October 12, 1982

The Marquette County Board of Commissioners met on October 12, 1982 at 7:00 p.m. in the Commissioners Room of the Courthouse Annex (Annual Meeting).

Chairperson Racine opened the meeting, roll was called by County Clerk, Henry A. Skewis, and the following roll was recorded: Present: Commissioners Carlson, Farrell, Juidici, LaMere, LaPin, Leone, Lowe, May, Steel, Villeneuve, and Racine. Absent: Commissioner Cheatham.

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

The acceptance of the minutes of the October 6, 1982 meeting of the Board of Commissioners was deferred until October 20, 1982.

Approval of the agenda was given with the addition of item 7-F-1, an oral request from Greg Main of CUPPAD in regard to Marquette County becoming the applicant on a Small Cities Grant Application for Neguanee Township; and item 7-I, a communication from Alan Chase, Director of the Planning Commission, regarding increases in construction code fees and the possible retaining of the positions in the Building Code Department as full time positions.

Chairperson Racine opened the meeting for public comment. None was forthcoming, and the public comment section was closed.

Chairperson Racine opened the Public Hearing on the proposed 1983 General Fund Budget, Capital Fund Budget, and Various Special Revenue, Enterprise and Internal Services Funds, the 1983 Child Care Fund Budget and the 1983 Federal Revenue Sharing Budget.

Alan Chase, Director of the Planning Commission, was present and advised the county board that if the county board chose to increase the construction code fees to his recommended level, then enough revenue would be generated to keep the Electrical Inspector, the Plumbing Inspector and the Building Code Department Clerk at full-time salary rather than at one-half time. He recommended that the fees be increased on January 1, 1983.

Lynn Swadley, representative of Home Builders Association of Superiorland, was present and advised the county board that his associates in the building trade had no objection to the proposed increase in fees and stated that everyone wanted good efficient inspections. He did state that they felt that essential service such as inspections should not be funded on a fee basis only, but with a look to the necessity of having these inspections.

There being no further comments from the public or the county board, Chairperson Racine closed the public hearing.

An opinion PAO-82-27 from the Chief Civil Counsel regarding the 1982 tax certifications, Truth in Local Property Taxation and Assessment Report; Recommendations, was read and discussed. Chief Civil Counsel advised the county board that the 1982 levy of taxes by the various units of government were in order as far as proper forms being filed and actions certified by units of government. She recommended that the 1982 tax levy be certified to the units of government. She also recommended that with the 1983 certification of levy, that some additional material be filed and certified to, so that a more proper record would be available. Her recommendation was that in addition to the respective millage rates to be certified, the following information also be provided:
1. The date the Truth in Taxation hearing was held;

2. Certification that the public notice provisions for Truth in Taxation hearings have been given;

3. The date that the legislative body of the local unit voted to increase its tax yield.

This would assure compliance with the notice and hearing requirements of the Truth in Taxation statute prior to the 1983 certification process. It was moved by Comm. Farrell, supported by Comm. Leone and carried unanimously on a roll call vote, that the county board certify the levy of taxes for 1982 and adopt the recommendations of the Chief Civil Counsel for the 1983 certification as stated above.

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Comm. Carlson asked Chief Civil Counsel if the county board had taken the proper action earlier in the year when they set the equalized values of Forsyth Township. Chief Civil Counsel assured him the county board had taken the proper action.

A communication from Lou Chappell, owner/operator of WDMJ, Inc., asking the county board to allow WDMJ to broadcast the county board proceedings was read. The county board was advised that the cost would be $15.00 per month for telephone hook-up. It was moved by Comm. Carlson, supported by Comm. May and unanimously carried on a roll call vote, to have WDMJ broadcast the proceedings of the Marquette County Board of Commissioners meeting at a cost to the county of $15.00 per month for telephone.

A communication from the Planning Commission advised the county board that the Planning Commission had only approved the Small Cities application for CDBG funds. They had approved the extension of the waterline to Midway Industrial Park in the amount of $32,000.00, but had not approved the expansion of the U.P. Fabricating Co. Inc. because it is not proper to use public funds to subsidize one manufacturer to the detriment of others; and that U.P. Fabricating Co. Inc. "farms out" its work to non-Marquette County firms. Greg Main, Executive Director of CUPPAD defended the project and explained that the expansion of U.P. Fabricating would allow them to do the work on site and so hire additional persons. He stated that the proposal was not in conflict with the Revised Marquette County Comprehensive Plan. He stated the amount of the application for grant has increased from $412,000 to $417,000 to cover costs of administration. It was moved by Comm. Judici, supported by Comm. Carlson and unanimously carried on a roll call vote that Marquette County become the applicant for this grant and that the board chairperson be authorized to sign it. Comm. Farrell abstained from voting as he is a member of the Upper Peninsula Development Corp. who provides financing to the grant in part.

A communication from Upper Peninsula Travel and Recreation Association asking that their 1983 appropriation by Marquette County be increased from $600.00 in the proposed 1983 budget to $1,000.00. It was moved by Comm. Farrell, supported by Comm. LaNere and carried, that the communication be filed.

A memorandum from Chief Civil Counsel Patricia L. Micklow regarding proposed additions to the General Policies and Personnel Policies of the county was read. Chief Civil Counsel recommends changes in the policies in regard to arbitration for non-union employees and indemnification and defense of county officials and employees. Chief Civil Counsel's recommendations are to add the changes to the policies. It was moved by Comm. Judici, supported
by Comm. LaMere, that the county board waive General Policy 406 and make the change in Section 9.3 Non Union Employee Grievance Procedure Step 5 and Policy Manual - General Policies - Defense and Indemnification Section 411.1 and 411.2. It was then moved by Comm. LaPin, supported by Comm. Lowe and carried unanimously on a roll call vote, to amend the proposed addition to read that "The expenses of the arbitrator or the rental, if any, of the place of arbitration will be shared equally by both parties." A roll call vote was then taken on the motion to add the changes in policy as amended and the motion carried on a roll call vote.

MARQUETTE COUNTY PERSONNEL POLICIES AND PROCEDURES MANUAL

Addition to Section 9.3 Non-Union Employee Grievance Procedure
Adopted by the Marquette County Board of Commissioners on October 12, 1982:

Step 5. If the grievance remains unsettled, and involves discharge or demotion, the employee shall file within thirty (30) calendar days a demand for arbitration in accordance with the Federal Mediation and Conciliation Service rules and procedures. The arbitrator will follow and be bound by the rules of procedure adopted by the Federal Mediation and Conciliation Service.

The arbitrator shall establish a time and a place acceptable to all parties in Marquette, Michigan, for a hearing upon reasonable notice to each party. After such hearing, the arbitrator shall promptly render a written decision which shall be binding upon both parties.

The decision shall be confined to the express section of the Marquette County Personnel Policies and Procedures Manual which gave rise to the dispute and was in effect at the time the demand for arbitration was filed. The arbitrator will have no power to overrule the employer unless the employer is determined to have been arbitrary and unreasonable in the decision to discharge or demote the employee.

The expenses of the arbitrator and the rental, if any, of the place of arbitration shall be equally shared by the parties. All other expenses attendant to arbitration shall be borne by the party incurring them, including the expenses of any witnesses called by such party.
A discussion was held on the possibility of raising construction fee schedules to provide additional revenue to the Building Code Department that might be used to support the need for full time electrical/plumbing/building code inspectors and building code clerk/typist. It was moved by Comm. Farrell, supported by Comm. Leone and carried, that the proposed changes be referred to the Finance Committee for recommendation to the county board at their second meeting in November.

A communication from James F. Sodergren, County Treasurer, requesting the increase of the staffing level in his department by one person, was read. It was moved by Comm. Carlson, supported by Comm. May and carried, that the request be referred to the Personnel Committee for recommendation, and that the Controller and Chief Finance Officer also be asked to make comment on the request.

A discussion was held on whether or not the Friend of the Court could be cut to a half time position. It was stated that a good part of his work load is now handled by the Family Support Unit. He is required to make investigations into child support cases and administers the family counseling service by making appointments and setting time and place for those meetings. He also has visitation mediation responsibilities. It was moved by Comm. Carlson, supported by Comm. LaMere and carried, that the Personnel Committee be requested to evaluate this position and report back to the county board on the second meeting in November. The Personnel Director will be asked to make an evaluation of this position to determine what percent of his work load has been taken over by the Family Support Unit.

A motion was made by Comm. Farrell, supported by Comm. May, that the county board adopt the budget for 1983 as proposed by the Finance Committee for the General Fund, Capital Fund and Various Special Revenue, Enterprise and Internal Services Funds and the Federal Revenue Sharing Fund. Comments in regard to this motion were made by several of the Commissioners, and some amendments were discussed. It was moved by Comm. Carlson, supported by Comm. LaMere and carried, to amend the motion to allow that the position of Circuit Court Bailiff be placed in the Circuit Court budget as a 24 hour a week position, and because this position will also provide court security in the same 24 hours a week, that the Sheriff's budget for Circuit Court security be eliminated from the Sheriff's Department budget. It was moved by Comm. LaPin, supported by Comm. Lowe and carried that the motion to approve the budgets be amended to reinstate the Sheriff's Department position that was proposed to be eliminated by reducing the Sheriff's Department 1983 line item Medical Expense by $8,000.00, increase 1983 General Fund revenue for work pass privileges by $5,250.00 by increasing work pass program fees from $4.00 per day to $7.00 per day and making an appropriation to the Sheriff's Department salary item of $13,750.00. It was moved by Comm. Farrell, supported by Comm. Racine, that the county board eliminate and delete all funding for the "Making Ends Meet" position in the Cooperative Extension budget. Comm. Farrell felt that the county board was not "biting the bullet" in a sense, because they were amending the proposed budget to bring back all of the positions that had been eliminated. Comm. Juidici stated the county is funding Acoks Medical Facility in an amount of $300,000 and only serving 100 people there. She felt that the operation was too costly. Comm. Carlson stated the increase in the 1983 budget is only about 1/2 percent over last year. Comm. Farrell stated the county was still $500,000 "in the red." A vote was taken on the motion to delete funding for the "Making Ends Meet" program, and the motion failed. All Commissioners voted no. A request for an appropriation for 1983 for the Upper Peninsula Travel and Recreation Association was placed on file.

It was moved by Comm. Farrell, supported by Comm. LaPin and carried, that a page be added to the General Fund Budget showing the Board of Commissioners salary and per diem for 1983.
It was moved by Comm. Carlson, supported by Comm. LaMere and carried unanimously on a roll call vote that $180.00 be added to the Board of Commissioners 1983 budget line item Telephone for service fee for broadcasting the 1983 meetings of the county board over WDMJ.

A vote was now taken on the motion made by Comm. Farrell to approve the 1983 General Fund Budget, Capital Fund Budget, and Various Special Revenue, Enterprise and Internal Services Budgets and 1983 Federal Revenue Sharing Budget as amended to include:

1. Circuit Court Bailiff/ 24 hours per week;
2. Sheriff's Department/ Reinstall position in department;
3. Board of Commissioners Budget/ $180.00 telephone;
4. Added page/ Commissioners salary, per diem.

The motion passed unanimously on a roll call vote.

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It was moved by Comm. Farrell, supported by Comm. Carlson and unanimously carried on a roll call vote to approve the 1983 Child Care Fund Budget.

Reports of the October 6, 1982 special meeting of the Personnel Committee and the October 7, 1982 regular meeting of the Personnel Committee were accepted and placed on file.

Comm. LaPin called the attention of the county board to the condition of M-95 in Humboldt Township where several accidents had occurred in the past, and one fatality has occurred this week. Some of the problem seems to be rock piles on the highway right of way. It was moved by Comm. LaPin, supported by Comm. Farrell, that letters be sent to the State Department of Transportation and the Marquette County Road Commission asking that this problem be investigated and action taken to eliminate the hazards.

It was moved by Comm. Lowe, supported by Comm. LaMere and carried, that the Marquette County Board of Commissioners go on record as supporting State Proposal "D" in regard to utility rate increase elimination and control.

It was moved by Comm. Racine, supported by Comm. LaPin and carried, that the county board send letters to the United States Navy and to our Federal legislators asking them to oppose the taking of bids for foreign products in view of the unemployment situation in the United States and, particularly, in Marquette County.

Both Duane Beard, Controller, and Henry A. Skewis, County Clerk, requested that the county board take some action on the county-wide proposal that would eliminate the Tax Allocation Board and set the statutory 15 mills at its current proposed levels. This matter was referred to the Executive Committee for action.

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

There being no further business to come before the county board, the meeting was adjourned.

Respectfully submitted,

Henry A. Skewis
County Clerk
ANNUAL MEETING
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Tuesday, October 12, 1982, 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 6, 1982 MEETING.
4. APPROVAL OF THE AGENDA.
5. PUBLIC COMMENT (time limit of 20 minutes total).
6. PUBLIC HEARINGS:
   a. Public hearing on the 1983 General Fund Budget, the Capital Fund Budget, and various Special Revenue, Enterprise and Internal Service Funds.
   b. The 1983 Child Care Fund Budget.
   c. The 1983 Federal Revenue Sharing Budget.
7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
   a. Opinion from Chief Civil Counsel regarding the certification of tax levies.
   b. Communication from Joseph Maino regarding the elimination of one employee in Sheriff's Department.
   c. Communication from Judge E.A. Quinnell regarding the position of Circuit Court Bailiff.
   d. Communication from James Sodergren, County Treasurer, regarding the staffing in his office.
   e. Communication from Lou Chappell of WDMJ and request to broadcast county board meetings.
   f. Communication from Alan Chase, Planner regarding action taken by Planning Commission on Negawaye Twp. Small Cities CDBG application.
   g. Communication from UPTRA on appropriation in 1983 budget.
   h. Policy recommendation on arbitration for non-union employees and indemnification & defense of Co. officers & employees, Patricia L. Micklow, Chief Civil Counsel.
   i. INC OF FEES CUST CODE
   j. 
   k. 
8. REPORTS OF STANDING COMMITTEES:
   a. Recommendation from the Finance Committee on the 1983 General Fund Budget, the Capital Fund Budget, the various Special Revenue, Enterprise, Internal Service Funds, and the 1983 Federal Revenue Sharing Budget.
   b. Recommendation from the Finance Committee regarding the Child Care Fund Plan and Budget for 1982-83.
Board of Commissioners Agenda
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8. REPORTS OF STANDING COMMITTEES (cont'd):
   e.
   f.
   g.
   h.

9. REPORTS OF SPECIAL COMMITTEES:
   a.
   b.

10. REPORTS OF COUNTY OFFICERS:
    a. Report from the Controller on Jail roof bids.
    b.

11. LATE ADDITIONS:
    a.
    b.

12. UNFINISHED BUSINESS:
    a.
    b.

13. NEW BUSINESS:
    a.
    b.

14. PUBLIC COMMENT:

15. ANNOUNCEMENTS:
    a. Special meeting of Board of Commissioners regarding
       Republic Township secession request.
    b.

16. ADJOURNMENT.