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MINUTES OF THE COMMITTEE OF THE WHOLE MEETING – TUESDAY, AUGUST 9, 2011 – 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 Cihak, Commissioner, Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault, Commissioner Pellow and Chairperson Bergdahl. Absent and Excused: Commissioner Nordeen.

2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON JULY 26, 2011.

Committee of the Whole Action: Commissioner Corkin moved to approve the minutes of the Committee of the Whole Meeting held on July 26, 2011. Second by Commissioner Heikkila. Motion adopted.

3. APPROVAL OF THE AGENDA.

Committee of the Whole Action: After discussion, Commissioner Heikkila moved to approve the Agenda with the following additions: Item 6g) Administrator Letter of Resignation; 6h) Classification/Compensation; and 6i) Health Insurance Groups. Second by Commissioner Cihak. Motion adopted.

4. PUBLIC COMMENT.

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

5. REVIEW OF CLAIMS AND ACCOUNTS.

Committee of the Whole Action: Commissioner Arsenault moved to approve Claims and Accounts for the period July 29, 2011 through August 4, 2011 in the amount of \$249, 204.23, with the exception of Check # 123196 in the amount of \$15,000.00 payable to Stevenson Keppelman Associates Attorneys; and including expenditure check #123065 in the amount of \$58.60 made payable to Bergdahl's Inc. (Commissioner Bergdahl's Affidavit of Disclosure follows). Also Electronic Payments for the period totaling \$24,456.01. Second by Commissioner Joseph. Motion adopted. (Chairperson Bergdahl abstained).

AFFIDAVIT OF DISCLOSURE

PURSUANT TO MCL 15.323(2)(a)

COUNTY OF MARQUETTE)

) SS

STATE OF MICHIGAN)

Charles Bergdahl, a Marquette County Commissioner, being duly sworn, hereby submits this Affidavit pursuant to the provisions of MCL 15.323(2)(a):

1. The Final Disbursement List submitted for approval at this August 9, 2011 meeting of the County Board of Commissioners Committee of the Whole includes Check No. 123065 dated August 5, 2011 payable to Bergdahl's, Inc. in the amount of \$58.60 in payment for Perkins Park equipment repaid;

2. I hereby disclose that I have a personal financial interest in Bergdahl's, Inc., which is as follows:

51% Shareholder

3. I hereby certify that any direct benefit I personally will receive from this payment to Bergdahl's Inc. will be less than \$250.00, and will be less than 5% of the total payment of \$58.60.

Dated this 9th day of August, 2011

Charles Bergdahl

Committee of the Whole Action: After discussion and debate, Commissioner Arsenault moved to approve Check #123196 in the amount of \$15,000.00 payable to Stevenson Keppelman Associates Attorneys. Second by Commissioner Joseph. The following roll call vote was recorded. Nays: Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Pellow. Ayes: Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault and Chairperson Bergdahl. Motion fails 4 Nays/4Ayes.

Discussion and debate followed regarding a Motion for Reconsideration.

6. **AGENDA ITEMS:**

a. **Marquette County Forest Management Plan.**

Al Feldhauser, Planner, was present to explain the following.

In accordance with the adoption requirements of Public Act 33 of 2009 (Michigan Planning Enabling Act), the Marquette County Planning Commission is submitting the proposed Marquette County Forest Management Plan to the County Board for review, comment, and approval for distribution of the document.

The Forest Management Plan currently under review represents an update in a series of plans over the last 60 years regarding management of forest resources on County owned lands. This document provides a framework for decision making by the Marquette County Forestry Commission in a program to

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utilize the County Forest and other lands in a manner which yields sustainable levels of commodities and amenities in a multi-use environment while maintaining the quality of the resource into the future.

The Michigan Planning Enabling Act requires the legislative body to approve the distribution of a proposed planning document. Subsequent to the approval of distribution, the process of adoption can proceed and the public review period can begin. The Act requires a minimum review period of 42 days followed by a public hearing to allow for further comment. After the public hearing, the Planning Commission can consider adoption of the Marquette County Forest Management Plan. The County Board may submit comments as well during this review period.

A copy of the Marquette County Forest Management Plan is available in the Commissioner's library.

Committee of the Whole Action: Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the distribution of the proposed Marquette County Forest Management Plan. Second by Commissioner Arsenault. Motion adopted.

b. FAA and MDOT Agreements.

Keith Kaspari, Airport Manager, was present to explain the following.

BACKGROUND:

On Tuesday, May 24, 2011 the Marquette County Board of Commissioners approved a Notice of Award for a Runway Joint Sealant and Airfield Painting project at Sawyer for a project total of \$322,721.48. This project was anticipated to begin on or about Monday, July 25.

Staff is anticipating the arrival of an FAA Grant Agreement in the amount of \$ 354,350, for the above project. Due to airports operating under a Continuing Resolution form of airport funding, the amount does not include the total entitlement funds available for Sawyer (approximately \$868,739 as of early July) for FY-2011. Including State and Local funding participation, each at 2.50%, this should provide a total of approximately \$373,000 to complete the project.

However, due to the continued delays in the Detroit Airport District Office receiving contract authority to issue the grant from Washington, and the need to route the project via MDOT's State Administrative Board for project approval on August 19th, staff was planning for a delay in getting the project started on Monday, August 22nd.

Due to the recent impasse and two-week furlough of 4,000 FAA employees, staff now anticipates an additional delay to begin the 33-calendar day project (weather permitting). Staff held a pre-construction meeting for this project on Thursday, August 4th, with our consulting engineer, MDOT-Aero project manager, and the general contractor. The contractor believes that with good weather, his company will be able to complete the work in 20-days.

BUDGET IMPACT:

FAA Grant, anticipated to be 3-26-0153-3411, will have a funding allocation of: FAA \$354,350 / MDOT at \$ 9,325 / and Marquette County at \$9,325). Marquette County's share will be paid via Sawyer's Stabilization Fund, yet this fund will see a future reimbursement via a Passenger Facility Charge anticipated to begin during the summer of 2013.

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NOTE: There will be additional costs to the airport to complete the re-painting of the pavement markings and the replacement for the joint sealant material for the northern-most 3,366 foot section of the runway, and the section of Taxiway Alpha located north of the intersection of Taxiway Bravo (painting only) estimated at nearly \$13,000, which includes approximately \$1,275 in fees to Mead & Hunt for a percentage of their Construction Administration and Inspection services agreement) that the FAA is not providing any funding support to. In the future, if the FAA revises their position with regard to the length of Sawyer's runway, staff will then request a reimbursement to the County for the funds expended for this part of the project.

RECOMMENDATION:

To expedite the return of grant to the FAA office in Detroit, airport staff respectfully requests the following: Staff requests the Marquette County Board of Commissioners to provide tentative approval tonight of FAA Grant Agreement No: 3-26-0153-3411 and MDOT agreement 2011-0435 at \$354,350.00, with final approval on the date that staff actually takes possession of the FAA grant, and authorize Chairman Bergdahl, Civil Counsel and the County Clerk to provide signatures to all documents where indicated. Sawyer's airport advisory committee approves of this project.

Committee of the Whole Action: Commissioner Cihak moved that the Committee of the Whole recommend the County Board provide tentative approval tonight of FAA Grant Agreement No: 3-26-0153-3411 and MDOT agreement 2011-0435 at \$354,350.00, with final approval on the date that staff actually takes possession of the FAA grant, and authorize Chairman Bergdahl, Civil Counsel and the County Clerk to provide signatures to all documents where indicated. Second by Commissioner Pellow. Motion adopted.

Mr. Kaspari also updated Commissioners on Sawyer's application to the USDOT for proposed future service to Lansing. Mr. Kaspari anticipates a reply by the end of October.

c. Employment with Rick Lindstrom.

Steve Powers, County Administrator, explained the following.

Fiscal Impact: Mr. Lindstrom is requesting \$38,000 for his services and time that he will be providing to Delta County on behalf of Marquette County. The \$38,000 is funded by payment from Delta County to Marquette County.

The current payment of \$38,000 for Marquette County Equalization Director remains unchanged. Mr. Lindstrom is salaried and receives no benefits from Marquette County. Mr. Lindstrom's total compensation during the term of the agreement will be \$76,000.

Delta County is paying Marquette County \$120,000 for equalization services. The estimated twelve month net revenue for the Marquette County budget is \$42,000. The estimate is \$14,000 higher than the July 19 estimate provided to the board of commissioners. The actual time and expense of providing equalization services to Delta County is being tracked.

Background: In August 2010, Marquette County entered into an employment agreement with Rick Lindstrom. Mr. Lindstrom held the position of Equalization Director for Delta County from 1983 to 2010.

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He is active in state and Upper Peninsula professional organizations as a leader and a trainer. Mr. Lindstrom is certified as a Level IV Assessor.

Mr. Lindstrom has begun working in Delta County. He will be spending three weeks in the Delta County Equalization Office starting August 8.

The recommended changes to the employment agreement and the current employment agreement are attached for your review.

If either Marquette or Delta County terminates the agreement for Equalization Services, Mr. Lindstrom's compensation would return to \$38,000.

The recommended term is August 17, 2011 to July 31, 2012. The agreement may be renewed with the same terms and conditions or with written changes agreed to by Mr. Lindstrom and Marquette County.

Committee of the Whole Action: After discussion, Commissioner Corkin moved that the Committee of the Whole recommend the County Board authorize the Agreement with Rick Lindstrom. Second by Commissioner Arsenault. Motion adopted.

d. Brownfield Partnership Contract.

Commissioner Arsenault explained the following.

In August 2010 the County established a County-wide Brownfield Authority. The Authority is a separate legal entity with its own Board, which is appointed by the County Board of Commissioners. Since inception, the Authority has informally utilized the assistance of County staff, namely the County Treasurer and Resource Management staff to assist with administrative tasks. This assistance should be provided for by a more formal agreement and a proposed agreement is attached.

Recommendation: Approve attached Brownfield Partnership Contract.

Committee of the Whole Action: Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the Brownfield Partnership Contract between the Marquette County Brownfield Redevelopment Authority and Marquette County. Second by Commissioner Pellow. Motion adopted.

e. Interim County Controller and Administrator.

The following information was presented by Chairperson Bergdahl.

With the notice that Administrator Powers will be terminating his employment effective September 8, 2011, it is important that there be appropriate back fill in the Administrator's office pending the hiring of a replacement. To assist with the transition, I have spoken with Sue Vercoe, Finance Manager, and Scott Erbisch, Director of Operations, to determine if they would be willing to assist. While both are currently working at or above capacity, they have agreed to take on additional responsibilities during the transition period under the following terms and conditions:

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- *Sue Vercoe, in addition to her current responsibilities, will take on the role of the County Controller, serving as the Financial Advisor to the Board of Commissioners, preparing the annual budget, and fulfilling all financial statutory obligations for the County, as well as other duties as further outlined in the attached County Administrator/Controller position description.*
- *Scott Erbisch, in addition to his current responsibilities, will be responsible for the County Administrator functions. This includes, but is not limited to, providing assistance to the County Board, and committees of the Board, in areas such as policy review, contract review, contract/labor negotiations, and liaison with other boards and agencies. Scott will supervise staff and will be responsible for hiring, training, assigning work, approving leave time, and dealing with employee relation issues, as well as other duties as further outlined in the attached County Administrator/-Controller position description.*
- *The positions will be temporary and both will return to their regular duties upon the hiring of a County Administrator. With a majority vote by the County Board of Commissioners, or by request of the two staff members, a 30-day notice to terminate this arrangement can be initiated at any time, at which time the staff member(s) will return to their regular position(s).*
- *Each staff member will be compensated an additional lump sum of \$1,200 per month. The additional compensation will be effective upon final board action and will cease upon the return to his/her regular position.*
- *Each will continue to be permitted to accrue comp time and will be permitted to sell back up to 40 hours should they be unable to use that time before losing it.*

Committee of the Whole Action: After discussion and debate, Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the terms and conditions of the Interim County Controller and Administrator during the transition period as presented. Second by Commissioner Pellow. Motion adopted.

Committee of the Whole Action: Commissioner Quayle then moved moved to direct Staff to contact Stang Decisions Systems to provide a presentation to the County Board regarding the hiring of an Administrator. Second by Commissioner Pellow. Discussion followed. A roll call vote was recorded. Nays: Commissioner Cihak, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault and Chairperson Bergdahl. Ayes: Commissioner Quayle, Commissioner Heikkila and Commissioner Pellow. Motion fails.

f. Procedure for Requesting Information.

The following information was presented by Chairperson Bergdahl .

With the departure of our county administrator and the additional responsibilities placed on remaining staff, a procedure for commissioners requesting information should be considered.

Commissioners have an obligation to be informed of county issues. Staff has a responsibility to provide information when requested by the board of commissioners or committee of the whole. Most commissioner requests do not require significant time of staff. Requests that do require significant time should be made by the board or committee of the whole.

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When a commissioner requests information from Elected Officials of the County, Department Directors, or any County employee, the commissioner shall first submit the request in writing to the Board Chair. The Board Chair will determine whether a response to the request requires an unreasonable amount of time. The Board Chair shall consult with the County Administrator or appropriate Elected Official, if necessary, to reach a conclusion. If the conclusion is that a response can be provided with a reasonable amount of staff work, the commissioner request will be provided to the County Administrator or appropriate Elected Official for a response. If the Chairperson determines the request will require an unreasonable amount of time, the commissioner request shall be placed on the next board or committee of the whole meeting agenda for consideration. If the board or committee determines a response is of interest to the board or committee, the County Administrator or appropriate Elected Official will be instructed or asked to provide the data, information, or analysis to all commissioners.

While this procedure may appear to be extreme, I believe it is necessary for efficient use of a limited number of staff. The procedure will also provide to the Elected Officials and staff clear direction on issues that are of interest to the board.

Committee of the Whole Action: After discussion and debate, Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the Procedure for Requesting Information on a trial period until the first of the year. Second by Commissioner Arsenault. A roll call vote was recorded. Ayes: Commissioner Cihak, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault, Commissioner Pellow and Chairperson Bergdahl. Nays: Commissioner Quayle. Motion adopted.

g. Administrator Letter of Resignation.

Committee of the Whole Action: Commissioner Cihak moved to accept a Letter of Resignation of Steve Powers, County Administrator, effective September 8, 2011. Second by Commissioner Pellow. Motion adopted.

h. Classification/Compensation.

Commissioner Quayle requested discussion regarding information received from John Greenberg, Human Resources Director, regarding Classification/Compensation changes. He has spoken with Mr. Greenberg regarding his concern. No action was taken.

i. Health Insurance Group.

Commissioner Quayle requested discussion regarding health insurance groups by suffix.

Committee of the Whole Action: After discussion, Commissioner Quayle moved that the Committee of the Whole recommend the County Board provide a total cost of BCBS premiums by suffix for the September 2012 Budget Work Session. Second by Commissioner Pellow. A roll call vote was recorded. Ayes: Commissioner Cihak,

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Commissioner Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault, Commissioner Pellow and Chairperson Bergdahl.

Nays: None. Motion adopted.

7. PUBLIC COMMENT.

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

8. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.


- Commissioner Cihak requested a Motion for Reconsideration (V-3.1) regarding payment of expenditure check #123196 payable to Stevenson Keppelman Associates Attorneys in the amount of \$15,000.00.

Committee of the Whole Action: Commissioner Cihak moved to approve expenditure check #123196 payable to Stevenson Keppelman Associates Attorneys in the amount of \$15,000.00. Second by Commissioner Arsenault. A roll call vote was recorded. Ayes: Commissioner Cihak, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault and Chairperson Bergdahl. Nays: Commissioner Quayle and Commissioner Pellow. Motion adopted.

- Commissioner Quayle questioned the status of the Space Needs Study Committee.
- Administrator Powers announced that it has been an honor serving and working with Commissioners over the past fifteen years. He wished them good luck and continued success.

10. ADJOURNMENT.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 8:00 p.m.



 Connie M. Branam
 Marquette County Clerk

 Charles Bergdahl, Chairperson
 Marquette County Board of Commissioners

Minutes Proposed for Approval on August 23, 2011.