

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners held their Regular Meeting on Wednesday, August 20, 2008, at 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. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Wallace and Chairperson Corkin. Absent and Excused: Comm. Struck.

A Salute to the Flag was given followed by the Pledge of Allegiance.

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by a voice vote that the minutes of the County Board of Commissioners Regular Meeting held on August 5, 2008 be approved.

It was moved by Comm. Cihak, seconded by Comm. Heikkila, and unanimously carried by a voice vote that the agenda be approved as follows: add Item 9c) U.P. Veteran of the Year – Waino Liuha; and move Item 10e) Type II Water Supply Fee Schedule before Item 10d) Committee of the Whole Recommendation to approve Mid-Year Budget Amendments.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period August 8, 2008 through August 14, 2008, in the amount of \$277,825.86, and Bi-Weekly Payroll for the period ending August 9, 2008, in the amount of \$599,309.71, be approved.

INFORMATIONAL ITEMS

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the following Informational Items be accepted and placed on file:

- 9a) Thank You from Congressman Bart Stupak, regarding Funding for the Economic Development Administration (EDA).
- 9b) Memo from MediRide EMS of Marquette commending Ms. Lori Stephens-Brown on the excellent coordination of Marquette County Triad's National Night Out Block Party, and a Thank You to Marquette County for Helping to Sponsor the Event.
- 9c) U.P. Veteran of the Year – Waino Liuha.

Chairperson Corkin read the following:

Waino A. Liuha, member of V.A. Romo VFW Post 3165 in Negaunee, was selected as the 2008 U.P. Veteran of the Year. He was nominated for this award by his home post.

The selection committee consisted of past U.P. state commanders from various veterans' service organizations.

A veteran of World War II, Liuha has served his post as service officer, guard, chaplain, and post chairman for Homeless Veterans. He is a member of the Negaunee Lions Club, Pioneer Kiwanis,

Marquette United Way, the Community Fund Board, Public Enrichment, and Marquette County Commission on Aging Board.

He is also active in the community, volunteering at D.J. Jacobetti Home for Veterans and Habitat for Humanity. He has assisted in constructing barrier-free ramps for handicapped veterans, volunteered at area nursing homes, and has provided transportation for the needy to medical appointments.

The U.P. Veteran of the Year Award was presented at the U.P. State Fair on August 15, 2008 by Governor Jennifer Grandholm.

It was moved by Comm. Heikkila, seconded by Comm. Pellow, and unanimously carried by voice vote that a letter be sent to Waino Liuha congratulating him as U.P. Veteran of the Year.

ACTION ITEMS

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that Action Item 10a), 10b), and 10c) be approved as follows:

10a) Committee of the Whole recommendation to: 1) Adopt the following Resolution, with an effective date of 11-1-2008, providing for Dog License expirations based on rabies vaccination date;

**MARQUETTE COUNTY RESOLUTION
TO ESTABLISH PROVISIONS FOR LICENSING DOGS**

WHEREAS, Public Act 339 of 1919, as amended (MCL 287.266 et seq.) allows a county board of commissioners to adopt a resolution providing when the owner of a dog that is required to be licensed must apply for a license; and

WHEREAS, The County Treasurer has submitted written approval of this resolution;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners provides that beginning January 1, 2009, the owner of a dog that is required to be licensed must apply for a license by one of the following, at the owner's option:

- 1) the last day of the month of the dog's current rabies vaccination every year;
- 2) the last day of the month of the dog's current rabies vaccination, every third year.

BE IT FURTHER RESOLVED, that calendar year 2009 will be considered a "transition year," in that 2008 licenses will remain valid through the last day of the month of a dog's current rabies vaccination in 2009.

Adopted this 20th day of August, 2008
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

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2) Adopt the following Fee Schedule allowing for year-round sale by those local units who wish to sell dog licenses. The Humane Society and local units keep 50% of the revenue from licenses they sell;

Once-Year		Three-Year	
Spayed or Neutered/Late	Male or Female/Late	Spayed or Neutered/Late	Male or Female/Late
\$6/\$12	\$12/\$24	\$15/\$30	\$30/\$60
Kennel with 10 or less		Kennel with more than 10	
\$30		\$50	

3) Authorize the County Treasurer to negotiate with veterinary clinics in Marquette County to sell dog licenses; fees to be negotiated between the Treasurer and the Clinics.

* * * * *

10b) Committee of the Whole recommendation to approve the FAA Grant No: 3-26-0153-2708, and related MDOT Contract Agreement, authorize the Board Chair and Civil Counsel to sign the documents; and further that the County Clerk be authorized to execute copies of the resolutions.

10c) Committee of the Whole recommendation to approve the Emergency Management Performance Grant Agreement (EMPG) for the period October 1, 2007 through September 30, 2008 in the amount of \$27,695.

ACTION ITEMS CON'T

10e) The County Board considered the Type II Water Supply Fee Schedule. Steve Powers, County Administrator, explained that the Type II Water Supply Fees was discussed by the Committee of the Whole on August 12, 2008 and moved to this meeting without a recommendation the first year of the five-year phase-in plan. The first year portion is a \$100 increase for transient water systems and a \$300 increase for non-transient systems. The effective date, if approved, would be August 21, 2008.

The Committee of the Whole requested information regarding how other Health Departments fund Type II Water Supply inspections and enforcement. Inspection and enforcement is required by both federal and state law. One logical source of the information, the Michigan Department of Environmental Quality, has 2001 data. With the economic and budget changes that have occurred in Michigan, and with counties and Health Departments since 2001, staff does not believe the information is helpful.

Mr. Benzie has asked all Upper Peninsula health officers for their departments' Type II Water Supply program budget for 2008 and to define what other revenue sources and amounts are used for the program. Mr. Benzie has the 2008 MDEQ allocation amount provided to each Health Department to administer the Type II program and the number of supplies in each jurisdiction. County-to-county comparisons will be of little use without knowing the programs total budgets, what portion of the program is subsidized, and the source of the subsidy. Mr. Benzie has requested the information and will continue to request the information, but comprehensive information was not available for this meeting.

In response to the discussion regarding fairness, for the years after 2008, all Type II supplies could be charged a flat \$100 rate per year regardless of type and size, and then a fee could be added for the required five-year sanitary survey. The once every five year charge would be based on the actual time and personnel expense needed for the survey. If, for example, it took tow days to evaluate and input the survey report for Tilden or Empire Mines, the charge would be an additional \$600. The hourly rate would be adjusted in future years according to County costs and would not require annual consideration by the Board of Health or Board of Commissioners.

A lengthy discussion followed. Commissioner consensus was that the first year of the five-year phase-in plan, with a first year portion of a \$100 increase for transient water systems, and a \$300 increase for non-transient system, is a better proposal. However, Commissioners requested more information as to what the flat fee of \$100 would include, and a breakdown of the fee in future years. Discussion also included charging those operators an additional cost if they chose not to be compliant, although this would subsequently create additional monitoring and enforcement costs for the Health Department which is not covered by the \$100 fee. The additional fee could be added to the next years bill. Commissioners also discussed what percentage of program costs might be covered if the above recommendations are approved.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board table the Type II Water Supply Fee Schedule to allow Mr. Benzie to provide a new recommendation based on this discussion.

10d) It was moved by Comm. Arsenault, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board approve the following Mid-Year Budget Amendments #13, #15, #16, and #17 as requested by Sue Vercoe, Finance Manager.

Fiscal Year 2008 Amendment No. 13

WHEREAS, budgets were adopted by the County Board on October 9, 2007, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
<u>Human Resources</u>			
Consultant Expenses	50000.00	25000.00	25,000.00
<u>Clerk</u>			
Salary-Regular	202800.00	201800.00	1,000.00
Salary-Part time	0.00	1000.00	(1,000.00)

BOARD OF COMMISSIONERS COUNTY OF MARQUETTE**August 20, 2008***Minutes are Subject to Correction and Approval*

<u>Elections</u>			
Salary-Overtime	1200.00	2200.00	(1,000.00)
Printing & Binding	40000.00	55000.00	(15,000.00)
<u>Equalization</u>			
Office Supplies	2200.00	1700.00	500.00
Postage	1500.00	1300.00	200.00
Copy Costs	1800.00	1300.00	500.00
Books & Periodicals	500.00	400.00	100.00
Telephone	850.00	650.00	200.00
Travel	1500.00	3000.00	(1,500.00)
Training	500.00	1000.00	(500.00)
<u>Tax & Parcel Admin</u>			
Salary-Regular	82750.00	79750.00	3,000.00
Salary-Part time	0.00	3000.00	(3,000.00)
Office Supplies	13825.00	13325.00	500.00
<u>Register of Deeds</u>			
Licenses & Permits	0.00	2000.00	(2,000.00)
<u>Prosecutor</u>			
Salary-Part time	0.00	10000.00	(10,000.00)
Witness Fees	7500.00	6500.00	1,000.00
Professional/Contractual	3750.00	4750.00	(1,000.00)
<u>DV Grant</u>			0.00
Personnel Expense	0.00	8500.00	(8,500.00)
Training	0.00	18200.00	(18,200.00)
<u>Emergency Management</u>			
Contracted Services	0.00	2000.00	(2,000.00)
<u>Sheriff Admin</u>			
Employment Testing	3000.00	8000.00	(5,000.00)
<u>Investigation</u>			
Office Supplies	300.00	600.00	(300.00)
Inservice Training	400.00	1400.00	(1,000.00)
<u>Public Safety</u>			
Salary-Part time	3500.00	8500.00	(5,000.00)
Service Contracts	1900.00	2300.00	(400.00)
<u>Jail Services</u>			
Salary-Regular	95744.00	151744.00	(56,000.00)
Salary-Overtime	2000.00	10000.00	(8,000.00)
Social Security	7723.00	9723.00	(2,000.00)
Medicare Tax	1806.00	2306.00	(500.00)
Retirement	29810.00	36810.00	(7,000.00)
<u>Courthouse Complex</u>			
Salary-Regular	259350.00	255950.00	3,400.00
Copy Costs	400.00	1000.00	(600.00)
Janitorial Supplies	15000.00	17800.00	(2,800.00)
Lighting Supplies	1600.00	2100.00	(500.00)
HVAC Supplies	2000.00	800.00	1,200.00
Telephone	400.00	1000.00	(600.00)

BOARD OF COMMISSIONERS COUNTY OF MARQUETTE

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Utilities-Fuel Oil	450.00	850.00	(400.00)
Utilities-Electricity	83400.00	82600.00	800.00
BLdg Repairs	2000.00	2500.00	(500.00)
<u>Statutory Programs</u>			
Autopsies	60000.00	80000.00	(20,000.00)
<u>Misc. & Contingency</u>			
Contingency	150000.00	156804.00	(6,804.00)
Misc. Expense	9500.00	7500.00	2,000.00
Terminated Sick Lv Payouts	75000.00	90000.00	(15,000.00)
Prior Year Tax Tribunals	3000.00	43000.00	(40,000.00)
	<u>1,218,958.00</u>	<u>1,415,662.00</u>	<u>(196,704.00)</u>
	<u>Previous</u>	<u>Amended</u>	<u>Change + (-)</u>
	<u>Amount</u>	<u>Amount</u>	
Current Taxes	8872000.00	8919000.00	47000.00
Interest on Taxes	15000.00	40000.00	25000.00
Case Flow Assistance	18000.00	22750.00	4750.00
District Court Costs	750000.00	775000.00	25000.00
DC Supervision Fees	240000.00	260000.00	20000.00
DC Assessment Fees	24000.00	15000.00	(9000.00)
DC Assaultive Counseling	8500.00	7800.00	(700.00)
DC Alcohol Awareness	100.00	200.00	100.00
DC Civil Fees	68000.00	75000.00	7000.00
Legal Fee Reimbursement	35000.00	40000.00	5000.00
Pathways Drug Court	0.00	25000.00	25000.00
Election Reimbursements	15000.00	31000.00	16000.00
R/E Transfer Tax	230000.00	215000.00	(15000.00)
Use of 2% Funding Reserved DV	0.00	14500.00	14500.00
DV Grant	0.00	22200.00	22200.00
UPSET Grant	30446.00	22800.00	(7646.00)
Public Safety Services	80000.00	87500.00	7500.00
Planning Services	7500.00	17500.00	10000.00
Totals:	<u>10,393,546.00</u>	<u>10,590,250.00</u>	<u>196,704.00</u>

Fiscal Year 2008 Amendment No. 15

WHEREAS, budgets were adopted by the County Board on October 9, 2007, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

BOARD OF COMMISSIONERS COUNTY OF MARQUETTE

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M.C.T.V. FUND

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Local Match			
Other Supplies	750.00	0.00	750.00
Travel	0.00	200.00	(200.00)
Miscellaneous Expense	750.00	1,300.00	(550.00)
Child Passenger Safety			
Postage	353.00	778.00	(425.00)
Books & Periodicals	950.00	1,025.00	(75.00)
Other Supplies	16,800.00	16,800.00	0.00
Prof/Contractual Services	34,918.00	46,418.00	(11,500.00)
Totals:	<u>54,521.00</u>	<u>66,521.00</u>	<u>(12,000.00)</u>
<u>Revenue Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
State Grants-Child Passenger Safety	115,000.00	127,000.00	12,000.00
Totals:	<u>115,000.00</u>	<u>127,000.00</u>	<u>12,000.00</u>

Fiscal Year 2008 Amendment No. 16

WHEREAS, budgets were adopted by the County Board on October 9, 2007, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
RESCUE SAFETY			
Vehicle OP-Search/Rescue	2,500.00	3,500.00	(1,000.00)
Service Contracts	750.00	1,750.00	(1,000.00)
Travel	800.00	1,600.00	(800.00)
Training	2,000.00	3,000.00	(1,000.00)
Insurance	1,000.00	3,000.00	(2,000.00)
Equipment Repairs	2,000.00	3,000.00	(1,000.00)
Increase to Fund Equity	<u>17,557.00</u>	<u>10,757.00</u>	<u>6,800.00</u>
Totals:	<u>26,607.00</u>	<u>26,607.00</u>	<u>0.00</u>

<u>Revenue Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
	0.00	0.00	0.00
Totals:	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>

Fiscal Year 2008 Amendment No. 17

WHEREAS, budgets were adopted by the County Board on October 9, 2007, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

FOREST RECREATION FUND

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Retirement - Perkins Park	50.00	9,400.00	(9,350.00)
Forestry Services			
Professional Services	8,860.00	7,960.00	900.00
Insurance	0.00	900.00	(900.00)
Service Contracts	13,510.00	21,710.00	(8,200.00)
Reforestation	11,575.00	13,975.00	(2,400.00)
Totals:	<u>33,995.00</u>	<u>53,945.00</u>	<u>(19,950.00)</u>

<u>Revenue Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
2008 Timber Sales-Honor Camp	0.00	12,000.00	12,000.00
Use of Fund Equity	25,000.00	32,950.00	7,950.00
Totals:	<u>25,000.00</u>	<u>44,950.00</u>	<u>19,950.00</u>

The Chairperson declared the motion carried and the resolution duly adopted.

10f) The County Board considered the Purchase of a V-Box Spreader. Scott Erbsch, Sawyer Operations Manager, was present and explained that this past winter season Sawyer Airport's 1983 International sand & salt spreader broke down to the point that it was not cost effective to repair. This spreader was used to spread sand and salt on the airport parking lots and small sections of roadways that are maintained by airport staff. Both the truck chassis and spreader have been permanently taken out of service.

The airport has a second sand only spreader that is in nearly as poor condition as the 1983 International. This truck is used on the runway and does not have salt placed in the spreader since salt is highly corrosive to airplanes. If salt or a sand/salt mixture is placed in the hopper, the hopper will need to be entirely emptied and rinsed before use on the runway.

A former Air Force truck chassis with low miles in excellent condition is available for reuse and is able to have a new spreader unit installed; therefore, only a new spreader unit is required.

The 2008 Airport budget does have \$22,000 budgeted for equipment replacement. (As a side note, this equipment expense is eligible for Passenger Facility Charge (PFC) funds). Staff will be submitting for reimbursement under the next PFC application.

Mr. Erbisch further explained that Requests for Proposals (RFP's) were advertised in the Mining Journal. The RFP and specifications were also posted on the County's website. Deadline for proposals was Friday, August 8, 2008.

Two bids were received. Casper's Truck Equipment out of Appleton, Wisconsin, submitted the low bid at \$10,983. Casper's bid met or exceeded the requested specifications. The second bid was received by Olson Trailer & Body, L.L.C., out of Green Bay, Wisconsin, with a bid of \$11,950. (It should be noted that there were inconsistencies in the display ad and the specifications regarding whether bids could be faxed or not. Civil Counsel advised there was no prejudice where the discrepancy was concerned as both parties should have been aware of this inconsistency, and any uncertainty would have affected both parties that placed bids).

Staff is recommending that the County Board approve the low bid submitted by Casper's Truck Equipment in the amount of \$10,983.

It was moved by Comm. Arsenault, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board approve the low bid for purchase of a Henderson FSH II 304 SS V-Box Spreader in the amount of \$10,983.00 to Casper's Truck Equipment, authorize staff to proceed with the purchase, and further that reimbursement be made under the next PFC application.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Wallace announced that Governor Grandholm has signed into law House Bills 4323 and 5999, officially creating state law allowing individual counties to pass an ordinance that permits and regulates the use of Off Road Vehicles (ORV) on designated roadways. The signing of the bills marks the first major revision to ORV law in 25 years.

Existing county ORV ordinances are determined to be void as of the date the bills are signed into law, counties will need to redraft ordinances that comply with the new law.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board refer the memo from Kenneth Lautzenheiser, President, Michigan Association of Counties, to Civil Counsel for review in relation to the Marquette County ORV Ordinance and comment back to the County Board.

Administrator Powers will address this issue next week with the Townships and the Road Commission.

Comm. Corkin reported on the MAC Conference he attended this past week. He addressed current 9-1-1 Legislation which sunsets in February, Revenue Sharing, and Transportation. He stated it was a very educational conference. There are still issues the County Board needs to keep fighting.

In response to criticism regarding Pathways from a member of the public, Chairperson Corkin read into the record the following article titled “Pathway’s Earns Top Assessment”:

Pathways’ Office of Recipient Rights received a near-perfect 291.3 out of 292 score during an assessment conducted by the Michigan Department of Community Health in July.

This assessment is scheduled for community mental health providers every three years. Auditors review policies, procedures, investigations, appeals and recipient rights committee functions to determine a score.

The Office of Recipient Rights are intended to protect rights as outlined in the Michigan Mental Health Code for those who receive services from Pathways. Part of ORR’s duties are to investigate allegations of suspected rights violations, including abuse and neglect. Pathways recipient rights supervisor is Mary Swift and staff members include Cindy Albright, Deann O’Dell and Faye Witte.

Pathways provides services to persons with serious mental illness and developmental disabilities in Marquette, Alger, Luce, and Delta counties, while also serving as lead agency for Medicaid services in the Upper Peninsula through the NorthCare Network.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board send a letter to Pathway’s commending them on their excellent assessment.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 7:00 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk