

# *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** ~~\_\_\_\_\_~~ **August 14, 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: Bennett, Frye, Gill, Hulka, McMurray, Moulatsiotis, Start

Excused: Baade, Kobza

Absent: None

### 2001-372 **PRESENTATIONS**

- A. Victoria Evans - Mrs. Muskegon County International
- B. Roger Andersen - Flag from the North Pole

### 2001-373 **FORM A COMMUNITY-WIDE EXPLORATORY COMMITTEE FOR THE PURPOSE OF POTENTIALLY CONSTRUCTING A TALL SHIP FOR MUSKEGON**

Moved by Start, supported by Moulatsiotis, to form a community-wide exploratory committee for the purpose of potentially constructing a tall ship for Muskegon.

**Motion Carried**

### 2001-373 **APPROVAL OF MINUTES**

Moved by Frye, supported by Start, to approve the minutes of the Regular Meeting of July 24, 2001 as presented.

**Motion Carried**

2001-374 **COMMUNICATIONS**

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

- A. West MI Shoreline Regional Development Commission - Transportation Plan
- B. Increase Fees in the Register of Deeds Office, Montcalm County - Resolution 2001-019
- C. Increase Fees in the Register of Deeds Office, Crawford County - Resolution
- D. Webb Chemical Service Corp. - "First Choice" Chemical Distributor
- E. City of Muskegon - Proclamation US 31 Bypass
- F. US Army Corps of Engineers - Proposed Dredging and Discharge of Fill in White Lake and in Wetlands Adjacent to White Lake at Mill Pond Creek Property in Whitehall
- G. City of Norton Shores - Special Use Permit for Fifth Third Bank
- H. US Army Corps of Engineers - Corrections to Nationwide Permit Final Regional Conditions in Michigan
- I. Resolution to Support Filing of an Amicus Brief - Leelanau County
- J. Reduction in State Revenue Sharing, Oakland County - Miscellaneous Resolution #01184
- L. Proposed Amendments Development Plan of the Muskegon Downtown Development Authority
- M. Public Hearing on an Amendment to The Downtown Development Plan and Tax Increment Financing Plan of the Muskegon Downtown Development Authority

**Motion Carried**

2001-375 **COMMUNICATIONS - PETITION FOR THE NAMING OF A STREAM, CITY OF MONTAGUE**

Moved by Frye, supported by Moulatsiotis, to approve a Public Hearing on August 28, 2001, for the naming of a stream in the City of Montague.

**Motion Carried**

2001-376 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JULY 18,2001 THROUGH AUGUST 3, 2001**

The Ways and Means Committee recommends, moved by Gill, supported by Start, approve payment of the accounts payable of \$5,190,800.69 covering the period of July 18,2001 through August 3, 2001, as presented by the County Clerk.

Roll Call

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

Nays: None

**Motion Carried**

2001-377 **AUTHORIZE THE TRANSFER OF THE RETIRED 1977 MOTOR HOME  
FORMALLY USED AS THE MOBILE COMMAND VEHICLE TO THE  
MUSKEGON COUNTY AMATEUR RADIO EMERGENCY SERVICES**

The Ways and Means Committee recommends, moved by Gill, supported by Start, authorize the transfer of the retired 1977 Motor Home formally used as the Mobile Command Vehicle to the Muskegon County Amateur Radio Emergency Services for use in their supportive program.

Roll Call

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

Nays: None

**Motion Carried**

2001-378 **APPROVE ESTABLISH OF A PERSONNEL HEARING BOARD**

The Ways and Means Committee recommends, moved by Gill, supported by Start, approve establish of a Personnel Hearing Board.

Roll Call

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

Nays: None

**Motion Carried**

2001-379 **AUTHORIZE THE CONTRACT CHANGE ORDER #1 FOR THE ESTES  
STREET PORTION OF THE KNOLL INFRASTRUCTURE PROJECT,  
MEDC GRANT #MSC980029-EDIG**

The Ways and Means Committee recommends, moved by Gill, supported by Start, authorize the contract change order #1 for the Estes Street portion of the Knoll Infrastructure project, MEDC Grant #MSC980029-EDIG.

Roll Call

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

Nays: None

**Motion Carried**

2001-380 **APPROVE A \$300 CONTRIBUTION TO THE MUSKEGON COUNTY GOLF LEAGUE**

The Ways and Means Committee recommends, moved by Gill, supported by Start, approve a \$300 contribution to the Muskegon County Golf League.

Roll Call

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

Nays: None

**Motion Carried**

2001-381 **APPROVE THE PROSECUTOR'S REQUEST FOR IMPROVEMENTS TO STARK HALL**

The Ways and Means Committee recommends, moved by Gill, supported by Start, approve the Prosecutor's request for improvements to Stark Hall.

Roll Call

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

Nays: None

**Motion Carried**

2001-382 **AUTHORIZE THE SHERIFF'S OFFICE TO ACCEPT THE FEDERAL GRANT FROM THE OFFICE OF DRUG CONTROL POLICY**

The Courts and Public Safety Committee recommends, moved by Gill, supported by Start, authorize the Sheriff's Office to accept the Federal Grant from the Office of Drug Control Policy in the amount of \$62,273 for a new livescan.

Roll Call

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

Nays: None

**Motion Carried**

2001-383 **AUTHORIZE THE CHAIRPERSON TO SIGN THE 2001-2002 CHILD CARE FUND BUDGET**

The Courts and Public Safety Committee recommends, moved by Gill, supported by Start, authorize the chairperson to sign the 2001-2002 Child Care Fund Budget for submission to the State.

2001-383 **AUTHORIZE THE CHAIRPERSON TO SIGN THE 2001-2002 CHILD CARE FUND BUDGET (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-384 **APPROVE THE FY 2002 APPLICATION FOR CONTINUATION FUNDING FOR COMMUNITY CORRECTIONS**

The Courts and Public Safety Committee recommends, moved by Gill, supported by Start, approve the FY 2002 Application for Continuation Funding for Community Corrections, for the provision of community corrections plans and services in the amount of \$276,129, and for probation residential services in the amount of \$683,846, for a total of \$962,974.

Roll Call

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

Nays: None

**Motion Carried**

2001-385 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO REQUEST PROPOSALS TO PROVIDE CONSULTATION SERVICES**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize the Community Mental Health Director to request proposals to provide consultation services in the area of Corporate Compliance.

Roll Call

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

Nays: None

**Motion Carried**

2001-386 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO CONTRACT WITH LIGHTHOUSE, INC.**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize the Community Mental Health Director to contract with Lighthouse, Inc. for the provision of authorized Specialized Residential Services.

2001-386 **AUTHORIZE THE COMMUNITY MENTAL HEALTH DIRECTOR TO CONTRACT WITH LIGHTHOUSE, INC. (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-387 **AUTHORIZE COMMUNITY MENTAL HEALTH DIRECTOR TO CONTRACT WITH ORCHARD VIEW COMMUNITY EDUCATION BUSINESS AND INDUSTRY PROGRAM**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize Community Mental Health Director to contract with Orchard View Community Education Business and Industry Program for Skill Building training.

Roll Call

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

Nays: Gill

**Motion Carried**

2001-388 **APPROVE ACCEPTANCE OF FEDERAL BLOCK GRANT AWARDS FOR WORKING WITH OLDER ADULTS SEMINAR**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, approve acceptance of Federal Block Grant awards for Working with Older Adults Seminar.

Roll Call

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

Nays: None

**Motion Carried**

2001-389 **AUTHORIZE HEALTH DEPARTMENT TO ADMINISTER TWINRIX THE HEPATITIS A AND B TRAVEL VACCINE**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize Health Department to administer Twinrix the Hepatitis A and B travel vaccine.

2001-389 **AUTHORIZE HEALTH DEPARTMENT TO ADMINISTER TWINRIX THE HEPATITIS A AND B TRAVEL VACCINE (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-390 **AUTHORIZE HEALTH DEPARTMENT TO APPLY FOR THE BUILDING OF ENVIRONMENTAL HEALTH SERVICES IN STATE AND LOCAL DEPARTMENT OF PUBLIC HEALTH GRANT**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize Health Department to apply for the Building of Environmental Health Services in State and Local Department of Public Health Grant.

Roll Call

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

Nays: None

**Motion Carried**

2001-391 **AUTHORIZE BROOKHAVEN TO SOLICIT BIDS FOR THE DESIGN AND INSTALLATION OF THE MAPLEWOOD NURSING UNIT WORKSTATION**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize Brookhaven to solicit bids for the design and installation of the Maplewood Nursing Unit workstation.

Roll Call

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

Nays: Gill

**Motion Carried**

2001-392 **AUTHORIZE BROOKHAVEN TO ACCEPT CONSUMERS ENERGY BID FOR REPLACEMENT OF SECONDARY EMERGENCY POWER SYSTEM GENERATOR**

The Human Resources Committee recommends, moved by Frye, supported by Moulatsiotis, authorize Brookhaven to accept Consumers Energy bid for replacement of Secondary Emergency Power System Generator.

2001-392 **AUTHORIZE BROOKHAVEN TO ACCEPT CONSUMERS ENERGY BID FOR REPLACEMENT OF SECONDARY EMERGENCY POWER SYSTEM GENERATOR (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-393 **APPROVE FEDERAL AVIATION ADMINISTRATION GRANT FOR SRE BUILDING IMPROVEMENT AND RUNWAY SAFETY AREA STUDY**

The Transportation Committee recommends, moved by Gill, supported by Start, approve Federal Aviation Administration Grant for SRE Building Improvement and Runway Safety Area Study, AIP Project No. 3-26-0071-2001 and further authorize execution of the agreement as presented.

Roll Call

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

Nays: None

**Motion Carried**

2001-394 **APPROVE PURCHASE OF FURNISHINGS FOR THE MATS OPERATIONS AND MAINTENANCE FACILITY OFFICES AND CONFERENCE CENTER**

The Transportation Committee recommends, moved by Gill, supported by Start, approve issuance of a purchase order to the low bidder LaVene Business Interiors in the amount of \$56,693.75 for furnishings for the new MATS Operations and Maintenance Facility Offices and Conference Center.

Roll Call

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

Nays: None

**Motion Carried**

2001-395 **APPROVE ISSUANCE OF RFP FOR CNG FUELING FACILITY**

The Transportation Committee recommends, moved by Gill, supported by Start, authorize MATS to issue Requests for Proposals for a CNG fueling facility package and for the construction services necessary to prepare the site and install the system.



2001-395 **APPROVE ISSUANCE OF RFP FOR CNG FUELING FACILITY (continued)**

Roll Call

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

Nays: None

**Motion Carried**

2001-396 **APPROVE MDOT CONTRACT 2001-0855 FOR CAPITAL FUNDING ASSISTANCE**

The Transportation Committee recommends, moved by Gill, supported by Start, approve MDOT Contract 2001-0855 for Capital Funding Assistance and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

2001-397 **APPROVE MDOT CONTRACT 2001-0679 FOR COMPREHENSIVE SERVICE ANALYSIS**

The Transportation Committee recommends, moved by Gill, supported by Start, approve MDOT Contract 2001-0679 for Comprehensive Service Analysis and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

2001-398 **APPROVE MDOT CONTRACT 99-0123 TIME EXTENSION AMENDMENT**

The Transportation Committee recommends, moved by Gill, supported by Start, approve MDOT Contract 99-0123 Time Extension Amendment and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

2001-399 **APPROVE MDOT CONTRACT 2001-0524 FOR OPERATIONS AND MAINTENANCE FACILITY FISCAL YEAR 2001 DISCRETIONARY FUNDING**

The Transportation Committee recommends, moved by Gill, supported by Start, approve MDOT Contract 2001-0524 for Operations and Maintenance Facility Fiscal Year 2001 Discretionary Funding and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: None

**Motion Carried**

**CHAIR'S REPORT**

Chairman Hulka asked for a report from the Health Department regarding cases of spinal meningitis in Muskegon County as well as what education Muskegon County does for this illness.

Chairman Hulka recognized and thanked Joanne Hatch for her work and effort in preparation of and during the weekend of the Tall Ships.

**ADMINISTRATOR'S REPORT**

2001-400 **WASTEWATER MANAGEMENT SYSTEM REQUEST TO ADOPT RESOLUTION**

The Administrator/Controller recommends, moved by Frye, supported by Start, to adopt the resolution entitled "Resolution Authorizing Not to Exceed \$7,000,000 Muskegon County Wastewater Management System - Number One, 2001 Refunding Bonds (Limited Tax General Obligation)" and authorize the Board Chair and County Clerk to sign.

Roll Call

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

Nays: None

**Motion Carried**

2001-401 **RESOLUTION AUTHORIZING THE ISSUANCE OF COUNTY REVENUE BONDS**

The Administrator/Controller recommends, moved by Start, supported by Bennett, to adopt the "Resolution Authorizing Notice to Department of Treasury, Declaration of Intent to Reimburse and Notice of Intent re Act 94 Requirements," providing funding in the amount not to exceed \$17,000,000 for the Metro forcemain and Whitehall interceptor projects.

Roll Call

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

Nays: None

**Motion Carried**

2001-402 **APPROVAL TO SOLICIT BIDS FOR RENOVATIONS OF VETERAN'S BUILDING**

The Administrator/Controller recommends, moved by Frye, supported by Start, approval of Sigurd Rudholm, LLC, for the renovation of the Veterans Center, not to exceed \$60,878.

Roll Call

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

Nays: Gill

**Motion Carried**

2001-403 **HERITAGE LANDING PHASE VIII**

The Administrator/Controller recommends, moved by Bennett, supported by Start, that the change order adding a fountain to the Heritage Landing project Phase VIII be approved in the amount of \$49,924.00.

Roll Call

Ayes: Bennett, Gill, McMurray, Moulatsiotis, Start

Nays: Frye, Hulka

**Motion Carried**

2001-404 **APPROVE RETAINING SIXEL BOGGS AND ASSOCIATES TO COMPLETE A TICKET LIFT STUDY**

The Administrator/Controller recommends, moved by Gill, supported by Bennett, to approve retaining Sixel Boggs and Associates to complete a ticket lift study and other related work for a service enhancement proposal to United Airlines at a cost not to exceed \$20,000.

2001-404 **APPROVE RETAINING SIXEL BOGGS AND ASSOCIATES TO  
COMPLETE A TICKET LIFT STUDY (continued)**

Roll Call

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

Nays: None

**Motion Carried**

**Old Business**

2001-405 **RFP FOR CLINICAL SERVICES FOR TREATMENT OF JUVENILE SEX  
OFFENDERS HOUSED IN THE JUVENILE DETENTION CENTER**

Deferred to September 25, 2001.

**New Business**

Moved by Frye, supported by Start, to add the September 18<sup>th</sup>, Ways and Means Committee meeting in Whitehall and dinner following, to the County Commissioner's calendar.

**Motion Carried**

**Audience Participation**

Delores Cole, Father LeGoe and Ted Davis addressed the Board regarding County observance of the Martin Luther King, Jr. Holiday.

Ron Krummel addressed the Board regarding Wastewater Management and the Tall Ship initiative suggesting using an existing Tall Ship with military or historical significance and/or contacting some of the national associations for tall ships.

2001- 406 **ADOPT THE RESOLUTION ADOPTING PART 91, SOIL EROSION AND  
SEDIMENTATION CONTROL OF THE ENVIRONMENTAL PROTECTION  
ACT 1994, PA 451, AS AMENDED BY 2000 PA 504 EFFECTIVE JANUARY  
11, 2001**

The Board of Public Works recommends, moved by McMurray, supported by Bennett, that the Resolution adopting Part 91, Soil Erosion and Sedimentation Control of the Environmental Protection Act 1994, PA 451, as amended by 2000 PA 504 effective

2001- 406      **ADOPT THE RESOLUTION ADOPTING PART 91, SOIL EROSION AND  
SEDIMENTATION CONTROL OF THE ENVIRONMENTAL PROTECTION  
ACT 1994, PA 451, AS AMENDED BY 2000 PA 504 EFFECTIVE JANUARY  
11, 2001 (continued)**

January 11, 2001, and the rules pertaining thereto and that the Muskegon County Department of Public Works administered by the County Board of Public Works be designated as the Muskegon County enforcing agency responsible for administration and enforcement, be adopted.

**Motion Carried**

**Budget Hearing**

Jack Niemiec reviewed the current standing of the 2002 Budget.

Meeting adjourned at 5:31 p.m.

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Marianne L. Hathaway, Deputy County Clerk

/jmp