

# *M u s k e g o n    C o u n t y*

## *Board of Commissioners*

*Kenneth J. Hulka, Chairman*  
*Paul Baade*  
*Douglas Bennett*  
*Nancy Frye*  
*James J. Kobza*

*Bill Gill, Vice-Chairman*  
*Louis A. McMurray*  
*Tony Moulatsiotis*  
*Clarence Start*

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

**Regular Meeting** ~~\_\_\_\_\_~~ **July 24, 2001**  
**3:30 P.M.**

**Honorable Chairman Kenneth J. Hulka, Presiding**

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

### **Roll Call**

Present: Baade, Bennett, Frye, Gill, Hulka, Kobza, McMurray, Moulatsiotis, Start

Absent: None

### 2001-347 **PRESENTATION - RESOLUTIONS**

- A. Resolution - Lynn Hahn, presented by Commissioner Frye
- B. Resolution - Gary Berdinski, presented by Chairman Hulka
- C. Resolution - Gary DeKock, presented by Commissioner McMurray and Tim Westman of Muskegon County Wastewater Management System
- D. Resolution - Kaye Hamilton, presented by Commissioner Frye

### 2001-348 **APPROVAL OF MINUTES**

Moved by Bennett, supported by Start, to approve the minutes of the Regular Meeting of July 10, 2001 as presented.

**Motion Carried**

### 2001-349 **COMMUNICATIONS**

Moved by Kobza, supported by Start, to receive and place on file to following communications:

- A. US Army Corps of Engineers - Proposed Fishing Dock and Fill in White River
- B. Muskegon Township Notice of Street Paving Project No. 01-1
- C. Industrial Facilities Exemption Certificate - Bekaert Corporation
- D. Industrial Facilities Exemption Certificate - Challenge Machinery Company

**Motion Carried**

2001-350 **COMMUNICATIONS (continued)**

Moved by Kobza, supported by McMurray, to support and respond to following communications:

- E. Resolution to Support Filing of an Amicus Brief
- F. County of Marquette Resolution to increase Road Commission members

**Motion Carried**

2001-351 **APPROVE THE RESOLUTION AUTHORIZING EXECUTION OF CONTRACT NO. 01-0618 FOR THE PURCHASE OF AN AUTOMATED DEFIBRILLATOR UNIT**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, approve the resolution authorizing execution of contract no. 01-0618 for the purchase of an Automated Defibrillator unit for the Airport Terminal Building.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-352 **APPROVE AMENDMENT NO. 3 TO AIP PROJECT NO. 3-26-0071-1597**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, approve amendment no. 3 to AIP Project no. 3-26-0071-1597 and further authorize the chairman to execute the amendment as prepared.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-353 **APPROVE THE MDOT MASTER AGREEMENT NO. 2002-0072**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, approve the MDOT Master Agreement no. 2002-0072, and to authorize the Chairperson to execute the agreement.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

**Motion Carried**

2001-354 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JUNE 30,2001 THROUGH JULY 17, 2001**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, approve payment of the accounts payable of \$4,487,158.66 covering the period of June 30,2001 through July 17, 2001, as presented by the County Clerk.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-355 **APPROVE THE PURCHASE OF PERSONAL COMPUTING SYSTEM BY THE EQUALIZATION DEPARTMENT**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, approve the purchase of personal computing system by the Equalization Department not to exceed \$1,300 and amend the 2000/01 line item budget by transferring such amount from line item #937000 (vehicle repair and maintenance) to line item #980000 (office equipment.)

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-356 **AUTHORIZE \$25,000 OF REHABILITATION FUNDS PER APPLICATION TO MR-301, MR-334, MR-354, MR-376 AND MR-384**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, authorize \$25,000 of Rehabilitation funds per Application to MR-301, MR-334, MR-354, MR-376 and MR-384.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

**Motion Carried**

2001-357 **AWARD THE CONTRACT FOR CIRCUIT COURT AND FAMILY DIVISION  
TRANSCRIPTS TO TRANSCRIPTS, UNLIMITED, INC.**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, award the contract for Circuit Court and Family Division transcripts to Transcripts, Unlimited, Inc., 591 Upton Drive, St. Joseph, MI.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

**Motion Carried**

2001-358 **AUTHORIZE THE SUBMISSION OF THE NEXT GENERATION MODEL  
TRIAL COURT GRANT APPLICATION TO THE STATE COURT  
ADMINISTRATOR'S OFFICE**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, authorize the submission of the Next Generation Model Trial Court grant application to the State Court Administrator's office in the amount of \$829,858.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-359 **APPROVAL OF THE CHANGE ORDER #1 FOR THE HERITAGE LANDING  
PROJECT**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, approval of the change order #1 for the Heritage Landing Project, amount not to exceed \$52,809.90.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, McMurray, Start, Hulka

Nays: Kobza, Moulatsiotis

**Motion Carried**

2001-360 **APPROVAL OF THE CURTAIN WALL RELOCATION FOR THE MICHAEL E. KOBZA HALL OF JUSTICE**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, approval of the curtain wall relocation for the Michael E. Kobza Hall of Justice, not to exceed \$1,785.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-361 **APPROVE A COMMUNITY MENTAL HEALTH CONTRACT WITH YH COMMUNICATIONS FOR PUBLIC INFORMATION AND AWARENESS MATERIALS ON MENTAL HEALTH SERVICES**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, approve a COMMUNITY MENTAL HEALTH contract with YH Communications, 201-B Washington Street, Grand Haven MI 49417 for public information and awareness materials on mental health services.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

2001-362 **INCREASE PURCHASE ORDER #01117768 WITH HOOKER DEJONG ARCHITECTS FOR COSTS ASSOCIATED WITH DESIGN OF THE HALL OF JUSTICE**

The Ways and Means Committee recommends, moved by Baade, supported by Bennett, increase purchase order #01117768 with Hooker DeJong Architects from \$25,000 to \$75,000 for costs associated with design of the Hall of Justice.

Roll Call

Ayes: Baade, Bennett, Frye, Gill, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: None

**Motion Carried**

## **CHAIR'S REPORT**

### 2001-363 **APPOINTMENT OF JIM NIELSEN TO ELECTIONS COMMITTEE**

The Chairman recommends, moved by Start, supported by Baade, to appoint Jim Nielson of Muskegon Township to the Election Scheduling Committee.

**Motion Carried**

### 2001-364 **APPOINTMENTS TO WORKFORCE DEVELOPMENT BOARD**

The Chairman recommends, moved by Start, supported by Kobza, to appoint Bob Yagerlener and Nancy Seroczynski to the Workforce Development Board.

**Motion Carried**

### 2001-365 **APPOINTMENTS TO THE COMMUNITY CORRECTIONS ADVISORY BOARD**

The Chairman recommends, moved by Start, supported by Frye, to appoint Chief Smith of Muskegon Heights and Betty Savage to the Community Corrections Advisory.

**Motion Carried**

## **ADMINISTRATOR'S REPORT**

### 2001-366 **SHERIFF'S DEPARTMENT REQUEST TO APPLY FOR ORV ENFORCEMENT GRANT**

The Administrator/Controller recommends, moved by Start, supported by Baade, to grant permission to the Sheriff's Office to apply for an ORV enforcement grant through the DNR for \$20,882.00.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Absent for Vote: Gill

Nays: None

**Motion Carried**

2001-367 **MUSKEGON COUNTY MUSEUM REQUEST FOR MILLAGE RENEWAL VOTE**

The Administrator/Controller recommends, moved by Frye, supported by Moulatsiotis, to approve the museum request for the following resolution for millage renewal vote on September 11, 2001:

**RESOLUTION**  
**AUTHORIZING SPECIAL MILLAGE ELECTION**

WHEREAS, Muskegon County voters have previously approved "special millages" for the support of the Muskegon County Museum in elections conducted in 1991 and 1996;

WHEREAS, the Muskegon County Museum has requested that this Board call a special election to be held on September 11, 2001, for the purpose of submitting a renewal of said millage for a period of ten (10) years, being 2001 through 2010, inclusive; and

WHEREAS, the Board is supportive of placing the question on the ballot;

NOW THEREFORE, BE IT HEREBY RESOLVED that the Muskegon County Board of Commission does hereby call a special election to be held on September 11, 2001, for the purpose of submitting the ballot proposal attached hereto for "Muskegon County Museum Millage Renewal" to the electors of the County. The County Clerk shall take all actions necessary and required by law to place the ballot proposal on a special election to be held on said date.

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the Board of County Commissioners of the County of Muskegon, Michigan, at a regular meeting held at the County Building, on July 24, 2001, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, as amended, and that the minutes of said meeting were kept and will be or have been made available by said Open Meetings Act.

**MUSKEGON COUNTY MUSEUM**  
**MILLAGE RENEWAL**

Shall the millage previously authorized by Muskegon County voters in 1996 for the purpose of providing funds to be appropriated for the operation, maintenance and continuing development of the Muskegon County Museum and its properties, including without limitation the Hackley and Hume Historic Site, be renewed and continued (and the constitutional limitation on the amount of taxes which may be assessed against all property in the County of Muskegon continue to be increased) by an amount not to exceed the rate of .325 of a mill, the same being 32-1/2 cents on each one thousand dollars of taxable value of said property, for a period of ten (10) years, being 2001 through 2010 inclusive? This is a renewal of the previously authorized millage, which if approved and levied in its entirety on December 1, 2001, would raise an estimated \$1,054,382.

Portions of the revenue raised by the proposed millage may be captured, to the extent permitted by law, by one or more of, the Downtown Development Authorities for the Cities of Muskegon, Muskegon Heights, Montague, Roosevelt Park, and Whitehall, by the Local Development Finance Authorities for the City of Muskegon, or by the Tax Increment Finance Authority for the City of Norton Shores.

Roll Call

Ayes: Baade, Bennett, Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

Nays: Gill

**Motion Carried**

### **Old Business**

2001-368 **APPOINT ROGER DUBUC AS THE DIRECTOR OF EMERGENCY SERVICES**

Moved by Baade, supported by Bennett, to appoint Roger Dubuc as the Director of Emergency Services.

Discussion ensued regarding possible political preselection, residency, that this issue was to wait to come before the Board for 30 days and whether or not the Board Rules were followed.

Roll Call

Ayes: Baade, Bennett

Undecided: Gill

Nays: Frye, Kobza, McMurray, Moulatsiotis, Start, Hulka

**Motion Failed**

2001-369 **INITIATE A COMPETITIVE PROGRAM FOR THE YEAR 2002 FOR WEIGHT LOSS BY COMMISSION DISTRICT**

Moved by Frye, supported by Moulatsiotis, to initiate a competitive program for the year 2002 for weight loss by commission district, in conjunction with the Health Department.

**Motion Carried**



**New Business**

2001-370 **PREPARE A RESOLUTION FOR QUEEN ESTHER BAPTIST CHURCH IN  
RECOGNITION OF 54 YEARS OF SERVICE**

Moved by McMurray, supported by Start, to prepare a resolution for Queen Esther Baptist Church in recognition of 54 years of service to Muskegon County.

**Motion Carried**

2001-371 **REVISIT THE BOARD RULES FOR POSSIBLE REVISION**

Moved by Kobza, supported by Gill, to revisit the Board Rules for possible revision.

**Motion Carried**

**Audience Participation**

Roger Dubuc addressed the Board regarding his experience in interviewing for the position of Director of Emergency Services and that the Board should hire the best candidate for the position and he believes he is the best candidate.

Marty Hulka addressed the Board.

Meeting adjourned at 4:52 p.m.

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Susan R. Doriot, County Clerk

/jmp