BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  AUGUST 2, 1988

The Marquette County Board of Commissioners met in Regular Session on Tuesday, August 2, 1988 at 7:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


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

It was moved by Comm. DeFant, supported by Comm. Arsenault and unanimously carried that the minutes of the July 19, 1988 Regular Board meeting and the County Board Special meeting held on July 26, 1988 be approved.

Chairperson Lowe opened the meeting for public comment. Robert Moore, 1207 Joliet, Marquette, spoke in favor of a Secure Youth Detention Center in the area but urged the County Board not to authorize construction in a residential area. There being no further public comment this portion of the meeting was closed.

It was moved by Comm. Corkin, supported by Comm. Arsenault and unanimously carried that the agenda be approved with the addition of item lla, a closed session to discuss Collective Bargaining Negotiations.

It was moved by Comm. Corkin, supported by Comm. Arsenault and unanimously carried to place the following informational items on file: a) A response from David F. Hales, Director, Dept. of Natural Resources, regarding County Board resolution supporting Forest Fire Protection Program; b) Road Commission Report for the month of June, 1988; c) Information in several letters concerning the closure of the Marquette Flight Service Station; d) Airport Quarterly Report for the months of April, May, June, 1988; and e) Dept. of Employment Programs Monthly Report for June, 1988.

Comm. DeFant questioned the alleged mechanical superiority of the proposed Automated Weather Observation System described by the Dept. of Transportation FAA and requested that an Airport Committee representative explain the System.

The County Board took under consideration a recommendation from the Finance/Personnel Committee regarding the proposed creation of a full-time Clinic Public Health Nurse position at the Health Dept. The proposed new full-time nurse position would be funded 50% by various State grants and the remaining 50% would be funded by County dollars presently supporting the contractual Charge Nurse position which is vacant effective August 1, 1988. Therefore, no new County dollars are needed. It was moved by Comm. Arsenault, supported by Comm. Corkin and unanimously carried that the County Board approve the elimination of the (0.8 FTE) Contractual Charge Nurse position and create a new full-time Public Health Nurse Position in the Health Department's Clinic Services Division; and to allow some of the funds presently budgeted to support a full-time Nurse Practitioner and/or Physician Services as necessary on an interim basis.

The County Board took under consideration a recommendation from the Executive/JGR Committee regarding the approval of the third draft of the Land Acquisition Policy. It was moved by Comm. Corkin, supported by Comm. Arsenault and unanimously carried that the County Board approve the third draft of the Land Acquisition Policy with modification as follows, and that it be included in the County Policy Manual.

LAND ACQUISITION POLICY

PURPOSE: To provide a financial/administrative mechanism whereby land or buildings may be acquired to meet the changing needs of County government and insure that proceeds from the sale or lease of County properties is retained for acquisition and improvement of additional property and buildings.
Establish Fund

- A separate fund is established titled "Land Acquisition Fund" in which will be deposited proceeds of all sale or lease of County properties unless otherwise restricted by law;
- Said fund will be non-reverting;
- All balances shall be invested and interest credited to the fund;
- Funds appropriated will be used for the acquisition of properties to enhance County ownership in the areas of forestry, parks and recreation, general government. The County Board will attempt to re-use funds in a similar proportion to which they were generated.

Acquisition Procedure

- The acquisition process may be initiated by the County Board of Commissioners after submission of a report by the County Administrator containing information received by following the same procedures outlined in the Marquette County Capital Budget Process including:
  - Description of the necessity to purchase;
  - Financial analysis of acquisition;
  - Fiscal impact on the Land Acquisition Fund and other funds;
  - Impacts on the operations of any affected County Department, Boards or Commissions;
  - Review of County Planning Commission as required by MCLA 125.105;
- The County Board may direct the Administrator to obtain appraisals of the value of the acquisition.
- The County Board will establish parameters within which the Administrator may negotiate terms of purchase.
- Final determination to purchase will be made by the County Board.

Gifts, Bequests or Contributions

The Marquette County Board of Commissioners welcomes gifts of land, waters, buildings or other real or personal property in their name, provided such gifts are devoid of unnecessary limiting restrictions. All or portions of this policy may be waived by the Board to facilitate these types of transactions.

Adopted this 2nd day of August, 1988.

The County Board took under consideration a recommendation from the Executive/IGR Committee to adopt a Modified Flood Plain Management Resolution submitted by Ely Township and the Intergovernmental Agreement. It was moved by Comm.Arsenault, supported by Comm. Corkin and unanimously carried that the following Intergovernmental Agreement and the Flood Plain Management Resolution with Ely Township be adopted.

FLOODPLAIN MANAGEMENT RESOLUTION OF MARQUETTE COUNTY

WHEREAS, the Township of Ely desires to participate in the National Flood Insurance Program and comply with all applicable statutory and regulatory requirements for the purpose of significantly reducing hazards to persons, property damage, and public expenditures, and to provide for the availability of flood insurance and federal funds or loans; and
WHEREAS, the Township of Ely has requested that the County of Marquette provide the following administrative direction to the building official to provide for efficient and competent floodplain construction code regulations.

IT IS RESOLVED THAT:

1. For purposes of this resolution, the following definitions shall apply:

"Base Flood" means the flood having a one-percent chance of being equalled or exceeded in any given year.

"Flood" or "Flooding" means a general and temporary condition of partial or complete inundation of normally dry land areas from:

(1) the overflow of inland or tidal waters
(2) the unusual and rapid accumulation of runoff of surface waters from any source

"Flood Hazard Boundary Map" (FHBM) means an official map of a community, issued by the Federal Emergency Management Administration (FEMA), where the boundaries of the areas of special flood hazards have been designated as Zone A.

"Flood Hazard Area" means land which on the basis of available floodplain information is subject to a one-percent or greater chance of flooding in any given year.

"Flood Insurance Rate Map" (FIRM) means an official map of a community, on which FEMA has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

"Flood Insurance Study" is the official report provided by FEMA. The report contains flood profiles, the water surface elevation of the base flood, and may include a Flood Boundary Floodway Map.

"Floodplain" means any land area susceptible to being inundated by water from any source (see definition of flood).

"Floodway" means the channel of a river or other watercourse and the adjacent land areas which must be reserved in order to discharge the base flood.

"Regulatory Flood Datum" (RFD) means the 100 year floodplain contour line synonymous with base flood elevation.

"Structure" means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home.

"Substantial Improvement" means any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either, (1) before the improvement or repair is started, or (2) if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either (1) any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions, or (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.
2. Upon notification from Ely Township that a structure or substantial improvement to a structure is proposed within a flood hazard zone in Ely Township, the Building Official will cause appropriate action to be taken pursuant to Sections 3 through 7 below.

3. The Army Corps of Engineers, Flood Proofing Regulations, a technical guide shall be utilized by the Building Official in enforcing Section 1313.0 of the State Construction Code as set forth in this resolution.

4. Where an area of special flood hazard has been identified by Ely Township as referenced in Section 2, but no elevation data is available, the Building Official shall require new or substantially improved structures in the identified area to meet the standards of one of the Sections 401.2, 401.3, 401.4, 401.5, 612.2.1, 612.2.2, or 612.2.3, as applicable of the Army Corps Regulations.

5. Where an area of special flood hazard has been identified by Ely Township as referenced in Section 2 and elevation data is available, the building official shall require 1) new and substantially improved residential structures to meet the standards of one of the Section 612.1, 612.2.2, or 612.2.3, as applicable of the Army Corps Regulations, and 2) new and substantially improved nonresidential structures to meet the standards of either Section 612.2.1, 612.2.2, 612.2.3, 401.2 or 401.3 of the Army Corps Regulations or similar standards as may be adopted from time-to-time by the State of Michigan pursuant to the State Construction Code Act.

6. The Building Official shall obtain from the property owner lowest floor including basement elevation information and maintain a record for structures in the special flood hazard area identified by Ely Township as referenced in Section 2 indicating the elevation of lowest floor, whether the structure contains a basement, and the elevation to which the structure has been floodproofed.

7. The Building Official shall obtain, review, and reasonably utilize flood data available from other federal, state of other sources pending receipt of data from FEMA. The most recent flood elevation data received from FEMA shall take precedence over data from other sources.

INTERGOVERNMENTAL AGREEMENT

WHEREAS, the Township of Ely desires to participate in the National Flood Insurance Program, and, therefore, floodplain management regulations must be present in the Township of Ely, and

WHEREAS, construction code enforcement is maintained within Ely Township by Marquette County pursuant to the State Construction Code Act.

IT IS AGREED, BY BOTH COMMUNITIES, THAT:

1. The County of Marquette recognizes, in order for the Township of Ely to maintain eligibility in the National Flood Insurance Program, it must enforce the construction code in accordance with the accompanying resolution which it has passed for this purpose.

2. The Township of Ely recognizes that the resolution of Marquette County must be enforced for its continuing participation in the National Flood Insurance Program.

Date Passed: 5-17-88

Township of Ely
(Participating Community)

Attest: David J. Bleau
Ely Township Clerk

Date Passed: 8-2-88

County of Marquette
(Enforcing Community)

Attest: David J. Roberts
Marquette County Clerk
The County Board under consideration a recommendation from the Finance/Personnel Committee to approve a request from Lt. Donald Hermanson to purchase 2 years and 8 months of prior service credit from Marquette Township to apply toward retirement from Marquette County. Lt. Hermanson will totally fund this transaction but must have Board approval. His request is consistent with a resolution adopted by the County Board on September 2, 1986. It was moved by Comm. Arsenault, supported by Comm. Corkin and unanimously carried that the County Board approve the request of Lt. Donald Hermanson and adopt the following MERS Required Form of Resolution.

REQUIRED FORM OF RESOLUTION

WHEREAS, Donald Charles Hermanson separated from the employment of the Township of Marquette on April 22, 1979, and was employed by the County of Marquette on April 23, 1979; and

WHEREAS, Donald Charles Hermanson had 2 years and 7 months of credited service in the Township of Marquette and has deposited in the Municipal Retirement System $4,157.21** (see below), which was the amount computed on his earnings with the Township of Marquette; and

WHEREAS, the County of Marquette is aware that the total increase in unfunded accrued liabilities if paid in a lump sum at this time is $4,847.00 or the annual contribution increase if $245.00 per year for 25 years (including provision for 8% annual interest on unpaid balance).

THEREFORE, BE IT RESOLVED, that the Municipal Employees’ Retirement Board is hereby requested to grant Donald Charles Hermanson such amount of service as he had been credited with in the Township of Marquette.

**The contribution from Mr. Hermanson is actually $9,004.21 representing the total of employee and employer contributions. This total amount is to be credited to Mr. Hermanson as an employee contribution.

COUNTY OF MARQUETTE
DAVID J. ROBERTS, COUNTY CLERK

The County Board took under consideration a recommendation from the Executive/1GR Committee regarding the adoption of Board of Commissioners Goals and Objectives. Dennis Aloia, County Administrator, recommended these Goals which the board worked on last year be adopted. He stated they will be useful in developing an accurate perspective during this years budget process. The Board can consider meeting again later in the year to revise and update Goals and Objectives for 1989. It was moved by Comm. Arsenault, supported by Comm. Corkin and unanimously carried that the County Board adopt the Board of Commissioners Goals and Objectives.

It was moved by Comm. Corkin, supported by Comm. Arsenault and unanimously carried to go into Closed Session to discuss Collective Bargaining Negotiations. Chairperson Lowe declared a brief recess to clear the meeting room.

CLOSED SESSION

The County Board came back into Open Session.

It was moved by Comm. Corkin, supported by Comm. DeFant and unanimously carried that the following Collective Bargaining Authority and Guidelines be adopted:

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COLLECTIVE BARGAINING AUTHORITY AND GUIDELINES

The Marquette County Board of Commissioners has recognized that the faithful discharge of its fiduciary responsibility to the taxpayers of Marquette County necessitates early and careful preparation for bargaining agreement negotiations.

The Public Employment Relations Act (Public Act 336 of the Michigan Public Acts of 1947, as amended) requires that negotiators must bargain in good faith. Bargaining in good faith being defined as being empowered to negotiate on wages, fringe benefits, hours and conditions of employment.

The Board of Commissioners through its Ad Hoc Bargaining Committee must give direction to the Negotiating Team and said Committee must be available on very short notice to meet with the Negotiating Team at critical points in the bargaining process.

In recognition of the above-listed finding and opinion the Marquette County Board of Commissioners hereby resolves:

That the Negotiating Team (Prosecuting Attorney, County Administrator, County Director of Human Resources) be authorized and directed to negotiate on behalf of the Board, wages, fringe benefits, hours and conditions of employment subject to the general policy and economic guidelines established by the Board through the Ad Hoc Bargaining Committee. Said Committee to be composed as follows: Chairperson of the Board; Chairperson of the Finance/Personnel Committee.

The Board further resolves that the Negotiating Team be directed to meet with all elected County officers to ascertain their desires with respect to forthcoming negotiations and secure authorization to negotiate on their behalf as well as the County Board of Commissioners.

The Board reserves the rights, and recognizes the rights of County officers to review and approve or disapprove the tentative collective bargaining agreement negotiated by the designated Negotiating Team.

TIMOTHY J. LOWE, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS

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

There being no further business to come before the County Board the meeting was adjourned.

Respectfully submitted,

Margaret A. O'Neill
Deputy County Clerk
1. ROLL CALL.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. APPROVAL OF THE MINUTES OF THE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD ON Tuesday, July 19, 1988; and the COUNTY BOARD OF COMMISSIONERS special meeting held on Tuesday, July 26, 1988.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS. (none).
8. PRIVILEGED COMMENT:
   a. 
   b. 
9. INFORMATIONAL ITEMS:
   a. A response from David F. Hales, Director, Dept. of Natural Resources regarding County Board resolution supporting Forest Fire Protection Program.
   c. Information in several letters concerning the closure of the Marquette Flight Service Station.
10. ACTION ITEMS:
   a. A recommendation from the Finance/Personnel Committee to approve a full-time Public Health Nurse Position in the Health Dept.
   b. A recommendation from the Executive/IGR Committee to approve the 3rd Draft of the Land Acquisition Policy.
   c. A recommendation from the Executive/IGR Committee to adopt the Intergovernmental Agreement and the Flood Plain Management Resolution with Ely Township.
   d. A recommendation from the Finance/Personnel Committee to approve the request of Lt. Donald Hermanson to purchase prior service credit to apply towards County retirement.
   e. A recommendation from the Executive/IGR Committee to adopt the Board of Commissioners Goals and Objectives. (Materials previously distributed).
11. LATE ADDITIONS:
   a. 
   b. 
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.