

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 26, 2004
4:03 P.M.**

Chairman Paul Baade, Presiding

The Regular 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

2004-447 **APPROVAL OF MINUTES OF OCTOBER 12, 2004**

Moved by Wisniewski, supported by Derezinski, to approve the minutes of the Regular Meeting of October 12, 2004.

Roll Call

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

Nays: None

Motion Carried

2004-448 **PRESENTATIONS**

- A. Timothy McGuire, Karen Currie - MI Association of Counties
- B. Jill Montgomery, United Way Campaign

2004-449 **COMMUNICATIONS**

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

- A. Allegan County Resolution re: Self-Insurance Pools
- B. American Red Cross Appreciation Letter

Motion Carried

2004-450 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF SEPTEMBER 29, THROUGH OCTOBER 15, 2004**

WMO4/10-120

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve payment of the accounts payable of \$11,618,147.54 covering the period of September 29, 2004 through October 15, 2004, as presented by the County Clerk.

Roll Call

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

Nays: None

Motion Carried

2004-451 **ADOPT THE 2004 APPORTIONMENT REPORT AS PREPARED AND SUBMITTED BY THE MUSKEGON COUNTY EQUALIZATION DEPARTMENT**

WM04/10-121

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to adopt the 2004 Apportionment Report as prepared and submitted by the Muskegon County Equalization Department.

Roll Call

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

Nays: None

Motion Carried

2004-452 **AUTHORIZE SHERIFF/EMERGENCY SERVICES TO ACCEPT THE LOW BID AND PURCHASE TWO STRYKER EVACUATION CHAIRS**

WM04/10-122

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Sheriff/Emergency Services to accept the low bid and purchase two Stryker Evacuation Chairs (\$4,191.92) to be paid from the Risk Management Fund.

Roll Call

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

Nays: None

Motion Carried

2004-453 **AUTHORIZE THE CIRCUIT COURT/FAMILY DIVISION TO PURCHASE TWO WORK STATIONS**

WM04/10-123

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Circuit Court/Family Division to purchase two work stations to be installed on the third floor of the Hall of Justice for a cost not to exceed \$6,923.28.

Roll Call

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

Nays: None

Motion Carried

2004-454 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE CIRCUIT COURT/FAMILY DIVISION AND THE CHILD ABUSE COUNCIL OF MUSKEGON COUNTY**

WM04/10-124

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Circuit Court Administrator to sign a Memorandum of Understanding between the Circuit Court/Family Division and the Child Abuse Council of Muskegon County concerning the program requirements; Memorandum of Understanding between the Circuit Court/Family Division and the United Way of Muskegon County concerning the donation of monies to the Child Care Fund and the transfer of \$20,000 to the County of Muskegon to be used as local match for state Child Care Fund monies; approve establishment of an additional budget within the Child Care Fund (Fund 2920) in the amount of \$60,000 which includes the 50% local match funding coming from donated monies from the United Way of Muskegon County (\$20,000) and an appropriation from the County General Fund (\$10,000); and that the County local match be authorized in anticipation of General Fund local match savings within the Family Court Fund (Fund 2150) and that the General Fund Appropriations budget be adjusted accordingly.

(Continued)

- 2004-454 **AUTHORIZE THE CIRCUIT COURT ADMINISTRATOR TO SIGN A MEMORANDUM OF UNDERSTANDING BETWEEN THE CIRCUIT COURT/FAMILY DIVISION AND THE CHILD ABUSE COUNCIL OF MUSKEGON COUNTY**

Roll Call

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

Nays: Gill

Motion Carried

- 2004-455 **AUTHORIZE FINANCE & MANAGEMENT SERVICES TO ACCEPT THE PROPOSAL FROM NATIONAL CITY BANK FOR THE FINANCING OF THE COUNTY'S HIGH-SPEED FIBER OPTIC NETWORK**

WM04/10-125

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Finance & Management Services to accept the proposal from National City Bank for the financing of the County's high-speed fiber optic network and the purchase of a Voice Over Internet Protocol (VoIP) telephone solution and Oracle Collaboration Suite, with an annual interest rate of 3.1%, annual payments of \$299,368.90 in arrears, for a total cost of \$1,496,844.49.

Roll Call

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

Nays: None

Motion Carried

- 2004-456 **AUTHORIZE EXECUTION OF THE "RESOLUTION APPROVING INSTALLMENT PURCHASE CONTRACT PURSUANT TO ACT NO. 156, PUBLIC ACTS OF MICHIGAN, 1851"**

WM04/10-126

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize execution of the "Resolution Approving Installment Purchase Contract Pursuant to Act No. 156, Public Acts of Michigan, 1851" for funding the County's Telecommunications project with a bank qualified loan and execution of the installment purchase agreement to be signed by the County Clerk and Administrator.

(Continued)

2004-456 AUTHORIZE EXECUTION OF THE "RESOLUTION APPROVING
INSTALLMENT PURCHASE CONTRACT PURSUANT TO ACT NO. 156,
PUBLIC ACTS OF MICHIGAN, 1851"

Roll Call

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

Nays: None

Motion Carried

2004-457 APPROVE THE RESOLUTION AND AUTHORIZE SUBMITTAL OF THE
LIST OF PROPOSED TRANSPORTATION PROJECTS FOR
CONSIDERATION

TR04/10-33

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve the resolution and authorize submittal of the list of proposed transportation projects for consideration in the West Michigan Shoreline Regional Development Commission Year 2030 Long Range Transportation Plan.

Roll Call

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

Nays: Gill

Motion Carried

2004-458 APPROVE THE EXTENSION OF THIRTY-FOUR (34) T-HANGAR LEASE
AGREEMENTS

TR04/10-34

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve the extension of thirty-four (34) T-Hangar Lease agreements expiring in the fourth quarter of 2004.

Roll Call

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

Nays: None

Motion Carried

2004-459 **APPROVE CONTRACT MODIFICATION 001 TO THE WILDLIFE CONTROL FENCE CONTRACT BETWEEN THE COUNTY AND NATIONWIDE FENCE & SUPPLY COMPANY**

TR04/10-35

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve Contract Modification 001 to the Wildlife Control Fence contract between the County and Nationwide Fence & Supply Company in the amount of \$3,000, allowing the installation of appropriate safety edge sensors to the five automatic gates surrounding the Airport, with the County's share not to exceed \$75, and further authorize the chairman to execute the agreement amendment as prepared.

Roll Call

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

Nays: None

Motion Carried

2004-460 **APPROVAL OF ALLOWING THE TWISTING TRAILS SNO-BRAVES SNOWMOBILE CLUB TO REMOVE THE 1,700 FEET OF AIRPORT FENCING**

TR04/10-36

The Transportation Committee recommends, moved by Gill, supported by Engle, approval of allowing the Twisting Trails Sno-Braves Snowmobile Club to remove the 1,700 feet of Airport fencing provided that said club will rehabilitate the fence area to its natural state.

Roll Call

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

Nays: None

Motion Carried

2004-461 **APPROVE AN AGREEMENT BETWEEN THE COUNTY AND MEAD & HUNT, INC., TO PERFORM AN ENVIRONMENTAL ASSESSMENT (EA)**

TR04/10-37

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve an Agreement between the County and Mead & Hunt, Inc., in the amount of \$151,054.41, to perform an Environmental Assessment (EA) on the Runway 14/32 Safety Area Improvement and 2,100' Extension, with the County's share not to exceed \$3,776, and further authorize the chairman to execute the Agreement as prepared.

(Continued)

2004-461 **APPROVE AN AGREEMENT BETWEEN THE COUNTY AND MEAD & HUNT, INC., TO PERFORM AN ENVIRONMENTAL ASSESSMENT (EA)**

Roll Call

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

Nays: Gill

Motion Carried

2004-462 **APPROVE CONTRACT AMENDMENT NO. 5 TO THE AGREEMENT FOR PROFESSIONAL SERVICES WITH COMMONWEALTH ASSOCIATES, INC.**

TR04/10-38

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve Contract Amendment No. 5 to the Agreement for Professional Services with Commonwealth Associates, Inc. in the amount of \$51,482 for acquisition of six parcels associated with the extension of Runway 14/32, including five avigation easements [(1) B&L Development – Pointes Mall, (2) City of Norton Shores – Millbocker Pond, (3) Richard N. Witham Trust, (4) Westone Corporation, and (5) Doss Industrial Development], and one purchase in fee (DeWitt), with the County's share not to exceed 2.5% (\$1,288), and further authorize the chairman to execute the agreement amendment as prepared.

Roll Call

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

Nays: Gill

Motion Carried

2004-463 **APPROVAL OF THE AIRPORT RESCUE AND FIREFIGHTING (ARFF) SERVICES 10-YEAR AGREEMENT WITH THE CITY OF NORTON SHORES**

TR04/10-39

The Transportation Committee recommends, moved by Gill, supported by Engle, approval of the Airport Rescue and Firefighting (ARFF) services 10-year agreement with the City of Norton Shores with a first year estimated cost of \$164,534, off-set by current cost of \$21,103, standby/training cost of \$16,258, and administrative cost of \$14,230 waived in the first year, for a net first year cost to the County NTE \$112,943, pursuant to the Board's action of April 13, 2004 (Motion #2004-178).

(Continued)
2004-463 **APPROVAL OF THE AIRPORT RESCUE AND FIREFIGHTING (ARFF) SERVICES 10-YEAR AGREEMENT WITH THE CITY OF NORTON SHORES**

Roll Call

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

Nays: Gill

Motion Carried

2004-464 **ADOPT THE WASTEWATER "SEWER USE ORDINANCE"**

The Board of Public Works recommends, moved by McMurray, supported by Gill, to adopt the Wastewater "Sewer Use Ordinance" that was attached to the September 24th, 2004 memo on same.

Roll Call

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

Nays: None

Motion Carried

CHAIR'S REPORT

Chairman Baade noted the MAC Legislative Update for October 15, 2004, is included in agenda packets.

ADMINISTRATOR'S REPORT

2004-465 **AUTHORIZE THE CONTRACT WITH CLARK HILL, PLC**

The Administrator recommends, moved by Snider, supported by Buzzell, to authorize the contract with Clark Hill, PLC to represent the County of Muskegon's interests in the installation of the fiber optic system partnership of MAISD, Central Dispatch 9-1-1 and the County of Muskegon.

(Continued)

2004-465 **AUTHORIZE THE CONTRACT WITH CLARK HILL, PLC**

Roll Call

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

Nays: None

Motion Carried

2004-466 **AUTHORIZE THE BOARD CHAIR TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE MICHIGAN BROADBAND DEVELOPMENT AUTHORITY (MDBA)**

The Administrator recommends, moved by Snider, supported by Waters, to authorize the Board Chair to sign a Memorandum of understanding (MOU) with the Michigan Broadband Development Authority (MDBA), and authorize staff to issue a Request For Proposal (RFP), to participate in the development of the mechanisms, methods, and procedures that should be in place for the implementation of the Digital Divide Investment Program, and to accept reimbursement for cost directly associated with the DDIP, in an amount not to exceed \$10,000.00.

Roll Call

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

Nays: Gill

Motion Carried

2004-467 **AUTHORIZE EXECUTION OF RESOLUTION AUTHORIZING BOND ANTICIPATION NOTES AND RESOLUTION AUTHORIZING COUNTY OF MUSKEGON WASTEWATER MANAGEMENT SYSTEM-NUMBER ONE**

The Administrator recommends, moved by Derezinski, supported by Engle, to authorize execution of Resolution Authorizing Bond Anticipation Notes and Resolution Authorizing County of Muskegon Wastewater Management System-Number One (Charter Township of Muskegon) Bond, Series 2005 (General Obligation Limited Tax) appertaining to issuance of up to \$14,000,000 in bonds for Township of Muskegon Sewer System Improvements.

Roll Call

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

Nays: None

Motion Carried

Old Business

2004-468 MOVE THE HUMAN RESOURCE AND COURTS AND PUBLIC SAFETY
MEETINGS FROM NOVEMBER 2ND TO NOVEMBER 4TH

Moved by Waters, supported by Buzzell, to move the Human Resource and Courts and Public Safety meetings from Tuesday, November 2nd to Thursday, November 4th.

Roll Call

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

Nays: None

Motion Carried

New Business

None.

Audience Participation

Pat Jordan, Muskegon Township Supervisor, thanked the Board for support and authorization of Bond issue.

Meeting recessed at 4:43 p.m., until November 4, 2004.

Karen D. Buie, County Clerk

KDB/jmp