The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, July 12, 1994 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on June 28, 1994 be approved.

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

It was moved by Comm. Potvin, seconded by Comm. Joseph, and unanimously carried by voice vote that the agenda be approved as presented.

It was moved by Comm. Minelli, seconded by Comm. Joseph, and unanimously carried by voice vote that Claims and Accounts for the period June 25, 1994 through July 7, 1994, in the amount of $1,614,275.09 be approved.

The Committee considered a memo from Cynthia Beaudry, Risk Management Specialist, regarding Community Service Workers. The courts have a work program for public assistance in lieu of paying court costs and fines. Townships utilizing these workers have been informed that their Worker’s Comprehensive Policy will not cover these workers, therefore it is their position that they will no longer participate in the Work Habilitation Incentive Program through court-ordered assignments until a liability insurance program is in place because they do not want to assume the liability for injuries, etc. They would like the issue addressed by District Court.

Ms. Beaudry was present and explained that coverage is also not available for these individuals under the County’s worker’s compensation or liability insurance policies. In addition, the County has immunity against liability in these situations. Given the immunity and lack of insurance coverage available, it is likely the only possible solution is a limited policy available through CIMA.

Ms. Beaudry has spoken with both Jennifer Bennon, District Court Administrator, and Lyn Nelson, Community Corrections Coordinator, who has been working on this issue. It is possible for the Court to purchase the CIMA policy and collect the costs through the sentencing of fines and costs. District Court realizes that in order to get their community service workers placed, through the Townships, something has to be done.

Ms. Beaudry has contacted CIMA regarding the cost of such a policy, but has not received a response. She believes it not to be an expensive policy, but the coverage limits are not very high, up to $25,000.00, and it only covers bodily injury. The best way to handle this would be to combine community services workers as a group under one unit.

Dennis Aloia, County Administrator, explained this is really a decision of the Judges. The County Board can encourage the Court to do something on behalf of the Townships, but the Judges have to decide whether they want to provide this program or not.

Commissioners engaged in a lengthy discussion expressing concerns regarding liability for injuries to community service workers resulting from gross negligence in supervision. Administrator Aloia explained that if a service worker is injured because of gross negligence by a supervisor in a Township, then the Township is liable. Townships who take community service workers should be aware of what their liabilities are.
Patricia Micklow, District Court Judge, was present and contended it is not the County’s responsibility to provide legal determinations for the Townships. They have their own attorneys. Judge Micklow expressed concern regarding an increase in court fines and costs to pay for this coverage. She is willing to meet and discuss this issue further. District Court needs the community service program in lieu of putting individuals in jail, which costs the County much more.

It was moved by Comm. Seppanen, seconded by Comm. Bramse, and unanimously carried by voice vote, that the Committee of the Whole direct the Board Chair to meet with Court staff and the Townships to further review the community service worker program and return a recommendation.

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The Committee considered a memo from Randell E. Girard, Director of Human Resources, regarding the Sheriff’s Department Temporary Work Period Revision. Mr. Girard was present and stated that at the April 12, 1994 meeting Sheriff Maino proposed a letter of agreement between the Board, the Sheriff, and the membership of AFSCME Local #2756 Deputized Employees to allow a trial work period revision. The purpose of the work period revision was to extend many of the current eight hour work periods to ten and twelve hour work periods without incurring overtime payment liability under the Fair Labor Standards Act. The Committee at that time was supportive of the request and asked that a letter of agreement be negotiated with the bargaining unit.

Since that time a letter of agreement has been ratified by the membership of AFSCME Local #2756 Deputized Employees and is also acceptable to Sheriff Maino. As co-employer it is being brought back for review and recommendation to the County Board for ratification.

Commissioners raised concerns regarding variations of the scheduling concept, such as safety and effectiveness of a road patrol officer working over eight hours, questions regarding overtime calculations, and how the County benefits from this agreement.

Dennis Aloia, County Administrator, explained that the County will benefit financially by less use of sick time and vacation time, which then correlates to more overtime on behalf of employees to fill in.

It was moved by Comm. Joseph, seconded by Comm. Minelli, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the Letter of Agreement for the Sheriff’s Department Temporary Work Period Revision.

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The Committee considered a recommendation from Brent Nault, Data Processing Manager, on 1994 Personal Micro-Computer Purchase Bids. Sealed bids for various micro-computer equipment were reviewed. The bid specification packet was divided into three distinct categories: 1) micro-computers, 2) printers, and 3) network communications equipment. The specifications also stated that each category would be awarded separately. Mr. Nault was present to discuss his recommendations as follows:

**Micro-Computers**

The 1994 County budget contains funds for 15 micro-computer systems; 13 of which are standard systems, while the remaining 2 are larger systems for the Data Processing Staff. Five vendors met the specifications for 486 class machines and the PCI Bus architecture. Three vendors were within $120 of each other on a $28,000 purchase, Lasco Computers, Sundberg Carlson, and Gateway 2000. Since the differences were so small Mr. Nault investigated each bid to see which offered a better value to the County. Gateway 2000 offers some advantages over the other systems. Mr. Nault recommends the County purchase Gateway 2000 micro-computers at a cost of $28,140.
The 1994 County budget contains funds for the purchase of 7 printers. The bids specified a 600 DPI laser printer, a 300 DPI laser printer, and a dot-matrix printer with a cut-sheet feeder. Mr. Nault recommends the County purchase (2) 600 DPI laser printers, (3) 300 DPI laser printers, and (2) dot-matrix printers from the low qualified vendor, Advanced Business Equipment Inc., at a cost of $6,806.

Network Communications

Network communication equipment was bid to establish a link between the file server located in the Courthouse Annex and the Old Courthouse. Also, 12 network adapter cards are required for each new PC to communicate with the file server. Mr. Nault recommends the County purchase the managed hub for network communication. The managed hubs will allow the Data Processing Staff to monitor and troubleshoot network problems more efficiently. The managed hubs will become more important to the County in the next few months with the addition of the Courts’ PCs. He further recommends that the County award the network communications purchase to the low bidder, Lasco Development Corp. at a cost of $3,375. Lasco apparently misquoted an item for $300. Should Lasco refuse the bid because of the misquote, he recommends that the next lowest bidder, Anixter Corp. receive the bid award at a cost of $3,412.

It was moved by Comm. Minelli, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the purchase of Gateway 2000 micro-computers at a cost of $28,140.

It was moved by Comm. Seppanen, seconded by Comm. Braams, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the purchase of (2) 600 DPI laser printers, (3) 300 DPI laser printers, and (2) dot-matrix printers from the low qualified vendor, Advanced Business Equipment Inc., at a cost of $6,806.

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the purchase of the network communications to the low bidder, Lasco Development Corp. at a cost of $3,375, with the stipulation that should Lasco refuse the bid because of the misquote, the next lowest bidder, Anixter Corp. receive the bid award at a cost of $3,412.

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The Committee considered a memo from George Wright, Facilities Manager, regarding the Jail Painting Bid. Mr. Wright was present and explained that at the June 28th Committee of the Whole meeting he was instructed to negotiate with the low bidder, Pro-tec Painting Company, to accomplish as much painting as possible on the jail painting project with the $28,723.00 available from the Jail Fire Protection Project. The following compromises and deletions have been negotiated with Pro-tec Painting Company:

1. Clean the surfaces by scraping, this would also mar them for adhesion.
2. Change the primer from DTM to Pro Block and tint to the finish color.
3. Apply one coat of epoxy finish instead of two.
4. Do not paint the guard/maintenance hallways.
5. Do not paint the bars - clean and touch up.
6. Eliminate painting the tables.
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These changes will reduce the total cost by $18,174.00. The base bid was $46,300.00, leaving the total at $28,126.00. Mr. Wright recommends proceeding with the project with the reductions and deletions as negotiated.

It was moved by Comm. Potvin, seconded by Comm. Corkin, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the Jail Painting Project with the reductions and deletions as negotiated at a cost of $28,126.00.

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The Committee considered a memo from James Kippola, Senior Planner, regarding the Michigan Department of Commerce Low/Moderate Income (LMI) Guidelines. Earlier this year the Board requested the Resource Management/Development Department staff to conduct an income survey to challenge the low/moderate household income figure of 38% issued by the Michigan Department of Commerce. Commerce encourages communities to conduct such surveys when they are within 10 points of the 51% required for participation in some of Commerce's grant programs. This means at least 51% of the County's households must meet the Dept. of Commerce's low and moderate income guidelines. The survey of 400 households was conducted using approved methods during March, April and May using temporary staff. The survey contained a mix of telephone and on-site interviews.

Analysis of the survey responses indicate that 41.5% of County households are low/moderate income. This is 9.5% below the required 51% figure. Discussion with Department of Commerce officials indicate that because we could not upgrade our LMI figure, Marquette County will not be eligible for infrastructure/Public Works Category Grants which serve the entire County. Public buildings and sewer and water line extensions are common projects submitted under this program. Housing and Economic Development grants should not be affected, nor will grants submitted by Township or City governments who meet the low/moderate income guidelines at the local level.

It was moved by Comm. Seppanen, seconded by Comm. Potvin, and unanimously carried by voice vote, that the Michigan Department of Commerce Low/Moderate Income (LMI) Guidelines be accepted and placed on file.

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The Committee considered a County Board Resolution to Change Authorizing Agents for the Federal Property Assistance Program. Dennis Aloia, County Administrator, explained that the County does not often use the Federal Property Assistance Program, but has been on file for a number of years as being able to use it if the need arises. Mr. Aloia stated that the County has not changed the authorized agent since Bruce Ruikkila acted as the purchasing agent approximately ten years ago. This resolution is required by the Federal regulations to verify the designation of the new authorized agent if the County wants to be eligible to purchase anything through them in the future.

It was moved by Comm. Seppanen, seconded by Comm. Potvin, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the Resolution to Change Authorizing Agents for the Federal Property Assistance Program and designate Dennis Aloia, County Administrator, as the person responsible for accepting Federal Surplus Property, with the power and full authority to sign for such surplus property.

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

Announcements

- Comm. Angeli reported that he has received several complaints on Perkins Park. He was informed that there was a sewer failure just prior to the 4th of July, but repairs have been made.
- Comm. Minelli questioned the status of the Marquette County Landfill taking contaminated soils. Administrator Aloia informed Commissioners that he has spoken with an individual who has soil under one of the blue tarps. The individual has contacted the television station, and is having the soil shipped out of State because no decision has been made at the landfill. Administrator Aloia will contact the Solid Waste Authority for an update on the progress of the contaminated soil issue at the landfill.
- Comm. Corkin announced that he attended the UPCAP meeting concerning the Commission on Aging Care Management Program.
  - Comm. Potvin reminded Commissioners of the letter he wrote on April 12, 1994 to Brad Cory, Director, Marquette County Medical Care Facility, requesting various information about their finances. The Board of Social Services responded on May 11, 1994 with a denial of the information and directed that Commissioners work through the County Administrator, who would then contact Mr. Cory. The County Board unanimously voted to restate the original request, but as of July 5, 1994 there has been no answer.
  - Comm. Potvin also pointed out that in the minutes of the June 22, 1994 Social Services Board meeting he was unhappy to read that Comm. Angeli had apologized to the Social Services Board for the strong language used in the letter. Comm. Potvin did not believe his letter to be insulting. He was just asking some direct questions. He has heard of some financial problems occurring at the Medical Care Facility; however, he would like to base his budget decisions on facts and not on feelings or hearsay. He thought it wrong for our County Board Liaison to apologize for a letter requesting the facts.

Comm. Angeli contended he did apologize for any hard feelings that may have occurred because of the letter; however, he did not back off on the request for information. The Social Services Board and Mr. Cory were bothered by the letter, which may have been too harsh. He does not want the two Boards fighting between themselves. Comm. Angeli pointed out that he apologized for himself and not for anyone else.

Brad Cory, Director, Marquette County Medical Care Facility, was present and contended he feels that he is under attack. This is not the forum for this discussion. He was directed by the Social Services Board not to answer the letter; however, contrary to his Board he shared information verbally with Comm. Potvin and Comm. Angeli, and provided written information to the County Administrator. He was caught in the middle and did the best he could to act properly. He would like good relationships to exist between the County Board and the Social Services Board, and welcomed any Commissioner to the Facility to see how they operate and to ask questions.

Comm. Minelli asked Civil Counsel, David Payant, if it is legal for the Social Services Board to direct their Administrator not to respond. Civil Counsel Payant pointed out that the Social Services Board hires their own Director. Mr. Cory is not hired by the County Board, and therefore, answers directly to the Social Services Board. If the Social Services Board wants Mr. Cory to provide information or not, that is their decision.

Comm. Corkin pointed out that this issue will soon be resolved, and Commissioners will get the information requested. We must use a little common sense and decency.
- Dennis Aloia, County Administrator, announced that staff is working with Six County Consortium to re-establish the offenders program.
- Dennis Aloia, County Administrator, announced that it's again budget time. He and Gary Yoder, Finance Manager, have been gathering budget material. He suggested the Committee meet next week for a budget work session.

It was moved by Comm. Seppanen, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board meet as a Committee of the Whole for a budget work session immediately following the County Board meeting on Tuesday, July 19, 1994 at approximately 7:45 p.m.
- Comm. Bergdahl announced that the Circus will be held on Tuesday, July 19, 1994 at the Marquette County Fairgrounds. There will be two performances, 2:00 p.m. and 8:00 p.m.

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It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried on a roll call vote 8 Ayes (Seppanen, Angeli, Bergdahl, Braumme, Joseph, Minelli, Potvin, and Corkin) to 0 Nays, 2 Absent (Comm. Arsenault, and Comm. Trudell), 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.

CLOSED SESSION

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried by voice vote that the Committee of the Whole come back into Open Session.

No action was forthcoming as a result of the Closed Session.

There being no further business to come before the Committee of the Whole the meeting was adjourned.

Respectfully submitted,

Connie M. Braumme
Deputy County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
TUESDAY, JULY 12, 1994 at 4:30 p.m.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
7. Memo from Randy Girard, Human Resources Director, regarding the Sheriff's Department Temporary Work Period Revision.
8. Recommendation on Personal Computer Purchase Bids from Brent Nault, Data Processing Manager.
10. Memo from James Kippola, Senior Planner, regarding the Michigan Department of Commerce Low/Moderate Income (LMI) Guidelines.
11. County Board Resolution to Change Authorizing Agents for the Federal Property Assistance Program.
12. 
13. 
14. Closed Session to Review the Quarterly Litigation Update.
15. PUBLIC COMMENT.
16. ANNOUNCEMENTS.
17. ADJOURNMENT.