

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, August 25, 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. Potvin, Comm. Seppanen, and Comm. Corkin.  
Absent and Excused: Comm. Arsenault.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the minutes of the August 11, 1992 Committee of the Whole meeting be approved.

Chairperson Corkin opened the meeting for public comment. Lynn Emerick, Director, Commission on Aging, requested to address the Committee on item 12) Classification and Compensation Study Update, at the time it was discussed. 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 additions: item 14) Amendment to the County Remonumentation Plan; item 15) Joint EDC/County Loan; and item 16) Closed Session to discuss pending litigation.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that Claims and Accounts for the period July 26, 1992 thru August 21, 1992, in the amount of \$1,904,572.18 be approved.

The Committee considered a Lease Agreement between Birch West Development and Alger/Marquette Community Mental Health, which requires Marquette County Board of Commissioners approval, according to the Two-County Agreement.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the lease be reviewed by Administrator Aloia and Civil Counsel, David Payant.

The Committee considered a memorandum from Civil Counsel, David A. Payant, regarding the intent of the State of Michigan to fund Community Mental Health alternatives. Civil Counsel Payant explained that after thorough investigation, he is of the opinion that the State has not committed itself in any legal fashion to continue funding alternative programs. If Marquette County undertakes to bond these Community Mental Health projects, it must understand that the State's obligation is purely moral and not a legal binding agreement to continue funding. Mr. Payant noted that the State cannot commit itself for more than year to year.

It was moved by Comm. Seppanen, seconded by Comm. Corkin, and unanimously carried that Staff and Civil Counsel investigate the possibility of entering into a legal binding agreement with the State and report their findings to the Committee of the Whole as soon as possible.

The Committee considered a communication from Sheriff, Joseph I. Maino, regarding an estimated shortfall in the Secondary Road Patrol and Training Fund. At present an appropriation of \$9,800.00 for the grant period October 19, 1991 thru September 30, 1992 will be necessary.

It was moved by Comm. Potvin, seconded by Comm. Seppanen, and unanimously carried to direct Staff and Sheriff Maino to explore the budget for answers on how to meet this shortfall in the Secondary Road Patrol and Training Fund.

The Committee considered a request from Sheriff, Joseph I. Maino, regarding the possible purchase of a FAX machine for the Marquette County Jail. The purchase of this FAX would allow the department to become a vital link in the network being set up by District Court and the Prosecutor's Office to assist with blood search warrants, felony arrest warrants on weekends, and domestic violence bond revocations.

Chairperson Corkin stated that Administrator Aloia recommended that the County Board authorize this purchase. Total cost for three new machines is \$4,600.00; however, at this time four machines can be obtained for the same price. Comm. Potvin suggested that Administrator Aloia include the cost of the FAX machine in the Sheriff's Department budget for next year.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and carried on a roll call vote three-to-one vote, with Comm. Potvin voting nay, that the Committee of the Whole recommend the County Board authorize the purchase of four FAX machines for the law enforcement network at a cost of \$4,600.00, and adopt a budget amendment transferring monies from the Contingency Fund.

The Committee considered a memo from Randell E. Girard, Director of Human Resources, regarding the Fair Labor Standards Act (FLSA). Mr. Girard was present and stated that he had reviewed the NACo Alert requesting support for recently introduced legislation seeking to reform the FLSA as applied to overtime requirements for exempt administrative, executive and professional employees. The FLSA was enacted in 1938 to provide relief for unfair pay practices established by employers in the private sector, specifically exempting governmental employees from coverage under the Act. In 1985 the U.S. Supreme Court rendered a decision in the case of Garcia vs San Antonio Metropolitan Transit Authority holding that the Authority had engaged in unfair pay practices, and as a result extended coverage of the FLSA for the first time to governmental employees.

Mr. Girard explained that Marquette County has not experienced any problems; however, the potential liabilities are enormous and supports the FLSA reforms as proposed. He recommends the County go on record as requested in the NACo Alert. The proposed reforms are required to protect the financial integrity of the County as well as other governmental entities.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board adopt a resolution in support of the FLSA reforms and send a copy of the resolution to our Legislators, the Senate Labor Subcommittee, and the House Labor Standards Subcommittee.

The Committee considered a memo from Randell E. Girard, Director of Human Resources, regarding the annual meeting of the Municipal Employees Retirement System Annual Meeting to be held on October 8 & 9, 1992 in Battle Creek, Michigan.

Mr. Girard explained that the County is required by statute to identify an employer delegate, and to elect by secret ballot an employee delegate. The election has been completed and a certification of the results made by the County Clerk. He recommended that the County Board adopt a Delegate and Alternate Certification Form delegating Randell Girard as Employer Delegate and Gary Yoder as alternate. Funding for attendance at the Annual Meeting is contained within the Human Resources budget and will require no additional funding.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board adopt a Certification Form designating Randell Girard delegate, and Gary Yoder alternate to the Annual MERS Meeting to be held on October 8 & 9, 1992 in Battle Creek, Michigan.



The Committee considered a memo from Randell E. Girard, Director of Human Resources, regarding a structure to address application of point factoring to managers who supervise staff that are funded by grants or sources other than the normal County budget. Mr. Girard presented a modification to factor 7 "Characteristics of Subordinate Population" under the Managerial job evaluation plan of the County's classification and compensation system. He explained that the level of responsibility and worth of managerial jobs increases as follows:

- a) as the size of the total subordinate population increases.
- b) as the level of complexity and responsibility of the work of the organizational subordinates increases.

For this factor all regularly scheduled full and part-time staff are considered regardless of funding source. Application of factor is based upon authorized staffing level of previous budget year.

Lynn Emerick, Director, Commission on Aging, was in attendance and stated that she agrees that Mr. Girard's recommended modifications are fair and equitable; however, she also requested these modifications be applied to factor 6 which addresses the technical work of other people.

Jackie Boxer, Commission on Aging Administrative Assistant, explained that she manages and supervises many subordinate programs on a daily basis and strongly urges the County Board to modify factor 6 (technical) as well as factor 7 (managerial) regarding staff that is funded by grants or sources other than the normal County budget.

It was moved by Comm. Potvin, seconded by Comm. Seppanen, and unanimously carried that the Committee of the Whole recommend the County Board adopt the proposed modification to factor 6 "Work of Others" and factor 7 "Characteristics of Subordinate Population" under the Technical and Managerial job evaluation plan of the County's classification and compensation system.

The Committee considered the most recent billing for Specific Ore Tax Litigation. Chairperson Corkin presented the bills from Republic Township totalling \$25,892.25, along with a breakdown of pervious billings. The present County billing under the agreed upon formula is for \$4,815.96.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board approve payment of the latest Specific Ore Tax Litigation billing, with an appropriation of \$5,000.00 to be taken from the Contingency Fund.

The Committee considered a communication from Register of Deeds, Patricia A. Manley, regarding an amendment to the Marquette County Remonumentation Plan. Ms. Manley was in attendance and explained that the final section of Research Sources in the County Remonumentation Plan were inadvertently omitted. To meet compliance and complete the Plan, the County Board must formally adopt this final section.

Mr. Richard E. Lomax, Director, Department of Commerce, has assured Ms. Manley that this will not prevent a vote of acceptance of the County Plan as long as the Research Sources are forthcoming.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board formally adopt the Research Sources and Analysis to Appendices E of the Marquette County Remonumentation Plan.

The Committee considered a memo from County Administrator, Dennis Aloia, regarding the Joint EDC/County Loan. Administrator Aloia explained in the memo that the EDC is requesting the County to renew the loan, pay the interest of \$440.84, and pay \$2,000.00 on the principal to show some activity on the loan.

Mari Lynn Markey, EDC Interim Director, was in attendance and stated that Administrator Aloia, at Chairperson Corkin's request, had asked her to try to negotiate the payment for the interest only; however, the Bank feels that due to the length of the loan some activity must occur.

Commissioners questioned Ms. Markey on the status of the two-year old EDA Grant. She explained that action on the grant is way overdue and expects notification of grant approval/disapproval within the next few weeks. Commissioners suggested that if the EDA Grant is not satisfied soon, that Ms. Markey contact Rosemary Forrester, Regional Representative for Carl Levin, for assistance with the State.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board renew the Joint EDC/County Loan, pay the interest of \$440.84, and pay \$2,000.00 on the principal, with the stipulation that this money is reimbursable to the County if the EDA Grant is successful. Monies to be appropriated from the Contingency Fund.

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

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried on a roll call vote that the Committee of the Whole go into Closed Session to discuss pending litigation.

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

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CLOSED SESSION

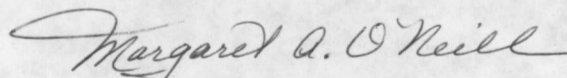
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The Committee of the Whole came back into Open Session. No action resulted from the Closed Session.

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

There being no further business the meeting was adjourned.

Respectfully submitted,



Margaret A. O'Neill  
Deputy County Clerk



MARQUETTE COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE

Tuesday, August 25, 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 August 11, 1992.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Lease Agreement between Birch West Development and Alger Marquette CMH.
7. Memo from Civil Counsel David Payant regarding intent of State of Michigan to fund CMH alternatives.
8. Projective shortfall in Secondary Road Patrol and Training Funds (PA 416)
- Rec-9.* Request for FAX machine for the Marquette County Jail.
- Rec-10.* Fair Labor Standards Act (FLSA)
- Rec-11.* Delegates to the MERS Annual Meeting.
- Rec-12.* Classification and Compensation Study Update.
- Rec-13.* Billing for Specific Ore Tax Litigation.
- Rec-14.* Remonumentation Amendment
- Rec-15.* EDC/County Plan
16. *Cased Session*
17. PUBLIC COMMENT.
18. ANNOUNCEMENTS.
19. ADJOURNMENT.