

Minutes are Subject to Correction and Approval

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING – TUESDAY, SEPTEMBER 28, 2010 – 6:00 P.M. – ROOM 231, HENRY A. SKEWIS ANNEX, MARQUETTE, MI 49855

1. ROLL CALL.

- Call to Order by Chair at 6:00 p.m. – Room 231 Henry A. Skewis Annex, Marquette.
- Roll Call: Present: Commissioner Arsenault, Commissioner Bergdahl, Commissioner Heikkila, Commissioner Joseph, Commissioner Pellow, Commissioner Struck, and Chairperson Corkin.
Absent and Excused: Commissioner Cihak and Commissioner Wallace.

2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON AUGUST 14, 2010.

Committee of the Whole Action: Commissioner Struck moved to approve the minutes of the County Board of Commissioners Committee of the Whole meeting held on August 14, 2010. Second by Commissioner Heikkila. Motion adopted.

3. APPROVAL OF THE AGENDA.

Committee of the Whole Action: Commissioner Pellow moved to approve the Agenda with the following Addition: Item 6f) Jail Control Board. Second by Commissioner Bergdahl. Motion adopted.

4. PUBLIC COMMENT.

Chairperson Corkin opened the meeting for public comment. Mike Quayle, Marquette, responded to a *Letter to the Editor* written by Chairperson Corkin; Theresa Scram, Marquette, spoke regarding late additions to the agendas; and Jim Gallant, Marquette, spoke regarding the Brownfield Bylaws. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

5. REVIEW OF CLAIMS AND ACCOUNTS.

Committee of the Whole Action: Commissioner Arsenault moved to approve Claims and Accounts for the period September 17, 2010 through September 23, 2010, in the amount of \$1,527,414.60, and BiWeekly Payroll for the period ending September 18, 2010, in the amount of \$692,800.04. Second by Commissioner Bergdahl. Motion adopted.

6. AGENDA ITEMS:

- a. IGT Authorizing Resolution. The following resolution was proposed for approval.

IGT AUTHORIZING RESOLUTION

WHEREAS, Marquette County is committed to supporting programs that provide access to appropriate health care services for low-income residents of all 15 Upper Peninsula Counties;

WHEREAS, the Federal government has approved Michigan's Medicaid State Plan Amendment TN No. 05-13, effective June 1, 2006, which creates an "Indigent Care Agreements Pool" for hospitals qualifying for Medicaid Disproportionate Share ("DSH") payments to receive DSH payments under the Indigent Care Agreements Pool so long as: (a) the hospital has an Indigent Care Agreement with a local health care entity, such as Medical Care Access Coalition; and (b) the Indigent Care Agreement stipulates that direct or indirect health care services be provided to low-income patients with special needs who are not covered under other public or private health care programs;

WHEREAS, Medical Care Access Coalition purposes include promoting, organizing, managing, and administering programs to create a system for providing or arranging and paying for health care services in a cost effective manner for individuals unable to pay for such health care services;

WHEREAS, Medical Care Access Coalition has entered into an Indigent Care Agreement with Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital, requiring Medical Care Access Coalition to directly or indirectly operate a program of arranging and paying for health care to low-income individuals with special needs who are not covered under other public or private health care programs and who are unable to pay for such services;

WHEREAS, both the Federal government and the State of Michigan participate in the financing of the Indigent Care Agreements Pool, with the Federal government matching the State's portion pursuant to the Federal medical assistance percentage formula;

WHEREAS, certain intergovernmental transfers of public funds from Marquette County may be made to the State of Michigan to be used as the State's share in claiming the Federal match.

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners hereby authorizes intergovernmental transfers in an amount of \$305,613.83 annually to the State of Michigan for the purpose of participating in the financing of the non-federal share of DSH payments made under the Indigent Care Agreements Pool to Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital, so long as Medical Care Access Coalition maintains a current Indigent Care Agreement with Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital.

BE IT FURTHER RESOLVED, that this Resolution shall be effective commencing on October 1, 2010, and ending September 30, 2011.

Committee of the Whole Action: Commissioner Pellow moved to recommend the County Board approve the IGT Authorizing Resolution. Second by Commissioner Struck. Motion adopted.

- b.** Inter-Local Funding Agreement. Teresa Schwalbach, PEM, Emergency Management Coordinator, was present to explain the Agreement and update Commissioners on the status of other projects.

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Attached are two copies of an Inter-Local Funding Agreement executed between Houghton County as Fiduciary and Marquette County as Grantee, for the 2008 Homeland Security Grant for Region 8.

The purpose of this agreement is for the fiduciary and grantee to enter into this Agreement for the purpose of making sure that the grant funds are used properly and the equipment purchased is used to the benefit of the region.

Note: Attachment not included in minutes.

Committee of the Whole Action: Commissioner Pellow moved to recommend the County Board approve the Inter-Local Funding Agreement. Second by Commissioner Arsenault. Motion adopted.

- c. Waterways Grant for the Big Bay Harbor of Refuge Walkway Subsidence Repair. Resource Management and Development Staff presented the following information. Dottie Lewis, Planner, was present to answer questions.

Background

In 2006, the County of Marquette received a Grant-in-Aid for Preliminary Engineering from Michigan Waterways. With this funding, North Country Engineering Inc. completed the Big Bay Harbor of Refuge Engineering Evaluation and Improvement Design Project in 2007 which detailed the costs and feasibility of infrastructure improvements needed at the Big Bay Harbor of Refuge. The engineering study was submitted to the Michigan State Waterways Commission making the identified improvements potentially eligible for grant assistance from the Waterways Grant –In–Aid for Infrastructure Improvements.

Needs Assessment

Based on observation and the results of the topographic survey, the area in back of the bulkhead (which includes both the concrete sidewalk and the green/landscaped area) has significant subsidence. Analysis of the existing bulk head determined that the soil behind the bulkhead is being eroded by a combination of wave dynamics within the boat launch basin and surface water infiltration.

The sloping walkway has created an unsafe condition for boaters when maneuvering in and out of their boats while they are moored at the harbor bulkhead. It's estimated that this problem has been ongoing since completion of the existing bulkhead construction and is progressive in nature. As such, "no action" is not a solution.

Scope of Work

The structural rehabilitation and restoration of the walkway subsidence repair project include the following:

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1. Remove the existing sidewalk, excavate the subsided area (about 12 ft. back from the bulkhead) to approximately 1 foot below the water line (about 8ft deep) and bring grade above water line using 6A bedding stone.
2. Geotextile would then be placed over the stone and conformed against the bulkhead.
3. A clean Class II material would then be placed along the bulkhead with surface (sod) restoration where necessary.

Cost Estimate:

Excavation	\$18,500.00
Rock Bedding	\$19,500.00
Geotextile	\$5,000.00
Class II Material	\$28,250.00
4" Sidewalk	\$11,250.00
Topsoil & Sod	\$5,500.00
Total	\$88,000.00

Project Funding

In March 2010, Resource Management and Development staff applied for a Waterways Grant –In–Aid for Infrastructure Improvements to assist with the cost of the project. With this grant, assistance is provided at a base level of 50% of the total project cost (estimated project cost plus project management fee). Matching funds needed by Marquette County have been included in the Capital Improvements Program for 2011 from the Forestry and Recreation budget.

Budget Summary

Estimated Project Cost	\$88,000
Requested Grant Amount	\$44,000
Applicants Matching Funds	\$44,000
DNR/DMB Project Management (.015 x project cost)	\$1,320
Final Grant Reimbursement	\$42,680
Total cost to Marquette County	\$45,320

Recommendation

It is recommended the Marquette County Board approve the resolution and designate Gerald Corkin as the signatory for the attached grant agreement.

Note: Attachment not included in minutes.

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Committee of the Whole Action: Commissioner Heikkila moved to recommend the County Board approve the Waterways Grant for the Big Bay Harbor of Refuge Walkway Subsidence Repair by adopting the Resolution and designating the Board Chair as the signatory for the Grant Agreement. Second by Commissioner Pellow. Motion adopted.

- d. Teaching Family Homes License Agreement. Al Feldhauser, Senior Planner, provided the following information and was present to answer questions.

Request:

Early this year a request was received (copy attached) from Christina Myers, CEO of Teaching Family Homes of Upper Michigan (TFH). The request was for a "utilization permit" for access to County property at the former Honor Camp. The proposal is to use the "north loop" of an existing trail and to add fitness stations along the pathway.

Background:

The proposal was brought to the Forestry commission for consideration as they manage the timber resources located on County Property of the Honor Camp and also have budgetary responsibilities regarding the Forestry/Recreation Fund and there is currently a recreational trail on the site.

The commission approved the concept but/required that acquisition, installation and maintenance be the responsibility of TFH. Civil Counsel drafted an agreement (attached) and risk management added insurance requirements. With the cited conditions the Forestry Commission supports the request.

Recommendation:

Staff recommends supporting the request by Teaching Family Homes and to authorize the Chair to sign the license agreement.

Note: Attachments not included in minutes.

Committee of the Whole Action: Commissioner Bergdahl moved to recommend the County Board approve the Teaching Family Homes License Agreement. Second by Commissioner Arsenault. Motion adopted.

- e. Bid Award for Lighting Motion Sensor Retrofit Facility Controls Upgrades. Al Feldhauser and Larry Gould, Project Team, provided the following information and were present to answer questions.

Currently under consideration is implementation of specific energy conservation measures. This portion of our Energy Grant consists of two components; Lighting Motion Sensor Retrofit and Facility Controls Upgrades. These projects were designed and bid as two projects by recommendation of our consulting engineer anticipating it would be more economical to do so. Bids were solicited in the Mining Journal, by internet on the County's website, through the Builders Exchange, and by direct contact.

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Lighting Motion Sensor Retrofit:

This project consists of all work associated with the retrofit of existing lighting fixture controls with ceiling/wall mounted occupancy sensors/switches. Project was identified in an Energy Evaluation performed on County facilities in the fall of 2009. Savings produced by occupancy sensors, according to the EPA, is 60%.

We received four sealed bids (see attached bid tabulation). The low bidder is United Contractors Inc. in the amount of \$54,294. The staff estimate for the grant application was \$73,790. Bid amount is within the grant approved budget.

Facilities Controls Upgrades:

This project consists of extended/expanded controls in several County facilities; variable speed drive installation at the Sawyer Wastewater Treatment Plant and a boiler control which -- monitors outdoor air temperature at the Marquette County Community Corrections Detention Center.

We received only one bid for this project component. The bidder was Johnson Controls, Inc. in the amount of \$121,413. The staff estimate for the grant application was \$111,900. Though over staff estimate, the proposal was within overall grant implementation budget (see budget).

Budget:

The Energy Conservation Measurers project was split into two projects, by staff, in consideration of cost savings for bidding it this way. The grant application did not show separation into two components.

Grant application approved funding		\$185,690
Staff Estimates		
Sensors	\$ 73,790	
Controls	\$111,900	
		\$185,690
Bids received/recommended		
Sensors	\$ 54,294	
Controls	\$121,413	
		\$175,707

Engineer Recommendation:

The consulting engineer, IDI, recommends acceptance of the bids from United Contractors and Johnson Control. (See attached communication).

Recommendation:

We recommend award of two separate contracts. One to United Contractors Inc. in the amount of \$54,294 and a contract to Johnson Controls, Inc. in the amount of \$121,413. Further, we recommend the County Board Chairman be authorized to sign all contract documents.

Note: Attachments not included in minutes.

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Committee of the Whole Action: Commissioner Arsenault moved to recommend the County Board approve the Lighting Motion Sensor Retrofit Facility Controls Upgrades and award two separate contracts: One to United Contractors Inc. in the amount of \$54,294; and one to Johnson Controls, Inc. in the amount of \$121,413; and further that the Board Chair be authorized to sign all contract documents. Second by Commissioner Pellow. Motion adopted.

- e. Jail Control Board. Steve Powers, County Administrator, provided the following information.

BACKGROUND: *The jail control board and locking control panel is original equipment, over 30 years old and far past its useful life. On September 12, 2010, a corrections officer was injured by electrical problem with the control board. We have had continuing problems with the system.*

Control board replacement/locking mechanism replacement were approved in 2010 for \$25,000. Unfortunately, \$25,000 won't cover replacement. Gregg Gustafson, Jail Captain, has been working with vendors to provide options for replacing the control board. The vendor currently installing the video surveillance system has proposed replacement of the board and controls for \$38,000. Contracting with Data Consultants is recommended because the control board integrates with the video system. While not in strict compliance with county Purchasing Policy, given the circumstances and urgency, staff is recommending contracting with Data Consultants.

Date Consultants provided two options. The recommendation is the less expensive of the two. Data Consultants proposal is attached. Data Consultants is a reputable company with Michigan jail experience.

IMPACT ON COUNTY BUDGET: *The jail control board is a budgeted 2010 Capital Improvement project. The budget amount is \$25,000. The bid is \$38,000. Staff is requesting funds from the Michigan Municipal Risk Management Authority to reduce Marquette County's expense. Regardless of our success with MMRMA, the project should proceed. Funds are available from other jail capital projects to complete the project.*

ADMINISTRATOR'S RECOMMENDED BOARD ACTION: *Award bid to Data Consultants for \$38,000 and amend Capital Improvement Budget to implement the project.*

Note: Attachment not included in minutes.

Committee of the Whole Action: Commissioner Pellow moved to recommend the County Board award the bid for the Jail Control Board to Data Consultants for \$38,000 and amend the Capital Improvement Budget to implement the project. Second by Commissioner Heikkila. Motion adopted.

7. PUBLIC COMMENT.

Chairperson Corkin opened the meeting for public comment. Mike Quayle, Marquette, spoke regarding past actions of the County Board of Commissioners; Theresa Scram, Marquette, spoke regarding late additions to the agendas and the elimination of Road Patrol; Jim Gallant, Marquette, spoke regarding the Brownfield Bylaws; Teresa Bertossi, Marquette, spoke regarding an e-mail regarding mineral rights; and Kathryn Parker, Marquette, spoke regarding the Eagle Mine Project. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

8. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.

Chairperson Corkin spoke regarding the State Budget. He informed Commissioners that Revenue Sharing as of right now is fully funded. He announced that on the economic development front, Global Response is expanding at Sawyer due to Telkite.

Commissioner Struck reported on a Forsyth Township Meeting at which Global Response was also discussed; he provided a brief explanation of late additions added to an agenda; and spoke of the upcoming UPEMS Conference.

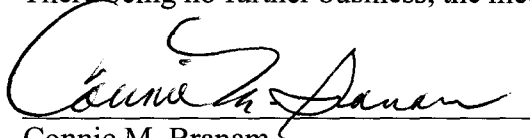
Commissioner Pellow briefly addressed late additions added to an agenda; she requested a copy of the e-mail from Mr. Tom Boerner regarding mineral rights; and she also requested a copy of Jack Parker's report regarding the Kennecott Eagle Mine.

Commissioner Heikkila commented on the implementation of energy efficiency programs; he suggested the issue regarding mineral rights be discussed at an upcoming meeting; and he spoke briefly regarding the recent Marquette County RSVP Program Banquet.

Commissioner Arsenault announced a meeting in October regarding the recently awarded Green Initiative Grant.

9. ADJOURNMENT.

There being no further business, the meeting adjourned at approximately 7:15 p.m.



Connie M. Branam
Marquette County Clerk

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

Minutes Proposed for Approval on October 12, 2010.