

# *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 22, 2004  
4:35 P.M.**

### **Chairman Paul Baade, Presiding**

The Regular Meeting of the Board of Commissioners was called to order by Chairman Baade. The pledge of Allegiance was recited in unison followed by the invocation given by Commissioner Scolnik.

### **Roll Call**

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

Absent: None

### 2004-267    **RECESSED MEETING ADJOURNED**

Chairman Baade noted the previous meeting ended by a recess to the call of the Chair. Chairman Baade declared the recessed meeting adjourned.

### 2004-268    **APPROVAL OF MINUTES OF JUNE 8, 2004**

Moved by Engle, supported by Waters, to approve the minutes of the Regular Meeting of June 8, 2004, adding a second "t" to Commissioner Bennett's name on item 2004-241.

### Roll Call

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

Nays: None

**Motion Carried**

2004-269 **COMMUNICATIONS**

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

- A. Newaygo County Resolution re: State Revenue Sharing
- B. Washtenaw County Resolutions re:
  - 1. Opposing Contaminate Levels for Drinking Water
  - 2. State Public Transportation Funding
  - 3. State Transportation Committee Duties

**Motion Carried**

2004-270 **ESTABLISH A MUSKEGON TROLLEY COMPANY FUND**

TR04/06-20

The Transportation Committee recommends, moved by Scolnik, supported by Derezinski, approval to establish a Muskegon Trolley Company fund, an enterprise fund for the operation and maintenance of Trolley charter services. Said fund is hereby authorized to purchase, and Muskegon Area Transit system is hereby authorized to sell, three 1982 Boyerton Trolleys, at the market value of \$15,000 each. Local funds in the amount of \$45,000 are hereby appropriated from the Muskegon Area Transit System to the Muskegon Trolley Company fund, and said funds are to be used to pay Muskegon Area Transit System for the three Trolleys. A balanced budget of \$9,000 is approved for FY2004. The Board Chair is authorized to execute an agreement with Gold Shield Transport, LLC to operate charter services with County equipment through calendar year 2005.

Roll Call

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

Nays: None

**Motion Carried**

2004-271 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF MAY 26, 2004 THROUGH JUNE 8, 2004**

WM04/6-59

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve payment of the accounts payable of \$11,951,874.35 covering the period of May 26, 2004 through June 8, 2004, as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2004-272 **ACCEPT THE U.S. DEPARTMENT OF JUSTICE UNIVERSAL HIRING**

**PROGRAM GRANT**

WM04/6-60

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to accept the U.S. Department of Justice Universal Hiring Program grant in the amount of \$75,000 for one sworn officer for the period of March 1, 2004 through February 28, 2007 and to authorize the Board Chair and staff to sign appropriate documentation.

Roll Call

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

Nays: None

**Motion Carried**

2004-273 **ACCEPT THE THIRD AMENDMENT TO THE AGREEMENT BETWEEN THE STATE OF MICHIGAN DEPARTMENT OF CORRECTIONS AND THE COUNTY OF MUSKEGON**

WM04-6/61

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to accept the third amendment to the Agreement between the State of Michigan Department of Corrections and the County of Muskegon which constitutes Rider D and is referred to as the Drunk Driver Jail Reduction and Community Treatment Program in the amount of \$29,925.

Roll Call

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

Nays: None

**Motion Carried**

2004-274 **ACCEPT THE LOW BID FROM ELZINGA VOLKERS**

WM04-6/62

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to accept the low bid from Elzinga Volkens in the amount of \$418,988 to be accepted and contract be signed with same, contingent upon the Board of Public Works approval to borrow up to an additional \$43,400 from the Solid Waste funds.

Roll Call

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

Nays: None

**Motion Carried**

2004-275 **APPROVE THE MUSKEGON COUNTY FORESTRY HARVEST PLAN FOR THE CORDOVA SITE**

WM04-6/63

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve the Muskegon County Forestry Harvest Plan for the Cordova site as recommended by staff choosing the timber/wildlife/habitat option.

Roll Call

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

Nays: None

**Motion Carried**

2004-276 **AUTHORIZE THE HEALTH DEPARTMENT TO ACCEPT THE ADDITIONAL FUNDING FROM THE MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE FY2004 INLAND BEACH WATER MONITORING PROGRAM**

WM04-6/64

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Health Department to accept the additional funding from the Michigan Department of Environmental Quality for the FY2004 Inland Beach Water Monitoring Program which will bring the grant total to \$11,369 and further authorize the Director of Health and Community Resources to sign the associated agreement.

Roll Call

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

Nays: None

**Motion Carried**

2004-277 **APPOINT JAMES DELANEY AS EMPLOYER DELEGATE AND DEBORAH GROENEVELD AS ALTERNATE, TO THE 2004 MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

WM04-6/65

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to appoint James Delaney as employer delegate and Deborah Groeneveld as alternate, to the 2004 Municipal Employees Retirement System (MERS) annual meeting and the cost of attending for the employer and employee (Karen Cheatham, delegate and JoAnn Shelby, alternate) delegates and alternates be paid from the Risk Management Fund.

(continued)

2004-277 **APPOINT JAMES DELANEY AS EMPLOYER DELEGATE AND DEBORAH GROENEVELD AS ALTERNATE, TO THE 2004 MUNICIPAL EMPLOYEES RETIREMENT SYSTEM (MERS) ANNUAL MEETING**

Roll Call

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

Nays: None

**Motion Carried**

2004-278 **AUTHORIZE HUMAN RESOURCES TO ACCEPT THE PROPOSAL FOR LIFE AND AD & D INSURANCE**

WM04-6/66

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Human Resources to accept the proposal for Life and AD & D insurance, for eligible employees, with Municipal Employees Retirement System of Michigan through Standard Insurance Company at a rate of fourteen cents (.14) per \$1,000 of covered payroll for Life Insurance and two and one half cents (.025) per \$1,000 of covered payroll for AD & D insurance, effective July 1, 2004 to June 30, 2006.

Roll Call

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

Nays: None

**Motion Carried**

2004-279 **ACCEPT THE 2004-2005 RENEWAL RATES FROM DELTA DENTAL PLAN OF MICHIGAN**

WM04-6/67

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to accept the 2004-2005 renewal rates from Delta Dental Plan of Michigan, which are \$47.30 for group 2993-001 and \$41.84 for group 2993-0003.

Roll Call

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

Nays: None

**Motion Carried**

2004-280     **AUTHORIZE STAFF TO SELL COUNTY SURPLUS VEHICLES THROUGH  
THE SEALED BID PROCESS**

WM04-6/68

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize staff to sell County surplus vehicles through the sealed bid process.

Roll Call

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

Nays: None

**Motion Carried**

2004-281     **WAIVE THE BID PROCESS AND ALLOW THE LIBRARY TO CONTRACT  
WITH RICHARD W. BUTLER, JR., PLC FOR ASSISTANCE IN FORMING  
A DISTRICT LIBRARY**

WM04-6/69

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to waive the bid process and allow the Library to contract with Richard W. Butler, Jr., PLC for assistance in forming a district library, with estimated costs of \$30,000 to be covered by the Library budget with no change in the fund total for FY2004, and authorize the Chairman to the sign the contract for services.

Roll Call

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

Nays: Gill

**Motion Carried**

2004-282     **RESOLVE THAT IT IS INTERESTED IN JOINING WITH MUSKEGON  
COUNTY LIBRARY AND THE CITIES, VILLAGES AND TOWNSHIPS  
WITHIN THE SERVICE AREA OF THE MUSKEGON COUNTY LIBRARY  
TO ESTABLISH A DISTRICT LIBRARY**

WM04-6/70

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to resolve that it is interested in joining with Muskegon County Library and the cities, villages and townships within the service area of the Muskegon County Library to establish a district library pursuant to 1989 PA 24; and that it will appoint one representative from the County to the District Library Planning Committee which is charged with preparing a District Library Agreement; and that Library Board members Rosalind Ford, Anne Nichols and Theron Wierenga be appointed to serve on the District Library Planning Committee.

(continued)

- 2004-282 **RESOLVE THAT IT IS INTERESTED IN JOINING WITH MUSKEGON COUNTY LIBRARY AND THE CITIES, VILLAGES AND TOWNSHIPS WITHIN THE SERVICE AREA OF THE MUSKEGON COUNTY LIBRARY TO ESTABLISH A DISTRICT LIBRARY**

Roll Call

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

Nays: None

**Motion Carried**

### **CHAIR'S REPORT**

- 2004-283 **REAPPOINTMENTS TO BUILDING AUTHORITY**

The Chairman recommends, moved by Gill, supported by McMurray, for reappointment of Robert Patterson and Edward Newmyer to Building Authority, July 1, 2004 - June 30, 2007.

Roll Call

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

Nays: None

**Motion Carried**

### **ADMINISTRATOR'S REPORT**

- 2004-284 **APPROVE PURCHASE AGREEMENT FOR LOT 17, AIRPORT BUSINESS PARK WITH AERO VISION INTERNATIONAL, LLC**

The Administrator recommends, moved by Dereziński, supported by Engle, to authorize the Board Chair to execute a purchase agreement and deed for Lot 17, Airport Business Park with Aero Vision International, LLC in the amount of \$65,550 and further for the Community Development Director to execute all other documents needed to close this transaction.

Roll Call

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

Nays: None

**Motion Carried**

Commissioner Derezinski excused from Meeting at 5:05 p.m.

2004-285     **APPROVE THE MANAGEMENT AGREEMENT FOR PARKING BETWEEN COUNTY OF MUSKEGON AND THE "MEN AND WOMEN OF CHARACTER PROGRAM"**

The Administrator recommends, moved by Scolnik, supported by Engle, to approve the attached Management Agreement for Parking Between County of Muskegon and The "Men and Women of Character Program" for the Carpenter Bros. Property and Union Depot for Summer Celebration and other major events at Heritage Landing, amended to include "to remit daily".

Roll Call

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

Nays: Gill

**Motion Carried**

**Old Business**

Discussion took place regarding annual review of the County Administrator.

Commissioner Gill inquired as to response from Corporate Counsel regarding how to dispose of or change Corporate Counsel; or how to dispose of or change the Administrator; from a request made in 2002. Corporate Counsel Corwin noted, as indicated previously, the he, himself, serves at the will of the board, does not have a contract, and is an employee of the County. Mr. Borushko is also an employee of the County but is under contract which provides that he can be terminated by a majority of this Board. Mr. Gill requested the response in writing.

Mr. Engle inquired about a memo regarding elected officials wearing political tee shirts to County functions such as Summer Celebration or the Air Fair. Discussion ensued.

Discussion ensued regarding Urban Development.

Discussion continued regarding clarity of Board Minutes.

**New Business**

2004-286     **APPOINT COMMISSIONER WISNEWSKI TO THE DISTRICT LIBRARY BOARD**

Moved by Snider, supported by Engle, to appoint Commissioner Wisniewski to the District Library Board.

(continued)

2004-286     **APPOINT COMMISSIONER WISNEWSKI TO THE DISTRICT LIBRARY BOARD**



Roll Call

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

Nays: Derezinski

**Motion Carried**

**Audience Participation**

Karen Fowler, Dalton Township, addressed the Board regarding Library Funding.

Meeting adjourned at 5:30 p.m.

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Karen D. Buie, County Clerk

KDB/jmp