September 14, 1982

Honorable Chair 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 September 14, 1982 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

__________________________________________ Chair

__________________________________________

__________________________________________

__________________________________________

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September 14, 1982

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

Ladies and Gentlemen:

Attached is the Federal Emergency Management Agency Local Emergency Management Annual Program Paper for 1983. The Program Paper is a management tool designed to provide a summary of programs accomplished during 1982, and projects or activities which the local emergency jurisdiction intends to carry out during 1983 to increase emergency response capability. The document is not considered a contract, but a statement of intent on the part of the local jurisdiction and its Emergency Services Coordinator. The Controller and Chief Civil Counsel have reviewed the document and find no impediment to its acceptance by the County Board.

As a quorum of the Executive Committee was not present at its September 14, 1982 meeting formal action could not be taken on the document. However, the Committee members present at the meeting reviewed it and believe it should be approved by the County Board and that the Board Chair should be authorized to sign it.

Respectfully submitted,

EXECUTIVE COMMITTEE

__________________________________________
Chair
September 14, 1982

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

Ladies and Gentlemen:

Attached is a draft policy on Equalization Department Optional Services for consideration by the County Board of Commissioners.

The policy defines optional services which the County Board may wish to provide through the Marquette County Equalization Department and establishes limits of the Equalization Director's discretionary authority in undertaking such projects. The policy has been reviewed and approved by the Controller, Chief Civil Counsel and members of the Executive Committee present at its September 14, 1982 meeting.

Respectfully submitted,

EXECUTIVE COMMITTEE

__________________________________________
Chair
POLICY MANUAL - GENERAL POLICIES - EQUALIZATION OPTIONAL SERVICES

413 Equalization Optional Services

The purpose of this policy is to define the optional services which the County Board of Commissioners wishes to provide and to establish the limits of the Equalization Director's discretionary authority in undertaking such projects.

Optional services are defined as those activities of the department which are authorized by the Board of Commissioners within the range of its discretionary authority and are not performed to meet a statutory requirement. Said optional services shall be limited to:

- Assessment Roll Maintenance Program
- Sales Verification Program
- Monitor Reappraisal Program
- Technical Assistance to Local Assessors on Appraisals of Unique or Complex Properties
- Training Sessions for Local Officials
- Technical Assistance and Advice to Local Assessors and Members of the Public in the Area of Assessment Appeals
- Research Projects
- Tax Administration/Data Processing Services

Participation in special projects in the optional services area as defined above that will involve Equalization Department resources for not more than three person days can be initiated at the discretion of the Equalization Director. The Director will submit a written report outlining special project activity to the Board of Commissioners or an appropriate subcommittee on an quarterly basis.
Participation in special projects which will involve Equalization Department resources for more than three person days or may involve the department in judicial or quasi-judicial proceedings will occur only with the specific prior authorization of the Board or an appropriate Committee thereof. In making decisions regarding authorization of requested special project activity, the following criteria should be utilized:

1. Is the Equalization Department the logical department to provide assistance?

2. Will the impact on departmental operations be negative or positive, i.e. impair ability to meet statutory responsibility?

3. What are the potential benefits/liabilities to County government, i.e. consistent with overall policy, aids in meeting Board goals and objectives, etc.?
September 14, 1982

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

Ladies and Gentlemen:

Attached is a resolution similar to one adopted by the Michigan Association of County Clerks opposing the state take-over of local courts.

Members of the Executive Committee present at the September 14, 1982 meeting support the approval of the resolution by the County Board.

Respectfully submitted,

EXECUTIVE COMMITTEE

__________________________________________
Chair
RESOLUTION

Resolved, That because of the experience in those parts of Michigan where the State take-over of local courts has occurred, it is clear that four things have happened:

1. It has been an economic disaster for the taxpayers of the county;
2. That citizens' control of local courts has been lost;
3. That the State control has done nothing to improve the administration of justice;
4. That State control has contributed nothing to "fairness" with which courts should operate.

Therefore, the Marquette County Board of Commissioners goes on record as opposing the legislative proposal identified as "Phase II of the Michigan Court Reorganization Plan" which would provide for State take-over of county courts.
September 14, 1982

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

Ladies and Gentlemen:

Attached is a resolution calling for the repeal of Paragraph (7), Section 454,
Mental Health Code, which requires that "Legal counsel shall consult in
person with the subject of a petition at least 24 hours before the time set
for a court hearing...". Michael J. Anderegg, Probate Judge, forwarded the
resolution to the Executive Committee indicating the requirement that an
attorney in commitment cases must see their client at least 24 hours in
advance of hearings is creating problems for area attorneys and he believes
the County Board should adopt the resolution.

Members of the Executive Committee present at the September 14, 1982 meeting
support the approval of the resolution by the County Board.

Respectfully submitted,

EXECUTIVE COMMITTEE

Chair
RESOLUTION TO REPEAL SECTION 454.(7)
MENTAL HEALTH CODE

Whereas, Public Act 178 of 1982 added to the Mental Health Code, Section 454., Paragraph (7), "Legal counsel shall consult in person with the subject of a petition at least 24 hours before the time set for a court hearing...", and;

Whereas, Court appointed attorney fees and expenses are paid entirely by the respective counties and the cost of attorney fees and expenses has been substantially increased by enactment of Paragraph (7), in violation of the Headlee Amendment:

"A new activity or service beyond that required by existing law shall not be required by the legislature or any state agency of units of Local Government, unless a state appropriation is made and disbursed to pay the unit of Local Government for any necessary increased costs".

and;

Whereas, the 24-hour provision has not added to the quality of legal representation and the Mental Health Code has otherwise adequately and fully protected the legal rights of the subject of the petition;

Now, therefore, be it resolved, that the Marquette County Board of Commissioners solicits and urges the immediate repeal by the State Legislature of paragraph (7), Section 454. of the Mental Health Code.

Be it further resolved, that a copy of the Resolution be sent to each State Senator and State Representative representing this County in the State Legislature.
September 14, 1982

The Executive Committee meeting was duly called and held on September 14, 1982 at 7:00 p.m. in the Courthouse Annex.

Present: Commissioners May and Racine.

Absent: Commissioners Cheatham, LaPin and Villeneuve.

In Attendance: Frank Valente, Ishpeming; Henry Schneider, Equalization Director; Duane Beard, Controller; and Mike Zorza, Coordinator, Emergency Services.

The meeting was called to order by Vice-Chair May in the absence of Chair LaPin who had asked to be excused from the meeting. Since a quorum of the Committee was not present, Commissioners May and Racine decided to refer items to the County Board for action.

The approval of the minutes of the August 10, 1982 meeting was deferred until the next meeting of the Committee.

Public Comment: No one present wished to speak during public comment.

Approval of the Agenda: A communication from Henry Schneider on a tax administration program was added to the agenda. Also added were communications from Fred Leopold, Chair, EMS Council, and Charles Gardner, Michigamme-Spurr First Responders, on the relocation of the R-52 rescue unit, which had been referred to the Committee by the Finance Committee.

Henry Schneider, Equalization Director, was present to give a status report on the equalization process. He said his department is switching from a three year to a two year sales study as a result of a policy change by the State. He said the study submission deadline has been moved up to December 1, from December 31. He advised the Committee that his department staff is 75% finished with the residential study program; have completed some commercial studies; and have completed 50% of the timber cut-over studies. He said hopefully the department will be able to finalize some studies by the end of September and all residential studies by the end of October.

Mr. Schneider said they are attempting to do more sales studies basically because the units that appealed their assessment to the Tribunal contended that the sales method is better than the appraisal method.

The Committee reviewed a communication from Mr. Schneider on a tax education program. Mr. Schneider provided a pamphlet on the program which is sponsored by MSU Cooperative Extension Services for the Committee's review. He believes this is one of the better programs he has seen on this topic. It is a combined effort of educators and experts in the field and is put together in a manner that is understandable to the general public. He believes the county should be aware that this is available and should attempt to utilize the program. He recommended the following:

1. Obtain a number of "Tax Education Notebooks" to be available for the Board, general public and other persons and groups as determined by the Board.

2. Purchase two or three sets of visuals for the program.
3. Three or more officials should be trained to present the program - both elected and appointed officials. Assistance could be provided by Cooperative Extension.

4. Availability of the program should be publicized to schools, social and professional groups, elected bodies and others as determined by the Board.

5. Actively work with and support the efforts of the tax education task force.

Duane Beard suggested the program be made available to the general public. Commissioner May felt the program could be 'spot' promoted on T.V. Mary Luttinen, Director, Cooperative Extension, will be invited to the Committee's next meeting to discuss the implementation of the program with the Committee.

Mike Zorza, Coordinator, Emergency Services, was present to review the Federal Emergency Management Agency Local Emergency Management Program Paper for 1983 with the Committee. In a communication to the Committee, Mr. Zorza stated the Program Paper is a management tool designed to provide a summary of programs accomplished during 1982, and projects or activities which the local emergency jurisdiction intends to carry out during 1983 to increase emergency response capability. The document is not a contract, but a statement of intent on the part of the local jurisdiction and its Emergency Services Coordinator.

Duane Beard said the statement paper is in agreement with the budget. A memo from Patricia L. Micklow, Chief Civil Counsel, was received stating she had reviewed the document and approves it for signature by the Board Chair. Commissioners May and Racine directed that the document be referred to the Board for their consideration advising them that it has been reviewed and approved by the Controller, Chief Civil Counsel and Committee members and that they believe the Board should approve the document and authorize the Board Chair to sign it.

Communications from Fred Leopold, EMS Council, and Charles Gardner, Michigamme-Spurr First Responders, on relocation of the R-52 rescue unit from the Negaunee Township Fire Hall to the Sheriff's Department were referred to the Committee by the Finance Committee. Duane Beard said the relocation is a budgetary consideration. No action was taken on the communications as the 1983 budget has not yet been adopted.

A recommendation was received from the Controller on a draft policy on the Equalization Department's participation in special projects. Duane Beard said the draft policy is based on one that was submitted to the Committee by Henry Schneider. Chief Civil Counsel has reviewed the policy and found no impediment to its acceptance by the County Board. The purpose of the policy is to define optional services which the County Board may wish to provide through the Equalization Department and establishes limits on the
Executive Committee
September 14, 1982
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Equalization Director's discretionary authority in undertaking such projects. The policy will be referred to the Board for consideration and they will be informed that the Executive Committee members present at the September 14 meeting reviewed and approved the policy.

The Committee received a recommendation from the Controller on a draft policy on dismissal of members of appointed boards and/or commissions. Duane Beard, Controller, advised the Committee that the policy has not been reviewed by Chief Civil Counsel. It was decided not to act on the policy until Chief Civil Counsel has had an opportunity to review it.

A notice from U.P. Power Co. on hearings held by the Public Service Commission on U.P. Power Co.'s application for a rate adjustment to its October and November, 1982 billings was noted and placed on file.

A communication and resolution was received from Ontonagon County on the possibility of a nuclear waste disposal site in the Upper Peninsula. Ontonagon County is opposing the location of such a disposal site in the Upper Peninsula. The Marquette County Board has already adopted a resolution to that effect. Commissioner Racine stated UPPAC also adopted a resolution on this issue.

Duane Beard was excused from the meeting.

A communication and resolution from Oakland County in favor of H.B. 4150 to amend the School Code was received. The Marquette County Board has gone on record opposing H.B. 4150. The communication and resolution was placed on file.

A resolution adopted by the Michigan Association of County Clerks on the state take-over of courts was received. According to the resolution the state take-over of local courts has resulted in:

1. Economic disaster for the taxpayers of the county.
2. Loss of citizens' control of local courts.
3. Has done nothing to improve the administration of justice.
4. Has not contributed to the "fairness" with which courts should operate.

The Committee members present referred the resolution to the Board for consideration.

A communication was received from Judge Anderegg, Probate Court, on a resolution regarding an amendment to the Mental Health Code - Paragraph (7), Section 454., which requires that "Legal counsel shall consult in person with the subject of a petition at least 24 hours before the time set for a court hearing...". Judge Anderegg said this requirement causes problems for area attorneys and he believes the County Board should support its repeal. The Committee members present referred the resolution to the County Board for consideration.
Commissioner Racine stated he will be attending a UPACC meeting on the expansion of prison facilities at Kincheloe and the possible construction of a detention facility for youthful offenders in Marquette.

There was no public comment.

The meeting adjourned at 8:25 p.m.

Respectfully submitted,

Karen Chubb, Commission Aide