

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners met in Special Meeting on Tuesday, October 28, 2008, immediately following the Committee of the Whole Meeting at 7:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 West 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 Comm. Corkin. Absent and Excused: None.

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

There were no minutes for approval.

The agenda was approved as presented.

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

INFORMATIONAL ITEMS

There were no Informational Items for approval.

ACTION ITEMS

10a) The County Board considered Discussion of Marquette County Elected Officials Salaries: Re: Labor Market Study/Comparisons. Chairperson Corkin explained that at the October 14, 2008 Annual Board Meeting a motion was passed approving a resolution establishing salaries of elected officials for 2009. He requested that Civil Counsel explain what options the Board has based on the Rules of Order of the Board of Commissioners.

Cheryl Hill, Civil Counsel, explained that the Board can discuss Elected Official Salaries and the Labor Market Study, however, because of the October 14, 2008 action of the Board of Commissioners approving the resolution establishing salaries of Elected Officials for Fiscal Year 2009, there are some limitations on any action that can be taken. She explained Section V-3. Motion for Reconsideration and Section V-4 Motion to Rescind as follows:

SECTION V-3. MOTION FOR RECONSIDERATION.

A motion for reconsideration of a decision shall be in order when:

- 1. The motion is made at the same meeting or the following meeting and by one who voted with the prevailing side on the original motion; or,*
- 2. Made by a commissioner who was absent at the time of the vote of the original motion, at the first meeting attended by that Commissioner subsequent to the meeting at which the vote on the original motion was taken; or*
- 3. Made by a new commissioner seated subsequent to the vote on the original motion, within (sixty) days after the filing of his/her oath of office.*

SECTION V-4. MOTION TO RESCIND.

A motion to rescind a previous action requires a two-thirds vote, or a majority vote when notice or intent to make the motion, stating the complete substance of the proposed change has been given at the previous meeting or in the call of the present meeting. A motion to rescind a previous action is not in order when:

- 1. It has been previously moved to reconsider the vote on the original motion; or*
- 2. When something has been done, as a result of the vote on the original motion, that is impossible to undo; or*
- 3. The original motion accepted a resignation or made an appointment, and the other party has already been informed of the action.*

Steve Powers, County Administrator, distributed additional information regarding elected officials salaries and responsibilities, including: A Summary from the Guide to Michigan County Government, which explained Civil and Corporation Counsel. Marquette County follows the alternative for the prosecutor and county board to designate a portion of the prosecutor's staff as the division of civil counsel; a June 19, 1992, request from Gary Walker, County Prosecutor; a Memo dated June 24, 1992, to all elected officials from the Board's subcommittee regarding elected official salaries; Documentation of Board approval of the 85% of the Probate Judge's salary for the County Prosecutor, dated October 19, 1992; and the Chief Assistant Prosecutor salary.

Comm. Cihak explained that he requested this meeting to discuss salaries of elected officials and the labor market comparisons because he was not aware the County Board could reduce salaries of elected officials prior to November 1, 2008. He is disappointed the Board did not have the opportunity to discuss Elected Officials salaries during the budget sessions approximately two months ago. He feels the Marquette County Prosecutor's salary as compared to the labor market survey needs to be discussed. He hopes the Board of Commissioners will vote to rescind the motion of October 14, 2008.

A lengthy discussion followed. Discussion included Prosecutor's salary in comparison to the labor market survey; whether the percentage of the Prosecutor's salary, set at 85% of the Probate Judge's Salary, could be changed; and whether the County Board can separate the salary of the Prosecutor, and pay additional compensation for negotiating labor contracts. The Board also discussed the salary of a newly elected prosecutor who might not negotiate labor contracts if not set by statute.

Gary Walker, Marquette County Prosecutor, responded to Commissioners comments regarding contract negotiations. He explained that the labor work is not only negotiating contracts. There is discussion of labor issues, contract interpretations, grievances, etc., that he deals with weekly, if not daily. He also explained that there has been no increase in the salary of the Probate Judge or the Prosecuting Attorney since 2000. He reminded Commissioners that the Prosecutor's Office, in addition to the civil responsibilities and labor negotiations, has spent many hours working on the rehabilitation of K.I.Sawyer.

Comm. Heikkila requested an estimate of the cost of labor negotiations if performed by outside counsel. He also questioned whether the salary set at 85% of the Probate Judge Salary could be changed.

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It was moved by Comm. Pellow, seconded by Comm. Bergdahl, to rescind the motion to approve the resolution setting Elected Official Salaries for 2009, which passed on October 14, 2008. A roll call vote was taken: four (4) ayes (Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, and Comm. Pellow) to five (5) nays (Comm. Arsenault, Comm. Joseph, Comm. Struck, Comm. Wallace, and Chairperson Corkin). Motion Fails.

Chairperson opened the meeting for Public Comment. Jim Gallant, Skandia, addressed the County Board. There being no further public comment Chairperson Corkin closed this portion of the meeting.

There being no further business to come before the Special Meeting of the Marquette County Board of Commissioners, the meeting adjourned at approximately 8:00 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk