The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, October 12, 1993 at 5:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Trudell, and unanimously carried on a roll call vote that the minutes of the Committee of the Whole meeting held on September 28, 1993 be approved.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

It was moved by Comm. Arsenault, seconded by Comm. Joseph and unanimously carried on a roll call vote that the agenda be approved as presented.

It was moved by Comm. Seppanen, seconded by Comm. Minelli and unanimously carried on a roll call vote that Claims and Accounts for the period September 24, through October 7, 1993 in the amount of $1,499,194.08 be approved.

The Committee considered a memo from Dennis Aloia, County Administrator and Finance Manager, Gary Yoder, regarding the Three Quarter Year Budget Review. Administrator Aloia explained that the normal procedure for the mid-year and three-quarter budget reviews is to present recommendations to the Department heads for their consideration. Department heads are then allowed changes, up or down as their needs dictate, and present them back to the finance manager. A similar procedure was used this year which resulted in a budget shortfall of approximately $100,000.

Administrator Aloia and Finance Manager Yoder considered a recommendation to use tax delinquent revolving monies to offset the deficit, but decided against it. Instead, they reviewed all line items for every Department and recommended additional cuts. This has resulted in substantial savings and the resulting three-quarter year budget recommendation reduces contingency to $16,005.00 and recommends the use of only $20,000 of the tax delinquent fund money to offset the deficit. This procedure has reduced the shortfall by approximately $80,000.

Gary Yoder further explained the major expenditure increases included $62,000.00 for Medicaid standardization and $38,000 for probate child care. Another increase also occurred the area of hospitalization premiums, causing an overall increase in general fund expenditures of $138,434.00. All other line item adjustments netted a decrease of $30,958, leaving an expenditure increase of $107,476. At the same time, revenues are decreasing by approximately $43,000.

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board approve the budget amendments for the general fund, Friend of the Court, Rescue Safety, SODA Grant, Probate Child Care, Building Authority, Building Authority Debt Fund, Community Development, Forestry, MCTV, and Service Center Fund, and also approve the general fund financial condition projection report as of September 30, 1993 as presented by Staff.

The Committee considered a Marquette County Tattoo Ordinance, effective January 1, 1994, which was approved on September 28th by the Marquette County Board of Health. Dr. Randall M. Johnson, M.D., Director of the Health Department was present and explained that the ordinance was developed with the assistance of Terry Dean, Assistant Prosecuting Attorney. It has gone through multiple drafts, contains provisions similar to those ordinances that have been adopted in Ingham, Dickinson, and Iron Counties. As part of the adoption process, the Board of Health held a public hearing on August 31, 1993. Mr. and Mrs. Thiede, owners of Superior Tattoo, attended
the hearing and made positive suggestions and are in favor of the ordinance.

Dr. Johnson further explained that presently there are no requirements and the ordinance is a step towards minimum levels of cleanliness. If tattooing is not done correctly with sterilized equipment, it has the potential of spreading diseases, including some that are fatal such as hepatitis B and HIV. Currently, the Health Department receives 5 to 10 calls per year from townships complaining about unregulated tattooing, mainly because these businesses are operated out of households against zoning laws.

Comm. Joseph expressed concern about enforcing such an ordinance. Would tattoo artists have to apply for a license? And would there be a fee? Dr. Johnson explained that once the ordinance was in place and a license required, the ordinance would be self-imposing by word of mouth. There is no fee at present, but the County Board may implement one. Dr. Johnson anticipates inspections of tattoo businesses would take from 1 to 2 hours each, and there probably will be very few throughout the County. It would not be a significant expense but a good health precaution because tattooing is popular. Other forms of body piercing such as pierced ears or the coloring of eye brows are not included in the ordinance.

It was moved by Comm. Bramse, seconded by Comm. Minelli, and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board approve the proposed Marquette County Tattoo Ordinance and licensing requirements with no fee.

The Committee considered ratification of Amendment #5-Funding for FY 1993, of the Title IV-D Cooperative Reimbursement Contract between the Michigan Department of Social Services and the County of Marquette. County Administrator Dennis Aloia explained that the amendment will increase funding for FY 1993 by $8,179 to a new total of $129,664.00. An amendment is required every year at about this time to adjust the State share of actual expenditures as reflected in the Cooperative Reimbursement Grant.

It was moved by Comm. Arsenuault, seconded by Comm. Joseph, and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board approve of the resolution certifying Amendment #5 for the FY 1993 Title IV-D Cooperative Reimbursement Contract.

The Committee considered an offer to purchase part of the old Acococks Facility from Maplewood Development Group, Howard Fissette, President. Dennis Aloia, County Administrator, distributed a second proposal from Mr. Fissette, which was received this afternoon. Mr. Aloia explained that proposal I, the copy which is in the packet, is to purchase the main building, the garage, the homes, the lagoon area, and the land leading up to the lagoon for $24,245 cash by October 29, 1993. Proposal II is to purchase the two houses and the bluff for $64,343, with a 10% non-refundable deposit, to be closed by January 3, 1994. Proposal II is contingent on approval of Proposal I.

Administrator Aloia explained that on the plus side, the two proposals allow the County to keep the most marketable part of the land. On the negative side, the purchase agreement does not provide that the purchaser accepts the liability for any environmental clean-ups that may occur.

Civil Counsel David Payant has reviewed both proposals and recommends the County Board not accept them for several reasons: First, Mr. Fissette does not have the financial capability to pay for environmental clean-up should it be required. Second, the offer is made in two parts, which makes it more complicated. The offer should be combined into one proposal. Third, the $24,000 offer in Proposal I is way under the value of the property. And fourth, the purchase agreements would leave the County Board with no control over the future development of the property.

Civil Counsel Payant further explained that the previous purchase agreement with Mr. Fissette went into detail on potential environmental problems that the purchaser was willing to accept. The County has always intended to be up front and identify every potential problem, however, would accept responsibility for any unidentified problems. The Resource Management conducted a Phase-1 survey several years ago.
Howard Fisette was present and thought the previous tenant is responsible for any environmental clean-up required. He contended the County had operated the lagoon without a permit for eight years and therefore would be responsible for any pollution that they may have caused. Also, Civil Counsel has already pointed out that Maplewood Development would not have the financial capability for environmental clean-up expenses.

County Administrator cleared up a matter presented by Mr. Fisette. The County recently received notice from the DNR about renewing their permit at the Acoks site. So we did and still have the permit. The asbestos is not a problem at this time in the old facility, but should new owners start to remodel and disturb the asbestos, then it becomes a matter of environmental concern. Under the previous purchase agreement, the new owners were going to accept the liability for disturbing the asbestos. The purchase agreements being presented now would make the County responsible.

It was moved by Comm. Seppanen, seconded by Comm. Bergdahl, and unanimously carried on a roll call vote, that the Committee of the Whole concur with the Staff recommendation and not accept an offer to purchase the Acoks property, nor any part thereof, from Maplewood Development, Howard Fisette, President.

The Committee considered a letter from Patricia Holden, Acting Executive Director of the Michigan Women's Commission, Lansing, Michigan, presenting a copy of the executive summary for a report titled: "Unheard Voices - A Report on Women in Michigan County Jails". The report was released on August 26, 1993 and documents the rapid increase in female inmates over the last several years. It also discusses the difficulties facing correctional systems in handling the increase in terms of housing and programming and recognizes that most jails were not built to house both male and female inmates.

Chairperson Corkin suggested that the County Board refer the executive summary of the report to the Community Corrections Advisory Counsel and to the Sheriff's Department for comment.

It was moved by Comm. Arsenault, seconded by Comm. Bramse, and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board forward a copy of the executive summary of the report titled: "Unheard Voices - A Report on Women in Michigan County Jails", to the Sheriff's Department and the Community Corrections Advisory Board for their comments to the County Board.

The Committee considered a resolution from the Michigan Association of Counties, Andrew Fortin, Legislative Assistance Regarding National Unfunded Mandates Day. Federal mandates have long been an issue of concern for members of MAC. National Unfunded Mandates Day will be Wednesday, October 27, 1993 and is to bring attention to the impact of state and federal mandates on Michigan Counties. Also attached was a sample resolution.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board adopt a resolution calling public attention to the severe burdens placed on County Government by leaders at the state and federal level who have mandated programs but are unwilling to finance them.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

Announcements

Comm. Bramse reported on the recent Upper Peninsula Association of County Commissioners' Conference held in Iron River, October 8th and 9th. Congressman Bart Stupak was present and spoke on the conversion of K.I. Sawyer. State Representative Steve Shepich and Dave Anthony were also present and answered questions on SB-1 and HB 4873. Frank Opelka, Regional Director for the DNR was present. The U.P. County Commissioners let MAC know they want no more conferences at Mackinac Island. Chippewa County has much information regarding the closure and conversion of Kinkeloe Air Force
Base several years ago.

Comm. Arsenault added to Comm. Braamse’s report on the U.P. Commissioners Conference in Iron River. There will be another wire transfer of pass-through funds by the Federal Government for the Valenti Medical Care Facility.

Delta County is considering a resolution, as well as other Counties, about holding back the state portion of the increased Court fees as a result of HB 4873 in escrow and forcing the state to collect them.

Chairperson Corkin announced that the Base Conversion Authority will be finalizing a job description for its director at its next Tuesday’s meeting.

There being no further business, the meeting was adjourned.

Respectfully submitted,

[Signature]
David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
October 12, 1993 at 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
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Three-Quarter Year Budget Review
7. Marquette County Proposed Tattoo Ordinance.
8. 1993 Title IV-D Cooperative Reimbursement Contract.
9. An Offer to purchase the old Acocks Facility from Maplewood Development Group, Howard Fissette, President.
10. Announcement from the Michigan Women’s Commission that a report
titled: "Unheard Voices - A Report on Women in Michigan County
Jails", is available.
11. A resolution calling for a National Unfunded Mandates Day, Wednesday,
   October 27, 1993.

12. PUBLIC COMMENT.

13. ANNOUNCEMENTS.

14. ADJOURNMENT.