

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

September 24, 2002

3:30 P.M.

Honorable Chairman Ken 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

2002-436 **APPROVAL OF MINUTES**

Moved by Start, supported by Baade, to approve the minutes of the Regular Meeting of September 10, 2002, as presented.

Motion Carried

2002-437 **COMMUNICATIONS**

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

- A. Berrien County Resolution re: Lakeshore Coordinating Council
- B. Egelston Township Planning Commission Hearing

Motion Carried

2002-438 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,403,137.51
COVERING THE PERIOD OF AUGUST 31ST, 2002 THROUGH
SEPTEMBER 10TH, 2002**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to approve payment of the accounts payable of \$3,403,137.51 covering the period of August 31st, 2002 through September 10th, 2002 as presented by the County Clerk.

2002-438 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE OF \$3,403,137.51 COVERING THE PERIOD OF AUGUST 31ST, 2002 THROUGH SEPTEMBER 10TH, 2002 (continued)**

Roll Call

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

Nays: None

Motion Carried

2002-439 **AWARD THE LOW BID TO BOWEN REFRIGERATION**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to award the low bid to Bowen Refrigeration for \$27,154.23 with \$11,567.50 allocated from the Sheriff's budget and the remainder from fund 1010-0271-931050.

Roll Call

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

Nays: None

Motion Carried

2002-440 **REJECT ALL BIDS FOR THE PARKS 4WD TRUCK, RESCIND BOARD ACTION 02-392 AND AUTHORIZE PURCHASE OF 4WD PICKUP TRUCK FOR PARKS/DPW/HHW**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to reject all bids for the Parks 4WD truck, rescind Board action 02-392 and authorize purchase of 4WD pickup truck for Parks/DPW/HHW, meeting or exceeding specifications of vehicles for which bids were received, at a cost of \$22,441.78 which is \$2,949.32 less than the lowest satisfactory bid received.

Roll Call

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

Nays: None

Motion Carried

2002-441 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO COMPLETE OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 SERVICE CONTRACTS**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to authorize the CMH Director to complete October 1, 2002 through September 30, 2003 service contracts for the vendor and rates detailed in Attachment A: FY 2002/2003 Proposed Vendors and Rates.

2002-441 **AUTHORIZE THE COMMUNITY MENTAL HEALTH (CMH) DIRECTOR TO COMPLETE OCTOBER 1, 2002 THROUGH SEPTEMBER 30, 2003 SERVICE CONTRACTS (continued)**

Roll Call

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

Nays: None

Motion Carried

2002-442 **AUTHORIZE THE CMH DIRECTOR TO EXTEND FY2001/2002 CONTRACTS FOR UP TO NINETY (90) DAYS**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to authorize the CMH Director to extend FY2001/2002 contracts for up to ninety (90) days for those vendors who have not completed FY2002/2003 rate negotiations.

Roll Call

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

Nays: None

Motion Carried

2002-443 **AUTHORIZE THE CMH DIRECTOR TO CONTRACT WITH CATHOLIC SOCIAL SERVICES**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to authorize the CMH Director to contract with Catholic Social Services, 1095 Third Street, Suite 125, Muskegon, MI 49441 for the provision of Person Centered Planning Independent Facilitator Services at a total contract cost not to exceed \$30,000 for the period extending from October 1, 2002 through September 30, 2003.

Roll Call

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

Nays: None

Motion Carried

2002-444 **AUTHORIZE THE BOARD CHAIR TO EXECUTE A QUIT CLAIM DEED TO CAROLYN CHERNEY**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to authorize the Board Chair to execute a Quit Claim Deed to Carolyn Cherney in the amount of \$50 for Lot 56, Block 76, Plot BG, Lakewood Addition #3.

2002-444 **AUTHORIZE THE BOARD CHAIR TO EXECUTE A QUIT CLAIM DEED TO CAROLYN CHERNEY (continued)**

Roll Call

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

Nays: None

Motion Carried

2002-445 **RENEW CONTRACT WITH ROBERT HERALD FOR SUPPORT SERVICES TO THE JURY COMMISSION**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to renew the contract with Robert Herald for October 1, 2002 through September 30, 2003, for support services to the Jury Commission at a rate of \$13/hour not to exceed \$2,500.

Roll Call

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

Nays: Gill

Motion Carried

2002-446 **ESTABLISH A SIX-STEP SALARY SCHEDULE FOR THE COMMUNITY MENTAL HEALTH DIRECTOR AND, FURTHERMORE, TO APPOINT JAMES ELWELL AS MUSKEGON COUNTY COMMUNITY MENTAL HEALTH DIRECTOR**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to establish a six-step salary schedule for the CMH Director with a range of \$75,679 to \$95,622, and, furthermore, to appoint James Elwell as Muskegon County Community Mental Health Director effective September 13, 2002, at Step 5 (salary \$91,408) and authorize execution of employment agreement.

Roll Call

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

Nays: None

Motion Carried

2002-447 **ADOPT THE APPROPRIATION ORDINANCE IMPLEMENTING THE COUNTY OF MUSKEGON'S FY2003 OPERATING BUDGET AND BUDGET AMENDMENTS**

The Ways and Means Committee recommends, moved by Baade, supported by Start, to adopt the Appropriation Ordinance implementing the County of Muskegon's FY2003 Operating Budget and Budget Amendments.

2002-447 **ADOPT THE APPROPRIATION ORDINANCE IMPLEMENTING THE
COUNTY OF MUSKEGON'S FY2003 OPERATING BUDGET AND
BUDGET AMENDMENTS (continued)**

Roll Call

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

Nays: None

Motion Carried

2002-448 **AWARD THE CONTRACT FOR THE MICHAEL E. KOBZA HOJ PARKING
LOT MAINTENANCE PROJECT TO THE LOW BIDDER, RAVENNA
SEALCOATING**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to award the contract for the Michael E. Kobza HOJ parking lot maintenance project to the low bidder, Ravenna Sealcoating, with voluntary alternate, at a cost not to exceed \$8,020.32.

Roll Call

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

Nays: None

Motion Carried

2002-449 **APPROVE THE ATTACHED COSTS TO BE PAID FROM BOND
REVENUES**

The Ways and Means Committee recommends, moved by Baade, supported by Frye, to approve the attached costs to be paid from bond revenues for the Hall of Justice, not to exceed \$180,672.51, reserved for this purpose.

Roll Call

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

Nays: None

Motion Carried

2002-450 **PROPOSED REORGANIZATION PLAN**

The Ways and Means Committee recommends, moved by Baade, supported by Kobza, to defer the proposed Reorganization Plan to December 17, 2002.

Motion Carried

2002-451 **APPROVE THE LAND REIMBURSEMENT GRANT UNDER AIP PROJECT
#3-26-0071-2202**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to approve the land reimbursement grant under AIP Project #3-26-0071-2202 in the amount of \$1,025,238.00 and further authorize the chairman, clerk, and Corporate Counsel to execute the grant document as prepared.

Roll Call

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

Nays: None

Motion Carried

2002-452 **APPROVE THE GROUND LEASE AGREEMENT BETWEEN THE COUNTY
OF MUSKEGON AND EXECUTIVE AIR TRANSPORT**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to approve the ground lease agreement between the County of Muskegon and Executive Air Transport for the hangar facility located at 591 E. Airport Road and further authorize the chairman and clerk to execute the agreement as prepared.

Roll Call

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

Nays: None

Motion Carried

2002-453 **APPROVE THE LAW ENFORCEMENT PERSONNEL AGREEMENT WITH
THE TRANSPORTATION SECURITY ADMINISTRATION**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to approve the Law Enforcement Personnel Agreement with the Transportation Security Administration and further authorize the chairman to execute the agreement as prepared.

Roll Call

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

Nays: Gill

Motion Carried

2002-454 **APPROVE LEASE SUPPLEMENT NO. 1 TO LEASE NO. FA65GE-3604 WITH THE FEDERAL AVIATION ADMINISTRATION**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to approve Lease Supplement No. 1 to Lease No. FA65GE-3604 with the Federal Aviation Administration and further authorize the chairman and clerk to execute the lease supplement documents as prepared.

Roll Call

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

Nays: None

Motion Carried

2002-455 **AUTHORIZE THE PURCHASING DEPARTMENT TO SOLICIT REQUESTS FOR PROPOSALS FOR THE LEASE OF THE GENERAL AVIATION HANGAR BUILDING**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to authorize the Purchasing Department to solicit requests for proposals for the lease of the general aviation hangar building located at 4860 Paul Court.

Roll Call

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

Nays: None

Motion Carried

2002-456 **AUTHORIZE THE CONVENING OF A PROJECT ADVISORY COMMITTEE FOR THE DURATION OF THE MATS COMPREHENSIVE SERVICE ANALYSIS**

TR02/09-48

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to authorize the convening of a Project Advisory Committee for the duration of the MATS Comprehensive Service Analysis.

Roll Call

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

Nays: Gill

Motion Carried

2002-457 **AUTHORIZE CONSTRUCTION SERVICES FROM BAUER
CONSTRUCTION FOR THE COMPRESSED NATURAL GAS FUELING
STATION SITE**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to authorize construction services from Bauer Construction for the compressed natural gas fueling station site in the amount of \$126,533.00.

Roll Call

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

Nays: None

Motion Carried

2002-458 **AMEND THE PURCHASE ORDER WITH GREENFIELD COMPRESSION,
INC.**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to amend the purchase order with Greenfield Compression, Inc. to include \$77,585 for installation services for compressed natural gas fueling station equipment.

Roll Call

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

Nays: None

Motion Carried

2002-459 **APPROVE THE CONTRACT WITH THE MUSKEGON HEIGHTS HOUSING
COMMISSION FOR USE OF ROOFTOP SPACE FOR COMMUNICATIONS
EQUIPMENT**

The Transportation Committee recommends, moved by Moulatsiotis, supported by Kobza, to approve the contract with the Muskegon Heights Housing Commission for use of rooftop space for communications equipment and to authorize the chairman to execute the contract.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT

None.

ADMINISTRATOR'S REPORT

2002-460 **AUTHORIZE EXECUTION OF DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MUSKEGON AND COUNTY OF MUSKEGON RE: CORDOVA**

The Administrator/Controller recommends, moved by Kobza, supported by Start, to authorize execution of the attached Development Agreement between the City of Muskegon the County of Muskegon and Tax Transfer Agreement between the County of Muskegon and Dalton Township, all with reference to the Cordova property.

Roll Call

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

Nays: None

Motion Carried

2002-461 **GIVE DAVID KENDRICK AND KENNETH SCARTH POWER OF ATTORNEY ON BEHALF OF MUSKEGON COUNTY TO ACT IN AFFAIRS RELATING TO THE U.S. DEPARTMENT OF AGRICULTURE FARM SERVICE AGENCY**

The Administrator/Controller recommends, moved by Kobza, supported by Start, to give David Kendrick and Kenneth Scarth power of attorney on behalf of Muskegon County to act in affairs relating to the U.S. Department of Agriculture Farm Service Agency for the Wastewater Management System.

Roll Call

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

Nays: None

Motion Carried

2002-462 **APPROVE AMENDMENT NO. 1 TO THE ENGINEERING SERVICES AGREEMENT WITH PREIN & NEWHOF**

The Administrator/Controller recommends, moved by Kobza, supported by Start, to approve Amendment No. 1 to the Engineering Services Agreement with Prein & Newhof increasing the lump sum fee by \$1,325.00 and further authorize the chairman to execute the amendment as prepared.

2002-462 **APPROVE AMENDMENT NO. 1 TO THE ENGINEERING SERVICES AGREEMENT WITH PREIN & NEWHOF (continued)**

Roll Call

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

Nays: None

Motion Carried

2002-463 **APPROVE CHANGE ORDER NO. 1 TO THE CYCON ENTERPRISES, INC. CONTRACT**

The Administrator/Controller recommends, moved by Kobza, supported by Start, to approve Change Order No. 1 to the Cycon Enterprises, Inc. contract to modify storm sewer details and add an electric gate operator for a total contract increase of \$10,084.00 and further authorize the chair to execute the change order as prepared.

Roll Call

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

Nays: None

Motion Carried

Discussion ensued regarding the seriousness of the bomb threats that have plagued the County building in recent months.

County Administrator, Mr. Borushko, noted the close of the fiscal year takes place next week and commended efforts by departments and staff to make adjustments.

Old Business

None.

New Business

Commissioner Baade requested update on prescription plan.

Commissioner Kobza noted education for criminal justice system alternatives to jailing and plans for a new jail were discussed as high priorities for the Community Corrections Board.

Commissioner Start urged for the County to work more closely with the Townships with reference to inspections and Michigan Township Services.

New Business (continued)

Commissioner Moulatsiotis reported on a fund-raiser planned by the City of Norton Shores for the purchase of sonar equipment in response to recent drownings. It was further discussed as to the possibility that the County government might have a better chance of obtaining a grant for this purchase and what plans might be for sharing the equipment, not only within Muskegon County but with other near by municipalities.

Audience Participation

Edward Koryzno, Sr. addressed the board to request a resolution naming October 2002 as Polish American Heritage Month.

2002-464 **PREPARE A RESOLUTION NAMING OCTOBER 2002 AS POLISH AMERICAN HERITAGE MONTH**

Moved by Kobza, supported by Start, to prepare a resolution naming October 2002 as Polish American Heritage Month.

Motion Carried

Mike Flanery, District Court Administrator, thanked the Administrator and Commissioners for improvements to and support of District Court.

Meeting adjourned at 4:07 p.m.

Susan R. Doriot, County Clerk

/jmp