

The Marquette County Board of Commissioners met in Regular Session on Tuesday, November 4, 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. Bergdahl, and unanimously carried by a voice vote that the minutes of the County Board of Commissioners Annual Meeting held on October 14, 2008 be approved, and the County Board of Commissioners Regular Meeting held on October 21, 2008 be approved with the following correction: On Page 5 10d) Appointment to the Department of Human Services Board, the roll call vote results be inserted.

It was moved by Comm. Joseph, seconded by Comm. Cihak, and unanimously carried by voice vote that the Agenda be approved with the following Late Additions: 11a) Secure Rural Schools and Community Self Determination Act, and 11b) Ratification of Magistrate Appointment.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that Claims and Accounts for the period October 24, 2008 through October 30, 2008 in the amount of \$152,234.25 be approved.

PRIVILEGED COMMENT

8a) Marquette Alternative High School was present to address the County Board and show a presentation regarding plastic bags and disposal. Comm. Heikkila explained that Andrew Crunkleton, Social Studies Teacher at the Marquette Alternative High School, and his students had written letters to the Marquette County Board, the Marquette City Commission, and several other organizations, to conduct a presentation concerning plastic bags and the disposal of them. The students also worked on some of the issues that plastic bags are causing with to the environment.

Several students were present from the Marquette Alternative High School including Andrew Crunkleton, Christina Battjes, Jake Shaffer, Alexis Ward, Mark Johnson, and several others. Jake Shaffer thanked the County Board for the invitation. He showed a power point presentation on their plastic bag project. All thirteen students in attendance were doing so on their own time. The project was not a class assignment, and none of the students are receiving any extra credit. Every student is here solely because they believe in the issue. They are here as citizens concerned for Marquette County.

Mark Johnson and Alexis Ward showed a power point presentation about the effects of plastic bags on the local and worldwide usage.

Commissioners commended the students of the Marquette Alternative High School for their presentation, encouraged them to continue their efforts, and requested they keep the County Board informed.

INFORMATIONAL ITEMS

There were no Informational Items for approval.

ACTION ITEMS

It was moved by Comm. Heikkila, seconded by Comm. Arsenault, and unanimously carried by voice vote that Action Items 10a), 10c), 10d), 10e), 10f), and 10g) be approved as follows:

10a) Committee of the Whole recommendation to release the previously unspent marketing funds totaling \$56,500.00 to Telkite to be applied toward the fees associated with the Explorer Solutions Contract for Phase II.

10c) Committee of the Whole recommendation to approve the proposal by Lakeshore Environmental Industries Inc. of Marquette, Michigan, at a price of \$17,100.00, and allow staff to provide a notice to proceed to Lakeshore to begin removal of the asbestos from Hangars 402, 662, 663, and 666.

10d) Committee of the Whole recommendation to approve the bid as submitted for a Notice of Award to Gundlach Champion, Inc. of Houghton, Michigan, for hangar renovation improvements in the amount of \$4,173,388.00, and authorize the Board Chair to sign all copies of the Notice of Award.

10e) Committee of the Whole recommendation to approve the Agreements for Services by Mead & Hunt, at a total of \$410,417.00, and authorize the Board Chair to sign all copies of the Agreements.

10f) Committee of the Whole recommendation to approve the Professional Services Agreement Amendment No. 3 by Mead & Hunt, at a total of \$35,860.00, and authorize the Board Chair and the County Clerk to sign all copies of the Agreements.

10g) Committee of the Whole recommendation to approve the Professional Services Agreement by Mead & Hunt, at a total of \$33,700.00, and authorize the Board Chair and the County Clerk to sign all copies of the Agreements.

ACTION ITEMS CON'T

10b) The County Board considered a Committee of the Whole recommendation to retain the current Sanitary Sewer Vacuum Truck and authorize the County to enter into a three-year payment plan with Jack Doheny Supplies, Inc., with annual payments of \$43,513.56, an interest rate of 4.5% (total interest paid \$5,540.68) with a final total payment of \$130,540.68.

Steve Powers, County Administrator, explained that at the October 28, 2008 Committee of the Whole meeting, the Committee raised two questions regarding the Sewer Vacuum Truck. The first question was to find out the value of the water/wwtp sanitary sewer vacuum truck. According to a representative of Jack Doheny Supplies, the wholesale value is approximately \$125,000; the second question was to find out the cost

of a new truck that was similar to the one the County currently has in use. A representative of Jack Doheny Supplies, quoted a new equivalent vehicle at \$318,000. If leased, the annual payment would be \$44,305.

Mr. Powers is recommending the truck be purchased outright. Sufficient funds are available in the delinquent tax fund. The water and wastewater funds would repay the transfer over three years. The transfer will be at the current rate that the Federated Government Obligations Fund (a fund used by the County for liquid reserves) is earning.

Comm. Joseph does not agree with purchasing the truck outright. He feels the delinquent tax fund could be used throughout the County. He stated that the equipment is used at the Base, and the money should come from the Base.

Comm. Cihak requested clarification regarding Comm. Joseph's comments.

It was moved by Comm. Heikkila, seconded by Comm. Arsenault, and carried by voice vote 6 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 2 Nays (Comm. Cihak and Comm. Joseph) that the County Board approve the purchase of the Sanitary Sewer Vacuum Truck outright with funds to be taken from the delinquent tax fund. The water and wastewater funds to repay the transfer over three years, and that the transfer will be at the current rate that the Federal Government Obligations Fund is earning.

10h) The County Board considered a request for a legal opinion regarding extra compensation for non statutory duties of the Prosecuting Attorney. Comm. Pellow explained that at the meeting last week there was discussion of whether or not the County Board could split the compensation for the Prosecuting Attorney for union negotiations and the civil work that he does for the County Board. She stated that she realizes the issue must first go to civil counsel before an Attorney General opinion is requested.

Comm. Cihak requested staff provide the County Board with information regarding the involvement of the Administrator and Human Resource Director in labor negotiations.

Chairperson Corkin explained that the Adhoc Advisory Committee consisting of Comm. Arsenault, Comm. Joseph, Comm. Wallace and himself, have some policy making decisions if needed for negotiations.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board direct Civil Counsel to research whether or not the County Board can split the compensation for the Prosecuting Attorney for the duties he performs negotiating labor contracts and Counsel for the County Board.

10i) The County Board considered a policy on Charter Communications Broadcasting. The County Board entered into a lengthy discussion regarding whether a policy exists and whether or not the County Board could enforce such policy on a private entity. Harley Andrews, Civil Counsel, stated the County Board may request Charter Communications to be present at the meetings held, but the Board can not enforce a policy mandating their presence.

Chairperson Corkin invited Charter Communications to all upcoming meetings.

LATE ADDITIONS

11a) The County Board considered the Secure Rural Schools and Community Self-Determination Act. Ryan Pelletier, Administrative Intern, explained that the Secure Rural Schools and Community Self-Determination Act has been renewed with new options of payment. There are two options: 1) elect the Twenty-Five-Percent Payment that is based on a seven-year rolling average, which will be \$16,021 for 2008; or, 2) elect the State Share Payment that is a percent of the Michigan total payment, which will be \$34,023 for 2008. The election result must be turned into the state by November 10, 2008 or the state will automatically set it to Option 1 (Twenty-Five-Percent Payment). The first payment for each option is set to be delivered in January 2009. There are two townships that have federal forest located within them; Skandia (Gwinn School District), and Michigamme (Republic-Michigamme School District).

Option 1: This will vary from year to year, and all money must be used for public schools and public roads. Seventy-five percent (\$12,016 in 2008) has to go to the public schools within the townships in which the federal forest are located, and 25% (\$4,005 in 2008) must be used for public roads in the townships in which the federal forests are located. Under this option, the SRS money is given, plus full funding of the PILT, which is approximately \$22,780. If this option is elected, there will be a chance in two years to elect Option 2.

- Total Money for Option 1: \$38,801
- Schools: \$12,016
- Roads: \$ 4,005
- County: \$22,780

Option 2: This will be a set amount for each of the four years that will decline by approximately 10% each year. You must spend this money all on public schools (75%), \$25,517 in 2008, and public roads (25%), \$8,506 in 2008, within the townships where the federal forest are located. The tradeoff for this option is that there will be an \$8,500 loss from the Federal PILT payment that is received in June/July. PILT is \$1.32 per acre of federal land, of which there are 17,252.58 acres in Marquette County. The PILT money can be used for anything, whereas the SRS money must be used for public schools and public roads. This option will, however, give the schools within the townships that have federal forests an additional \$13,500 in total for 2008. If this option is elected, it cannot be changed over the next four years. In other words, the county cannot opt out of Option 2 until the term expires in 2011.

- Total Money for Option 2: \$48,297
- Schools: \$25,517
- Roads: \$ 8,506
- County: \$14,274

There can be up to 20% (under Option 2) of the SRS payment set aside for Title II or Title III projects. Title II projects include a variety of land management and watershed projects on federal lands. Title III projects include carrying out fire community programs, developing community wildfire protection plans, and reimbursing for emergency services paid for by the county and performed on federal land (e.g. search and rescue, firefighting). However, the County's PILT money is reduced dollar for dollar.

Minutes are Subject to Correction and Approval

- Total Money for Option 2 with Title II and III (at a full 20%): \$43,194
 - Title II and III: \$ 6,805
 - Schools: \$20,414
 - Roads \$ 6,804
 - County: \$ 9,171

Staff recommends Option 2 without funding Title II or Title III projects. (This recommendation will generate the most amount of money for our community over the next four years).

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote the County Board elect Option 2 without funding Title II or Title III projects.

11b) It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the following Resolution-Ratification of Magistrate Appointment:

*Marquette County Board of Commissioners
Resolution
Ratification of Magistrate Appointment*

WHEREAS, Jennifer L. Bennon will be hired on November 3, 2008 as Assistant District Court Administrator and will also be appointed by the 96th District Court as a Magistrate of the Court effective November 3, 2008, upon approval of said appointment by the County Board of Commissioners; and

WHEREAS, MCL600.8501 provides that a magistrate appointment “shall be subject to approval by the County Board of Commissioners”; and

WHEREAS, the Judges of the 96th District Court have requested approval of the aforesaid appointment;

NOW THEREFORE BE IT RESOLVED AS FOLLOWS:

The appointment of Jennifer L. Bennon as Magistrate of the 96th District Court is hereby approved effective as of November 3, 2008.

*Proclaimed this 4th day of November, 2008
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

Comm. Cihak commended Jennifer Bennon. He stated that she has been an excellent employee and a credit to her profession.

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

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Cihak announced that he was very impressed with voter turnout. A large voter turnout speaks a lot about the people of Marquette County who care about our government.

Comm. Cihak also requested clarification whether or not the appointment or replacement of a Prosecutor, or a special election allows the County Board to reduce the Prosecutor's salary, prior to November 1, 2012.

Chairperson Corkin reminded Commissioners of the Special Committee of the Whole meeting Thursday, November 6, 2008 from 1:00 p.m. to 5:00 p.m. to discuss the Airport Master Plan.

Comm. Heikkila commended Art Lauren, Community Corrections Coordinator. He explained that Mr. Lauren was able to secure office equipment furniture from the Munising Memorial Hospital when that building was demolished. Mr. Lauren took the initiative and saved the County money.

Comm. Heikkila requested that the Retire/Rehire Policy be put on the agenda for discussion at a future meeting.

It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board direct Civil Counsel to research the issue of a special election sometime during the four year term of an elected official. To research whether that special election provides an opportunity to reduce the salary of the elected official as opposed to the end of the four year term.

Comm. Wallace announced he would not be present at the special Committee of the Whole meeting at Sawyer due to prior commitments at Northern Michigan University.

Comm. Cihak stated he firmly believes that discussion of an elected official salary be done in a timely fashion. He also stated that he is passionate about the public being denied the opportunity to view a special meeting.

Steve Powers, County Administrator, announced the next Committee of the Whole meeting will be held on Wednesday, November 12, 2008 due to the Veterans Day Holiday.

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

Respectfully Submitted,

Linda K. Talsma
Deputy County Clerk