.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-336 **APPROVE A SERVICE FACILITY LEASE AGREEMENT BETWEEN THE COUNTY OF MUSKEGON AND TWO (2) RENTAL CAR OPERATORS (AVIS AND NATIONAL)**

TR06/06-36

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve a Service Facility Lease Agreement between the County of Muskegon and two (2) rental car operators (Avis and National), setting new rates and terms for the use of a rental car wash and service facility located at the Airport, and further authorize the Chairman to sign said Lease Agreement.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-337     **APPROVE AN OFF-AIRPORT VEHICLE RENTAL BUSINESS PERMIT AGREEMENT BETWEEN ENTERPRISE RENT-A-CAR AND THE COUNTY OF MUSKEGON**

TR06/06-37

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve an Off-Airport Vehicle Rental Business Permit Agreement between Enterprise Rent-A-Car and the County of Muskegon for the operation of an off-site rental car company at the Airport and further authorize the Chairman to sign said Agreement.

Roll Call

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

Nays: None

**Motion Carried**

2006-338     **APPROVE MDOT CONSTRUCTION CONTRACT NO. FM 61-1-C87 BETWEEN MACLEAN CONSTRUCTION COMPANY AND THE COUNTY**

TR06/06-38

The Transportation Committee recommends, moved by Gill, seconded by Engle, to approve MDOT Construction Contract No. FM 61-1-C87 between Maclean Construction Company and the County for the construction of the Airport Runway 14/32 Extension Project – Phase I, at \$1,980,048 with the County's share of 2.5%, or \$49,501.20.

Roll Call

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

Nays: None

**Motion Carried**

2006-339     **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 24, THROUGH JUNE 9, 2006**

WM06/6-59

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve payment of the accounts payable of \$17,027,531.58 covering the period of May

24, 2006, through June 9, 2006, as presented by the County Clerk.

Roll Call

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

Nays: Gill

**Motion Carried**

2006-340 **APPROVE THE FY2007 BUDGET HEARING SCHEDULE**

WM06/6-60

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve the FY2007 Budget Hearing Schedule.

Roll Call

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

Nays: None

**Motion Carried**

2006-341 **AUTHORIZE EXECUTION OF ATTACHED RESOLUTION APPROVING  
INSTALLMENT PURCHASE CONTRACT**

WM06/6-61

The Ways and Means Committee recommends, moved by Aley, seconded 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 and authorize the Administrator and County Clerk to sign the Installment Purchase Agreement.

Roll Call

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

Nays: None

**Motion Carried**

2006-342 **APPROVE THE SUMMER TAX COLLECTION BOND**

WM06/6-62

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve the Summer Tax Collection Bond from 7/01/06 through 3/31/07 with Hartford Insurance Company in the amount of \$6,406.

(Continued)

2006-342 **APPROVE THE SUMMER TAX COLLECTION BOND**

Roll Call

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

Nays: None

**Motion Carried**

2006-343     **ACCEPT THE 2006-2007 RENEWAL RATES FROM DELTA DENTAL PLAN OF MICHIGAN**

WM06/6-63

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to accept the 2006-2007 renewal rates from Delta Dental Plan of Michigan, which are \$52.45 for group 2993-0001 and \$48.71 for group 2993-0003 effective July 1, 2006.

Roll Call

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

Nays: None

**Motion Carried**

2006-344     **ACCEPT THE PROPOSAL FOR LIFE AND AD & D INSURANCE, FOR ELIGIBLE EMPLOYEES, WITH CIGNA**

WM06/6-64

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to accept the proposal for Life and AD & D insurance, for eligible employees, with CIGNA at a rate of eleven cents (.11) per \$1,000 of covered payroll for Life Insurance and two cents (.02) per \$1,000 of covered payroll for AD & D Insurance, effective July 1, 2006 to June 30, 2009 and to extend the current LTD rates with CIGNA to January 1, 2009.

Roll Call

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

Nays: None

**Motion Carried**

2006-345     **APPOINT JAMES DELANEY AS EMPLOYER DELEGATE AND DEBORAH GROENEVELD AS ALTERNATE TO THE 2006 MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

WM06/6-65

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to appoint James Delaney as employer delegate and Deborah Groeneveld as alternate to the 2006 Municipal Employees Retirement System (MERS) annual meeting and the cost of attending for the employer and employee delegates and alternates be paid from the Risk Management Fund.

Roll Call

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

Nays: None

**Motion Carried**

2006-346     **RECEIVE THE DRAFT POLICY ENTITLED “EQUAL OPPORTUNITY/AFFIRMATIVE ACTION POLICY IN SUPPORT OF WORKPLACE DIVERSITY” FOR REVIEW AND COMMENT**

WM06/6-66

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to receive the draft policy entitled “Equal Opportunity/Affirmative Action Policy in Support of Workplace Diversity” for review and comment and that Commissioners’ comments be submitted to the Office of Equal Opportunity by June 26, 2006 for incorporation into the policy before final board adoption, and that the Equal Opportunity Officer be added to the sign off on Board motions.

Roll Call

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

Nays: None

**Motion Carried**

2006-347     **AUTHORIZE DET/FM TO PROVIDE ADDITIONAL SIGNAGE AT THE SOUTH GOVERNMENTAL COMPLEX**

WM06/6-67

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to authorize DET/FM to provide additional signage at the South Governmental Complex for the Drain Commission, the Johnny O. Harris building, and the Department of Public Works at a cost not to exceed \$4,550.

(Continued)

2006-347 **AUTHORIZE DET/FM TO PROVIDE ADDITIONAL SIGNAGE AT THE SOUTH GOVERNMENTAL COMPLEX**

Roll Call

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

Nays: None

**Motion Carried**

2006-348 **ADOPT A SUPPORTING RESOLUTION FOR THE RESTORATION OF STATE REVENUE SHARING**

WM06/6-68

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to adopt a supporting resolution for the restoration of State Revenue Sharing. In addition direct that copies of the resolution be forwarded to the Governor, our State Legislators, Michigan Association of Counties and all the other 82 counties.

Roll Call

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

Nays: None

**Motion Carried**

2006-349 **ADOPT A RESOLUTION IN OPPOSITION TO THE MICHIGAN CIVIL RIGHTS INITIATIVE (MCRI) AND URGE ALL CITIZENS TO VOTE "NO" ON THE MICHIGAN CIVIL RIGHTS INITIATIVE (MCRI) BALLOT PROPOSAL**

WM06/6-69

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to adopt a resolution in opposition to the Michigan Civil Rights Initiative (MCRI) and urge all citizens to vote "no" on the Michigan Civil Rights Initiative (MCRI) ballot proposal in the November election and include the Chamber's endorsement as part of the resolution. In addition, direct the County Clerk to send the signed and sealed resolution to the Governor, our Federal and State Legislators, the Michigan Association of Counties and the other 82 Michigan counties, all villages, townships and municipalities in the County.

Roll Call

Ayes: Wade, Waters, Aley, Derezinski, Gill, McMurray, Scolnik

Nays: Snider, Engle

**Motion Carried**



2006-350     **APPROVE DET/FM TO RELEASE BIDS FOR THE REMODELING OF THE VETERANS' CENTER**

WM06/6-70

The Ways and Means Committee recommends, moved by Aley, seconded by Engle, to approve DET/FM to release bids for the remodeling of the Veterans' Center, contingent upon the Veterans Administration's approval of the bid specifications.

Roll Call

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

Nays: None

**Motion Carried**

**CHAIR'S REPORT/COMMITTEE LIAISON REPORTS**

Commissioner Waters reminded everyone that Muskegon County will be hosting the next SMART Committee Meeting

Chairman Derezinski noted the MAC Legislative Update for June 9, 2006, was included in the Agenda packet.

Chairman Derezinski noted a flyer has been distributed regarding the Air Fair - Employee Picnic - July 22 & 23, 2006, and thanked Mary Villanueva for her work on this.

**ADMINISTRATOR'S REPORT**

Accommodations Tax Subpoena Report - Discussion/Action - Corporate Counsel Williams noted information has been received from one of two people who are behind in Accommodations Tax payments and the second has not been served. It was recommended to table for review of the received materials.

2006-351     **TABLE THE ACCOMMODATIONS TAX SUBPOENA REPORT**

The Administrator recommends, moved by Snider, seconded by Engle, to table the Accommodations Tax Subpoena Report.

Roll Call

Ayes: Scolnik, Snider, Wade, Waters, Engle, Derezinski, Aley,

Nays: McMurray, Gill

**Motion Carried**

2006-352     **APPROVE A RESOLUTION OF INTENT TO ISSUE UP TO \$14,000,000 IN**

**REVENUE BONDS THROUGH THE MICHIGAN MUNICIPAL BOND  
AUTHORITY**

The Administrator recommends, moved by McMurray, seconded by Snider, to approve a Resolution Of Intent to issue up to \$14,000,000 in revenue bonds through the Michigan Municipal Bond Authority for the Muskegon County Wastewater Management system for the purpose of rebuilding "C station" located in the City of Muskegon. This bond issue is subject to a 30 day referendum period and must be published in the Muskegon Chronicle in large point type and take up no less than one-quarter of the page upon which it appears. The notice must be run as a display, further, authorize the County Clerk to sign the document.

Roll Call

Ayes: Gill, Scolnik, Waters, Wade, Aley, Derezhinski, Engle, McMurray, Snider

Nays: None

**Motion Carried**

**Old Business**

None.

**New Business**

2006-353 **THANK THE MEMBERS OF THE METROPOLITAN PLANNING  
COMMISSION FOR THEIR SERVICE TO THE CITIZENS OF MUSKEGON**

Moved by Waters, seconded by Gill, that the Muskegon County Board of Commissioners go on record thanking the members of the Metropolitan Planning Commission for their service to the citizens of Muskegon and that a certificate of appreciation be presented to each member at their June 21, 2006 meeting.

**Motion Carried**

**Public Participation**

Brian Chapman addressed Wendy Ohst regarding her presentation during the meeting and was instructed to meet with Ms. Ohst following the meeting.

2006-354     **CLOSED SESSION - PENDING LITIGATION**

Moved by Engle, seconded by Snider, go into Closed Session re: Pending Litigation.

Roll Call

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

Nays: Gill, None

**Motion Carried**

Returned to Open Session at 5:20 p.m.

2006-355     **AUTHORIZE HUMAN RESOURCES TO NEGOTIATE A REDEMPTION  
SETTLEMENT OF THE DONALD HACKENBERG WORKERS  
COMPENSATION CLAIM**

Moved by Aley, seconded by Waters, to authorize Human Resources to negotiate a redemption settlement of the Donald Hackenberg workers compensation claim as discussed.

Roll Call

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

Excused: Snider

Nays: None

**Motion Carried**

Adjourn at 5:21 p.m.

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Karen D. Buie, County Clerk

KDB/jmp