

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, March 23, 2004, 6:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Coyne, Comm. Joseph, Comm. Nordeen, Comm. Tuominen, Comm. Wallace, and Chairperson Corkin. Absent and excused: none.

It was moved by Comm. Nordeen, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on March 9, 2004 be approved.

Chairperson Corkin opened the meeting for public comment.

Carol Pelkola, Marquette, addressed the County Board regarding the Marquette County Road Commission and Township Association meeting.

There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Bergdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that the agenda be approved with the following additions: add Item 11) Extension of DEQ Short Term Rental Agreement and add Item 12) Pharmacy Resolution.

It was moved by Comm. Wallace, seconded by Comm. Tuominen, and unanimously carried by voice vote that Claims and Accounts for the period March 12, 2004 through March 18, 2004 in the amount of \$279,118.66 and biweekly payroll for the period ending March 13, 2004, in the amount of \$563,212.72 be approved, excluding check #49685 made payable to Bergdahl's Farm and Equipment in the amount of \$55.34.

It was moved by Comm. Tuominen, seconded by Comm. Arsenault, and unanimously carried by voice vote 8 – 0 with 1 abstention (Comm. Bergdahl) that check #49685 made payable to Bergdahl's Farm and Equipment in the amount of \$55.34 be approved.

The Committee considered a communication from Hal Pawley, SIABC Director, regarding approval of a license agreement. Two contractors, Mike Wills Excavating and Gazan Timber Contracting, are requesting access across county land to salvage logs on privately owned land adjacent to county property. The land the contractors are requesting access across is northeast of the runway and Kelly Johnson Memorial Drive. The proposed license agreement would permit access for up to a six month period. The approximately 1,000 feet in length access route would be along an existing two track roadway. The contractors are required to repair any damages they might cause along Kelly Johnson Memorial Drive. A \$100 license fee and \$1,000 refundable security deposit is required.

It was moved by Comm. Bergdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve and execute the license agreement.

The Committee considered a recommendation from County Administrator Steven Powers regarding an employment agreement with Hal Pawley, SIABC Director. The employment agreement with Mr. Pawley expires April 30, 2004. Recommended changes include extending the term of the agreement for one year, to April 30, 2005, and a two percent salary increase effective May 1, 2004. Mr. Pawley has been an essential part of the County team, and his assistance is still needed. Considerable work remains to be completed in which Mr. Pawley plays an important role. Mr. Pawley understands that staffing levels will be reevaluated if financial conditions change. By agreement, Mr. Pawley waives participation in the County health insurance and retirement plans, which Mr. Pawley has waived since 1992. Commissioner Nordeen questioned why extend the agreement when the position was planned for elimination and an airport manager was hired to train with and replace Mr. Pawley. Mr. Powers advised that much remains to be done regarding development at Sawyer, and Mr. Pawley is an essential part of the development process.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Coyne, Comm. Tuominen, Comm. Wallace, and Comm. Corkin) to 2 Nays (Comm. Joseph and Comm. Nordeen) that the Committee of the Whole recommend

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the County Board renew the County's employment agreement with Hal Pawley, SIABC Director, as recommended by Mr. Powers.

The Committee considered a memorandum from John Greenberg, regarding HIPAA compliance. Mr. Greenberg has been monitoring the HIPAA regulations for several years. April 14, 2004 is the deadline for employers of the County's size to comply, but Mr. Greenberg believes County compliance requirements are minimal. There is still much confusion about the HIPAA regulations and how they do or do not apply to the County. Mr. Greenberg believes the action that should be taken at this time is to have a Privacy Officer named for the County. This person would be responsible for continuing to monitor HIPAA and how it relates to the county, training staff as necessary, and serving as a contact/liaison person for the staff who need assistance. Mr. Greenberg would be willing to assume this responsibility.

It was moved by Comm. Nordeen, seconded by Comm. Cihak, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board name John Greenberg as the Privacy Officer for HIPAA compliance.

The Committee considered tax administration software/hardware purchase. The tax administration system is currently an in-house developed program used to provide property tax services to 17 townships and 1 city. The County Treasurer also uses this system and is responsible for delinquent tax processing for all of the jurisdictions in the county. The maintenance on the system is due to be terminated in 2005. Equalization/Tax Administration Department and the County Treasurer have been actively seeking a replacement system since 2001. The challenge for the new software is to provide a complete system from assessment to delinquent for all jurisdictions and be compatible with the majority of the software programs in place at the local units for assessment and tax processing. BS&A software currently provides assessment programming for 11 jurisdictions, including Marquette County. BS&A also provides tax system programming for 3 other local units. By selecting BS&A software, the County will receive 70% of assessment data electronically and 20% of delinquent roll electronically. Mr. Dwight Sunday, Equalization Director, highly recommends the system after 15 years experience in working with BS&A software from his previous positions. It is estimated that the total cost of the project is \$166,500 for the first year. This includes an estimated \$46,500 for the hardware (bid separately), \$33,000 for implementation, conversion and training, and \$87,000 in software. The PIF Fund has \$55,000 budgeted for this expenditure. The Copy Computer Fund will contribute \$68,500 and the County Treasurer's Administration Fee will fund \$43,000. The \$7,600 annual maintenance fee and the \$18,450 depreciation costs will be charged back to the Equalization Department and the Treasurers Office based on usage. Comm. Tuominen questioned why the township software costs are similar for each township regardless of size. Brent Nault, I.S. Manager, advised that these numbers are based on parcel counts. Comm. Tuominen requested additional information on parcel counts, which will be provided to the Committee prior to the County Board meeting.

It was moved by Comm. Cihak, seconded by Comm. Nordeen, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board purchase the delinquent tax system modules and the county tax system modules from BS&A Software in East Lansing, Michigan.

The Committee considered new adoption procedures for the Mining Industry Assessment and Strategy Development Plan for Marquette County. House Bill 5267, the Coordinated Planning Act, changed the manner in which counties, townships, and cities adopt plans. The Marquette County Planning Commission has completed a draft Mining Industry Assessment and Strategy Development Plan and desire to engage the new adoptions process. The process is as follows:

1. County Planning Commission provides draft plan to County Board for review and comment.
2. After review of the proposed plan, the County Board of Commissioners will take one of the following actions:
 - a) Approve distribution of the proposed plan for review and comment to the planning commission of each city or township located within or contiguous to the county, the regional planning commission, each county planning commission contiguous to the county and each public utility company and railroad company owning or operating a public utility or railroad within the county by the planning commission.
 - b) Does not approve distribution and the plan goes back to the planning staff for revisions.

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3. The Marquette County Board should adopt a resolution, which asserts the right of the County Board to adopt the plan after a 65-day comment period and public hearing held by the Marquette County Planning Commission.

Commissioners had questions, comments, and suggestions. It was moved by Comm. Tuominen, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board not approve distribution and the plan be sent back to the planning staff for revisions. Commissioners may provide comments or suggestions to the Planning Commission.

The Committee considered an extension of DEQ Short Term Rental Agreement. For the past two years, the County has been involved in negotiations with the State over the provisions of a long term lease for Sawyer Building 642, used by the DEQ. During that time, DEQ has been occupying that space and paying rent pursuant to a Short Term Rental Agreement. The original Short Term Rental Agreement expired April 14, 2003. It was extended, expiring October 15, 2003. It was further extended for a term which is now scheduled to end on April 30, 2004. For the past six months or so, there have been only two issues that have yet to be resolved with respect to the long term lease, and the State has been waiting for guidance from the Attorney General's office on those issues. That guidance has not been forthcoming. Upon hearing of the pending sale to Telkite, which includes Building 642, the State has decided that it no longer wants to continue to work with the County towards a long term lease, and will start negotiations again when the property is transferred to Telkite. It will therefore be necessary to extend the current Short Term Rental Agreement for a term ending December 31, 2004, the date by which this property is to be conveyed to Telkite. This further extension will have no adverse effect upon the County. The rent rate will remain the same, i.e. \$12,216.22 per month (\$8.30 psf for 17,662 square feet). The State will continue to pay its own utilities, and the County will continue to be responsible for janitorial service, snow removal, lawn care, and other such maintenance items.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and carried by voice vote 8 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Coyne, Comm. Nordeen, Comm. Tuominen, Comm. Wallace, and Comm. Corkin) to 1 Nay (Comm. Joseph) that the Committee of the Whole recommend the County Board approve the extension of the Short Term Rental Agreement for the period from May 1, 2004 through December 31, 2004, upon the terms described above, and authorize the Chair and the Clerk to execute the necessary documents.

The Committee considered a Resolution to Support the Consumer Prescription Protection Legislation. The resolution supports a package of House Bills currently before the House of Representatives Health Policy Committee which will enable local pharmacies to compete with services and prices currently available to mail order pharmacies. The legislation guarantees residents the opportunity to choose the pharmacy of their choice. Local pharmacies are willing to provide the same services for the same prices as mail order pharmacies located outside of the state with no increase in cost to the employer or to the patient. The Consumer Prescription Protection legislation preserves consumer choice for prescription services, allows Michigan community pharmacies to provide a 90-day supply of medication for the same copay as mail order pharmacies, and assists small businesses to better evaluate pharmacy costs.

It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board support the Resolution to Support the Consumer Prescription Protection Legislation.

Chairperson Corkin opened the meeting for public comment.

Phyllis Loonsfoot, Marquette, addressed the Committee regarding the Sheriff's Department Road Patrol and cuts to the Sheriff's Department.

Bill LaBelle, 2724 Union President, Marquette County Road Commission, addressed the County Board regarding the Marquette County Road Commission AFSCME Local 2714 insurance plan.

There being no further public comment, Chairperson Corkin closed this portion of the meeting.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Commissioners discussed the Marquette County Road Commission and recent meeting with the Township's Association.

Comm. Cihak requested that comments provided to the Committee by Carol Pelkola regarding the Road Commission be forwarded to Jim Iwaniki at the Road Commission for their information.

Comm. Bergdahl had questions regarding heating and roofing work being done at Sawyer. Mr. Pawley advised that the cost for the work will be paid for through caretaker funds.

Comm. Cihak advised that he had attended a recent MACC Judicial Committee meeting regarding guideline and sentencing changes which may dictate more prisonable offenders being sentenced to long-term jail sentences. Comm. Cihak requested support/approval to participate in the sentencing guideline work group relating to this matter. As no objections were forthcoming, Comm. Cihak was given the go ahead to participate.

Comm. Bergdahl requested information regarding the amounts from the sale of utilities and the status of the money – investments, spendings, reserves – which information will be provided to Commissioners for the next meeting.

There being no further business the meeting adjourned at approximately 7:35 P.M.

Respectfully submitted,

Laurie A. Skytta
Marquette County Deputy Clerk