
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING – TUESDAY, FEBRUARY 22, 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 Arsenault, Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Pellow, Commissioner Nordeen, and Chairperson Bergdahl. Absent: None.

2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON FEBRUARY 8, 2011.

Committee of the Whole Action: Commissioner Arsenault moved to approve the minutes of the Committee of the Whole Meeting held on February 8, 2011. Second by Commissioner Joseph. Motion adopted.

3. APPROVAL OF THE AGENDA.

Committee of the Whole Action: Commissioner Nordeen moved to approve the Agenda with the following addition and changes: add Item 6h) MERS Transfer; move Item 6f) West Branch Fitness Center before Item 6c) 720 Hour MERS Maximum; move Item 8) Public Comment & Item 9) Commissioner Comments, Staff Comments and Announcements before Item 7) Closed Sessions. Second by Commissioner Cihak. Motion adopted.

4. PUBLIC COMMENT.

Chairperson Bergdahl opened the meeting for public comment.

- Ryan Engle, Chocolay, spoke in support of the West Branch Fitness Center.
- Lisa Johnson, Community HandUp, requested to speak to Item 6f) West Branch Fitness Center.
- Eeva Miller spoke and distributed information in opposition to Rio Tinto's mining activities.

There being no further public comment, Chairperson Bergdahl 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 February 11, 2011 through February 17, 2011 in the amount of \$679,095.37. Second by Commissioner Corkin. Motion adopted.

6. AGENDA ITEMS:

a. TIF & Development Plan Presentation.

Mona Lang, Marquette City DDA, provided a slide presentation explaining the Marquette Downtown Development Authority "DDA." She also distributed a pamphlet explaining the DDA and TIF District. Ms. Lang announced that the City of Marquette will hold a Public Hearing regarding the approval of Development and Tax Increment Financing Plans #3 of the City of Marquette Downtown Development Authority to extend existing projects, to add new projects, to create, operate and maintain marketing initiatives and to contract for broadband and wireless technology service within the DDA Downtown District. The Public Hearing will be held on Monday, February 28, 2011, at 7:00 p.m. at the Marquette City Hall.

It was noted that the County of Marquette will lose approximately \$150,000.00 in tax revenue per year, and the City of Marquette will lose approximately \$380,000.00 in tax revenue per year. **No action was taken.**

b. Frontier Medical-Request for Consideration for Roof Repair Costs.

Scott Erbisch, Sawyer Operations Manager, represented the following information:

Background:

I was contacted by representatives of Frontier Medical and advised that the metal roof above the main office and the computer server / telephone room leaks water during heavy rains; and more recently as a result of ice buildup. With the assistance of a local roofing company, Frontier Medical made an effort to seal the mechanical fasteners and other problem areas; however, the patching is not sufficient. To properly repair the roof, it needs to have insulation installed on the existing roof with a rubberized membrane on top.

Frontier Medical representatives have acknowledged the "as is where is" provision in the lease and the maintenance section of the lease that holds the lessee responsible for the repair; however, to date, Frontier Medical has invested over \$200,000 in leasehold improvements; and made a sizable investment in repairing the roof above the manufacturing section of its operations.

Frontier Medical is requesting consideration from the County to pay for this repair, which is estimated to cost \$8,500 to \$10,500.

This is a County owned property and the roof repair will eventually need to take place.

Options for Consideration:

- *Adhere to the lease language and require the lessee to pay for the repair.*
- *Agree to pay for the repair. Should the County agree to cover the cost of the repair, staff would recommend that Frontier Medical contract out the work. The County could then reimburse Frontier Medical for the cost of the repair.*
- *Other as determined by the County Board of Commissioners.*

Recommendation:

It is recommended that the County pay for the repair as stated above. It is further recommended that Frontier Medical contract out this work to be reimbursed by the County upon completion.

Committee of the Whole Action: Commissioner Cihak moved that the Committee of the Whole recommend the County Board approve the request from Frontier Medical to pay for the roof repair. Frontier Medical to contract out the work to be reimbursed by the County upon completion. Second by Commissioner Heikkila. Motion adopted. (Commissioner Quayle voted no).

f. West Branch Fitness Center.

Lisa Johnson, Community Hand-Up, presented and explained a 5-year business plan by Community Hand-Up. The proposal is in support of the operation of the West Branch Fitness Center (South County Community & Fitness Center & owned by West Branch Township). The explanation included the business plan summary, projected expenses, projected revenue, programs, planned giving, fundraising & grants, the overall impact of the program and cash-flow projections. Discussion followed.

Steve Powers, County Administrator, explained that Staff will provide an initial review of the information provided. The review will include Staff's experience with the building, Scott Erbisich's, experience with the building, and Sue Vercoe's review of the business plan. This review will be brought back to the Board within two weeks.

No action was taken.

c. 720 Hour MERS Maximum.

John Greenberg, Human Resources and Risk Manager, presented the following.

At their regular meeting on August 18, 2010, the Board considered the hiring of retired employees for temporary, seasonal, or part-time employment. The Board heard comments from Circuit Court Judge Thomas Solka, Probate Judge Michael Anderegg, and Sheriff Michael Lovelace in support of the use of retired employees to fill these types of positions with little or no training needed. The Board discussed the matter and, although no formal action was taken, confirmed by a polling of the Commissioners that this practice should be continued.

Subsequent to that meeting the MERS Retirement Board amended the MERS Plan Document to state that any retired employees who are rehired after January 1, 2011 would have their defined benefit pension suspended if they work more than 720 hours in a calendar year.

Since January 1, our County Board has considered whether to continue the use of rehired employees and whether there is a need for a County policy to cover rehires. Much of the discussion last August was related to the valuable resource our retired employees provide for filling temporary,

seasonal, or part-time positions. They have the ability to “hit the ground running” since they already know the job they have been asked to fill.

Any employee rehired after January 1, 2011 is subject to the 720 hour MERS maximum regardless of whether they are brought on to fill a temporary, seasonal, or part-time need. Few outside job applicants would be interested in a position where they would work for a short time period or for 13 hours per week with no benefits. At this time I would suggest that the MERS 720 hour limit provides the desired control on the use of future hires who are receiving a county retirement benefit, while allowing our managers the use of this significant talent pool to maintain a high level of service during a period of need.

Suggested motion: Effective January 1, 2011, no former employee who has retired from Marquette County shall be rehired by Marquette County to work more than a total of 720 hours in any calendar year.

Sheriff Lovelace was present to speak in support of rehiring retired employees. He is in need of immediate help which will exceed the 720 hours.

Committee of the Whole Action: After discussion and debate Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the suggested motion that effective January 1, 2011, no former employee who has retired from Marquette County shall be rehired by Marquette County to work more than a total of 720 hours in any calendar year. Second by Commissioner Arsenault. A roll call vote was recorded: Nays: Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Joseph, Commissioner Pellow, Commissioner Nordeen, Commissioner Bergdahl. Ayes: Commissioner Corkin, Commissioner Arsenault. Motion fails 7 Nays to 2 Ayes.

d. 2010 Year-End Budget Amendments.

Sue Vercoe presented the following explanation regarding the 2010 Year-End Budget Amendments:

The following budget amendments are presented for your consideration. Preliminary yearend budget reports have been prepared for all departments; final reports for 2010 will not be closed until the end of March.

#15- General Fund

The recommendation is to decrease the General Fund budget by \$45,877 (less than 1% of the \$22,355,876 budget). The largest adjustment to both revenue and expense is the transfer in of \$246,950 from the Foreclosure Fund and the transfer out of those dollars to the Landbank and Brownfield Authorities. The recommended appropriation to the Probate Child Care Fund is decreased by \$100,000 as a result fewer institutional placements. This amendment also provides for \$53,500 in bad debt expense for juvenile receivables that are unlikely to be collected. An

appropriation to the Community Development fund in the amount of \$29,178 is included to cover the administrative expenses not covered by the 2005, 2007, and 2009 program allocations. Personnel service costs are reallocated between various departments and line items. 2010 retiree health care costs are \$123,800 less than budgeted. (A separate county fund has been created to hold funds designated by the county board for future OPEB liabilities. The amount in that fund at 12/31/10 is \$606,000.) The budgeted transfer in from the Public Improvement Fund will not be required. The contingency line remains at \$150,000 as originally budgeted and the reliance on fund equity budgeted at \$204,512 has been reduced to \$142,916.

#16- Probate Child Care Fund

This amendment reduces the General Fund appropriation to the Child Care Fund budget by \$100,000, from \$1,332,465 to \$1,232,465. The number of institutional placements is down. Mentoring programs for parents and youth, substance abuse monitoring, and other program enhancements to keep youth in their own homes or local foster homes appear to be showing success and are a more economical alternative to institutional placements when possible.

17- Sewer Fund & #18 - Water Fund

These amendments adjust various expense line items and salary allocations between funds. There is no change to the total budget.

#19 – Central Dispatch

This amendment adjusts various personnel and other expense line items in the Central Dispatch budget. There is no change to the total budget.

20 – Negaunee Service Center Fund

This budget amendment provides for depreciation and other miscellaneous line item adjustments.

#21 – Technology Fund

This amendment increases the budget by \$21,320 to cover higher software support and telephone charges. The higher costs are covered by revenue adjustments.

#22 - M.C.T.V. Fund

This amendment establishes budgets for the Drive Michigan Safely and Youth Alcohol Enforcement programs. There is no general fund support to these programs.

#23 - P.A. 511 Community Corrections Fund

This amendment increases the budget by \$3,200 to cover various program expenses. The increased costs are covered by increased revenues.

24 – Victim Restitution Fund

This amendment will increase the budget by \$3,000 to cover court ordered payments from the fund.

25– Remonumentation Fund

This amendment provides for the use of \$2,000 of fund equity to cover additional survey work completed in 2009.

#26 - Aging Services Fund

This amendment increases the millage allocation line item to cover 2009 special allocations that were carried over to 2010 and provides for an appropriation of \$600 to Champion Township approved by the aging services advisory committee. The amendment also reduces the amount of funding received from UPCAP for homemaker services provided by the senior centers.

#27 – Forest Recreation Fund

This amendment adjusts various personnel and other expense line items. There is no change to the total budget.

Committee of the Whole Action: Commissioner Corkin moved that the Committee of the Whole recommend the County Board adopt the 2010 Year-End Budget Amendments as presented by Sue Vercoe, Finance Manager. Second by Commissioner Pellow. Motion adopted.

e. Customer Service Payment Center.

Steve Powers, County Administrator, explained that this item was added to the agenda due to questions from some Commissioners regarding the project. However, late on Thursday information was received that the State is planning on adding 8 to 10 new positions to the Department of Human Services Marquette Office. They are interested in acquiring more space. Additional information is needed. Is DHS willing to pay for the additional space? And, are they willing to pay for any needed improvements? He suggested three options for Commissioners to consider. 1) Hear input from Anne Giroux, County Treasurer, Jacki Lykins, Equalization and Tax Administration, and Sue Vercoe, Finance Manager, regarding the customer service payment center; 2) postpone the project until questions from DHS are answered; or 3) stop any expenditures on the project.

Committee of the Whole Action: Commissioner Cihak moved that the project be postponed until questions are answered by DHS. Second by Commissioner Corkin. Motion adopted.

f. Board Priorities.

The following 2011 County Commissioner 2011 Priorities were submitted:

- *Airport Funding – How to Cut Costs (operations) or Increase Funds (not out of General Fund)*
- *Maintain a Balanced Budget*
- *Mandated Services. Unfunded and Underfunded Mandates. Revenue Sharing – Cuts and/or Distribution Changes*
- *Post-Employment Benefit Funding Plan*
- *Labor Market Study*

Priorities are not listed in a particular order. Several of the top five lists were submitted without rankings.

Committee of the Whole Action: After discussion Commissioner Corkin moved to accept the 2011 County Commissioners Priorities. Second by Commissioner Arsenault. Motion adopted. (Commissioner Nordeen voted no).

g. MERS Transfer.

Commissioner Pellow requested discussion of this item because of a letter she received from MERS dated February 11, 2011 to the Ishpeming Area Joint Wastewater Treatment Facility and an opinion from Cheryl Hill, Chief Civil Counsel.

Steve Powers, County Administrator, explained that due to the extent of information, he had suggested that this item be placed on the next Board meeting to give Commissioners time to review it.

Committee of the Whole Action: After discussion Commissioner Heikkila moved to direct Staff to ask Tami Seavoy, Attorney, what the cost would be to review the transfer rule and give an opinion. Second by Commissioner Cihak. Motion adopted. (Commissioner Corkin voted no).

8. PUBLIC COMMENT.

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

9. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.

- Commissioner Corkin reported on a recent UPCAP Meeting. He also asked about a recent meeting with State Legislators regarding Co.Rd.595.
- Commissioner Quayle questioned the status of Charter recordings of County Board meetings on the website; early availability of agenda materials; and the calling of “point of order.”
- Commissioner Nordeen commented on TIF extensions and the space project.
- Commissioner Cihak noted the Ishpeming Service Center not being on the top 5 County Board priorities. He feels discussion is needed with the possibility of reduced judgeships.

7. CLOSED SESSION.

Board Action: Commissioner Corkin moved to go into Closed Session for the purpose of MCL 15.268(c) - Strategy and Negotiations Sessions Connected with the following Negotiations of the Collective Bargaining Agreements. Second by Commissioner Heikkila. A roll call vote was recorded: 9 Ayes (Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault, Commissioner Pellow, Commissioner Nordeen and Chairperson Bergdahl) to 0 Nays. Motion adopted.

- Consideration of 2011 Collective Bargaining Agreement for Airport Employees.
- Consideration of 2011 Collective Bargaining Agreement for Sheriff's Department Deputies.
- Consideration of 2011 Collective Bargaining Agreement- Courthouse Employees.
- Consideration of 2011 Collective Bargaining Agreement for Senior Officers.
- Consideration of 2011 Collective Bargaining Agreement for Central Dispatch.
- Consideration of 2011 Collective Bargaining Agreement for Health Dept. AFSCME.
- Consideration of 2011 Collective Bargaining Agreement for Health Dept. Nurses.

Chairperson Bergdahl declared a two minute recess to clear Commission Chambers.

CLOSED SESSION

The County Board came back into Open Session. **No action was taken.**

9. ADJOURNMENT.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 8:45 p.m.

Connie M. Branam
Marquette County Clerk

Charles Bergdahl, Chairperson
Marquette County Board of Commissioners

Minutes Proposed for Approval on March 8, 2011.