

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, December 9, 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. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent and Excused: Comm. Arsenault.

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by a voice vote that the minutes of the Committee of the Whole Special Meeting held on November 6, 2008 and the Committee of the Whole Meeting held on November 12, 2008 be approved.

It was moved by Comm. Pellow, seconded by Comm. Joseph, and unanimously carried by voice vote that the Agenda be approved as presented.

Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, addressed the Committee regarding Pathways. There being no further public comment Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that Claims and Accounts for the period November 27, 2008 through December 4, 2008 in the amount of \$259,330.02, Bi-Weekly Payroll for the period ending November 29, 2008 in the amount of \$693,206.48, be approved.

The Committee considered an Agreement between Marquette County and the Economic Development Corporation. Chairperson Corkin explained that this is an Annual Agreement between County of Marquette, and the Economic Development Corporation, and the Lake Superior Community Partnership, Inc. The Agreement is effective January 1, 2009 through December 31, 2009.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the Annual Agreement between County of Marquette, and the Economic Development Corporation, and the Lake Superior Community Partnership, Inc. for the period January 1, 2009 through December 31, 2009.

The Committee considered a Boreal Contract Extension Request. Scott Erbisch, Sawyer Operations Manager, was present and explained on June 24, 2008, the County Board of Commissioners approved a Fixed Base Operator (FBO) Agreement Extension Request, whereby the expiring FBO Agreement was extended for six months. It was staff's belief that we could complete our research, revise and prepare the new agreements, enter into negotiations, and contract with Boreal Aviation by December 31st of this year.

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Unfortunately, that has not been the case as several higher priority projects took precedence. Because the agreement will into be settled before the end of the six-month extension, I am requesting Board authorization for a 12-month extension. The length of time requested is due to the following:

- There are approximately six other Agreements between Marquette County and Boreal Aviation that have expired but continue under a month-to-month tenancy. All of these (i.e. #418, #427, #423-425, #433, #626, &666) need to be reviewed, revised, and coordinated in conjunction with the main FBO agreement.
- A need to conduct additional market research on fees, rates, and charges.
- Time to work through the current economic slow-down.

Mr. Erbisch recommends the board authorize a 12-month extension for the FBO Agreement with Boreal Aviation. All existing conditions of the Agreement are to remain in place during the extension. This time period for the extension will run from January 1, 2009 until December 31, 2009.

Commissioners discussed Mr. Erbisch returning to the Board with a status report after six months.

It was moved by Comm. Struck, seconded by Comm. Cihak, and carried by voice vote 7 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 1 Nay (Comm. Joseph) that the Committee of the Whole recommends the County Board authorize a 12-month extension for the FBO Agreement with Boreal Aviation. All existing conditions of the Agreement are to remain in place during the extension. The time period for the extension will run from January 1, 2009 until December 31, 2009. Further, Mr. Erbisch will update the Board with a status report after six months.

The Committee considered an Airport Entitlement Programs Application. Keith Kaspari, Sawyer Airport Manager, was present and explained the attached revised copy of FAA Form 424, a grant pre-application form, as recently revised, for the projects as requested by Staff, and submitted by Betsy Steudle at MDOT to the FAA office in Detroit, as airports operate in a Continuing Resolution through March 31, 2009.

The reason for the revised 424 as submitted earlier, is that Staff received via the FAA and MDOT, the final funding allocation for FY-2009, with funding as follows:

- Approved to receive 50% of our carry-over funds form FY-2008, or approximately \$129,197.00.
- Approved to receive 33% of our FY-09 Entitlement funds, or approximately \$324,621.00.

Total: \$453,818

Note: All remaining funds, at this time, will be carried over to FY-2010.

Along with MDOT and County participation, each at 2.50%, or \$11,942 and \$11,943 respectively, this gives us at this time, a grand total of \$477,703 to complete the following projects with anticipated project funding.

1. Airfield Lighting System Improvements (Design Only)	\$ 210,000.00
2. Snow Removal Equipment (Purchase)	\$ 190,000.00
3. NAVAIDS Electrical Utility Supply (Design/Study)	\$ 20,000.00
4. Airfield Pavements Study	\$ 10,000.00

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5. Airfield Perimeter Security Fencing Project (Design)	\$ 25,000.00
6. Airfield Pavement Friction Measurement Equipment (Purchase)	\$ 22,203.00

Mr. Kaspari, Sawyer Airport Manager, requests Board approval on the projects for FY-2009 under the Airport Improvement Program, and direct staff to submit the application for Federal Assistance to the Federal Aviation Administration via MDOT's Bureau of Aeronautics.

It was moved by Comm. Joseph, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the projects for FY-2009 under the Airport Improvement Program, and direct staff to submit the application for Federal Assistance to the Federal Aviation Administration via MDOT's Bureau of Aeronautics.

The Committee considered the Board of Commissioners Responsibilities for Elected Officials pertaining to the Rehire Policy for Marquette County. Steve Powers, County Administrator, was present and explained what are the Board of Commissioners' responsibilities when an elected official leaves office during their term? Is the Board governed by statutes or county policy?

These questions are rather broad. The short answers are the board has no responsibility when an elected official leaves office other than if the elected official is a commissioner. The process for filling vacancies in elected offices is governed by statute, not county policy. As stated in the Marquette County Personnel Policies and Procedures Manual, provisions of this manual do not apply specifically to individual elected officials.

I am including constitutional officers, county commissioners, and judges. The source for the response is Guide to Michigan County Government, Fourth Edition, by Kenneth Vergburg. If my response is unsatisfactory, or prompts a more specific question, Civil Counsel can be consulted and asked for an opinion.

Vacancies in the offices of treasurer and clerk, as well as other elective county offices, can occur for a variety of reasons - death, resignation, appointment to another public office, removal from office, change of residence outside the county, and others. Mid-term vacancies in the office of county clerk or prosecuting attorney are filled by the circuit judge or judges or the county. A Committee consisting of the senior probate judge, county clerk, and prosecuting attorney fill treasurer, sheriff, drain commissioner, register of deeds, and mine inspector.

For county officers elected to four-year term, a person appointed to one of the offices to fill a vacancy could remain in the office for the balance of the term unless the vacancy occurred more than 182 days before the next general election. The position vacated six months before the gubernatorial election would be filled by popular election at the next general elections when the governor is elected. If the office was vacated after the gubernatorial election, the person appointed to fill the position would have to stand for election at the regular election.

Once elected to office, a treasurer, clerk, sheriff, prosecutor, or commissioner can be rather confident the office belongs to her or him for the length of the term. The law provides for removal from office by the governor or by election recall. The circuit court may remove the county clerk from office by reason of incompetence, official misconduct, or willful neglect of duty.

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Vacancies in the office of sheriff are filled by appointment. Should the office become vacant, the undersheriff is directed by law to fill in on a temporary basis until the permanent successor is appointed.

Mr. Greenberg, Human Resources Director, was present and addressed Commissioners questions. Commissioners had many questions. A lengthy discussion followed.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and carried by voice vote 5 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Pellow, Comm. Struck) to 3 Nays (Comm. Joseph, Comm. Wallace, Comm. Corkin) that the Committee of the Whole recommend the County Board form an Ad Hoc Personnel Committee to review the Rehire Program.

The Committee considered Budget Amendments. Sue Vercoe, Finance Manager, explained that all departments were requested to review their revenues and expenditures. These recommendations were prepared based on requests and information from the departments and review of the October budget reports. The final budget amendments for 2008 will be presented to the Board in January. The Budget Amendments are as follows:

#18- General Fund

The recommendation is to increase the General Fund budget by \$24,468. The net increase in revenue exceeds the net increase in expenditures by \$16,981. That amount has been added to the contingency line item. On the expenditure side, the most significant increase is to court appointed attorney fees for Probate and District Court, a total of \$65,000.

#19 and #20 Sewer and Water Funds –

Revenues to the water and sewer systems have been impacted by lower usage of the systems. For both funds, the revenue losses can be covered by the postponement and adjustment of expenditures.

#21-Delinquent Tax Fund

This amendment provides funding to the water and sewer funds for the purchase of the sewer vacor truck. Funds will be repaid with interest over 4 years.

#22 – Technology Fund

This amendment covers 2008 expenses and grant reimbursement for the UP Link Michigan Project.

#23 – Foreclosure Fund

This amendment covers revenue and expense adjustments related to the collection and payment of deed recording fees.

#24 – Aging Services

This amends the budget for the additional allocations for 2008 that were approved by the board.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve Budget Amendments #18 through #24 as presented by Sue Vercoe, Finance Manager.

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Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, addressed the Committee regarding Pathways. There being no further public comment Chairperson Corkin closed this portion of the meeting.

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Chairperson Corkin thanked John Greenberg for his presentation at the CUPAD meeting. Mr. Greenberg spoke regarding the MERS system it was much appreciated by the six counties.

Comm. Pellow announced the Marquette County Township Association hosting their Christmas Potluck to be held 6:00 p.m., December 10, 2008 at the Ishpeming Township Hall. All Commissioners welcome.

Comm. Cihak attended a MAC Judiciary Public Safety Committee Meeting. The Council of State Government spoke regarding prison and jail overcrowding.

Comm. Cihak stated Marquette County's Drug Court was approved for one more year.

Comm. Struck attended a MAC Transportation Committee Meeting, and updated the Commissioners on a presentation by the Deputy Director of MIDA, Michigan Infrastructure Transportation Association.

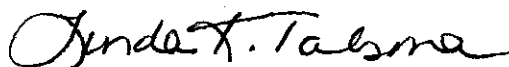
Comm. Wallace attended the Pathways Meeting and jailhouse services were discussed. A proposal is expected from Pathways to provide services.

Steve Powers, County Administrator, announced Perkins Park Grant Application to the Michigan Natural Resources Trust Fund there was a press release issued by the state the project that had been approved by the board in the 2009 budget is slightly scaled back, however, they will still allow us to accomplish the relocation of the Park Manager's Office, continued improvements to the road system within the park and accessibility improvements to the camp sites and playgrounds.

Chairperson Corkin asked for volunteers for the Ad Hoc Personnel Committee to review the Rehire Program. Comm. Heikkila, Comm. Bergdahl, and Comm. Struck all volunteered.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 7:20 P.M.

Respectfully Submitted,



Linda K. Talsma
Deputy County Clerk