

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

Board of Commissioners

*Bill Gill, Chairman
Don Aley
Charles Buzzell
Marvin Engle
Louis A. McMurray
Robert Scolnik*

*James Derezinski, Vice-Chairman
I. John Snider
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

**July 26, 2005
4:21 P.M.**

Chairman Gill, Presiding

The Regular Meeting of the Board of Commissioners was called to order by Chairman Gill. The pledge of Allegiance was recited followed by the invocation given by Commissioner Snider.

Roll Call

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

Excused: Wade, Wisniewski

Absent: None

Chairman Gill publicly apologized for any offense to Commissioner Scolnik.

2005-353 **APPROVAL OF MINUTES OF JULY 12, 2005**

Moved by Waters, seconded by Buzzell, to approve the minutes of the regular meeting of July 12, 2005.

Roll Call

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

Nays: None

Motion Carried

2005-354 **COMMUNICATIONS**

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

- A. City of Muskegon Public Hearing-Obsolete Property Exemption Certificate
- B. Lake County Resolutions re:
 - 1. Protecting children's services in the community
 - 2. Budget cuts to MI Choice
 - 3. Opposition to PILT payments by the State
- C. Clare County Resolution re: Reduce State spending on Corrections
- D. Washtenaw County Resolution re: Wireless high speed internet network

Motion Carried

2005-355 **APPROVE THE RESOLUTION AUTHORIZING EXECUTION OF MDOT CONTRACT NO. 2005-0336**

TR05/07-25

The Transportation Committee recommends, moved by Scolnik, seconded by Snider, to approve the resolution authorizing execution of MDOT Contract No. 2005-0336 for Muskegon County Airport, providing 90% of the funds (\$9,646 from the State of Michigan, \$965 local) needed to purchase, at minimum, seven air-to-ground transceivers for Airport vehicles, and to authorize procurement of the equipment in accordance with the contract requirements.

Roll Call

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

Nays: None

Motion Carried

2005-356 **AUTHORIZE THE MUSKEGON COUNTY AIRPORT TO PAY THE WATER CONNECTION FEE TO THE CITY OF NORTON SHORES, PROVIDING CONNECTION OF WATER SERVICE AT THE U.S. COAST GUARD FACILITY AT THE AIRPORT**

TR05/07-26

The Transportation Committee recommends, moved by Scolnik, seconded by Snider, to authorize the Muskegon County Airport to pay the water connection fee to the City of Norton Shores in the amount of \$8,189.00, providing connection of water service at the U.S. Coast Guard Facility at the Airport for the water main extension approved at the June 21, 2005, Full Board meeting. Cost to be reimbursed through U.S. Coast Guard lease payments beginning May 1, 2006.

(Continued)

2005-356 **AUTHORIZE THE MUSKEGON COUNTY AIRPORT TO PAY THE WATER CONNECTION FEE TO THE CITY OF NORTON SHORES, PROVIDING CONNECTION OF WATER SERVICE AT THE U.S. COAST GUARD FACILITY AT THE AIRPORT**

Roll Call

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

Nays: None

Motion Carried

2005-357 **APPROVE A WATER MAIN EASEMENT, GRANTING THE CITY OF NORTON SHORES ACCESS TO THE RECENTLY APPROVED U.S. COAST GUARD AIR FACILITY WATER MAIN EXTENSION AT THE AIRPORT**

TR05/07-27

The Transportation Committee recommends, moved by Scolnik, seconded by Snider, to approve a Water Main Easement, granting the City of Norton Shores access to the recently approved U.S. Coast Guard Air Facility Water Main Extension at the Airport, for the purposes of accessing the Water Main Extension area, and further authorize the Chair to sign said Water Main Easement.

Roll Call

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

Nays: None

Motion Carried

2005-358 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JUNE 29, THROUGH JULY 15, 2005**

WM05/7-70

The Ways and Means Committee recommends, moved by Derezinski, seconded by Waters, to approve payment of the accounts payable of \$5,460,929.93 covering the period of June 29, 2005 through July 15, 2005, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2005-359 **SCHEDULE A PUBLIC HEARING FOR THE PURPOSE OF RECEIVING COMMENTS ON THE PROPOSED MUSKEGON COUNTY DIGITAL DIVIDE INVESTMENT PROGRAM**

WM05/7-71

The Ways and Means Committee recommends, moved by Dereziński, seconded by Waters,
to schedule a Public Hearing for 3:30 p.m., Tuesday, August 9, 2005, in the County Board Chambers, 4th Floor, Michael E. Kobza Hall of Justice, for the purpose of receiving comments on the proposed Muskegon County Digital Divide Investment Program and that, following the public hearing, a resolution authorizing the grant submission be considered for adoption.

Roll Call

Ayes: Engle, Gill, McMurray, Scolnik, Snider, Waters, Aley, Buzzell, Dereziński

Nays: None

Motion Carried

2005-360 **AUTHORIZE DET/FACILITIES MANAGEMENT TO GO OUT FOR BIDS FOR THE REPAIR, RESEALING AND RE-STIPING FOR THE MICHAEL E. KOBZA HALL OF JUSTICE VISITOR'S PARKING LOT AND THE EMPLOYEE'S PARKING**

WM05/7-72

The Ways and Means Committee recommends, moved by Dereziński, seconded by Waters,
to authorize DET/Facilities Management to go out for bids for the repair, resealing and re-stiping for the Michael E. Kobza Hall of Justice visitor's parking lot and the employee's parking at Pine and Walton.

Roll Call

Ayes: Engle, Gill, McMurray, Scolnik, Snider, Waters, Aley, Buzzell, Dereziński

Nays: None

Motion Carried

2005-361 **AUTHORIZE FINANCE & MANAGEMENT SERVICES/PURCHASING OFFICE TO SELL 27 COUNTY SURPLUS VEHICLES**

WM05/7-73

The Ways and Means Committee recommends, moved by Dereziński, seconded by Waters,
to authorize Finance & Management Services/Purchasing Office to sell 27 County surplus vehicles through the sealed bid process.

Roll Call

Ayes: Engle, Gill, McMurray, Scolnik, Snider, Waters, Aley, Buzzell, Dereziński

Nays: None

Motion Carried

2005-362 **APPROVE CHANGES TO THE FREEDOM OF INFORMATION ACT
POLICY AS SUGGESTED BY ATTORNEY THEODORE WILLIAMS**

WM05/7/74

The Ways and Means Committee recommends, moved by Derezinski, seconded by Waters,
to approve changes to the Freedom of Information Act Policy as suggested by Attorney Theodore Williams in reference to fees.

Roll Call

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

Nays: None

Motion Carried

2005-363 **APPROVE THE ADDITION OF A STREET LIGHT IN THE STAFF
PARKING LOT AT PIONEER PARK**

CD/SP05/7-6

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Engle, to approve the addition of a street light in the staff parking lot at Pioneer Park for a total cost of \$345.00 and to approve the resolution required by Consumers Energy for installation of the light.

Roll Call

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

Nays: None

Motion Carried

2005-364 **AUTHORIZE THE BOARD CHAIRMAN TO SIGN THE ATTACHED
PROPOSED DEVELOPMENT AGREEMENT AND NECESSARY
EASEMENT AND DEED DOCUMENTS TO MUSKEGON ENTERPRISE,
INC. (MEI)**

CD/SP05/7-7

The Community Development/Strategic Planning Committee recommends, moved by Scolnik, seconded by Engle, to authorize the Board Chairman to sign the attached proposed Development Agreement and necessary easement and deed documents, which will transfer a small parcel and grant an additional easement, adjacent to Brookhaven Medical Care Facility, to Muskegon Enterprise, Inc. (MEI), in exchange for reciprocal parking and access rights on MEI property and infrastructure improvements, subject to Township and Corporate Counsel's final review and approval.

Roll Call

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

Nays: None

Motion Carried

2005-365 **AUTHORIZE MUSKEGON COUNTY PROBATE COURT TO ACCEPT THE
BID OF EXCEL SYSTEMS**

CPS05/7-54

The Courts and Public Safety Committee recommends, moved by Waters, seconded by Engle, that the Muskegon County Probate Court be authorized to accept the bid of Excel Systems for the purchase and installation of shelving at the quoted price of \$2,130.00

Roll Call

Ayes: McMurray, Scolnik, Snider, Waters, Aley, Buzzell, Dereziński, Engle, Gill

Nays: None

Motion Carried

2005-366 **WAIVE THE COUNTY PERSONNEL RULES AND APPOINT THE
CURRENT WASTEWATER LABORER/SEASONAL EMPLOYEE TO THE
JOB OF WASTEWATER UTILITY ASSISTANT**

The Board of Public Works recommends, moved by McMurray, seconded by Engle, to waive the County Personnel rules and appoint the current Wastewater Laborer/Seasonal employee (position number T10002) to the job of Wastewater Utility Assistant at Step A, 10.94 per hour, effective August 7, 2005.

Roll Call

Ayes: Scolnik, Snider, Waters, Aley, Buzzell, Dereziński, Engle, Gill, McMurray

Nays: None

Motion Carried

2005-367 **CREATE JOB CLASSIFICATION OF APPRENTICE
ELECTRICIAN/WASTEWATER**

The Board of Public Works recommends, moved by McMurray, seconded by Engle, creation of the job classification of Apprentice Electrician/Wastewater (Table WW. Grade 00097, 2% higher than WW00090, pay rate \$14.72 to \$17.84) and the deletion of the resulting maintenance position.

Roll Call

Ayes: Snider, Waters, Aley, Buzzell, Dereziński, Engle, Gill, McMurray, Scolnik

Nays: None

Motion Carried

CHAIR'S REPORT/COMMITTEE LIAISON REPORTS

Chairman Gill noted the MAC Legislative Updates for July 8 & 15, 2005, are included in agenda packets.

2005-368 **APPOINTMENT OF ALTERNATES TO WATER SYSTEM POLICY BOARD**

The Chairman recommends, moved by Derezinski, seconded by Engle, to make the following

appointments of Alternates to Water System Policy Board - term 7/26/05-12/31/06:

1. Bill Gill - alternate to John Snider
2. Jim Derezinski - alternate to Don Aley
3. Nancy Waters - alternate to Steve Wisniewski
4. Marve Engle - alternate to Chuck Buzzell

Roll Call

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

Nays: None

Motion Carried

ADMINISTRATOR'S REPORT

2005-369 **APPROVE THE GENERAL EMPLOYEES UNIT (GEU) CONTRACT**

The Administrator recommends, moved by Engle, seconded by Waters, to approve the General Employees Unit (GEU) contract and authorize the Board Chairman and the County Clerk to sign the contract.

Roll Call

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

Nays: None

Motion Carried

2005-370 **ADJUST NON-BARGAINING EMPLOYEES WAGES BE FROM A 2.4% INCREASE TO 2.5% INCREASE (A .10% INCREASE) RETROACTIVE TO THE FIRST FULL PAY PERIOD FOLLOWING JANUARY 1, 2005**

The Administrator recommends, moved by Derezinski, seconded by Waters, that the non-bargaining employees (employee class designations of BD, EE (excluding Commissioners and Commissioner, Chair), ND, NF, NH, NP, NS, NT, NU, NV, NW, NX, NZ, XF, XH, XT, XU, XV, XW, XX, XZ) wages be adjusted from a 2.4% increase to 2.5% increase (a .10% increase) retroactive to the first full pay period following January 1, 2005; and that the medical insurance employee co-pay for all eligible non-bargaining unit employees be increased to \$35.00 per month beginning January 2006, to \$45.00 per month beginning January 2007 and to \$55.00 per month beginning January 2008; and to change the dental insurance for all eligible non-bargaining unit employees from Delta Dental Plan D to Delta Dental Plan A, effective October 1, 2005.

Roll Call

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

Nays: None

Motion Carried

Old Business

None.

New Business

2005-371 **PREPARE A RESOLUTION IN RECOGNITION OF HIGH SCHOOL ATHLETE, LAURA KEENY, SELECTED AS MISS GOLF FOR THE STATE OF MICHIGAN**

Moved by Snider, supported by Scolnik, to prepare a resolution in recognition of High School Athlete, Laura Keeny, selected as Miss Golf for the State of Michigan.

Motion Carried

2005-372 **GREEK FESTIVAL PETTING ZOO REQUEST**

Moved by Derezinski, supported by Buzzell, to waive the ordinance for Heritage Landing to allow a petting zoo of baby goats during the Greek Festival.

Motion Carried

2005-373 **APPOINT CHAIRMAN GILL AS DESIGNEE ON THE WMSRDC**

Moved by Snider, supported by Waters, to appoint Chairman Gill as designee on the WMSRDC.

Motion Carried

Audience Participation

Char Perez, Lakeshore Minority Contractors Association of Greater Muskegon, thanked Commissioners on the Downtown Development project to involve local participation.

2005-374 **GO INTO CLOSED SESSION REGARDING PENDING LITIGATION**

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

Roll Call

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

Nays: Gill

Motion Carried

Returned to Open Session at 4:52 p.m.

2005-375 **AUTHORIZE HUMAN RESOURCES TO NEGOTIATE A REDEMPTION SETTLEMENT OF THE CHERYL BOSANIC WORKERS COMPENSATION CLAIM**

Moved by Scolnik, supported by Waters, to authorize Human Resources to negotiate a redemption settlement of the Cheryl Bosanic workers compensation claim as discussed.

Roll Call

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

Nays: None

Motion Carried

Moved by Snider, seconded by McMurray, to adjourn at 4:54 p.m.

Marianne L. Hathaway, Chief Deputy County Clerk