

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

**August 26, 2003
5:01 P.M.**

Honorable Chairman Paul Baade, Presiding

The 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 McMurray.

Roll Call

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

Excused: Derezinski

Absent: None

2003-322 **APPROVAL OF MINUTES**

Moved by Engle, supported by Snider, to approve the minutes of the Regular Meeting of August 12, 2003 as presented.

Motion Carried

2003-323 **COMMUNICATIONS**

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

- Cheboygan County Resolution re: State Purchasing Program for Pharmaceutical Drugs

Motion Carried

2003-324 **AUTHORIZE THE TRANSPORTATION DIRECTOR TO SUBMIT AN APPLICATION TO THE MICHIGAN DEPARTMENT OF TRANSPORTATION UNDER THE AIR SERVICE GRANT, CARRIER RETENTION AND RECRUITMENT PROGRAM**

TR03/08-38

The Transportation Committee recommends, moved by Gill, supported by Bennett, to authorize the Transportation Director to submit an application to the Michigan Department of Transportation under the Air Service Grant, Carrier Retention and Recruitment Program for \$50,000 of matching monies for the Bring Jets to the Lakeshore program.

Roll Call

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

Nays: None

Motion Carried

2003-325 **APPROVE A RESOLUTION AUTHORIZING EXECUTION OF MDOT GRANT NO. 2003-0475**

TR03/08-39

The Transportation Committee recommends, moved by Gill, supported by Bennett, to approve a resolution authorizing execution of MDOT Grant No. 2003-0475 in the amount of \$10,000 for pavement maintenance funds and further authorize the Chairman and Clerk to execute the grant agreement as prepared.

Roll Call

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

Nays: None

Motion Carried

2003-326 **APPROVE THE LAW ENFORCEMENT PERSONNEL AGREEMENT BETWEEN THE TRANSPORTATION SECURITY ADMINISTRATION AND THE COUNTY OF MUSKEGON**

TR03/08-40

The Transportation Committee recommends, moved by Gill, supported by Bennett, to approve the Law Enforcement Personnel Agreement between the Transportation Security Administration and the County of Muskegon as presented and further authorize the Chairman to execute the agreement as prepared.

Roll Call

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

Nays: None

Motion Carried

2003-327 **APPROVE THE LEASE OF THE AIRCRAFT BUSINESS HANGAR AT 4776 STARIHA DRIVE TO WEST MICHIGAN AVIATION SERVICE**

TR03/08-41

The Transportation Committee recommends, moved by Gill, supported by Bennett, to approve the lease of the aircraft business hangar at 4776 Stariha Drive to West Michigan Aviation Service under the terms and conditions outlined and further authorize the Chairman to execute the agreement as prepared.

Roll Call

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

Nays: None

Motion Carried

2003-328 **APPROVE A GRANT AGREEMENT WITH THE FEDERAL AVIATION ADMINISTRATION**

TR03/08-42

The Transportation Committee recommends, moved by Gill, supported by Bennett, to approve a Grant Agreement with the Federal Aviation Administration for \$117,064 in federal funding for security enhancements at the Muskegon County Airport and further authorize the Chairman and Attorney to execute the Grant Agreement as prepared.

Roll Call

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

Nays: None

Motion Carried

2003-329 **RECLASSIFY THE VACANT ELECTRICIAN/WASTEWATER POSITION (WW0110) TO A MASTER ELECTRICIAN/WASTEWATER**

The Board of Public Works recommends, moved by McMurray, supported by Scolnik, to reclassify the vacant Electrician/Wastewater position (WW0110) to a Master Electrician/Wastewater with a ten percent increase in the salary range.

Roll Call

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

Nays: None

Motion Carried

2003-330 **FORMALLY WRITE-OFF THE MUSKEGON/KOCH CHEMICAL CHARGES FOR FILTERS AND LABORATORY SERVICES AS BAD DEBTS**

The Board of Public Works recommends, moved by McMurray, supported by Scolnik, to formally write-off the Muskegon/Koch Chemical Charges for filters and laboratory services as bad debts.

Roll Call

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

Nays: Gill

Motion Carried

2003-331 **FORMALLY WRITE-OFF AS BAD DEBTS THE MONIES OWED PER THE ATTACHED MAY 12, 2003, MEMORANDUM FROM CORPORATE COUNSEL**

The Board of Public Works recommends, moved by McMurray, supported by Scolnik, to formally write-off as bad debts the monies owed per the attached May 12, 2003, memorandum from Corporate Counsel.

Roll Call

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

Nays: Gill

Motion Carried

2003-332 **FORMALLY WRITE-OFF THE NORTH MUSKEGON FLOW CHARGES DISPUTED FROM 1985 AND 1986 AS UNCOLLECTIBLE**

The Board of Public Works recommends, moved by McMurray, supported by Scolnik, to formally write-off the North Muskegon flow charges disputed from 1985 and 1986 as uncollectible.

Roll Call

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

Nays: Gill

Motion Carried

2003-333 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF JULY 30, 2003 THROUGH AUGUST 19, 2003**

WM03/8-76

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to approve payment of the accounts payable of \$10,279,504.58 covering the period of July 30, 2003 through August 19, 2003, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2003-334 **AUTHORIZE THE CIRCUIT COURT-FAMILY DIVISION TO SUBMIT A GRANT APPLICATION FOR THE 2ND YEAR COMPREHENSIVE STRATEGY IMPLEMENTATION GRANT**

WM03/8-77

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to authorize the Circuit Court-Family Division to submit a grant application for the 2nd year Comprehensive Strategy Implementation Grant in the amount of \$125,000 with the local match of \$25,000 met by existing in-kind expenses for the grant period October 1, 2003 through September 30, 2004.

Roll Call

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

Nays: None

Motion Carried

2003-335 **ADOPT THE ATTACHED RESOLUTION INITIATING PUBLIC ACT 423**

WM03/8-78

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to adopt the attached resolution initiating Public Act 423 for the 2004 fiscal year and authorize the board chair to sign.

Roll Call

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

Nays: None

Motion Carried

2003-336 **AUTHORIZE THE ATTACHED RESOLUTION AND DECLARATIONS OF TAKING FOR THE CONDEMNATION OF PROPERTY AT 4860 GRAND HAVEN ROAD, NORTON SHORES, MICHIGAN**

WM03/8-79

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to authorize the attached Resolution and Declarations of Taking for the condemnation of property at 4860 Grand Haven Road, Norton Shores, Michigan.

Roll Call

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

Nays: Gill

Motion Carried

2003-337 **ADOPT THE ATTACHED RESOLUTION SETTING SEPTEMBER 16, 2003, AS THE DATE FOR THE PROPOSED FY2004 GENERAL OPERATING BUDGET PUBLIC HEARING**

WM03/8-80

The Ways and Means Committee recommends, moved by Waters, supported by Engle, to adopt the attached resolution setting September 16, 2003, as the date for the Proposed FY2004 General Operating Budget public hearing and proposing a tentative levy of 5.6984 mills for county general operating in 2003, a tentative levy of 0.3221 mills for Museum operating in 2003, a tentative levy of 0.0752 mills for veterans affairs operation in 2003, a tentative levy of 0.3000 mills for Central Dispatch operating in 2003 and a quality-of-life bond repayment levy of 0.4000 mills in 2003.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT

Chairman Baade noted the MAC Legislative Update for August 15, 2003 is included in the agenda packet.

Chairman Baade informed Commissioners to see him for tickets to the Irish Music Festival.

2003-338 **SEPTEMBER 18, 2003, COMMITTEE MEETING TO BE HELD AT THE
WHITE LAKE CITY HALL**

The Chairman recommends, moved by Wisniewski, supported by Scolnik, to hold the September 18, 2003, Committee meeting at the White Lake Chamber.

Motion Carried

ADMINISTRATOR'S REPORT

2003-339 **AUTHORIZE THE BOARD CHAIR TO EXECUTE CONVEYANCE TO THE
MUSKEGON COUNTY ROAD COMMISSION FOR REAL PROPERTY**

The Administrator recommends, moved by Gill, supported by Buzzell, to authorize the Board Chair to execute conveyance to the Muskegon County Road Commission for real property legally described as:

all that piece or parcel of land not included in the present right of way, which is Sixty-six (66) feet, in width lying Thirty-three (33) feet each side of and adjacent to the following described centerline. Commencing at the Quarter corner, between Section 19 and 20, T-11-N, R-15-W, Cedar Creek Township, Muskegon County, State of Michigan, thence South between said Sections, 599.63 feet to point of beginning, thence Northwesterly along the arc of a 11E-20" degree curve 263.89 feet, thence N 32E-0"W, 211.91 feet, thence Northwesterly along the arc of a 16E-35" degree curve 191.51 feet, to point of ending. Being in all 1.04 acres more or less. This release is executed for the sole and only purpose of conveying to the said County of Muskegon, Michigan, a right of way over the above described lands for highway purposes. This conveyance includes a release of any and all claims for damages arising or incidental to the location of said road across the parcel of land hereby granted.

As prepared by Corporate Counsel

Roll Call

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

Nays: None

Motion Carried

2003-340 **APPROVE A GRANT AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION**

The Administrator recommends, moved by Scolnik, supported by Engle, to approve a Grant Agreement with the Federal Aviation Administration for \$882,936 in federal funding for land acquisition for Runway 32 approach protection and further authorize the Chairman and Attorney to execute the Grant Agreement as prepared.

2003-340 **APPROVE A GRANT AGREEMENT WITH THE FEDERAL AVIATION
ADMINISTRATION (continued)**

Roll Call

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

Nays: None

Motion Carried

2003-341 **AUTHORIZE COUNTY ADMINISTRATOR AND CORPORATION
COUNSEL TO ACCEPT MEDIATION IN THE MATTER OF BANK ONE
VERSUS COUNTY OF MUSKEGON**

The Administrator recommends, moved by Gill, supported by Bennett, to authorize County Administrator and Corporation Counsel to accept mediation in the matter of Bank One versus County of Muskegon, Case Number 03-42101-PD, in the amount of \$65,000.

Roll Call

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

Nays: None

Motion Carried

Old Business

None.

New Business

Commissioner McMurray welcomed Rillastine Wilkins, City of Muskegon Heights Mayor.

Audience Participation

Florence Bright, Sherry Yonkers and Marcia Willbrandt addressed the Board encouraging continued support of the MSU Extension Service Master Gardeners program. Charlotte Thompson explained that funding from Muskegon County is part of a match program, so the same amount that is cut by the County is cut in the match grant money.

Commissioner Scolnik welcomed Lois Williams of the NAACP.

Meeting adjourned at 5:27 p.m.

Marianne L. Hathaway, Chief Deputy County Clerk

/jmp