

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, May 27, 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. Struck, Comm. Wallace and Chairperson Corkin. Absent and Excused: None.

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 Meeting held on May 13, 2008 be approved.

It was moved by Comm. Pellow, seconded by Comm. Heikkila, and unanimously carried by a voice vote that the agenda be approved with the following additions: Item 14) County Road 581 Temporary Bridge Project.

Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, addressed the Committee regarding the Pathways Neglect & Abuse Policy.

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

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote that Claims and Accounts for the period May 17, 2008 through May 23, 2008 in the amount of \$846,080.36, and Bi-Weekly Payroll for the period ending May 17, 2008 in the amount of \$636,872.84 be approved.

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The Committee considered a memo from the Marquette County Planning Commission regarding the Great Lakes – St. Lawrence River Basin Water Resources Compact. Per a request by the County Board, the County Planning Commission reviewed a resolution from Lake County, Michigan. The Lake County resolution urges legislatures to ratify the Great Lakes – St. Lawrence River Basin Water Resources Compact.

The Compact is an agreement between 8 states and 2 Canadian provinces and requires Congressional approval and treaty with Canada. The Agreement and compact detail how the Great Lakes states and provinces are to manage and protect the waters of the Great Lakes and St. Lawrence River Basin, defined as the “watershed of the Great Lakes and the St. Lawrence River upstream from Trois-Rivieres, Quebec, with the jurisdiction of the parties.” The agreements detail how the States and Provinces will manage and protect the Basin and provide a framework for each State and Province to enact laws for its protection. The agreements include the following points:

- * Economic development will be fostered through the sustainable use and responsible management of Basin waters.
- * There will be a ban on new diversions of water from the Basin. Limited exceptions could be allowed, such as for public water supply purposes in communities near the Basin, but exceptions would be strictly regulated.
- * The States and Provinces will use a consistent standard to review proposed uses of Basin water.
- * Regional goals and objectives for water conservation and efficiency will be developed, and they will be reviewed every five years. Each State and Province will develop and implement a water conservation and efficiency program.

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* The collection of technical data will be strengthened, and the States and Provinces will share the information, which will improve decision-making by the governments.

* A strong commitment to continued public involvement in the implementation of the agreements.

To date, four states have approved the Compact: New York, Minnesota, Illinois, and Indiana.

It was moved by Comm. Bergdahl, seconded by Comm. Struck, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board Support adopt a resolution regarding the Great Lakes – St. Lawrence River Basin Water Resources Compact.

The Committee considered a memo from the Marquette County Planning Commission regarding a Iron County resolution concerning Aquatic Invasive/Nuisance Species (AIS). Per a request by the County Board of Commissioners, the County Planning Commission reviewed correspondence from Iron County, Michigan. The correspondence addressed a resolution to “require users of surface waters to financially participate in economical application fees, prompt government review and issuance of permits, and management efforts to control aquatic nuisance species.”

The legislature has not provided enough money to have a successful AIS program. The situation (spread of AIS, delay in permitting, lack of funding) is likely a result of an ineffective underfunded Michigan DEQ program.

It was moved by Comm. Wallace, seconded by Comm. Cihak, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board send a letter to the Directors of the State Department of Environmental Quality, Department of Natural Resources, and Department of Agriculture Stressing the Importance of Preventing and Managing Aquatic Invasive/Nuisance Species.

The Committee considered a USDOT/FAA Grant Agreement and Resolution for the 2008 runway reconstruction project at Sawyer International Airport. Keith Kaspari, Airport Manager, was present and explained that staff is anticipating the arrival of FAA Grant Agreement 3-26-0153-2508 which will provide funding for the reconstruction project. Since all airports are operating under a Continuing Resolution through the Third Quarter of FY-08, staff anticipates using all entitlements estimated at 75%, or \$782,117, with the funding allocation as follows:

- FAA at 95% or \$743,011;
- MDOT at 2.50% or \$19,553; and
- Marquette County at 2.50% or \$19,553 *(Funded via PFC’s)

Pending the timely passage of the Capital Outlay Bill (COB), staff is awaiting the arrival of three (3) original copies of the Grant Agreement between the U.S. Department of Transportation – Federal Aviation Administration, and Marquette County. If the COB passed, and due to a projected tight schedule for the completion of all administrative processes in order to begin construction ASAP, staff respectfully requests consideration from the Board to provide approval of Grant No: 3-26-0153-2508 in –advance of staff taking receipt of the actual grant documents, and authorize Chairman Corkin and Civil Counsel to provide signature of the documents when received.

It was moved by Comm. Bergdahl, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the USDOT/FAA Grant Agreement in advance of staff taking receipt of the actual grant documents, and authorize Chairman Corkin and Civil Counsel to provide signatures, and further that the County Clerk execute copies of the resolutions.

The Committee considered a Contract Agreement and Resolution for MDOT regarding Phase II Construction of Runway Pavement Slabs. Keith Kaspari, Airport Manager, was present and explained he has distributed copies of MDOT Contract Agreement No: 2008-0279 for projects at Sawyer. Airport staff is anticipating the arrival of FAA Grant Agreement 3-26-0153-2508 for Sawyer’s FY-2008 projects funded with AIP Entitlement Funds. Sawyer’s priority project for FY-2008 is as follows:

- Phase II (Construction) of Runway Pavement Slabs \$782,117

Funding to complete the above project is pending the receipt of FAA Grant Agreement No: 2508 as indicated, and pending the passage of the Capital Outlay Bill by the Michigan legislature. Project funding is as follows: FAA at 95% or \$743,011; MDOT at 2.50% or \$19,553; and, Marquette County at 2.50% or \$19,553. Marquette County’s 2.50% will be funded with the use of Passenger Facility Charges or PFC’s.

NOTE:

- The above project was bid by MDOT with the low bidder identified as Associated Constructors of Negaunee, with a low bid price of \$573,014.67. Staff remains hopeful for a mid-June start date for construction – yet pending the passage of the Capital Outlay Bill and receipt of the FAA grant.
- Staff is anticipating directing the full amount of contingency funds and the possible use of the remaining 25% or \$250,000 of AIP Entitlement funds to additional pavement reconstruction, or if too late in the construction season to carry the funds over to FY-2009.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend that the County Board approve the Contract Agreement between Marquette County and MDOT for the Phase II (Construction) of Runway Pavement Slabs, authorize Chairman Corkin to sign the documents, and direct the County Clerk to sign the Resolution.

The Committee considered a Services Agreement with Mead & Hunt, Inc. for FY-2008 reconstruction for runway pavement slabs at Sawyer International Airport. Keith Kaspari, Airport Manager, was present and explained on August 27, 2007, the Board accepted FAA Grant No: 2307, which includes design services for this project. The agreement is between Marquette County and Mead & Hunt for services related to the Runway 1/19 Concrete Pavement Joint Seal and Pavement Rehabilitation Project at Sawyer. The agreement for services, totaling \$68,670.00 provides for the following:

- Construction Administration and Inspection Services

This agreement, pending the receipt of FAA Grant No: 2508, and passage of the Capital Outlay Bill by the Michigan legislature, provides for the services associated with the construction administration and

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inspection services necessary for the timely completion of the Runway 1/19 Pavement Rehabilitation Project. A total of \$782,117.00 is programmed for this priority project.

The timeline to complete the project is approximately 38 calendar days (weather permitting), and pending the ability to complete the reconstruction of additional slabs with project contingency funds and the remaining 25% balance, or \$250,000 of Sawyer’s FY-2008 AIP Entitlements. MDOT’s project manager supports approval of the agreement for the project listed.

It was moved by Comm. Struck, seconded by Comm. Wallace and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the Agreements for Services by Mead & Hunt at a total of \$68,670.00, and authorize the Board Chair to sign.

The Committee considered an Amendment to Personnel Policy Article 105.4 Political/Campaign Activity. John Greenberg, Human Resource Manager, was present and explained after a review by our Chief Civil Counsel, it was agreed that the current language creates multiple problems with respect to enforcement and has very limited applicability to our current organization. In addition, an existing state statute already deals with the issue of an employee running for elective office within the unit of government in which he/she is employed. It is therefore Mr. Greenberg’s recommended that the second sentence and the entire second paragraph of Article 105.4 be deleted and should read as follows:

105.4 Political/Campaign Activity

Employees have the right to actively participate in political activities, as guaranteed by the constitution and not precluded by statute, including becoming candidates for elective office. Employees who are elected to Marquette County office or any other office, which conflicts with their County employment, must resign their position or take a leave of absence upon assuming office. Determination of conflict will be based upon review by Chief Civil Counsel. Employees may not use their County position for political purpose and may not engage in political activity during working hours. Political campaigning must not interfere with work performance.

Employees considering becoming candidates for any elective public office who are not sure of their employment status or the legal and policy requirements should consult the Director of Human Resources for clarification.

Harley Andrews explained the difference between Elected Officials and County Employee Department Heads regarding Policy and the Collective Bargaining Agreement.

Comm. Pellow requested clarification on what policy our County employees are under.

It was moved by Comm. Arsenault, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Committee of the Whole recommend the Marquette County Board Amend the Personnel Policy Article 105.4 Political/Campaign Activity as presented by Mr. Greenberg.

The Committee considered a FY-2009 UPCAP – Homemaker Contracts. Sue Vercoe, Finance Manager, was present and explained that UPCAP has requested letters of intent to apply for funding for services to the aging in Marquette County for fiscal year 2009 (10/1/08 – 9/30/09).

If Marquette County is to continue applying for funding for Homemaker Aide funding and then subcontracting with the four senior centers to provide the direct services to seniors, a letter of intent must be authorized by the County Board and submitted to UPCAP by May 30, 2008.

As in prior years, the allocation to each senior center would be based on funding formula using an UPCAP approved unit rate reimbursement. The four senior centers have all been notified that the Board would be considering this action. Staff recommends the board authorize Chairman Corkin to sign the letter of intent tonight to apply for UPCAP funding for fiscal year 2009 on behalf of the County.

It was moved by Comm. Arsenault, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the FY 2009 UPCAP – Homemaker Contracts and authorize the Board Chair to sign the Letter of Intent tonight to apply for UPCAP funding for fiscal year 2009.

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The Committee considered 1st Quarter 2008 Budget Amendments. Sue Vercoe, Finance Manager, was present and 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 March and April budget reports.

Ms. Vercoe explained Budget Amendment: #1 General Fund; #2 - Airport Fund; #3 – Airport Stabilization Fund; #4 -Caretaker Fund; #5 – Health Department; #6 – Probate Child Care Fund; #7 – Public Improvement Fund; #8 – Rescue Safety Fund; #9 – Remonumentation; #10 – R.O.D. Automation Fund; #11 – Negaunee Service Center Fund; and # 12 – M.C.T.V. Fund.

Commissioners requested an explanation of Budget Amendment #5 – Health Department. Ms. Vercoe explained that as part of their first quarter budget amendment, the health department is requesting a fee increase for the Type II Public Water Supply Program. The Michigan Department of Environmental Quality (MDEQ) provides only 32% of the funding necessary to operate this program. The proposed fee would generate approximately \$22,000 in revenue to cover the cost of the program that is not funded by MDEQ. The recommended effective date for the increase is July 14, 2008. Discussion followed.

Dr. Johnson was present and explained Health Department management staff recently spent a significant amount of time developing an amended 2008 Health Department budget. An amendment was needed because of many revenue and expenditure changes that had occurred since the 2008 budget was adopted in October. If no changes had been made, the net result of these changes would have been a deficit of approximately \$133,000 in 2008. In attempting to address this projected deficit, Health Department management staff proposed expenditure reductions and/or revenue enhancements in a number of non-mandated programs/services.

Commissioners requested the Health Department revise the proposed fee schedule adjustments taking the burden away from the small business owners.

It was moved by Comm. Arsenault, seconded by Comm. Struck, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the 1st Quarter 2008 Budget

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Amendments #1 through #12; (with the exception of Budget Amendment #5- Health Department), as presented by Sue Vercoe, Finance Manager.

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The Committee considered a Temporary Bridge Project on County Road 581. Comm. Arsenault requested that Senator Levin's office be contacted to request assistance to construct a temporary bridge, and/or the manpower to construct a temporary bridge.

Commissioners felt the Road Commission should have informed the public on their approach to this project. Chairperson Corkin explained a meeting was held this morning with approximately 200 people in attendance. This project is a huge concern to the people. It is definitely a health and safety issue. Commissioners feel that a request to Senator Levin will help push the project along.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board contact Senator Levin's Office to request assistance with the construction of a Temporary Bridge Project for County Road 581.

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Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, again addressed the Committee regarding the Pathways Neglect & Abuse Policy.

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

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 7:05 P.M.

Respectfully Submitted,

Linda K. Talsma
Deputy County Clerk