

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

**December 16, 2004
8:52 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 Scolnik.

Roll Call

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

Absent: None

2004-542 **APPROVAL OF MINUTES OF DECEMBER 7, 2004**

Moved by Engle, supported by McMurray, to approve the minutes of the Regular Meeting of December 7, 2004.

Roll Call

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

Abstain: Gill

Nays: None

Motion Carried

2004-543 **COMMUNICATIONS**

Moved by Engle, supported by Snider, to receive and place on file the following communication: City of Muskegon Proposed neighborhood Enterprise Zone for Port City Industrial Park

Motion Carried

2004-544 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072\Z10**

TR04/12-40

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve MDOT Project Authorization 2002-0072\Z10 with the Muskegon Area Transit System providing FY2005 state specialized services operating assistance in the amount of \$55,405, and to authorize the Chairperson to execute the contract.

Roll Call

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

Nays: Gill

Motion Carried

2004-545 **APPROVE MDOT PROJECT AUTHORIZATION 2002-0072\Z11**

TR04/12-41

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve MDOT Project Authorization 2002-0072\Z11 providing \$209,000 in state transit capital match funding and to authorize the Chairman to execute the contract.

Roll Call

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

Nays: Gill

Motion Carried

2004-547 **APPROVE CONTRACT MODIFICATION NO. 1 TO THE RUNWAY SAFETY AREA PROJECT**

TR04/12-43

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve Contract Modification No. 1 to the Runway Safety Area Project contract between the County and Milbocker and Sons, Inc., thereby reducing the awarded contract amount of \$198,987.76 by \$8,402.09, and further authorize the Chairman to execute the Contract Modification as prepared.

Roll Call

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

Nays: Gill

Motion Carried

2004-548 **APPROVE SUPPLEMENTAL LEASE AGREEMENT NO. 1 FOR LEASE NO. GS-05B-17239**

TR04/12-44

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve Supplemental Lease Agreement No. 1 for Lease No. GS-05B-17239, between the County and the Transportation Security Administration, for office space in the terminal building, extending the existing lease until November 1, 2005, and further authorize the Chairman to execute the supplement as prepared.

Roll Call

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

Nays: Gill

Motion Carried

2004-549 **APPROVE FEDERAL AVIATION ADMINISTRATION LEASE SUPPLEMENT NO. 4 TO FAA MASTER LEASE NUMBER DTFA14-90-L-R491**

TR04/12-45

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve Federal Aviation Administration Lease Supplement No. 4 to FAA Master Lease Number DTFA14-90-L-R491, which provides real estate rights to operate a Remote Transmitter Receiver (RTR) and an Airport Surveillance Radar (ASR-7) at the Airport, and pulls the existing lease for the RTR and ASR-7 site under the FAA Master Lease DTFA14-90-L-R491, and further authorize the Chairman to execute the Supplement as prepared.

Roll Call

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

Nays: Gill

Motion Carried

2004-550 **APPROVE THE GOOD FAITH OFFER OF JUST COMPENSATION IN THE AMOUNT OF \$100,000 TO JOHN AND LINDA DEWITT**

TR04/12-46

The Transportation Committee recommends, moved by Gill, supported by Engle, to approve the Good Faith Offer of Just Compensation in the amount of \$100,000 to John and Linda DeWitt for 1.71 acres of land and a manufactured home located at 769 Airport Road, expected to be reimbursed under a future FAA grant at the 95% FAA, 2.5% State and 2.5% Local ratio, and further authorize Paul Stempin of Commonwealth Associates, Inc., Agent for Muskegon County, to sign said Offer.

(Continued)

2004-550 **APPROVE THE GOOD FAITH OFFER OF JUST COMPENSATION IN THE AMOUNT OF \$100,000 TO JOHN AND LINDA DEWITT**

Roll Call

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

Nays: Gill

Motion Carried

2004-551 **APPROVE THE EXTENSION OF THREE (3) T-HANGAR LEASE AGREEMENTS**

TR04/12-47

to approve the extension of three (3) T-Hangar Lease agreements expiring in the first quarter of 2005.

Roll Call

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

Nays: Gill

Motion Carried

2004-552 **AUTHORIZE THE BOARD CHAIR TO EXECUTE ATTACHED AMENDMENT TO PURCHASE AGREEMENT DATED 8/12/2003 WITH BSD GROUP, LLC**

CD/SP04/12-12

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Snider, to authorize the Board Chair to execute attached amendment to purchase agreement dated 8/12/2003 with BSD Group, LLC and further to authorize Board Chair to execute land contract and for the Community Development Director to execute any and all other documents related to close on sale of real property located at 793 W. Western Avenue, Muskegon, Michigan, commonly known as Carpenter Brothers property.

Roll Call

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

Nays: Gill

Motion Carried

2004-553 **APPROVE THE FY2004-05 TOURISM AGREEMENT WITH THE WHITE LAKE CHAMBER OF COMMERCE**

CD/SP04/12-13

The Community Development/Strategic Planning Committee recommends, moved by Bennett, supported by Snider, to approve the FY2004-05 Tourism Agreement with the White Lake Chamber of Commerce in the amount of \$70,000 and authorize the Board Chair to execute the agreement.

Roll Call

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

Nays: Gill

Motion Carried

2004-554 **APPROVE PAYMENT OF THE ACCOUNTS PAYABLE COVERING THE PERIOD OF NOVEMBER 25, THROUGH DECEMBER 10, 2004**

WM04/12-147

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve payment of the accounts payable of \$4,909,279.60 covering the period of November 25, 2004 through December 10, 2004, as presented by the County Clerk.

Roll Call

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

Nays: Gill

Motion Carried

2004-555 **AUTHORIZE THE EQUALIZATION DEPARTMENT TO PURCHASE A NEW NETWORK FILE-SERVER AND RELATED COMPUTER EQUIPMENT**

WM04/12-148

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Equalization Department to purchase a new network file-server and related computer equipment at a cost not to exceed \$6,500 and amend the 2004/05 line item budget for activity 1010-0225 by increasing line item #980.000 (office equipment) by \$6,500 and decreasing line item #702.000 (regular wages) by \$6,500.

Roll Call

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

Nays: Gill

Motion Carried

2004-556 **AUTHORIZE HUMAN RESOURCES TO PURCHASE PROPERTY INSURANCE FROM TRAVELERS INSURANCE COMPANY**

WM04/12-149

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Human Resources to purchase property insurance from Travelers Insurance Company from 1/01/05 to 1/01/06 in the amount of \$268,031.

Roll Call

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

Nays: Gill

Motion Carried

2004-557 **AUTHORIZE HUMAN RESOURCES TO CONTINUE MEMBERSHIP IN THE MICHIGAN MUNICIPAL RISK MANAGEMENT AUTHORITY**

WM04/12-150

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Human Resources to continue membership in the Michigan Municipal Risk Management Authority for general liability coverage with a 2005 annual contribution of \$616,595.

Roll Call

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

Nays: Gill

Motion Carried

2004-558 **AUTHORIZE HUMAN RESOURCES TO PURCHASE EXCESS WORKER'S COMPENSATION INSURANCE FROM SAFETY NATIONAL INSURANCE COMPANY**

WM04/12-151

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Human Resources to purchase excess worker's compensation insurance from Safety National Insurance Company in the premium amount of \$90,619 for the period 1/01/05 to 1/01/06.

Roll Call

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

Nays: Gill

Motion Carried

2004-560 **APPROVE DET/FM TO AWARD CONTRACTS FOR THE SALE OF TIMBER FROM THE CORDOVA SITE**

WM04/12-153

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to approve DET/FM to award contracts for the sale of timber from the Cordova site with the award for saw logs to Sergeant's Logging in the amount of \$21,500, and the award for hardwood and pine logs and pulp to Noble Forestry in the amounts of \$6,750 and \$5,200 respectively. In accordance with the terms of the Forestry contract, 85% of the total revenue of \$33,450, generated from the sale, an amount not to exceed \$2676, will be paid to the forester with a net revenue to the County of \$30,774.

Roll Call

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

Nays: Gill

Motion Carried

2004-561 **AUTHORIZE MUSKEGON COUNTY ADMINISTRATION TO EXPEND BUDGETED FUNDS TO HELP DEFRAY THE COST OF THE ANNUAL MLK UNITY DAY BREAKFAST**

WM04/12-154

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize Muskegon County Administration to expend budgeted funds (not to exceed \$6,750) to help defray the cost of the annual MLK Unity Day breakfast, The Case About Diversity exhibit and subsequent workshops.

Roll Call

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

Nays: Gill

Motion Carried

2004-562 **AUTHORIZE THE ADMINISTRATOR TO SIGN THE 2005 STATE SURVEY AND REMONUMENTATION PROGRAM GRANT APPLICATION**

WM04/12-155

The Ways and Means Committee recommends, moved by Derezinski, supported by Waters, to authorize the Administrator to sign the 2005 State Survey and Remonumentation program grant application and submit it to the state for a grant in the amount of \$124,627 with a local match requirement of \$8,000.

(Continued)

2004-562 **AUTHORIZE THE ADMINISTRATOR TO SIGN THE 2005 STATE SURVEY
AND REMONUMENTATION PROGRAM GRANT APPLICATION**

Roll Call

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

Nays: Gill

Motion Carried

CHAIR'S REPORT

Chairman Baade noted the MAC Legislative Update for December 3 & 10, 2004, is included in agenda packets.

2004-563 **SHERIFF DEPUTY CHAD PETERSEN'S MEDICAL COVERAGE REQUEST**

The Chairman recommends, moved by Gill, supported by Engle, to waive the 30-day enrollment requirement for adding dependents on County insurance for Chad Petersen's child, Owen Jeffrey, and provide insurance coverage effective September 16, 2004.

Roll Call

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

Nays: None

Motion Carried

ADMINISTRATOR'S REPORT

Administrator Borushko thanked Commissioner Doug Bennett for his years of service on the County Board of Commissioners and wished him the best in his new position in Lansing as State Representative.

Old Business

None.

New Business

2004-564 **PRESENT A COUNTY FLAG TO THE FAMILY OF JOSEPH BERELY**

Moved by Snider, supported by Engle, to present a County flag to the family of Joseph Berely in recognition of his service to our Country, to this community and to the Veterans of this community.

Motion Carried

2004-565 **APPOINT JOHN KOENS TO THE VACANT POSITION OF INTERIM SOLID WASTE MANAGER**

Moved by Snider, supported by Wisniewski, to establish a new position of Interim Solid Waste Supervisor, salary grade NX00290 pay schedule range of \$33,000 to \$55,000 and to appoint John Koens at Step 6 effective December 31, 2004.

Moved by McMurray, supported by Waters, to table the motion for recommendation from staff.

Roll Call

Ayes: Bennett, Buzzell, Derezinski, Gill, McMurray, Waters, Baade

Nays: Engle, Scolnik, Snider, Wisniewski

Motion Carried

Audience Participation

Doug Bennett noted his able replacement, Don Aley, will bring to the County Board his years of experience as a Township Official.

Ivory Morris and Mary Wiggins, addressed the Board in support of the Muskegon County Health Project.

John Koens thanked the Board for support during his years as County Treasurer.

Meeting adjourned at 9:34 p.m.

Karen D. Buie, County Clerk

KDB/jmp