

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

**October 14, 2003
3:32 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 Snider.

Roll Call

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

Absent: None

2003-392 **PRESENTATION**

Chairman Baade presented Marianne Hathaway with a Certificate of Recognition for the times she has acted as interim County Clerk during gaps with the past two Clerk terms.

2003-393 **COMMUNICATIONS**

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

- A. City of Norton Shores Creation of a Precision Plat Ordinance for future construction of Sternberg Road
- B. Bay County re: House Bill 4344-Downtown Development Authority

Motion Carried

2003-394 **AMEND THE JULY, 1985 "LETTER OF UNDERSTANDING" WITH THE VILLAGE OF LAKEWOOD CLUB**

CDSP-03/9-13

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Gill, to amend the July, 1985 "Letter of Understanding" with the Village of Lakewood Club to allow the village to recover: a) their prior planning expenses, b) the costs of sale, and c) to split with the County of Muskegon the remaining sales proceeds on a 50/50 basis subject to the following: first \$15,000 plus cost of sale to Village, the next \$15,000 to county and then any remainder to be split 50/50.

Roll Call

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

Nays: None

Motion Carried

2003-395 **PASS A RESOLUTION TO TAKE FURTHER STEPS INTO DEVELOPING A STATE-WIDE SYSTEM OF DISPOSAL AND RECYCLING OF USED TIRES**

CDSP-03/9-14

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Gill, to pass a resolution to be conveyed to the local Michigan State Senator and Representatives encouraging them to take further steps into developing a state-wide system of disposal and recycling of used tires to assist local municipalities and the citizens of the state with the ongoing disposal problem presented by used tires without financial costs being the burden of the municipalities.

Roll Call

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

Nays: None

Motion Carried

2003-396 **REVISE THE SCHEDULE TO SET OCTOBER 16, 2003, AS THE DATE FOR THE NEXT COMMUNITY DEVELOPMENT/STRATEGIC PLANNING COMMITTEE MEETING**

CDSP-03/9-15

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Gill, to revise the schedule to set October 16, 2003, as the date for the next Community Development/Strategic Planning Committee meeting.

2003-396 **REVISE THE SCHEDULE TO SET OCTOBER 16, 2003, AS THE DATE FOR THE NEXT COMMUNITY DEVELOPMENT/STRATEGIC PLANNING COMMITTEE MEETING (continued)**

Roll Call

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

Nays: None

Motion Carried

2003-397 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF SEPTEMBER 10, 2003 THROUGH SEPTEMBER 26, 2003**

WM03/10-97

The Ways and Means Committee recommends, moved by Derezinski, supported by Engle, to approve payment of the accounts payable of \$6,581,428.80 covering the period of September 10, 2003 through September 26, 2003 as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2003-398 **AUTHORIZE THE RESOLUTION AND DECLARATIONS OF TAKING FOR CONDEMNATION OF PROPERTY AT 4860 GRAND HAVEN ROAD**

WM03/10-98

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

Roll Call

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

Nays: Gill

Motion Carried

2003-399 **APPROVE THE CHANGE ORDER TO MUSKEGON QUALITY BUILDERS, INC. FOR ADDITIONAL CONSTRUCTION ITEMS AT PINES CAMPGROUND**

WM03/10-99

The Ways and Means Committee recommends, moved by Derezhinski, supported by Engle, to approve the change order to Muskegon Quality Builders, Inc. in the amount of \$7,525.00 for additional construction items at Pines Campground.

Roll Call

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

Nays: None

Motion Carried

2003-398 **APPROVE THE REQUEST AND INVOICE FOR SPONSORSHIP OF THE FY2003/2004 SUPPLIER DIVERSITY CONFERENCE**

WM03/10-100

The Ways and Means Committee recommends, moved by Derezhinski, supported by Engle, to approve the request and invoice for sponsorship of the FY2003/2004 Supplier Diversity Conference at the platinum level in the amount of \$2,500 and encourage staff attendance.

Roll Call

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

Nays: None

Motion Carried

2003-400 **APPROVE THE HERITAGE LANDING MASTER PLAN STUDY**

WM03/10-101

The Ways and Means Committee recommends, moved by Derezhinski, supported by Engle, to approve the Heritage Landing Master Plan study not to exceed \$13,990 from funds provided by the Summer Celebration, Christian Unity Festival and the Irish Festival for this express purpose.

Roll Call

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

Nays: None

Abstain: Gill

Motion Carried

2003-401 **ACCEPT THE 200/2004 OFFICE OF HIGHWAY SAFETY PLANNING,**

SECONDARY ROAD PATROL CONTRACT

CPS03/10-34

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to accept the 200/2004 Office of Highway Safety Planning, Secondary Road Patrol contract in the amount of \$220,485 and amend the budget accordingly.

Roll Call

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

Nays: None

Motion Carried

2003-402 **AUTHORIZE THE SHERIFF TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF HIGHWAY SAFETY PLANNING**

CPS03/10-35

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to authorize the Sheriff to submit a grant application to the Office of Highway Safety Planning for \$38,959 for a "Drive Michigan Safely Task Force," special traffic enforcement program.

Roll Call

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

Nays: None

Motion Carried

2003-403 **AUTHORIZE THE SHERIFF TO CHANGE THE FUNDING FOR POSITION #S05035 TO 1010-0301 AND #05033 TO 1230-0322**

CPS03/10-36

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to authorize the Sheriff to change the funding for position #S05035 to 1010-0301 and #05033 to 1230-0322.

Roll Call

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

Nays: None

Motion Carried

2003-404 **AUTHORIZE THE SHERIFF TO BEGIN THE COUNTY'S BID PROCESS FOR FIVE FORD POLICE VEHICLES**

CPS03/10-37

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to authorize the Sheriff to begin the County's bid process for five Ford police vehicles for 2003/2004.

Roll Call

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

Nays: None

Motion Carried

2003-405 **AUTHORIZE THE BOARD CHAIR TO SIGN THE 2004 TITLE IV-D MEDICAL SUPPORT APPLICATION**

CPS03/10-38

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to authorize the Board Chair to sign the 2004 Title IV-D Medical Support Application for the Family Court in the amount of \$99,428.

Roll Call

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

Nays: None

Motion Carried

2003-406 **APPROVE THE PURCHASE OF ELECTRICAL EQUIPMENT NEEDED TO SUPPORT THE INSTALLATION OF VIDEO SURVEILLANCE EQUIPMENT OUTSIDE OF THE JUVENILE DETENTION FACILITY**

CPS03/10-39

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to approve the purchase of electrical equipment needed to support the installation of video surveillance equipment outside of the Juvenile Detention facility; equipment needed includes housings, wiring, lens and junction box at a cost \$5,100.

Roll Call

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

Nays: None

Motion Carried

2003-407 **ACCEPT THE 2003/2004 OFFICE OF HIGHWAY SAFETY PLANNING,**

DRIVE MICHIGAN SAFELY CONTRACT

CPS03/10-40

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to accept the 2003/2004 Office of Highway Safety Planning, Drive Michigan Safely contract in the amount of \$38,959 and amend the budget for same.

Roll Call

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

Nays: None

Motion Carried

2003-408 **APPROVE THE APPOINTMENT OF DEPARTMENT CLERK LYNN MEEUWENBERG TO LEGAL SECRETARY**

CPS03/10-41

The Courts and Public Safety Committee recommends, moved by Waters, supported by Engle, to approve the appointment of Department Clerk Lynn Meeuwenberg to Legal Secretary, position #G49003 at Step 3, \$12.39 per hour effective immediately.

Roll Call

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

Nays: None

Motion Carried

2003-409 **AUTHORIZE THE CMH DIRECTOR TO COMPLETE FY2003-2004 CONTRACTS FOR PROVISION OF COMMUNITY LIVING SUPPORT SERVICES**

HR03/10-57

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the CMH Director to complete FY2003-2004 contracts for provision of Community Living Support Services with Kelly's Home Care; Lutheran Social Services of Michigan; Pioneer Resources, Inc.; Heritage Homes, Inc.; Best Way Providers; HGA, Inc.; Nursing Care Options and ARC/Muskegon, and for the counties, populations and rates identified in the Muskegon County Summary; CLS, and to continue negotiations with MOKA Corporation.

2003-409 **AUTHORIZE THE CMH DIRECTOR TO COMPLETE FY2003-2004 CONTRACTS FOR PROVISION OF COMMUNITY LIVING SUPPORT SERVICES (continued)**

Roll Call

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

Nays: None

Motion Carried

2003-410 **AUTHORIZE MUSKEGON CMH TO MAKE A CONTRIBUTION OF \$2,389 TO THE MICHIGAN ASSOCIATION OF COMMUNITY MENTAL HEALTH BOARDS**

HR03/10-58

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize Muskegon CMH to make a contribution of \$2,389 to the Michigan Association of Community Mental Health Boards for participation in a statewide anti-stigma television advertising campaign.

Roll Call

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

Nays: None

Motion Carried

2003-411 **AUTHORIZE THE CMH DIRECTOR TO COMPLETE A CONTRACT WITH CMH OF WEST MICHIGAN**

HR03/10-59

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the CMH Director to complete a contract with CMH of West Michigan, 728 Fuller NE, Grand Rapids, MI 49503 for purchase of After Hours Telephone Emergency Services for CMH Services of Muskegon County and Ottawa County CMH at respective rates of fifteen hundred (1500.00) dollars per month for Muskegon County and three thousand (3000.00) dollars per month for Ottawa County for the period extending from October 1, 2003 through September 30, 2004.

Roll Call

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

Nays: None

Motion Carried

2003-412 **AUTHORIZE THE CMH DIRECTOR TO RENEW THE**

SERVICE/REFERRAL/COORDINATION AGREEMENT

HR03/10-60

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the CMH Director to renew the service/referral/coordination agreement as listed in FY2003-2004 Service/Referral/Coordination Agreements effective October 1, 2003, with ongoing continuation and modification by written amendment.

Roll Call

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

Nays: None

Motion Carried

2003-413 **AUTHORIZE THE DIRECTOR OF HEALTH & COMMUNITY RESOURCES TO SIGN THE MDEQ AGREEMENT FROM THE STATE OF MICHIGAN-DEPARTMENT OF ENVIRONMENTAL QUALITY**

HR03/10-61

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize the Director of Health & Community Resources to sign the MDEQ Agreement from the State of Michigan-Department of Environmental Quality for Fiscal Year 2004 with no change to the FY2004 General Fund Appropriation.

Roll Call

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

Nays: None

Motion Carried

2003-414 **AUTHORIZE BROOKHAVEN MEDICAL CARE FACILITY TO INCREASE CERTIFIED NURSE AIDE POSITION #A04525 TO 32 HOURS PER WEEK**

HR03/10-62

The Human Resources Committee recommends, moved by Buzzell, supported by Wisniewski, to authorize Brookhaven Medical Care Facility to increase Certified Nurse Aide position #A04525 to 32 hours per week at an annual cost of \$6,975 effective October 1, 2003.

Roll Call

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

Nays: None

Motion Carried

The minutes of the Regular Meeting of September 23, 2003, had not been included in the agenda packet so approval is deferred to the next full Board Meeting

CHAIR'S REPORT

Chairman Baade noted the MAC Legislative Update for September 26, 2003 & October 3, 2003, is included in the agenda packet.

2003-415 **APPROVE APPOINTMENTS TO THE BOARD OF CANVASSERS**

The Chairman recommends, moved by Derezinski, supported by Gill, to reappoint Tom Higgins (Republican) and Carl Lund (Democrat) to the Muskegon County Board of Canvassers with the four year terms commencing February 1, 2004, and ending January 31, 2008.

Roll Call

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

Nays: None

Motion Carried

2003-416 **APPROVE APPOINTMENTS AND REAPPOINTMENTS TO THE WORKFORCE DEVELOPMENT BOARD**

The Chairman recommends, moved by Snider, supported by Bennett, approve appointments and reappointments to the Workforce Development Board as presented.

Roll Call

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

Nays: Gill

Motion Carried

2003-417 **RESCHEDULE OF NOVEMBER FULL BOARD & PUBLIC WORKS BOARD MEETINGS**

The Chairman recommends, moved by Snider, supported by Engle, to reschedule the Full Board meeting of November 13, 2003, Public Works Board meeting to November 20, 2003.

2003-417 **RESCHEDULE OF NOVEMBER FULL BOARD & PUBLIC WORKS BOARD MEETINGS (continued)**

Roll Call

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

Nays: None

Motion Carried

ADMINISTRATOR'S REPORT

2003-418 **APPROVE EMPLOYMENT AGREEMENT WITH MARION PIASECKI TO SERVE IN THE CAPACITY AS DIRECTOR OF BROOKHAVEN MEDICAL CARE FACILITY**

The Administrator recommends, moved by Snider, supported by Scolnik, to concur in the FIA Board action of approving Employment Agreement with Marion Piasecki to serve in the capacity as Director of Brookhaven Medical Care Facility at Step 5, salary \$76,357 and authorize the Chairman to execute concurrence on Employment Contract.

2003-419 **REMOVE PARAGRAPH THREE OF THE EMPLOYMENT AGREEMENT WITH MARION PIASECKI**

Moved by Snider, supported by Scolnik, to ratify motion following amendment of Employment Agreement with Marion Piasecki to remove paragraph three.

Roll Call

Ayes: Derezinski, Engle, Gill, McMurray, Scolnik, Snider, Waters, Wisniewski

Nays: Bennett, Buzzell, Baade

Motion Carried

2003-420 **TABLE THE ITEM 2003-418**

Moved by Derezinski, supported by Engle, to table the item 2003-418 as.

Roll Call

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

Nays: None

Motion Carried

2003-421 **AUTHORIZE THE COUNTY'S PARTICIPATION UP TO ITS SELF-**

**INSURED RETENTION, LESS LEGAL AND ADMINISTRATIVE
EXPENSES, IN THE SETTLEMENT OF THE SEITZ LAWSUIT**

The Administrator recommends, moved by Snider, supported by Gill, to authorize the County's participation up to its self-insured retention, less legal and administrative expenses, in the settlement of the Seitz lawsuit.

Roll Call

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

Nays: Gill

Motion Carried

Old Business

None.

New Business

None.

Audience Participation

None.

2003-422 **CLOSED SESSION RE: WORKER'S COMPENSATION SETTLEMENT**

Moved by Wisniewski, supported by Snider, to go into closed session re: Worker's Compensation Settlement.

Roll Call

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

Nays: Gill

Motion Carried

Returned to Open Session at 4:58 p.m.

2003-423 **AUTHORIZE HUMAN RESOURCES TO NEGOTIATE A REDEMPTION
SETTLEMENT OF THE KATHLEEN MEDEMA WORKERS
COMPENSATION CLAIM AS DISCUSSED**

Moved by Snider, supported by Engle, to authorize Human Resources to negotiate a redemption settlement of the Kathleen Medema Workers Compensation Claim as discussed and authorize the Human Resources Director general settlement authority as discussed.

Roll Call

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

Nays: None

Motion Carried

Meeting adjourned at 5:00 p.m.

Karen D. Buie, County Clerk

/jmp