

October 21, 1981

The Marquette County Board of Commissioners met in regular session on October 21, 1981 at 7:00 P.M. in the Commissioners Room of the Court-house Annex.

Chairperson Farrell opened the meeting, roll was called by the County Clerk, and the following roll recorded:

Present: Comm. Carlson, Juidici, LaPin, Leone, Lowe, May, Racine, Steele, Villeneuve and Farrell.

Absent: Comm. Cheatham and LaMere.

Salute to the Flag was given, followed by the Pledge of Allegiance.

It was moved by Comm. Steele, supported by Comm. Leone, and carried that the minutes of the October 7, 1981 meeting of the County Board be approved as presented.

Chairperson Farrell opened the meeting for public comment, none was forthcoming and the public comment section of the meeting was closed.

The agenda was approved after the following changes were made. Item 7c that dealt with stud wall construction at the Service Center was tabled until before item 8a was taken up and newly labeled item 8a-, Comm. Carlson's report on elected official's salaries for 1982 was inserted as item 7c. Added to the agenda were item 11a which deals with HB 4910 and SB 452, and the Social Services Program, item 11b information on Skandia water problems, item 11c information on the PROMIS Grant, item 11d Social Services lease of office space, item 8L-1 County Clerk's letter regarding HB 4914, and item 8h a recommendation on the data processing project.

Chairperson Farrell opened the public hearing on the Bruce Pesola Inc. EDC Project. He explained procedures at public hearing of this type. Attorney Thomas Clark was present to answer questions on this project. No person from the public spoke for or against the project and Chairperson Farrell closed the public hearing. It was moved by Comm. Leone, supported by Comm. Juidici and carried unanimously that the project plan be approved and the resolution be adopted.

Chairperson Farrell opened the public hearing on the proposed amendment to the Swick EDC Project. Attorney James Steward explained the amendment which was a \$20,000.00 increase in the cost of the project. No person from the public section wished to speak to the issue and Chairperson Farrell declared the public hearing closed. It was moved by Comm. Juidici, supported by Comm. May and carried unanimously that the amendment to the project and the associated resolution be approved and executed.

Chairperson Farrell opened the public hearing on the Armatti EDC project. Attorney Stephen Adamini was present to answer questions in regard to this project. No person in the public section wished to talk on the project and Chairperson Farrell declared the public hearing closed. It was moved by Comm. Racine, supported by Comm. LaPin and unanimously carried that the project plan be approved and the resolution be adopted.

Judge Anderegg was present to discuss the submission of the Annual Child Care Fund Plan and Budget for Marquette County for fiscal year 1982. Judge Anderegg explained to the County Board that this is the first budget formulated with a "cap" on the Child Care Budget. It was moved by Comm. Juidici, supported by Comm. Racine and unanimously carried on a roll call vote that the Child Care Budget be adopted and the Chairperson authorized to execute it.

Kent Bourland, an attorney from Marquette had asked to be on the agenda to discuss the judicial system in the County and the expenditure of public funds. He suggested that the Prosecuting Attorney was not screening prison cases as closely as he should to decide which cases should be dismissed and also that the Social Services Departments cases in District Court are not reviewed by the Prosecutor to any extent before being processed through the District Court. The public funds that he felt were being spent without need was for court appointed attorney's fees, transcripts, etc. It was moved by Comm. Racine, supported by Comm. Lowe, and carried that the matter be referred to the Committee of the Whole to be held on October 28, 1981,

to hear remarks from all parties concerned, with support material available to the Committee of the Whole. Prosecuting Attorney, Gary Walker, stated that he has no statutory duty to review any of the cases brought in by the Department of Social Services and that the authorization to prosecute in a criminal offense rests with the Prosecutor.

Comm. Carlson gave a report paper on the criteria used to set salaries, of Elected Officials, at the annual meeting on October 13, 1981, and some criticism of the newspaper article of October 16, 1981. Comm. May stated she felt there was nothing wrong with the article and moved to rescind the action taken on October 13, 1981, by the County Board in regard to the setting of 1982 Elected Officials Salaries. Comm. Farrell stepped down from the chair to support her motion, a roll call vote was taken on the motion to rescind and the motion failed.

Ayes: Comm. Juidici, May, and Farrell.

Nays: Comm. Carlson, LaPin, Leone, Lowe, Racine, Steele and Villeneuve.

Absent: Comm. Cheatham and LaMere.

The County Board had received nominations from the Democrat and Republican County Committees for positions on the Marquette County Board of Canvassers. The Republican Party had nominated:

Idajean Argetsinger of Marquette  
Jacqueline Gilbert of Marquette  
Patricia Nemacheck of Marquette

It was moved by Comm. Carlson, supported by Comm. Racine that all three names be placed in nomination. A roll call vote was taken and Idajean Argetsinger was appointed to the Republican four year term on the Board of Canvassers, term to expire October 31, 1985.

The Democrat Party had nominated:

Mark Ennett of Ishpeming  
Janet Sonaglio of Marquette  
Frank Hawthorne of Marquette

It was moved by Comm. Carlson, supported by Comm. Villeneuve and carried that all three names be placed in nomination. A roll call vote was held and Mark Ennett of Ishpeming was appointed to the Democrat four year term on the Board of Canvassers, term to expire October 31, 1985.

The contract between the County of Marquette and Lincoln Poley, Jr. for architectural services on the Community Development Block Grant Project (County Youth Home Renovation and Marquette Township Pumphouse Insulation) bid as one project was discussed. It was moved by Comm. Leone, supported by Comm. Lowe and unanimously carried on a roll call vote that the contract be executed and the Chairperson of the County Board authorized to sign it on behalf of the County.

A communication from Elizabeth Dobson of Negaunee, Michigan regarding the need for more Health Department nursing aides to do home visits, was read. Dr. Randall Johnson advised the County Board that some changes are being made in the program. Comm. Farrell will respond to the letter.

A communication from the Michigan Department of Corrections regarding the jail inspection and indicating areas of compliance and non compliance was discussed. A communication will be sent to the Department of Corrections informing them what is now being done and advise them of the Environment Lands and Buildings Committee Structural Review of the jail. The inspection report will be placed on file.

Communications from MAC, Representative Jacobett, Chief Civil Counsel, Patricia L. Micklow, Michigan Department of Transportation, and Robert Bordeau, Attorney for the L.S. & I. Railroad, were read or discussed. Several persons from Chocolay Township were present and spoke in opposition of the railroad easements being sold to the State. It was moved by Comm. May, supported by Comm. Lowe, and carried that copies of all the communications be sent to the persons on the mailing list of concerned residents and that the name of Frank Nelson be added to the list and further that a copy of the Department of Transportation be sent to Representative Jacobetti. It was moved by Comm. LaPin, supported by Comm. Lowe and carried that the Chief Civil Counsel be asked to give an opinion on the ten year reverter clause for later railroad purposes, if the land reverts back to the former owners.









Motion was made by Comm Carlson, Seconded by Comm May to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	Aye	Nay		Aye	Nay
N. Carlson	✓		T. Lowe	✓	
R. Cheatham	absent		S. May	✓	
E. Juidici	✓		J. Racine	✓	
R. LaMere	absent		C. Steele	✓	
B. LaPin	✓		E. Villeneuve	✓	
F. Leone	✓		P. Farrell	✓	

The Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding the need for additional attorney fees for Probate Court, was read. It was moved by Comm. Leone, supported by Comm. May and unanimously carried on a roll call vote that the County Board concur with the recommendation and amend the Probate Court budget for attorney fees with \$6,000.00 taken from the Contingency account.

RESOLUTION AMENDING GENERAL FUND BUDGET

Fiscal Year 1981 Amendment No. 51

WHEREAS, a budget was adopted by the County Board to govern the expenditure of anticipated general fund receipts within the County on October 14, 1980 for the next fiscal year of the county; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

Expense Budget Account	Previous Budget Amount	Amended Budget Amount	Change
Probate Court-Legal Fees	33,000	39,000	+ 6,000
Contingency	449,398	443,398	- 6,000
Revenue Budget Account	Previous Budget Amount	Amended Budget Amount	

Motion was made by Comm Leone, Seconded by Comm May to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	Aye	Nay		Aye	Nay
N. Carlson	✓		T. Lowe	✓	
R. Cheatham	absent		S. May	✓	
E. Juidici	✓		J. Racine	✓	
R. LaMere	absent		C. Steele	✓	
B. LaPin	✓		E. Villeneuve	✓	
F. Leone	✓		P. Farrell	✓	

The Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding a budget amendment to the Community Development Block Grant, was read. It was moved by Comm. Racine, supported by Comm. Steele and unanimously carried on a roll call vote that the County Board concur with the recommendation and rescind the September 16, 1981 Community Development Block Grant budget amendment resolution and approve the following budget amendment resolution.

RESOLUTION AMENDING NON GENERAL FUND BUDGET

Fiscal Year 1981 Amendment No. 2

WHEREAS, budgets were adopted by the County Board on October 14, 1980 to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

<u>Fund and Expense Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
1981 CDBG Fund			
Salary Coordinator	-0-	10,415	+10,415
Salary Secretary	-0-	1,880	+ 1,880
Salary Overtime	-0-	1,100	+ 1,100
Fringe Benefits	-0-	3,074	+ 3,074
Office Supplies	-0-	125	+ 125
Vehicle Operating	-0-	950	+ 950
Memberships	-0-	500	+ 500
Telephone	-0-	200	+ 200
Travel	-0-	1,210	+ 1,210
Inservice Training	-0-	854	+ 854
Salary-Housing/Structural	-0-	1,529	+ 1,529
Salary-Housing/Electrical	-0-	1,864	+ 1,864
Salary-Housing/Plumbing	-0-	1,864	+ 1,864
Fringe Benefits	-0-	1,314	+ 1,314
Salary-Energy Audit	-0-	2,381	+ 2,381
Salary-Rehab. Specialist	-0-	5,017	+ 5,017
Fringe Benefits	-0-	1,849	+ 1,849
Training	-0-	7,000	+ 7,000
County-Wide Rehabilitation	-0-	5,000	+ 5,000
Septic Repair	-0-	2,000	+ 2,000
Waterline Connections	-0-	3,000	+ 3,000
Trowbridge Rehabilitation	-0-	25,000	+25,000
Rim Cor	-0-	1,000	+ 1,000
Marquette Township	-0-	1,000	+ 1,000
Public Residential Rehab.	-0-	25,000	+25,000
Clearance Activities	-0-	15,000	+15,000
Recreational Facilities	-0-	25,000	+25,000
Water & Sewer Facilities	-0-	5,000	+ 5,000
Neighborhood Facilities	-0-	25,000	+25,000
Contingency	9,800	1,800	- 8,000
<u>Revenue Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
CDBG	12,626	179,752	+167,126

Motion was made by Comm. Racine, Seconded by Comm. Steele, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	Aye	Nay		Aye	Nay
N. Carlson	✓		T. Lowe	✓	
R. Cheatham	absent		S. May	✓	
E. Juidici	✓		J. Racine	✓	
R. LaMiere	absent		C. Steele	✓	
B. LaPin	✓		E. Villeneuve	✓	
F. Leone	✓		P. Farrell	✓	

The Chairperson declared the motion carried and the resolution duly adopted.

A recommendation from the Finance Committee regarding a budget amendment to the 1978 Community Development Block Grant, was read. It was moved by Comm. May, supported by Comm. Carlson and unanimously carried on a roll call vote to concur with the recommendation and provide \$1,700.00 from the Contingency Account to conduct an audit and fund close out of the 1978 Community Development Block Grant per CDBG requirement.

RESOLUTION AMENDING GENERAL FUND BUDGET

Fiscal Year 1981 Amendment No. 52

WHEREAS, a budget was adopted by the County Board to govern the expenditure of anticipated general fund receipts within the County on October 14, 1980 for the next fiscal year of the county; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

Expense Budget Account	Previous Budget Amount	Amended Budget Amount	Change
Spec. App.-CDBG	-0-	1,700	+1,700
Contingency	443,398	441,698	-1,700
Revenue Budget Account	Previous Budget Amount	Amended Budget Amount	

Motion was made by Comm. May, Seconded by Comm. Carlson to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	Aye	Nay		Aye	Nay
N. Carlson	✓		T. Lowe	✓	
R. Cheatham	absent		S. May	✓	
E. Juidici	✓		J. Racine	✓	
R. LaMere	absent		C. Steele	✓	
B. LaPin	✓		E. Villeneuve	✓	
F. Leone	✓		P. Farrell	✓	

The Chairperson declared the motion carried and the resolution duly adopted.





A recommendation from the Finance Committee regarding the Marquette County Health Departments 1982 Adult Screening/Health Promotion Program, was read. It was moved by Comm. Leone, supported by Comm. Lowe and unanimously carried on a roll call vote, that the County Board concur with the recommendation and recognize the additional revenues generated by the Health Department for 1981, and that the Health Department be authorized to use \$10,000.00 of the anticipated 1981 revenues for Adult Screening/Health Promotion Program.

A recommendation from the Finance Committee regarding the 1981 salaries of Sheriff and Undersheriff, in relation to the salaries agreed to on September 4, 1981 and the Senior Officers Association for Lieutenants in the Sheriffs Department, was read. It was moved by Comm. Leone, supported by Comm. Carlson and unanimously carried on a roll call vote that the County Board concur with the recommendation and appropriate \$2,268.00 from the Contingency Account to be used for 1981 increase in Sheriffs salary of \$1,294.00 and Undersheriff salary of \$974.00.

RESOLUTION AMENDING GENERAL FUND BUDGET

Fiscal Year 1981 Amendment No. 56

WHEREAS, a budget was adopted by the County Board to govern the expenditure of anticipated general fund receipts within the County on October 14, 1980 for the next fiscal year of the county; and,

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and,

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures.

NOW THEREFORE, BE IT HEREBY RESOLVED, that the aforesaid budget be hereby modified as follows:

<u>Expense Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	<u>Change</u>
Sheriff-Admin.-Salary Supervision	24,500	25,794	+1,294
" " " Permanent	35,703	36,677	+ 974
Contingency	423,048	420,780	-2,268
<u>Revenue Budget Account</u>	<u>Previous Budget Amount</u>	<u>Amended Budget Amount</u>	

Motion was made by Comm. Leone, Seconded by Comm. Carlson to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

	<u>Aye</u>	<u>Nay</u>		<u>Aye</u>	<u>Nay</u>
N. Carlson	✓		T. Lowe	✓	
R. Cheatham	absent		S. May	✓	
E. Juidici	✓		J. Racine	✓	
R. LaMere	absent		C. Steele	✓	
B. LaPin	✓		E. Villeneuve	✓	
F. Leone	✓		P. Farrell	✓	

The Chairperson declared the motion carried and the resolution duly adopted.





A recommendation from the Environment Lands and Buildings Committee regarding a comprehensive study plan for Brookridge, containing alternate recommendations for the future uses of Brookridge land and facilities; was read. It was moved by Comm. Racine, supported by Comm. Villeneuve and unanimously carried on a roll call vote to concur with the recommendation and direct the Planning Commission to prepare a Comprehensive Study/Plan, containing alternative recommendations for Brookridge land and facilities; and this Study/Plan be completed and delivered to the Environment Lands and Buildings Committee at its March 28, 1982 meeting. The Committee would then review the report and submit a recommendation to the County Board in June of 1982, on the long term disposition of the facility.

A recommendation from the Finance Committee regarding Amendment #2 of the Arizola Contract for data processing system and the companion contract with the Data Process team, was read. It was moved by Comm. Carlson, supported by Comm. Racine and carried unanimously on a roll call vote that the County Board concur with the recommendation and authorize the Controller to negotiate and the Chairperson to execute the two contracts as listed below.

1. To negotiate Amendment #2 to the Arizola Contract, recognizing a price reduction for work to be furnished by the County and miscellaneous hardware changes previously authorized by the County Board.
2. Negotiate a separate agreement with the Data Study Processing Team detailing the work that they will complete to be furnished as part of the PROMIS and Financial System Implementations.

The Chairperson was also authorized to sign the Arizola Contract Amendment #2.

A recommendation from the Finance Committee regarding a contract between the Mid-Peninsula Development Corporation and Marquette County, was read. It was moved by Comm. LaPin, supported by Comm. Racine and carried on a roll call vote, to concur with the recommendations, that would allow the hiring of an independent contractor to expand the Probate Courts Diversion Program to two persons and authorize the Board Chairperson to execute the contract.

Ayes: Comm. Carlson, Juidici, LaPin, Leone, Lowe, May, Racine, Steele, and Villeneuve.

Absent: Comm. Cheatham and LaMere.

Abstaining: Comm. Farrell - a member of the Mid Peninsula Development Corporation Board.

A recommendation from the Finance Committee regarding payment of claims and accounts, was read. It was moved by Comm. Carlson, supported by Comm. Racine and unanimously carried on a roll call vote that claims and accounts in the amount of \$133,268.59 be allowed and ordered paid.

A report of the Executive Committee meeting held on October 19, 1981, was accepted and placed on file.

A recommendation from the Executive Committee supporting HB 4914, that would change responsibilities of County Clerks and County Controllers, was read. A communication from County Clerk, Henry A. Skewis, opposing the bill was also read. After some discussion, it was moved by Comm. Lowe, supported by Comm. Carlson and carried that the matter be referred back to the Executive Committee for further examination. Comm. May voted nay.

The County's financial report for the period ending September 30, 1981, was accepted and placed on file.

Monthly reports from the Acocks Medical Facility, Health Department, Sheriffs Department, Social Services Department, and County Road Commission, were accepted and placed on file.

House Bill 4910 and its companion Senate Bill regarding Social Services CSA funds, were discussed. It was noted that the Marquette County Social Services Department oppose this legislation. It was moved by Comm. May, supported by Comm. Leone, and carried that the County Board adopt the position of the Department of Social Services and notify our legislators of this action.



Controller Duane Beard notified the County Board that the lease between Marquette County and the Department of Social Services expires in February 1982. If the County Board wishes to eliminate the lease they should do it now, or negotiate a new lease.

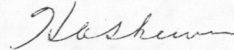
Comments were made on how nice it was to have a no smoking rule for the Commissioners Room.

It was moved by Comm. May, supported by Comm. Lowe and carried that a letter be sent to MAC stating that the decision to oppose or not oppose HB 4914 is in committee.

Chairperson Farrell opened the meeting for public comment, none was forthcoming and the public comment section was closed.

It was moved by Comm. LaPin, supported by Comm. Racine and carried that the meeting be adjourned.

Respectfully Submitted,



Henry A. Skewis  
County Clerk



MARQUETTE COUNTY BOARD OF COMMISSIONERS  
Wednesday, October 21, 1981, 7:00 p.m.

Commissioners Room, Courthouse Annex  
Marquette, Michigan

1. CALLING OF ROLL BY THE COUNTY CLERK.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. READING OF THE MINUTES OF THE OCTOBER 7, 1981 (postponed from last meeting) AND OCTOBER 13, 1981 meetings.
4. PUBLIC COMMENT (time limit of 20 minutes total).
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
  - a. Public hearing on the Bruce Pesola, Inc. EDC Project.
  - b. Public hearing on amendment to the Swick EDC Project.  
(Board members have received a copy of the amendment project plan and resolution.)
  - c. Public hearing on the Armatti EDC Project Plan.
  - d.
7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
  - a. Judge Anderegg will be present to discuss the Child Care Fund Plan and Budget for State FY 1982.
  - b. Letter from Kent Bourland, Attorney, requesting an opportunity to address the Board on judicial system in the County and expenditure of public funds.
  - c. ~~Reconsider motion to table further action on stud wall construction in Service Center and moving of the Commission on Aging, per action of the County Board on July 14, 1981.~~
  - d. Appointments to Board of Canvassers. Nominations from the Democratic and Republican Parties of Marquette County for the appointments.
  - e. Contract between County of Marquette and Lincoln A. Poley, Jr., Architect, for 1981 CDBG project. Board authorization for the Chairperson to execute the agreement is needed.
  - f. Communication from Elizabeth Dobson, Negaunee, on the Health Department's Home Health Aide Program.
  - g. Communication from the Department of Corrections to the Board Chair and Sheriff Maino on inspection of County Jail conducted September 16, 1981.
  - h. Conveyance of L.S.&I. R.R. right of way to State:
    - 1) Letter of response from MAC on Board's letter on this topic.
    - 2) Letter from Chief Civil Counsel on her conversation with Railroad's attorney on the matter, and to transmit a letter she received from that attorney.
  - i. Copy of a letter from the Office of Highway Safety Planning to Undersheriff Quayle on the approval of funding for the Alcohol Related Accident Reduction Program.
  - j. Letter from Richard S. Williamson, Assistant to the President, in response to Board's letter on General Revenue Sharing.
  - k. Memo from Steve Carlson, Chair, Planning Commission, on member absence.
  - l. Letter from Senator Levin on sewage treatment plant at K.I. Sawyer AFB.
  - m. Letter from Howard Larson, Northern Care, Inc. on their willingness to expand their operations to accommodate patients now housed at the Acocks Medical Facility.

*7-c Mail  
Carlson Report*

8. REPORTS OF STANDING COMMITTEES:
  - a. Finance Committee recommendation on Health Department fee schedule. Tabled at October 7, 1981 meeting.
  - b. Finance Committee report on an October 14, 1981 meeting.
  - c. Transmittal of financial condition projection report by the Finance Committee.
  - d. Finance Committee recommendation on various budget amendment resolutions.
  - e. Recommendation of Finance Committee on Adult Screening/Health Promotion Program.
  - f. Finance Committee recommendation on 1981 salaries of Sheriff and Undersheriff.
  - g. Brookridge Facility Management:
    - 1) Recommendation from the Finance Committee on management of the Brookridge Facility.
    - 2) Environment, Lands and Buildings Committee recommendation on the above.
  - h. Finance Committee recommendation on amendment to the Arizala Corporation contract for data processing implementation.
  - i. Finance Committee recommendation on Status Offender Diversion Alternatives Project contract.
  - j. Recommendation from Finance Committee on payment of bills.
  - k. Report from the Executive Committee meeting.
  - l. Recommendation from the Executive Committee re House Bill 4914  
*m-l-A letter from Clerk on HB 4914*
  - n.
9. REPORTS OF SPECIAL COMMITTEES:
  - a.
  - b.
10. REPORTS OF COUNTY OFFICERS:
  - a. Financial report from the Controller.
  - b. Acocks Medical Facility report for September, 1981.
  - c. Health Department report for September, 1981.
  - d. Sheriff Department's report for September, 1981.
  - e. Social Services Department report of September, 1981.
  - f. Road Commission report on September, 1981.
  - g.
  - h.
11. LATE ADDITIONS:
  - a. *HB-4910 Soc Services*
  - b. *-SKandia Water*
  - c. *Promise Grant*
  - d. *Soc Services Lease*
12. UNFINISHED BUSINESS:
  - a.
  - b.
13. NEW BUSINESS:
  - a.
  - b.
14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.

8K

October 19, 1981

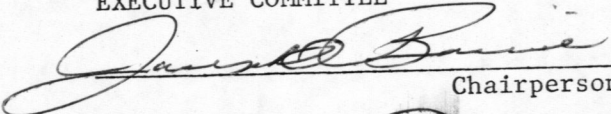
Honorable Chairperson and Members of the  
Marquette County Board of Commissioners  
Marquette, Michigan

Ladies and Gentlemen:

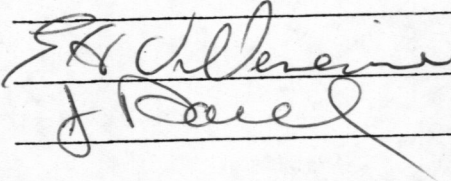
A meeting of your Executive Committee was duly called and held on  
October 19, 1981 and copies of the minutes of that meeting have been  
furnished to all members of the Board of Commissioners and a copy of the  
minutes is attached hereto and made a part of this report.

Respectfully submitted,

EXECUTIVE COMMITTEE

  
Chairperson







October 19, 1981

The Executive Committee meeting was duly called and held on October 19, 1981 at 7:00 p.m. in the Courthouse Annex.

Present: Commissioners Farrell, LaPin, Racine and Villeneuve.

Absent: Commissioner Cheatham.

In Attendance: Henry Schneider, Director, Equalization Department; and Duane Beard, Controller.

The meeting was called to order by Chairperson Racine.

Approval of the minutes of the September 8, 1981 meeting was the first item of business. The minutes were accepted as presented by general consensus of the Committee.

The public comment section was opened. No one present wished to speak and the section was closed.

Approval of the agenda was the next item. No additions or deletions to the agenda were made.

Henry Schneider was present to discuss the status of the equalization process. He said his department is finalizing some residential and residential personal studies. These will be gone over with the local assessors. Schneider presented a draft letter he intends to send to assessors on the tentative studies asking them to review the study results and noting they will have an opportunity to meet with the Executive Committee on their concerns with the study. Schneider said each study sent to local units will also be sent to the Executive Committee. When a sufficient number of studies have been reviewed by the units, he suggested some assessors and supervisors be invited to meet with the Executive Committee.

Commissioner Farrell entered the meeting.

Schneider said it will take the Committee about one hour per unit to review the data, or 22 hours if all units wish to meet with the committee. He felt that seven to ten units would probably be interested in meeting with the Committee. He suggested that when the Committee's reviews begin the Committee members be familiar with the tax law; definition of market value; valuation concept; and Chapter 16 of the Assessors' Manual. He suggested that the first meeting be held early in November. He offered to meet with individual Committee members to review the entire process if they wish.

Commissioner LaPin suggested that the Committee just review studies that are in dispute between the county department and local assessor, thus reducing time spent on each review. Schneider said this could be done but he would like to review all studies for a few of the units to familiarize the Committee with the process used.

Commissioner LaPin suggested that the Committee send a letter to the units on the meetings that will be held to review the studies. It was moved by

Commissioner LaPin and supported by Commissioner Villeneuve to notify each unit of government in the county that meetings will be conducted by the Executive Committee to review the tentative assessment studies prepared by the Equalization Department, and to encourage them to take advantage of the meetings when they are held. Following discussion the motion carried unanimously.

The Committee received a copy of a communication sent by Henry Schneider to assessing officers and supervisors on proposed rules changes for the State Assessors Board. Schneider said the proposed rules contain a process for decertification of an assessor, which has never been in existence before. It also contains requirements for each level of certification, and requires that regular office hours be kept.

A copy of a letter from Henry Schneider to Mark Maki, Chocoday Township Assessor, on tentative 1981 residential sales study for that unit was received. Schneider said the assessor was invited to review the study with the Equalization Department staff.

September 16 and October 15 communications on the county organizational structure were received from Henry Schneider. He questioned the propriety of assigning the position of Equalization Director under the Governmental Support Division. He stated in his September 16 letter he does not feel its placement in the Governmental Support Division properly reflects its role in county government. His October 15 letter listed a series of legal questions he felt should be answered in determining the department's proper placement within county government.

Mr. Schneider said he questions the legality, to some extent, of the placement of his department in the Governmental Support Division. He said he does not believe this matter can be discussed until the legal questions contained in his October 15 letter are answered.

Commissioner Farrell agreed that the questions should be answered. He said there is an assumption on Schneider's part however that there had been no reason for placing his department in the Governmental Support Division. He said it was never the intent of the Board of Commissioners to supercede the law and make the Equalization Director responsible to the Controller who would then report on tax equalization to the Board, and this has never happened. He suggested a legal opinion be requested before action is taken.

Duane Beard said he met with Henry Schneider when the first letter was received to discuss his concerns. He noted he was not with the county when the Government Study Committee did its work on the organizational structure. His knowledge with respect to the County Board's intent on the matter is limited to minutes and discussion held since he was employed here.

Beard said he has no strong feelings about the placement of the Equalization Director; he said he should be placed where the law stipulates. He does not believe every department should report directly to the Board because



this would be time consuming. He noted the Equalization Director, per state statute, must be appointed by the Board.

It was then moved by Commissioner Farrell, supported by Commissioner Villeneuve and carried unanimously to ask Chief Civil Counsel to answer the questions listed below, that were submitted by Henry Schneider, and to table discussion of the subject until the Committee receives the opinion:

1. What are the legal responsibilities of the Equalization Director?
2. What legal relationship does the Equalization Department bear to the County Board of Commissioners?
3. Who is legally responsible for supervising the activities of the Equalization Department?
4. What legal responsibility does the County Board of Commissioners have relative to the supervision of the department's activities? Of the employees of the department?
5. Can the Equalization Director legally be placed under the supervision of an employee appointed under the provision of MCL 46.13.

In response to a question by Commissioner LaPin, Duane Beard said currently he is the Equalization Director's supervisor.

Commissioner LaPin said he recently handled an assessment appeal and asked Schneider for information relative to it. He said he had the information within five minutes and appreciated the quick response.

Henry Schneider then left the meeting.

Several communications regarding the Ad Hoc Agreement between Marquette and Alger Counties for the Community Mental Health Program were presented. A letter from Thomas Baldini, dated September 28, was presented. He asked that the County Board schedule a public hearing on the proposed Agreement in October so that the process could be finalized. The Committee was informed by the Secretary that the Finance Committee's and Executive Committee's changes to the proposed Agreement were never incorporated into the Agreement for consideration by the Marquette Board, Alger Board or Community Mental Health Board. Chief Civil Counsel has been requested to do this. Mr. Baldini was informed of the situation and public hearings scheduled by Alger County and by the Mental Health Board have been canceled.

A communication on this matter was received from the Controller. He suggested current census figures be incorporated with the Agreement. It was noted his letter, along with the Committees proposed changes, were sent to the Chief Civil Counsel.



In a memo to the Committee, Chief Civil Counsel stated the changes will be incorporated in the Agreement and submitted to Mental Health and the Executive Committee for review two weeks prior to the Committee's November meeting. The subject was tabled by the Committee until information is received by Chief Civil Counsel.

A letter was received from John Beerling, Road Commission, in response to the Board's letter on rules and regulations for road races, and the Big Bay Relay in particular. Mr. Beerling said the Road Commission adopted rules and regulations for such races, pursuant to Act 200 of PA 1969, on March 22, 1971. He said the Road Commission issues permits at the request of authorized officials of a local unit and no such requests were received from Marquette or Powell Townships for the Big Bay Relay Race. The race was run without a permit. He said enforcement is a problem because there are no fines or penalties imposed under the Act. He suggested that the Chief Civil Counsel be asked to determine how to and/or who will stop the race when it is held next year.

It was moved by Commissioner Farrell, supported by Commissioner LaPin and carried unanimously to ask Chief Civil Counsel to answer the question addressed by John Beerling in his letter.

A communication was received from the Controller in response to the Committee's request that he submit a recommendation on the responses received from county departments on forms management. In his memo he said he has asked for assistance from Robert Doran, Public Administration Service, in this regard, and will be meeting with a specialist from the Michigan State University in the area of records management for local government administration.

A memo was received from the Finance Committee asking the Executive Committee to include a revised transfer policy in the Board's policy manual. The Controller said the revised policy changes the current transfer policy to conform to the new budget format adopted by the Board at their last meeting. Duane noted a committee objective is to prepare a policy manual by December 31, 1981 and he will be presenting a draft manual to the committee at some point.

A corrected first page to PAO 81-33 was received from the Chief Civil Counsel. The opinion is on authority over the law library and the only change is to change the number of the opinion received from PAO 81-32 to PAO 81-33.

A notice of hearing from the Michigan Public Service Commission on an application by Michigan Power Company for authority to amend Rules 13 and 14 of its standard rules and regulations was presented. The rules pertain to recovery of costs of installing and extending mains and services. The Power Company contends the existing rules no longer allow an adequate recovery of costs incurred. The comment deadline was October 8 and the communication was placed on file.

A resolution from Iron County on the Small Cities Community Development Block Grant Program was received. Iron County asked that the State of Michigan honor previous HUD multi-year commitments to non-entitlement recipient communities; continue eligibility of previous spectrum of projects; continue to give credit to economically distressed communities when determining allocation of funds. It was moved by Commissioner Farrell, supported by Commissioner Racine and carried unanimously to place on file.

Three resolutions were received from Tuscola County. One urged the Department of Social Services to promulgate rules that would allow counties to keep 25% of revenues collected for Child Care Fund reimbursement and to split the remaining revenues with the state. A second resolution urges the Governor and Legislature to fund local Child Care Fund Services at the rate of 50% of total expenditure. The third urges the Governor and Legislature to provide for the State to assume 100% of the cost of care for permanent wards committed under Act 220 by Juvenile Court one year after commitment.

It was moved by Commissioner Farrell, supported by Commissioner Villeneuve and carried unanimously to refer the resolutions to the Probate Court Judge and ask him to comment on them and comment on any way the County Board could be helpful to him in supporting legislation concerning the Child Care Fund.

Resolutions from Jackson and Delta Counties supporting H.B. 4914, duties of the Clerk and Controller were presented. Action on them was deferred until the Committee's discussion on H.B. 4914 under the legislative review section of the agenda.

An Allegan County resolution supporting an increase to gas tax and registration fees to increase Road Commission revenues was presented. The Committee acted to file a similar resolution at an earlier meeting. It was moved by Commissioner Farrell, supported by Commissioner Villeneuve and carried unanimously to place on file.

An Iron County resolution opposing elimination or reduction to the Federal Revenue Sharing or PILT Programs was reviewed. The Controller noted the Board already took a stand on revenue sharing funds. He said the worst possible case at this time is a 12% cut to 1982 revenue sharing funds and elimination of 1983 funds.

The Committee reviewed a memo from Duane Beard, Controller, on HBs 4894 and 4895, juror compensation. This was postponed from the September 8 meeting. HB 4894 doubles juror mileage rate to \$.20 per mile, and raises per diem to \$25.00 per day from \$15.00 per day, and \$12.50 per half day from \$7.50. HB 4895 requires that jurors be paid weekly and that daily attendance verifications are issued. The Controller said the idea of increasing juror compensation is not a bad one but if passed should not be put into effect for a period of one year so that counties have a chance to budget for it, or the state should provide the funds for the increased compensation. The Controller was asked to draw up a draft resolution on this for presentation to the Committee.



The Committee then discussed H.B. 4914, responsibilities of County Clerks and Controllers. A communication from MAC stating the Bill is "aimed at correcting the ambiguities in the statutory duties between the County Clerk and County Controller...brought to light by the Gogebic County Court of Appeals decision" was read. Also read was a copy of a letter from James Callahan, MAC, to Rep. Tom Brown, Chair, Towns and Counties Committee, urging passage of the Bill. Resolutions from Jackson County and Delta County were read, both urging support of HB 4914 to eliminate ambiguity in statutory duties of Clerk and Controller.

A communication was received from the Controller on this subject. In his memo he stated the Bill would clarify "state-wide a situation which resulted from inconsistent laws being passed". He said he believes the Bill would resolve the matter "in such a way as to leave intact the County Board of Commissioners' authority to determine which method of record keeping it prefers". He said passage of the Bill would leave to the discretion of the County Board whether to have financial records and transactions handled by an administrator hired by the Board.

Commissioner Farrell informed the Committee that the County Clerk is opposed to the legislation. Duane Beard stated he recommends support of the legislation and noted he has informed the Clerk of his support.

It was moved by Commissioner Farrell and supported by Commissioner Racine to recommend to the Board that the County Board strongly endorse HB 4914 which is aimed at correcting the ambiguities in the statutory duties between County Clerk and County Controller which were brought to light by the Gogebic County Court of Appeals decision; and that the Marquette County Board of Commissioners urge the Michigan State Legislators to adopt forthwith House Bill 4914 in order to alleviate, as soon as practicable, the growing crisis and confusion caused by the ambiguity (as between statutory duties of County Clerks and County Controllers) in Counties that have, or may feel the need to have, County Controllers to assist them in fulfilling their Constitutionally based authority over County fiscal matters.

The Controller said HB 4914 makes it discretionary for a county to have a Controller or not have one. If the Controller form of government is set up then the Controller is in charge of accounting. The Bill also speaks to whether the county has an elected executive. Commissioner Farrell believed administratively that accounting responsibilities belong with the Controller. Commissioner Racine noted the County Clerk had said his only purpose for wanting accounting under his department was because the law stated that was where it belonged. The committee decided the communications received by them on the Bill will be presented with the Committee's recommendation on the matter. Commissioner Farrell said he does not know at this time why the Clerk is opposed to the legislation. Following discussion the motion carried unanimously.

Commissioner Villeneuve said he believes recommendations submitted to the Board should contain the committee's discussion on the subject.

Commissioner LaPin addressed himself to the action of the Intergovernmental Relations Committee on the EMS Advisory Council. He said it was his understanding that the Health Board knew all about this matter when the



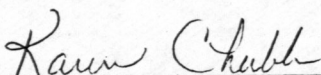
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Committee was dealing with it.

There was no public comment.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,

  
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Karen Chubb, Secretary