

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, June 23, 1992, at 4:30 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. Seppanen, and Comm. Corkin. Absent and Excused: Comm. Potvin.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the minutes of the June 9, 1992 Committee of the Whole meeting be approved.

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

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the agenda be approved as presented.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that Claims and Accounts for the period June 6, 1992 thru June 19, 1992, in the amount of \$899,102.50 be approved.

The Committee considered a list of abandoned mine shafts which are not capped or filled from William C. Maki, Marquette County Mine Inspector. Mr. Maki was present and pointed out that several corporations have filled a few of the mine shafts, Ford Motor Co., Cleveland Cliffs Iron Co., and U.S. Steel. Also Bill reported that occasionally a citizen calls and reports an unknown shaft, which is good. Many of the old mining companies no longer exist, and there are probably many unknown mine shafts located in Marquette County.

Civil Counsel, David Payant, distributed a copy of Prosecutor's Opinion #92-05, which pointed out that the Mine Inspector has the authority under MCL 425.108 to require the owner or owners of the land on which a mine shaft or pit is located to erect and maintain a fence or railing suitable to prevent persons or domestic animals from accidentally falling in. The statute makes no mention of the mine inspector having the authority to require that mine shafts be filled or capped. Civil Counsel Payant suggested that should the County Board wish the mine shafts be capped or filled that they work on getting the statute amended.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole request that Mine Inspector provide a list of the property owners of the abandoned mine shafts, and further that Civil Counsel provide a recommendation on a possible course of action that could be followed to get mine shafts filled or capped, for consideration at a future Committee meeting.

The Committee considered a request for a hiring freeze exemption for the Data Processing Aide position from Brent Nault, Data Processing Manager. The Data Processing Aide is a part-time position responsible for nightly backup of the County's main frame computer and user documentation development. The position is funded at 18 hours per week for the remainder of 1992. The Data Processing Aide is classified as a T-03 with an entry level pay of \$7.098 per hour. Mr. Nault also publicly acknowledged and thanked the previous Data Processing Aide, Heidi Larchied, for her fine work.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the hiring freeze exemption for the Data Processing Aide be waived.

The Committee considered a request for a hiring freeze exemption from Randall M. Johnson, M.D., Director, Marquette County Health Department, to fill the Health Educator position. The position will be vacant as of July

1, 1992, and the County's cost for this position for 1992 will be approximately \$12,591.00 for a twelve month period. This position is critical to the Health Department's ability to continue offering health promotion screening services. The position coordinates and provides services in the "Health Style Program." The position is also critical to fulfill agreements with area businesses, such as Cleveland Cliffs Iron Co., Marquette County Board of Light and Power, Interstate Welding, and Norlite Nursing Center, to provide employee health screening services.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole approve the hiring freeze exemption to fill the Health Educator position at the Marquette County Health Department as requested.

The Committee considered a request from the 96th District Court and also from the Prosecutor's Office for FAX equipment. District Court Judges, James Collins and Patricia Micklow, Court Magistrate, Jennifer Bennon, and Prosecutor, Gary Walker, were present to discuss the requests and answer questions.

Judge Micklow explained that recently the State Court Administrative Office conducted a security study of the Marquette County court system. One of the recommendations in their report was to immediately discontinue the practice of transporting prisoners to the judges or magistrates homes, but rather install FAX equipment for the purpose of issuing search warrants and arrest warrants after normal business hours. Also, if too long a period of time elapses between a drunk driving arrest and the extraction of a suspect's blood at a local hospital, the results of the blood test may be deemed inadmissible at trial. District Court is requesting funds to purchase three FAX machines and two carrying cases. One of the FAX machines would be installed in the Ishpeming Court location to allow for document transmission between courts. District Court also recommends that the County Board approve the request from the Prosecuting Attorney for FAX equipment, as it will be an integral part in the issuance of all court orders.

Prosecutor, Gary Walker, further added that his office is on-call 24 hours a day and nearly all police agencies now have the ability for FAX transmission. The public would like a more active role and a harder line in the prosecution of criminals and drunk drivers, and the Court and the Prosecutor's Office no longer can wait. Mr. Walker believes the equipment is reasonably priced, and that the cost is much greater to the public should the County not purchase it. According to the State Court Administrator's Office FAX equipment will be the wave of the future. Many District Courts downstate already have such equipment and civil courts will soon follow suit.

County Administrator, Dennis Aloia, brought to the attention of Commissioners that the local price is higher than the catalog price for the same equipment. He recommended that the equipment be purchased locally only if District Court and the Prosecutor can negotiate a price close to the catalog price.

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 purchase of the FAX equipment for the 96th District Court and the Prosecutor's Office, and further direct them to negotiate with a local vendor a price near the catalog price, funds of approximately \$4,600.00 to come from the contingency account.

The Committee considered a request from Ron Koshorek, Resource Management Director, for a budget amendment of \$3,800.00 for the Construction Code Department overtime. Mr. Koshorek explained that the additional \$3,800.00 would cover 240 hours in overtime to keep up with the increased permit activity. The Construction Code Department is having difficulty meeting their objective of 24-hour service for inspections.

Mr. Koshorek added that it is difficult with accuracy to predict year-end revenues from all categories of permits, however he is confident that they will substantially exceed their \$231,000.00 estimate of revenues by at least \$50,000.00.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board approve the budget amendment request to increase the Construction Code overtime line item by \$3,800.00, funds to be taken from the contingency account.

The Committee considered a report from Ron Koshorek, Resource Management Director, on the Sugar Loaf Mountain repairs. Mr. Koshorek explained that as a result of the recent fire, approximately 300 lineal feet of stairs, ramps, and platforms need replacement. Plans, specifications, and bid documents have been prepared for the project with the engineer's estimate for construction to be at approximately \$60,970.00. Mr. Koshorek estimated that the total expense budget for dealing with the fire damage, including design/bid documents and closure/demolition expenses, to total \$65,470.00.

Dennis Aloia, County Administrator, further explained that the insurance agent has told the County that we are covered and the deductible amount will either be \$1,000.00 or \$5,000.00. Payment of the deductible is recommended to be paid out of the insurance fund.

The County Board thanked Ron Koshorek, Resource Management Staff, and Administrator Aloia for their work on the Sugar Loaf repair project.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole recommend the County Board put the Sugar Loaf repair project out for bids.

The Committee considered a 1991 wage comparison of 12 counties in the Marquette County Labor Market for elected officials. Chairperson Corkin suggested that this information be accepted and placed on file, and further that he appoint Comm. Seppanen and Comm. Potvin to meet with Human Resources Director, Randell Girard, and Administrator Aloia, to come up with recommendations on elected officials salaries to be considered during the budget process. Chairperson Corkin's suggestions were unanimously accepted on a consensus vote.

The Committee considered a resolution opposing Senate Bill 208. Senate Bill 208 would amend the Public Health Code to establish a \$4.00 fee for a certified copy of a birth certificate and require the state registrar or a local registrar (County Clerk) to transmit the \$4.00 fee to the State Treasurer for deposit in the Childrens Trust Fund. The Childrens Trust Fund was created in 1982 as a way to generate money through an income tax refund checkoff to provide funding for local organizations involved in programs to prevent child abuse and neglect. The Michigan County Clerks Association has opposed this legislation believing that it is not an appropriate way to fund the State's Childrens Trust Fund; however, the Clerks do not have an alternative suggestion at this time.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried to place the resolution on file.

The Committee considered a Notice of Public Hearing on the Application for a Construction Permit for the Proposed Contaminated Soil Recycling, Inc. (CSR, Inc.) Processing Plant to be located in Section 36 of Skandia Township. The Marquette County Planning Staff recommended against this location for the processing plant; however, the County Planning Commission approved the mineral extraction permit. In Prosecutor Opinion #92-04 Civil Counsel, David Payant, ruled that the proper form for appeal in this case would be to the County Board of Zoning Appeals. Meanwhile the Department of

Natural Resources will hold a public hearing for an Act 641 premit on July 9, 1992 at 7:00 p.m. in the Skandia Township Hall. Many citizens in Skandia Township have signed a petition against the CSR, Inc. Processing Plant.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, that the Committee of the Whole place a cover letter on the staff recommendation against the processing plant, and further that the County Board concur with the Planning Staff recommendation against the mineral extraction permit.

After a lengthy discussion Chairperson Corkin called for a roll call vote: Ayes - Comm. Seppanen, Comm. Angeli. Nays - Comm. Arsenault, Comm. Corkin. Motion failed.

Comm. Seppanen indicated he will bring the matter up again at the next County Board meeting.

The Committee considered the recent billing from Republic Township for the Specific Ore Tax Litigation. The total cost for this set of billings is \$20,043.68. Under the allocation formula the County's portion of the billing is \$3,728.12.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole recommend the County Board appropriate an additional \$5,000.00 to the Specific Ore Tax Litigation Fund from the contingency account, and further that the County pay their present share of the billing amounting to \$3,728.12.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole accept and place on file an informational memo from the Michigan Association of Counties regarding remonumentation grants.

The Committee considered a request from Michael E. Zorza, Emergency Program Manager, for an appropriation of \$1,000.00 to fund amateur radio emergency services communications equipment. Lt. Zorza explained that the Emergency Management Division of the Michigan State Police has advised the County that a \$2,000.00 grant would be awarded to fund the equipment purchase provided a commitment for matching funds is received from the County by June 30, 1992. The County Board considered this project last year; however, a \$2,000.00 local match was not available. Mr. Zorza introduced Mr. Don Anlauf, a volunteer member of the County Amateur Radio Emergency Services Group.

Mr. Anlauf explained that the amateur radio volunteers have been soliciting community support to help provide the needed local matching funds, and to date a firm commitment for \$1,000.00 has been received, that is \$500.00 from the medical community and \$500.00 from the amateur radio operators themselves. Mr. Anlauf also indicated that in the future pledges are expected for additional funding to provide for maintenance of the equipment and training in its operation.

It was moved by Comm. Angeli, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole recommend the County Board appropriate \$1,000.00 towards the total of \$4,000.00 (\$2,000.00 Michigan State Police grant, \$1,000.00 donations) for the purchase of the Amateur Radio Emergency Services Communications Equipment, appropriation to come from the contingency account.

Chairperson Corkin opened the meeting for public comment. Marquette County Prosecutor, Gary Walker, acknowledged the fine effort of Civil Counsel, David Payant, on the Marquette County lawsuit against Blue Cross Blue Shield regarding payment for Debbie Taylor's medical treatments. Extensive portions of the judge's final opinion quote Civil Counsel Payant's legal brief.

Chairperson Corkin and members of the County Board further extended their thanks to Civil Counsel Payant for his fine efforts on behalf of Marquette County and its employees. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole go into Closed Session to discuss employee wage and salary negotiations.

Chairperson Corkin declared a five minute recess to clear Commission Chambers.

CLOSED SESSION

The Committee of the Whole came back into Open Session. The following action resulted from the Closed Session.

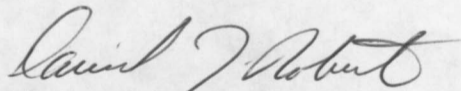
It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board approve a wage and benefit package for approximately 45 non-union County employees as follows:

- 1) Wage increase
 - first year 4%
 - second year 4%
 - third year 4%
- 2) E-2 retirement rider the third year (1994).
- 3) Increased vacation accumulation cap from 200 hours to 240 hours.
- 4) Longevity: parity with the Courthouse Union in longevity tables.
- 5) Same insurance package as the Courthouse Union.
- 6) The wage increase is retroactive to January 1, 1992.

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

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, June 23, 1992, 4:30 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 June 9, 1992.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
- C.O.W.* 6. List of abandoned mine shafts that are not capped or filled from William C. Maki, County Mine Inspector.
- 7. Request for hiring freeze exemption for the Data Processing Aide Position from Brent Nault, Data Processing Manager.
- Rec* 8. Request to fill Health Educator position from Randall Johnson, M.D. Director, Marquette County Health Dept.
- Rec* 9. Request for Fax Equipment from the 96th District Court.
- Rec* 10. Request for Fax Equipment from the Prosecutor's Office.
- Rec* 11. Request from Ron Koshorek, Director, Resource Management, for budget amendment - Construction Code.
- Rec* 12. Update on the Sugar Loaf Mountain Repairs.
- Rec* 13. Elected Officials Labor Market Wage Comparison.
- Rec* 14. Resolution opposing Senate Bill 208 - Proposing a \$4.00 surcharge on birth certificates to fund Child Abuse Prevention.
- Rec* 15. Notice of Public Hearing on proposed Contaminated Soil Recycling, Inc. processing plant in Skandia Township.
- Rec* 16. Specific Ore Tax Litigation billings.
- Rec* 17. Memo from Michigan Association of Counties regarding Remonumentation Grants.
- Rec* 18. Consideration of Amateur Radio Emergency Services Communication Equipment Grant.
- 19.
- 20.
21. PUBLIC COMMENT.
- Rec* 22. Closed Session to discuss Contract Negotiations. *C.O.W.*
23. ANNOUNCEMENTS.
24. ADJOURNMENT.