

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, October 22, 1991, at 5:30 p.m., in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Angeli, Comm. Arsenault, Comm. Balbierz, Comm. Seppanen and Comm. Corkin. Absent: None.

It was moved by Comm. Arsenault, seconded by Comm. Balbierz, and unanimously carried that the minutes of the October 8, 1991 Committee of the Whole meeting be approved.

Chairperson Corkin opened the meeting for public comment. Fred Terres, Negaunee, addressed the Committee regarding his Umbrella Cable, Inc. proposal. Mr. Terres has organized a survey crew which will conduct a County-wide survey to demonstrate possible interest in developing a County-wide cable television system. Mr. Terres would like the County Board's permission to conduct the survey. There is no obligation to the County Board. Mr. Terres thought it would be better to get permission from the County Board rather than have to go to each individual governmental unit.

Commissioners expressed concern about providing and authorization to conduct the survey. The County Board neither supports nor opposes a County-wide cable television system, and does not want to give an impression that it is involved with the survey or has endorsed the concept of a County-wide cable system. Commissioners contend that Mr. Terres and his committee could conduct a survey without any permission from the County Board.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole direct Civil Counsel to review the matter and determine whether a County-wide survey from a private group requires permission from the County Board.

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

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the agenda be approved with the following late additions; that item 16) become a County Youth Profile Project Proposal; item 17) transfer of Natural Resources Commission duties; item 17a) County Budget Analysis; and 17b) an Update on Reapportionment.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that Claims and Accounts for the period September 22, 1991 through October 18, 1991, in the amount of \$922,593.34 be approved.

The Committee considered a request from the 96th District Court to provide for a part-time Substance Abuse Assessment Officer on a permanent basis. District Court Judges, James M. Collins, and Patricia L. Micklow, and also Jennifer Bennon, Court Administrator/Magistrate, were present to discuss the request. Judge Collins pointed out that the part-time substance abuse assessment officer approved in June for a sixteen-week period has proved to be very beneficial in the court getting their assessments done on time, and has also generated revenues for the County. However, because of a continuing increased caseload, in a very short time the Court will again be in the position of having to refer substance abuse assessments to outside agencies if they cannot continue the part-time assessment officer. They are requesting the officer for the remainder of 1991 at an approximate cost of \$600.00, and for all of 1992 at an approximate cost of \$4,432.00.

County Administrator, Dennis Aloia, has reviewed the request and agrees that the part-time substance abuse assessment officer has proven to be very beneficial and effective, reducing the time needed in preparing assessments,

and has also generated additional revenue; however, while he agrees with the necessity of continuing the position, he feels is inappropriate to approve a regular part-time position. It is unusual and technically incorrect to appropriate funds out of this years budget to support a position for next year. Also, the creation of a regular part-time position leaves the door open to increase the number of hours the position will work in the future. The cost for next year is estimated to be \$4,500.00, and it is very possible that Marquette County will need that \$4,500.00 to maintain services in other areas. Administrator Aloia recommends that the County Board authorize the continuation of the part-time substance abuse assessment officer at eight hours a week for the remainder of 1991. At that time the County Board can re-evaluate the necessity for continuing the position in 1992. Judge Collins and Judge Micklow concur with Administrator Aloia's recommendation.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board approve the continuation of a part-time substance abuse assessment officer for eight hours per week for the remainder of 1991, and that the position be re-evaluated in January of 1992.

The Committee considered a request from the 96th District Court for a budget amendment in the amount of \$48,500.00 to cover expected shortfalls in several line items, the largest being \$40,000.00 for legal fees. District Court Judges, James M. Collins and Patricia L. Micklow, and also Jennifer Bennon, Administrator/Magistrate, were present to discuss the request and answer questions.

Judge Collins pointed out due to an increased number of filings and court activity, the budget amendment is necessary; however, the increases will be offset by revenues received in the District Court estimated to be approximately \$69,000.00 over and above the projected 1991 revenues. Judge Collins informed the Board that as of today, the 96th District Court has generated \$789,577.00 of revenues while expending \$674,000.00. They will have no problem in reaching the increased projected year-end revenue figure of \$955,000.00. Judge Micklow further added that an increase in office supplies expenses is the result of many, many, new court forms being required by law. Administrator Aloia concurs with the budget amendment request.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board approve the necessary budget amendments to cover shortfalls in certain line items to be offset by revenues in other line items.

The Committee considered a request from Dr. Randall M. Johnson, Director, Marquette County Health Dept., to submit a grant proposal to the W.K. Kellogg Foundation to establish the "Marquette County Groundwater Education and Protection Program." Dr. Johnson was present and explained that this is a three-year project proposal with the total amount requested \$436,371.00. The goal of the project is to protect our County's groundwater resources for the future. The Health Department has hundreds of files on hand regarding wells and sewer permits; however, information from these files is not accessible until it is automated into a large data base. The local match requirements of the grant will be provided through inkind services such as staff that is already in place, equipment, office space, etc. The automation of our groundwater data base will provide invaluable information in helping citizens to locate fresh water, and also serve as an educational tool for the disposal of toxic chemicals.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board support the proposal to establish the "Marquette County Groundwater Education and Protection Program" submitted to the W.K. Kellogg Foundation.

The Committee considered a memo from James F. Sodergren, Marquette County Treasurer, regarding House Bill 5019, a bill sponsored by Representative David Anthony to amend the Commercial Forest Act. The County

previously passed a resolution urging that CFA lands be placed back on the ad valorem tax rolls, and that tax breaks to landowners be distributed by the State in a similar manner as Public Act 116 (farmlands).

James Sodergren was present and informed the Commissioners that Rep. Anthony introduced this bill to eliminate the cutting fees, and increase the acreage fees that landowners pay; however, the Upper Peninsula County Treasurers do not believe the Anthony bill goes far enough. The Michigan Association of County Treasurers has hired legal counsel to lobby against the bill in its present form. Ninety-two percent of the Commercial Forest Act lands are located in the Upper Peninsula, and the U.P. Treasurers would support this bill if it were amended to increase the landowner/state acreage payments to \$1.00/\$1.00. Also, CFA funds should be distributed in the same way as local tax dollars. The present distribution of CFA funds is a nightmare for County Treasurers. The U.P. Treasurers also oppose H.B. 5019, because it allows the immediate withdrawal of landowners from the cutting permit process. This could only lead to large scale clear cutting of our Upper Peninsula forests.

Commissioners unanimously supported the County Treasurers efforts to amend the Commercial Forest Act, but believed even the \$2.00 an acre did not go far enough.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board support the Michigan Association of County Treasurers in their efforts to amend House Bill 5019, with an additional change that the combined fees paid by the landowners and the state should amount to \$2.50 per acre.

The Committee considered a request from Attorney, Stephen Adamini, representing owners of property seeking an easement to extend electrical service through the County Honor Camp property. Dennis Aloia, County Administrator, referred the matter to Ron Koshorek, Director, Resource Management Department, and Henry Schneider, Equalization Director, for comment. Mr. Schneider and Mr. Koshorek had indicated that the description of property is inaccurate, and Administrator Aloia asked Civil Counsel to make corrections before negotiating the terms of the easement. Also, Mr. Aloia included in the easement the right to remove trees and brush for a space of thirty feet wide along the power line. The Marquette Board of Light and Power requires an easement from the County for that portion of the power line that would be located on County property.

Mr. Aloia recommends that the easement be granted to the owners at a cost of \$500.00 to be paid to the County, proceeds will go into the Land Acquisition Account.

It was moved by Comm. Balbierz, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole recommend the County Board grant the easement for \$500.00 as recommended.

The Committee considered a memo from Ron Koshorek, Director, Resource Management/-Development Director, on the DNR plans to review the State Solid Waste Planning Process. Mr. Koshorek pointed out several weaknesses in the planning process: 1) the Administrative Rules are excessively restrictive, leading to an excessive amount of boiler-plate language that lengthens the plan development process; 2) too much time is consumed on minor points in the later stages of plan development, which could be better spent on public and private review of the planning document; and 3) the planning grant allocations should be dispersed on the magnitude of the planning issues at hand in a given county, rather than designing a work plan to fit funds available.

Jim Kippola, Senior Planner, was present and made additional comment on the DNR review of the solid waste planning process: First, the amendment process is unnecessarily cumbersome; second, the enforcement provisions for solid waste planning have always been vague; and third, the process should more adequately address inter-county transportation of solid wastes.

Mr. Kippola also reported that Governor Engler has vetoed all solid waste planning funds for 1992; however, an effort will be made to reinstate this funding. What effect this will have on the future of solid waste planning is unknown.

Mr. Koshorek, in his memo, recommended that Jim Kippola, Senior Planner, be allowed to attend a conference on October 30-31 at Higgins Lake to meet with DNR staff directly involved in the solid waste planning review process.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board approve Mr. Kippola's attendance at the Higgins Lake meeting, at an estimated cost of \$100.00.

The Committee considered a budget amendment request from Ron Koshorek, Director, Resource Management/Development Department, for an additional \$12,183.00 to provide for utilities for the new Geraldine DeFant Office Building.

Dennis Aloia, County Administrator, explained that they had to revise their estimated FY 1991 utility costs for several reasons. First, the County heated the building for one-and-one-half months before it was occupied under agreement with the contractor. Second, Community Mental Health holds many night meetings and sessions at the facility, and the number of electrical appliances in use is much greater than first thought. And third, staff is still in the process of fine-tuning the heating and cooling systems for the building. After the building has been occupied for a year or two, we will be able to more accurately project operating costs.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board approve the budget transfer within the Resource Management/Development Department budget for 1991 operating of the Geraldine DeFant Building.

The Committee considered the most recent billings for the Specific Ore Tax Litigation. Gerald Corkin, Chairperson, presented the bills from Republic Township totalling \$12,531.39, along with a breakdown of previous billings. The present County billing under the agreed upon formula is for \$2,330.84.

It was moved by Comm. Seppanen, seconded by Comm. Balbierz, and unanimously carried that the Committee of the Whole recommend the County Board approve the latest Specific Ore Tax Litigation billing for payment.

The Committee considered a request from Comm. Paul Arsenault that the County Board of Commissioners hold a public hearing on animal control. Comm. Arsenault has been serving as the County Board Representative on the Animal Control Committee, and from the information gathered so far it appears that not enough reasonable fees could be generated to support the cost of a County-wide program. This may also be true for a system limited to a smaller geographic area.

Comm. Arsenault further explained that the Animal Control Committee felt it necessary to have input from all local units of government as to what they might be willing to pay, or if they are even interested in participating. At the hearing Comm. Arsenault will make available survey results that the Animal Control Committee has completed, and also budget estimates for running a County-wide system.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole conduct a public hearing on animal control, inviting all local units of government and interested citizens, and that the hearing be given adequate public notice as to time and place.

The Committee considered a request from Chairperson Corkin for a letter of support from the County Board on behalf of David Holli, who is the U.P. Representative on the Michigan Natural Resources Commission. Mr. Corkin believes Mr. Holli is a tremendous asset to the NRC. He is a man of integrity who has recently come under fire and investigation because of his appointment to the NRC. As a businessman and forester, Mr. Holli owns a

large amount of land in Marquette County; however, he pays his full share of taxes by keeping his lands on the ad valorem tax rolls. This is the type of person David Holli is.

It was moved by Comm. Arsenault, seconded by Comm. Balbierz, and unanimously agreed that the Committee of the Whole approve of Chairperson Corkin's letter of support to the Governor's Office on behalf of David Holli and his appointment to the Michigan Natural Resources Commission.

The Committee considered a proposal from Leslie Bek, Health Educator, Marquette County Health Department, to submit a grant to the W.K. Kellogg Foundation for \$5,000.00 to establish a "Marquette County Youth Profile." Ms. Bek was present and explained that nowhere in Marquette County is there a document profiling our youth. Community leaders, church councils, school administrators, local government, and businessmen, are all in need of a comprehensive profile that will serve to guide in planning when working with youth programs. The youth profile project would gather demographic information from many sources and create a large data base, this would be a living document updated on a regular basis.

Ms. Bek needs Marquette County to sponsor the proposal that is to be sent to the W.K. Kellogg Foundation requesting a \$5,000.00 grant. The County Board will not be asked to provide any funding. The local match will be through in-kind services and contributions through various agencies that will make up an advisory board.

Administrator, Dennis Aloia, has had experience with Kellogg Foundation grants in the past. They usually require definitive reporting of procedures, results, and accounting of expenditures. Someone must be responsible for this, it might as well be Leslie Bek. Ms. Bek was agreeable.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board sponsor the proposal to the W.K. Kellogg Foundation for a "Marquette County Youth Profile."

The Committee considered a recommendation from County Administrator, Dennis Aloia, regarding the transfer of duties from the Natural Resources Commission. The elimination of the NRC, which was approved during the budget process, will save the County approximately \$6,700.00 per year. After staff review, Administrator Aloia feels it appropriate to transfer the forest management activity matters to the Planning Commission. All other NRC matters, such as park, harbor, and recreational facility matters, will come directly to the County Board.

A legal opinion from Civil Counsel, David Payant, indicates that the appropriate way of incorporating forestry matters within the Planning Commission would be by appointing a sub-committee of the Planning Commission, which must include a County Commissioner. This would be the Forestry Commission.

Administrator Aloia recommends that the Planning Commission be increased from five to six members, and that the additional member be a County Commissioner. Further, the County Board should establish a sub-committee of the Planning Commission titled the Forestry Commission. The Forestry Commission will include the County Commissioner representative from the Planning Commission, and two other members from the Planning Commission. The Forestry Commission will then be responsible for contracting timber sales, carrying out forest management activities, contracting for reforestation, and implementing all provisions of the Forestry Management Plan. The Forestry Commission could meet on the same night as the Planning Commission, thereby saving additional per diem fees. All other matters of parks, harbors, and recreation activities, with the exception of the Recreation Plan, will be referred directly to the County Board.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board adopt the proposal recommended by Administrator Aloia for the transfer of the Natural Resources Commission duties.

The Committee considered a memo from Gary R. Yoder, Finance Manager, providing a projected status of several general fund line item revenue and expenditure accounts. Administrator, Dennis Aloia, had requested that Mr. Yoder provide information on the top fifteen line items projected to be over budget and under budget. The intent is to key in on the major potential budget problems and solutions to balance the remaining budget for 1991. The contingency account currently has a balance of \$25,980.00, and the County Board anticipates that the remaining fund balance will apply toward 1992 special appropriations as approved during the budget process.

The top fifteen line items of projected expenses-over-budget total \$102,600.00. The top fifteen line items of projected expenses-under-budget show a total of (\$92,393.00), for a net expense change of \$10,207.00.

Using this same procedure the analysis further shows that the top fifteen projected revenues-over-budget could generate an additional \$113,710.00, whereas the top fifteen projected revenues-under-budget will have a negative effect of (\$67,050.00), for a net revenue change of \$46,660.00.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried to place the Budget Analysis on file.

The Committee considered a request from Comm. Balbierz for an update on County Reapportionment. County Clerk, David Roberts, reported that the Apportionment Commission has received no notice as of yet from the Court of Appeals on the position for review filed by the City of Marquette. The apportionment plan was appealed ten years ago, and the notice from the Court of Appeals received in January 1982 requested meeting minutes, copies of all the plans considered, and any statements showing cause on behalf of the plan being appealed. Clerk Roberts was not sure what the Court of Appeals will ask for this time.

Comm. Balbierz believed that should a legal brief be required on behalf on the Apportionment Commission, that Civil Counsel should handle the matter. Clerk Roberts thought this was a matter for the Apportionment Commission to decide.

It was moved by Comm. Balbierz, seconded by Comm. Arsenault, and carried four to one with Comm. Seppanen voting nay, that the Committee of the Whole recommend the County Board direct Civil Counsel to prepare any legal briefs required on behalf of the Apportionment Commission as a result of the City of Marquette's appeal of the ten commissioner plan.

Comm. Arsenault provided a brief update on proposed State budget cuts for the Committee. It appears there will be another reduction of State Revenue Sharing, which would be an additional loss of approximately \$55,000.00 for Marquette County. Further cuts will impact the 9-1-1 Program, Health Dept. appropriations, Road Patrol funds (\$80,000.00), unmet needs for Senior Citizens (rides, wheelchairs, prescription drugs, etc).

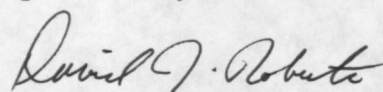
Comm. Arsenault also reported that he was attempting to help an elderly woman whose funds for insulin were cut off. He was told there is nothing he could do, that it had to be a life-threatening situation. This is the type of state government we are facing.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

Announcements - Comm. Angeli requested that Staff compare the recent City announcements regarding their user fees to the County User Fee Study.

There being no further business the meeting was adjourned.

Respectfully submitted,



David J. Roberts
Marquette County Clerk

MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE

Tuesday, October 22, 1991, 5:30 p.m.

Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON October 8, 1991.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
- R6. Request from the 96th District Court for the continuation of the part-time Substance Abuse Assessment Officer.
- R7. Request from the 96th District Court for a budget amendment to cover expected shortfalls in several line items offset by an increase in revenues.
- R8. Proposal by the Health Department to establish the Marquette County Groundwater Education and Protection Program.
- R9. Commercial Forest Act Legislation.
- R10. Request for an easement through the Honor Camp Property.
- R11. DNR review of the State Solid Waste Planning Process.
- R12. Budget amendment for utility costs for the Geraldine DeFant Office Building.
- R13. Specific Ore Tax Litigation billings.
- Copy R14. Request from Comm. Arsenault for a public hearing on Animal Control.
- R15. The Upper Peninsula Natural Resources Commission Representative. (No packet materials).
- R16. proposal prop. to Co. Youth
- R17. Planning Commission proposal
File 17a) Budget Analysis (17b) Reappointment
18. PUBLIC COMMENT.
19. ANNOUNCEMENTS.
20. ADJOURNMENT.