The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, April 25, 1995 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on April 11, 1995 be approved.

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

It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried by voice vote that the agenda be approved with the following change: Item 9 be removed from the agenda because Lt. Col. Phil Lennart could not make the meeting as planned.

It was moved by Comm. Rapport, seconded by Comm. Seppanen and unanimously carried by voice vote that Claims and Accounts for the period April 7, 1995 through April 21, 1995 in the amount of $772,530.07 be approved.

Rudy LaFreniere, Marquette County Mine Inspector, provided a report on activities occurring in Marquette County regarding abandoned mines and pits. Mr. LaFreniere has received good cooperation from CCI, Longyear Corporation, Holli Forest Products, and a number of private landowners. The National Guard has filled in a pit by the Carp River Forge, however, they cannot do anything on private land. In one case he has sent registered letters to a private landowner in West Branch Township, however, his letters have been returned, but they appeared to have been opened. He believes the landowner is purposely not cooperating.

Mine Inspector LaFreniere also pointed out stiffer penalties are needed for vandalism. This requires a change in the legislation. Perhaps a few people being prosecuted would set an example which would curb vandalism. Many signs around abandoned pits are used as targets, kids view abandoned mine pits as an adventure, and many adults consider them private fishing holes.

Civil Counsel Payant pointed out that in the case of an uncooperative landowner the County could fence the land and bill the owner. If they don’t pay, the bill can be reported as a delinquent tax lien against the property. Mr. Payant further added that we cannot force the landowners to fill or cap the mines, but only fence them. The Mine Inspector only has authority over iron mines even though many other types of abandoned pit owners cooperate.

It was moved by Comm. Rapport, seconded by Comm. Minelli and unanimously carried by voice vote that the Committee of the Whole recommend that the County Board direct Civil Counsel David Payant and Mine Inspector Rudy LaFreniere to review abandoned mine legislation and make recommendations for changes to the County Board so they can forward that information to our State Legislators.

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The Committee considered a presentation entitled "What's Wrong With Michigan Roads" produced by the County Road Association of Michigan and a package of materials entitled "Funding for the Future." The presentation and materials show that Michigan roads and bridges are deteriorating rapidly while at the same time the State of Michigan ranks in the bottom ten States in funding for road maintenance and improvement. The State of Michigan has not raised its gas tax from the current level since 1984. Northern States are at a disadvantage to Southern States because a good portion of their funding goes toward plowing and salting and sanding of roads in the wintertime, however, Michigan still ranks in the bottom of the 25 Northern States in funding.

To complicate the problem, automobiles have become more fuel efficient which has the effect of actually reducing the amount of road taxes per mile. Over 200 bridges and overpasses in Michigan have plywood underneath them to catch the crumbling concrete. Approximately 60 of these overpasses will be repaired during the next three years but what of the remaining 140? The County Road Association of Michigan is proposing an increase in the gasoline tax of 12 cents per gallon which would cost an average automobile owner who drives 12,000 miles at 20 miles per gallon approximately $72 per year or $6 per month. This would provide approximately $8 billion in funding over the next ten years for road improvements. The State of Michigan is losing business and tourism because of its deteriorating road system.

Jim Alderton, Chairperson, Marquette County Road Commission, introduced Bob Menard, the new Engineer/Manager of the Marquette County Road Commission who currently is President of the County Road Association of Michigan. In the presentation materials is a copy of a letter to State Senator Don Koivisto explaining that the 5 to 7 cent increase is not sufficient to allow the County Road Commission to address the growing backlog of road needs. Also, the legislature should continue distributing the funding under the existing formula. The new legislation would provide more funding for the Michigan Department of Transportation which does not help the local road needs.

It was moved by Comm. Seppanen, seconded by Comm. Rapport, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board adopt a resolution supporting the County Road Association of Michigan and the Marquette County Road Commission to ask the State for more than 5 to 7 cents per gallon in increased fuel taxes and continue to distribute such taxes under the old distribution formula.

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The Committee considered a resolution from Genezee County which concurs with a resolution from Genesee County regarding the terms, number of members and the adoption of Road Commissioner Districts for County Boards of Road Commissioners. Comm. Angeli would like to see a larger road commission which would be elected from five districts.

James Alderton, Chairperson of the Marquette County Road Commission, was present and explained that the Marquette County Road Commission is opposed to this resolution. It takes a long time for a member of the road commission to get a thorough knowledge and understanding of road systems and funding. The Road Commission believes it is better that they be appointed. They also opposed districts because they want the most qualified people, regardless of where they come from in the County, who are concerned about a County-wide road system and not parochialism.

It was moved by Comm. Angeli, seconded by Comm. Trudell and defeated on a roll call vote 2 Ayes (Comm. Angeli, Trudell) to 7 Nays (Comm. Arsenault, Bergdahl, Braamse, Minelli, Rapport, Seppanen and Corkin) that Marquette County adopt a similar resolution.

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The Committee considered a memo from James Sodergren, Marquette County Treasurer, regarding House Bill 4590 which amends the Swamp Tax. Currently the State of Michigan pays $2.50 per acre on State owned lands to local units of government. The funds are distributed in this matter: $1.00 to the Counties, $1.00 to the Townships and 50 cents to the School Districts. House Bill 4590 would redirect the 50 cents that goes to the School Districts to the State Education Tax (SET) which was provided for under Proposal A. Mr. Sodergren has no problem with the State portion of the Swamp Tax going to the SET, however, House Bill 4590 does not go far enough. An escalator clause providing 5% of the cost of living to local units of government should be included in House Bill 4590 so the Swamp Tax would keep up with inflation.

It was moved by Comm. Seppanen, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board adopt a resolution supporting House Bill 4590 if it includes an escalator clause of 5% or the cost of living.

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The Committee considered a request from Lyn Nelson, Community Corrections Coordinator, that the County Board approve an appropriation of $50 per year for membership dues into the Michigan Association of Community Corrections Advisory Boards. Ms. Nelson was present and explained that the local Community Correction Boards seeks all of its funding from the state and therefore is reluctant to use state funding for its membership dues. It was moved by Comm. Arsenault, seconded by Comm. Seppanen, to approve the request, discussion continued.

County Administrator, Dennis Aloia, pointed out that if the County Board approves this $50 membership fee, even though the sum is very small, it would be the first ever appropriation from the County Board towards this particular function and he does not believe it is appropriate. Many other organizations pay their membership dues with state funds and he recommended that the County Board ask the Community Corrections Advisory Board to pay the $50 out of their own funding.

Chairperson Corkin called for a vote on the motion to approve the request, motion defeated unanimously by voice vote.

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The Committee considered a memo from Scott D. Tuma, Chairperson of the Marquette County Commission on Aging, regarding the search for a new COA Director. Randy Girard, Human Resources Director, was present and explained that the search committee has agreed to assistance by the County Human Resources Department. He has assisted the search committee in developing a matrix, writing the advertisements and job description for the position. The first ad appeared on April 13, 1995 and there have been 21 applicants so far ranging in qualifications to unqualified to very well qualified.

County Administrator Dennis Aloia pointed out that this probably is the best time to consider other options for the organization of the Commission on Aging. In recent discussions with Jonathan Mead from UPCAP, Mr. Aloia has learned that in the future UPCAP wants service provision rather than referral. That means future funding dollars will be hard to get because the current Commission on Aging is not delivering direct services but is still mostly a referral type agency. Administrator Aloia thought by reorganizing the Commission on Aging as a division of the County Health Department, it would create a more efficient operation while still providing the necessary services to seniors. The Health Department already has such programs as home health care, health education and a dental clinic. The Commission on Aging could continue its advisory board in conjunction with the Health Department. Mr. Aloia also noted that any millage funds must be spent for senior services and could not be intermixed with other programs.
Administrator Aloia recommended that a committee be formed with two members from the Commission on Aging, one Advisory Board member, two County Commissioners, a representative from UPCAP, two members of the Health Department Board, and County Staff to investigate the matter during the next month while the search is continuing for a new director.

Comm. Rapport added that this is not an attempt for the Health Department to take over the Commission on Aging. The idea is the brain child of Administrator Aloia who is trying to find a more efficient way of delivering senior services. We are only asking for a temporary moratorium in the hiring of a COA Director.

It was moved by Comm. Braamse, seconded by Comm. Angeli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board direct Staff to delay the hiring of a Commission on Aging Director for 30 days and form a committee as described by Administrator Aloia to review the possible reorganization of the Commission on Aging as a division of the County Health Department and then make a recommendation to the County Board.

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It was moved by Comm. Trudell, seconded by Comm. Rapport and unanimously carried by voice vote to place a communication of file from Pam Clark and Susan L. Sundblad, Co-race Directors of the Big Bay Relay Race, which once again will run from Marquette to Big Bay. The race will begin 8:00 a.m. on May 13, 1995 at the Marquette Tourist Park and end in Big Bay at approximately 12:00 noon.

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It was moved by Comm. Trudell, seconded by Comm. Rapport and unanimously carried by voice vote that the Committee of the Whole place the communication on file from the Governor’s Office which proclaims Michigan Week to run Saturday, May 13th through May 27th, 1995.

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The Committee considered a letter from James M. Storey, Executive Director of the K.I. Sawyer Conversion Authority, pointing out that the U.S. Department of Defense - Office of Economic Adjustment, has authorized the Base Conversion Authority to spend up to $50,000 of previously approved funds for responding to unanswered questions raised by the Marquette County Board of Commissioners. The Conversion Authority is preparing a "request for proposals" to seek bids from qualified firms willing to address these questions.

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Comm. Angeli asked if County Commissioners, when acting as liaisons to other various County Boards and Commissions, are allowed to be in closed session with them. Civil Counsel Payant will review the matter.

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

It was moved by Comm. Arsenault, seconded by Comm. Braamse, and unanimously carried on a roll call vote, 9 Ayes (Comm. Arsenault, Angeli, Bergdahl, Braamse, Minelli, Rapport, Seppanen, Trudell and Corkin) to 0 Nays that the Committee of the Whole go into closed session to discuss pending litigation regarding two cases a) Aho vs. Marquette County Board of Social Services and b) Northern Michigan Aviation Complaint vs. Marquette County Airport.
Chairperson Corkin declared a brief recess to clear commission chambers.

CLOSED SESSION

The Committee of the Whole came back into open session. No recommendations for action were forthcoming as a result of the closed session.

There being no further business, the meeting was adjourned at 6:55 p.m.

Respectfully Submitted,

[Signature]

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
TUESDAY, APRIL 25, 1995, 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.
6. Report from Rudy LaFreniere, Marquette County Mine Inspector.
7. Presentation by the Marquette County Road Commission and Letter from James Alderton, Chairperson, regarding Jurisdiction and Maintenance of the Base Road System.
8. Resolution regarding the Terms, Number of Members, and Districts of County Road Commissioners.
10. Memo from James Sodergren, Marquette County Treasurer, regarding the Swamp Tax.
11. Request from the Marquette County Community Corrections Advisory Board to join the Michigan Association of Community Corrections Advisory Boards.
12. Memo from Scott Tuma, Chairperson, Commission on Aging, regarding Director Search Committee.
13. Information regarding the Big Bay Relay Race to be held May 13, 1995.
15. [Signature]

16.

17. CLOSED SESSION: PENDING LITIGATION
   a. Aho v. Marquette County Board of Social Services
   b. Northern Michigan Aviation Complaint v. Marquette County Airport

18. PUBLIC COMMENT.
19. ANNOUNCEMENTS.
20. ADJOURNMENT.