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**MINUTES OF THE COMMITTEE OF THE WHOLE MEETING – TUESDAY, MAY 24, 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 Pellow, Commissioner Nordeen, and Chairperson Bergdahl. - Absent: Commissioner Arsenault.

**2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON MAY 10, 2011.**

**Committee of the Whole Action:** Commissioner Pellow moved to approve the minutes of the Committee of the Whole Meeting held on May 10, 2011. Second by Commissioner Nordeen. Motion adopted.

**3. APPROVAL OF THE AGENDA.**

**Committee of the Whole Action:** Commissioner Heikkila moved to approve the Agenda with the following additions: Item 6i) Redistricting; Item 6j) Attorney Tony Hart Memo; and Item 6k) Retiree Health Insurance. Second by Commissioner Joseph. Motion adopted.

**4. PUBLIC COMMENT.**

Chairperson Bergdahl opened the meeting for public comment.

- Dan Adamimi, Republican Party Chairperson, spoke regarding Redistricting. He also requested time to speak to Item 6i) Redistricting.
- Cynthia Hoffman, Skandia, spoke regarding Redistricting.

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 Corkin moved to approve Claims and Accounts for the period May 13, 2011 through May 19, 2011 in the amount of \$917,114.71; and Biweekly Payroll for the period ending May 14, 2011 in the amount of \$662,736.91. Second by Commissioner Heikkila. Motion adopted.

6. AGENDA ITEMS:

a. **Michigan State University Extension Memorandum of Agreement.**

Michael D. Erdman, District 1 Coordinator, was present to explain MSU Extension's Redesign, including the Redesign Operational Changes, and the 2011/2012 budget comparison. He also explained the following:

*For the past couple months I have been meeting with each jurisdiction discussing the upcoming rollout of the new 2012 Agreements between your County and Michigan State University Extension.*

*I am very pleased to provide each of you with a packet that I have arranged which shows the current figures as well as the future budgeted amounts and how MSUE has arrived at each monetary value.*

*Included within this packet is a spread sheet for the current (2011) and proposed (2012) budget, the standardized memorandum of agreement for your county, and MSUE impact statement and updates from local staff.*

*I plan to meet with each County Board, Finance Committee and local officials in the near future to introduce the new standardized agreement and answer any questions that you may have.*

**Committee of the Whole Action:** After discussion, Commissioner Cihak moved that the Committee of the Whole recommend the County Board refer the Memorandum of Agreement between Michigan State University Extension and Marquette County to the 2012 budget process. Second by Commissioner Corkin. Motion adopted

b. **Lake Superior Community Partnership & EDC Agreements.**

*Amy Clickner, CEO, Lake Superior Community Partnership, Dennis Smith, Vice-Chair, Lake Superior Community Partnership, and Lois Ellis, Vice-President, Economic Development Corporation, were present to explain the Agreements and answer questions. Ms. Clickner explained that part of the contract is to provide a presentation to the Board of Commissioners on current issues affecting the economic environment of the county.*

**Committee of the Whole Action:** After discussion, Commissioner Cihak moved that the Committee of the Whole recommend the County Board approve the Agreement between the County of Marquette and the Lake Superior Community Partnership, Inc., and the Agreement between the County of Marquette and the Marquette County Economic Development Corporation. Second by Commissioner Heikkila. Motion adopted.

**c. 1<sup>st</sup> Quarter Budget Amendments - 2011.**

Sue Vercoe, Finance Manager, provided the following:

*The following budget amendments are presented for your consideration. 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.*

*#2 – General Fund – The recommendation is to increase the General Fund budget by \$564,173. Grants and contract changes total \$177,280 and are offset by the same amount of revenue. Included in this amendment is a \$100,000 transfer to the OPEB fund which is offset by the funds received from the Early Retiree Reinsurance Program (EERP). Those funds must be used to offset coverage costs for retirees under age 65. Estimated current tax revenue is increased by \$273,000 and revenue sharing is increased by \$70,000. Adjustments to personnel line items are to cover negotiated contract settlements and the timing of health insurance changes. Other adjustments are for legal fees, sick leave payouts for retirees, and the return of 2% funding in the amount of \$5,000 to KBIC as requested by the tribe. The budget remains balanced with no adjustment to the contingency line item.*

*#3 – Airport Fund – This amendment provides for the CDBG grant awards to Renewafuel (\$500,000) and Frontier Medical (\$74,000). Adjustments to personnel line items and gas & oil budgets are offset by the elimination of the transfer to the general fund that would have subsidized civil counsel support. The \$75,000 increase to the building repair budget would be offset by an increase in the transfer from the airport stabilization fund. Projects include building repairs for tenants (Frontier Medical and BWI) already approved by the board totaling \$32,000. Additional projects being recommended are hangar 665 gutter repairs, repairs to the terminal HVAC controls, repair and paint building 732 and a roof replacement for building 430.*

*#4 – Public Improvement Fund – The amendment provides for the carry forward of funds from the 2010 budget for projects not yet completed.*

*#5 – Probate Child Care Fund – This amendment increases the budget by \$92,397. Indirect cost charges have been increased by \$52,397, as determined by the cost allocation plan. Other adjustments to personnel line items are for negotiated contract changes.*

*#6 – Technology Fund – This amendment increases the budget by \$10,000 for the digital conversion of the historic minutes of the Marquette County Commission. The digitally converted documents will be available on line to the public at no cost.*

*#7 – M.C.T.V. Fund – This amendment established budget for the Drive Michigan Safely and Youth Alcohol Enforcement programs. There is no general fund support to these programs.*

***Minutes are Subject to Correction and Approval***

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*#8 – P.A. 511 Community Corrections Fund – This amendment increases the budget by \$10,301 to cover various program expenses. The increased costs are covered by increased work crew revenues.*

*#9 – Community Development Fund – This budget amendment adjusts the budget to properly reflect anticipated program revenue and expenses.*

*#10 – Remonumentation Fund – This amendment increases this budget by \$5,150 to match the approved grant amount. There is no general fund support to the program.*

*#11 – Forest Recreation Fund – This amendment adjusts carries forward the funds budgeted for the Perkins Park Phase IV project.*

Marcus Robyns, CA, Associate Profession/University Archivist, and Brent Nault, Information Systems, were present to explain and answer questions regarding Budget Amendment #6.

Mr. Robyns also requested a Letter of Support for Northern Michigan University’s NHPRC grant application for the creation of an electronic archives consortium, known as the Electronic Archives Consortium of the Central Upper Peninsula (EACCUP).

**Committee of the Whole Action:** After discussion, Commissioner Heikkila moved that the Committee of the Whole recommend the County Board approve the 1<sup>st</sup> Quarter Budget Amendments – 2011 #2 - #11 as explained above. Second by Commissioner Pellow. Motion adopted.

**Committee of the Whole Action:** Commissioner Nordeen moved that the Committee of the Whole recommend the Letter of Support for Northern Michigan University’s NHPRC Grant Application be approved. Second by Commissioner Quayle. Motion adopted.

**Committee of the Whole Action:** Per the Rules of Order of the Board of Commissioners Section 11-4.3, Commissioner Nordeen moved that the Committee of the Whole take final action at this meeting on the motion to approve the Letter of Support for Northern Michigan University’s NHPRC Grant Application. Second by Commissioner Pellow. Motion adopted.

**Committee of the Whole Action:** Commissioner Nordeen moved that the Committee of the Whole take final action and approve the Letter of Support for Northern Michigan University’s NHPRC Grant Application. Second by Commissioner Pellow. Motion adopted.

**d. FY 2012 UPCAP – Homemaker Contracts.**

Sue Vercoe, Finance Manager, provided the following:

*UPCAP has requested letters of intent to apply for funding for services to the aging in Marquette County for fiscal year 2012 (10/1/11-9/30/12).*

*If Marquette County wishes to apply for Homemaker Aide funding and then subcontract 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 June 3, 2011.*

*As in prior years, the allocation to each senior center would be based on funding formula using an UPCAP approved unit rate reimbursement.*

*The aging advisory committee and the senior centers have been notified that the board would be considering this action. Staff recommends the board authorize Chairman Bergdahl to sign the letter of intent and subsequent application for UPCAP funding for fiscal year 2012.*

**Committee of the Whole Action:** Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve authorize Chairman Bergdahl to sign the letter of intent and subsequent application for the UPCAP Homemaker Aide funding for fiscal year 2012. Second by Commissioner Heikkila. Motion adopted.

**e. Professional Services Agreement - Amendment.**

Keith Kaspari, Airport Manager, was present and explained the following:

**BACKGROUND:**

*On Tuesday, August 4, 2009, Airport Staff brought before the Marquette County Board of Commissioners for their review and approval, a request to approve a Construction Administration and Inspection services agreement for the oversight of work performed on Hangars 400, 423, 424 and 425 with funding via the FAA's Military Airport Program (MAP). The work was substantially completed during the spring of 2010.*

*However, during the warranty period, staff experienced failures of the fire barrier material to areas of the ceiling to Hangar 423-East and Hangar 424, due to the flexing of the hangar roofs during high wind conditions. Repairs were made, but failures continued to be revealed. No other hangars were affected.*

*Mead & Hunt, Sawyer's consulting engineer, in contact with the General Contractor and Sub-Contractors, have derived a solution to provide for and complete permanent repairs, with a substitute material that provides the same benefits as the fibrous material for fire barrier protection. Staff anticipates completing the additional work once we get into a consistent weather pattern with temperatures of at least 50-degrees.*

**IMPACT TO PROJECT BUDGET:**

*Costs for additional services under the amendment to the original professional services agreement will be \$10,483.00. This project has available funding to support the additional expenditure. Sawyer's project engineer with MDOT-Aeronautics supports the expenditure of additional funds via FAA Grant 3-26-0153-3009 approved by the Board of Commissioners on September 1, 2009.*

**STAFF RECOMMENDATION:**

*Staff requests the approval of the amended agreement by the Marquette County Board of Commissioners for additional construction management services by Mead & Hunt at a total of \$10,483.00, and authorize Chairman Bergdahl and the County Clerk to sign all copies of the agreements where indicated and return to me once completed.*

*Minutes are Subject to Correction and Approval*

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**Committee of the Whole Action:** After discussion, Commissioner Cihak moved to recommend the County Board approve the amendment agreement for additional construction management services by Mead & Hunt at a total of \$10,483.00, and authorize Chairman Bergdahl and the County Clerk to sign all copies of the agreements. Second by Commissioner Heikkila. Motion adopted 6 Ayes to 2 Nays (Commissioner Nordeen and Commissioner Quayle).

**f. Runway Joint Sealant and Pavement Parking Project – Phase I.**

Keith Kaspari, Airport Manager, was present and explained the following:

BACKGROUND:

*In preparing for another phase of runway pavement reconstruction, staff requests the review and support of the Board of Commissioners for the following:*

1. *Notice of Bid Award, Axtells Inc., of Jermyn, Pennsylvania, at a not-to-exceed amount of \$322,721.48; and,*
2. *Professional Services Agreement, Mead & Hunt, for Construction Administration & Inspection services, for a not-to-exceed amount of \$45,290; and,*

*Funding for this project with Federal, State and Local funds is approximately \$368,011.48 with an estimated funding allocation as follows: (FAA: \$349,610 / MDOT: \$9,201 / MQT County: \$9,201) of which, this will include the construction services by Mead & Hunt.*

*Marquette County's 2.50% sponsor match will be funded via Sawyer's Stabilization Fund with future reimbursement to the fund via a future passenger facility charge application anticipated to begin on or about December 2, 2012.*

*Note: The above fees do not include MDOT-Aero's administrative fees for project review.*

*This project will be the first of many phases for the future replacement of pavement joint sealant and crack seal material to all of the airfield pavement areas where the joint sealant in the concrete pavements have weathered over many years, has become brittle, and requires replacement. This work will allow staff to extend the service life of Sawyer's aviation pavements to reduce the future cost of pavement rehabilitation or more costly pavement reconstruction.*

*To complete Phase I this year, the USDOT and the FAA are requiring the use of Disadvantage Business Enterprise (DBE) firms. For projects at Sawyer, it has been difficult to receive work by a U.P. based firm certified by the State of Michigan to provide DBE compliance. As such, the airfield painting sub-contractor assigned to this project, and located downstate, is a DBE certified firm and will provide the compliance required for project completion.*

RECOMMENDATION:

*Airport staff respectfully requests the approval by the Marquette County Board of Commissioners for the concurrence of the bids received by MDOT for a Notice of Award to Axtells, Inc, of Jermyn, Pennsylvania, and the approval of the Professional Services Agreement with Mead & Hunt, for construction oversite of the above project, and authorize Chairman Bergdahl and the County Clerk to sign all documents where indicated.*

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**Committee of the Whole Action:** Commissioner Pellow moved that the Committee of the Whole recommend the County Board concur with the bids received by MDOT for a Notice of Award to Axtells, Inc., of Jermyn, Pennsylvania, and approve the Professional Services Agreement with Mead & Hunt for construction oversight of the above project, and authorize Chairman Bergdahl and the County Clerk to sign all documents. Second by Commissioner Joseph. Motion adopted.

**g. Notice of Bid Award (Snowblower and Plowblades).**

*Keith Kaspari, Airport Manager, was present and explained the following:*

**BACKGROUND:**

*On Friday, May 6, 2011 bids were opened for the purchase of a large class of airport snowblower, along with related snow removal equipment. Staff received a total of two bids as follows:*

	<i>Industrial Marketing (Gwinn)</i>	<i>C.E. Pollard (Detroit)</i>
Snowblower (Oshkosh)	\$767,058.00.	\$783,000.00.
20-Foot Wausau Blue Max RWY Plow Blade	\$ 41,426.00.	\$ 42,710.00.
Daniels 3-in-1 Plow	<u>\$ 27,256.00.</u>	<u>\$ 28,099.00.</u>
Bid Totals	\$835,740.00.	\$853,809.00.

*This project was bid and advertised in the Marquette Mining Journal (April 20), MDOT-Aero, Marquette County and Sawyer Airport websites. With the listing on the County's website, this equipment was also listed nationally via [www.govdirections.com](http://www.govdirections.com).*

*Funding for this equipment has yet to be approved by the FAA, with the yet to be received FAA Grant No: 3-26-0153-3411, with a funding allocation as follows, 95% FAA or \$793,953.00, 2.50% MDOT or \$20,893.00, and 2.50% Marquette County or \$20,894.00. Marquette County's sponsor match at 2.50% will be funded via Sawyer's Passenger Facility Charges, via Application No: 08-09-C-00-SAW. Note: The above fees do not include MDOT-Aero's administrative fees for project review.*

*Staff has programmed approximately \$777,000 for the purchase of this equipment. The balance of the needed funds (\$58,740), will come from the balance of SAW's FY-2011 AIP Entitlement funds as staff is anticipating a carryover and transfer of approximately \$200,000 from FY's 2009 and 2010 to complete the purchase.*

*Pending receipt of the grant, and issuance of a Notice to Proceed, with an estimated 250 day lead-time, staff anticipates delivery after the 2011 – 2012 winter season. Staff is hopeful that the snowblower will be scheduled for production early that will allow staff to take delivery and put the equipment into service in time for the upcoming winter season.*

RECOMMENDATION:

*Approve the bid award to Industrial Marketing and Consulting of Gwinn, Michigan, in the amount of \$835,740.00 and authorize Chairman Bergdahl to sign all copies of the Notice of Award when received and return all documents to me to forward for final signature by representatives from Industrial Marketing and Consulting.*

*Sawyer's engineering firm, Mead & Hunt of Lansing, MI, and MDOT-Aero's Project Engineer, both concur on the recommended Notice of Award. Staff is awaiting their written approval.*

**Committee of the Whole Action:** Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the bid award to Industrial Marketing and Consulting of Gwinn, Michigan, in the amount of \$835,740.00 and authorize Chairman Bergdahl to sign. Second by Commissioner Nordeen. Motion adopted.

**h. Terms and Conditions of Accepting FAA AIP Grants.**

Keith Kaspari, Airport Manager, was present and explained the following:

BACKGROUND:

*For many years, the Federal Aviation Administration has issued to airport sponsors, Grant Assurance documents (aka Terms and Conditions of Accepting FAA AIP Grants) that airport sponsors must comply with, in order to receive federal funding under the FAA's Airport Improvement Program (AIP). Common elements are as follows:*

➤ *Sponsor Certification, Project Plans and Specifications, Equipment and Construction Contracts, Real Property Acquisition, Project Final Acceptance, Design and Construction, Drug-free Workplace, General Conditions, Airport Development, Responsibility and Authority of the Airport Sponsor, Pavement Preventative Maintenance, Accounting System Audit and Record Keeping Requirements, Minimum Wage Rates, Veteran's Preference, Construction Inspection and Approval, Operation and Maintenance of the Airport, Reports and Inspections, Use by Government Aircraft, and many others.*

*The current Terms and Conditions was signed on August 26, 2005, by former Board Chairman Gerald Corkin.*

*On April 8, 2011, the FAA issued a revised set of Terms and Conditions for Accepting FAA AIP Grants to all airports (attached). The document must be approved by the Airport Owner and/or Sponsor prior to the Sponsor agreeing to the receipt of any future FAA Grants.*

*Additionally, within the revised Terms and Conditions of the FAA's Grant Assurances, No: 5, Preserving Rights and Powers (g), requires airport sponsors that receive federal funding to prohibit the practice or future approval for allowing Residential Through The Fence (RTTF) access, and reads, as follows: "It will not permit or enter into any arrangement that results in permission for the owner or tenant of a property used as a residence, or zoned for residential use, to taxi an aircraft between that property and any location on the airport."*

*The document was reviewed by Cheryl Hill, Chief Civil Counsel and John Greenberg, Risk Manager, and no comments were received.*

**RECOMMENDATION:**

*Enclosed are two original copies of the Terms and Conditions for Accepting FAA Airport Improvement Program Grants for review and approval by the Board of Commissioners.*

*Staff recommends the Board of Commissioners approve the agreements, and authorize Chairman Bergdahl to sign both copies of the Terms and Conditions and the Sponsor Certification for Residential Through The Fence Access where indicated on the documents, and return all documents to me to forward to the FAA's Airport District Office in Detroit.*

**Committee of the Whole Action:** Commissioner Corkin moved that the Committee of the Whole recommend the County Board approve the agreements and authorize Chairman Bergdahl to sign the Terms and Conditions and the Sponsor Certification for Residential Through the Fence Access where indicated on the documents. Second by Commissioner Cihak. Motion adopted.

**i. Redistricting.**

Commissioner Nordeen updated Commissioners regarding redistricting and the appeal process. Dan Adamini, Republican Party Chairperson, participated in the discussion. He also discussed the apportionment committee's proceedings with Commissioners. Bill Luetzow, Richmond Township Supervisor, was present and volunteered to appeal the apportionment plan. No action was forthcoming.

**j. Attorney Tony Hart Memo.**

Commissioners discussed the memorandum from Stevenson Keppelman Associates regarding Marquette County Retirement and Employment Policies relating to the Employment of Retired Employees dated May 6, 2011.

**Committee of the Whole Action:** Commissioner Heikkila moved to waive the Attorney Client Privilege and release to the public the memorandum from Stevenson Keppelman Associates. Second by Commissioner Corkin. A roll call vote was recorded: Ayes: Commissioner Cihak, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Nordeen and Chairperson Bergdahl. Nays: Commissioner Quayle and Commissioner Pellow. Motion adopted 6 Ayes to 2 Nays.

Additional information was distributed to Commissioners by Commissioner Cihak. Discussion followed.

**Committee of the Whole Action:** Commissioner Corkin moved to forward this issue to the June 7, 2011 Regular Meeting of the County Board of Commissioners to allow Commissioner Arsenault to participate in the discussion. Second by Commissioner Cihak. Motion adopted.

**k. Retiree Health Insurance.**

Commissioner Quayle spoke regarding a memo received from John Greenberg, Human Resources and Risk Manager, regarding retiree health insurance. Due to the length of the meeting, Commissioner Quayle requested that Retiree Health Insurance be forwarded to the next Committee of the Whole Meeting scheduled for June 14, 2011. He spoke regarding a contract dated January 1, 2002 to December 31, 2005 and requested additional information. Commissioner Quayle will meet with Administrator Powers.

**8. PUBLIC COMMENT.**

Chairperson Bergdahl opened the meeting for public comment.

- Don Potvin, Marquette, spoke regarding redistricting and the filing of an appeal. He also spoke regarding the retire/rehire issue, unfunded mandates, and the "W."
- Dan Adamini, Republican Party Chairperson, spoke regarding comments and issues that were addressed during the meeting. He also spoke regarding eliminating health care benefits for part-time employees, including Commissioners; the Ishpeming District Court; the retiree/rehire issue; and the reapportionment appeal.

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

**9. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.**

- Commissioner Cihak announced that the County Jail Reimbursement Program will continue to be fully funded at \$16.6 million.

**Committee of the Whole Action:** Commissioner Nordeen moved to go into Closed Session Pursuant to MCL 15.268(h) Attorney Client Privileged Information Regarding Labor Dispute. Second by Commissioner Corkin. A roll call vote was recorded: Ayes: Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Nordeen and Chairperson Bergdahl. Nays: Commissioner Pellow. Motion adopted.

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**CLOSED SESSION**

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The County Board came back into Open Session. No action was taken as a result of the Closed Session.

**9. ADJOURNMENT.**

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 9:05 p.m.



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Connie M. Branam  
Marquette County Clerk

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Charles Bergdahl, Chairperson  
Marquette County Board of Commissioners

Minutes Proposed for Approval on June 14, 2011.