April 25, 1989

The Marquette County Board of Commissioners Finance/Personnel Committee met on Tuesday, April 25, 1989 at 4:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.

Chairperson Arsenault called the meeting to order, roll call was taken and the following roll recorded: Present: Comm. Corkin, Comm. Seppanen and Comm. Arsenault. Absent: None.

It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that the minutes of the April 12, 1989 Committee meeting be approved.

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

It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that the agenda be approved as presented, with a letter from Ron Koshorek on the Plan of Financing to be added to the materials provided for item 7.

The Committee took under consideration Claims and Accounts. It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that claims and accounts for the period April 8, 1989 thru April 21, 1989 in the amount of $813,050.71 be approved and ordered paid.

The Committee took under consideration a request from Gary L. Johnson, Supervisor, Republic Township, for a resolution of resource and financial support for their efforts in computing the specific ore tax based on the C.C.I. published price. County Administrator, Dennis Aloia, explained that the County share of the specific ore taxes is about 16%, which would be prorated against legal expenses. Each unit participating will pay their share, and a financial report will be regularly provided to the County Board. Mr. Aloia recommends the Board assist Republic Township in pursuing the matter. It is worth the effort considering Marquette County has lost about $500,000 per year in specific ore tax revenues. It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that the Finance/Personnel Committee recommend the County Board support Republic Township financially in pursuing the use of the published price in computing the specific ore tax.

The Committee took under consideration the Plan of Financing for the disposal of solid waste as adopted by the Marquette County Solid Waste Management Authority. Ron Koshorek, Director, Resource Management/Development Dept., reviewed the Plan of Financing and in a memo recommended the County Board not approve the document. Mr. Koshorek feels there is a lack of financial specifics in the plan, and it should provide information as to total projected costs with financial responsibilities explained in detail.

Mike Etelamaki, Authority Director, was present and distributed a legal opinion from Attorney William B. Ferns which indicated the Plan of Financing
Finance/Personnel Committee Minutes
April 25, 1989 - Page 2

to be in conformity with the requirements of the Intergovernmental Agreement and the Marquette County Solid Waste Plan. Mr. Etelamaki also distributed financial analysis projections, however final exact figures are not possible until it is known whether Ishpeming City will participate. It was noted that even after the Plan of Financing is adopted, amendments will be forthcoming. The majority of the participating units of government have already indicated approval of the Plan of Financing.

It was moved by Comm. Corkin, seconded by Comm. Arsenault and carried two votes for, with Comm. Seppanen against, that the Finance/Personnel Committee recommend the County Board approve the Plan of Financing for the Marquette County Solid Waste Management Authority.

The Committee took under consideration the Marquette County Solid Waste Management Authority Plan of Operations. The Intergovernmental Agreement requires that the Plan be sent to constituent municipalities three months prior to the opening of the landfill. The Plan of Operations does not require Board action, however David Kallio, Chairman of the Management Authority, requests that any concerns regarding the Plan of Operation be submitted by June 1, 1989 so that the Solid Waste Authority can take them under consideration before the landfill is operational. It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried to place the Plan of Operations on file.

The Committee took under consideration a Grant for Continuing Legal Education from the Michigan Department of Criminal Justice for the Prosecutor's Office. Prosecuting Attorney, Gary Walker, explained that these monies are not new. The cost for continuing legal education used to be administered by the Central Prosecuting Attorney's Association in Michigan, however because of a recent Attorney General's Opinion it is now necessary for each county prosecutor to apply for and receive the grant with the approval of the County Board. It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that the Finance/Personnel Committee recommend the County Board approve of the $2,700.00 Continuing Legal Education Grant for the Prosecuting Attorney's Office.

The Committee considered an informational letter from James F. Sodergren, Marquette County Treasurer, advising that Marquette County has received payment of real estates taxes in the amount of $15,977.85 in the bankruptcy settlement. According to Treasurer Sodergren the total real estates taxes due amounted to approximately $90,000.00. David A. Payant, Civil Counsel, was present and explained that bankruptcy law treats real estate taxes that accrued before the filing of a bankruptcy very differently from those that accrue after the filing. Real estate taxes that accrue after a cooperation files for bankruptcy are considered administrative expenses. In the settlement of bankruptcy administrative expenses are paid first, before any other creditors. If those expenses total more than the value of the bankrupt estate, those expenses will be paid on a prorated bases. The post petition tax claims amounted to $22,131.95 which were a part of the total administrative expenses of $83,950.85. The sale of the
Finance/Personnel Committee Minutes
April 25, 1989 - Page 3

Mather Inn brought in approximately $72,000.00, so the post petition taxes were paid on a prorated basis using a factor of .8618 resulting in $15,977.00 in taxes received by Marquette County. The pre-petition real estate taxes are of second priority and there not being sufficient funds to cover administrative costs, nothing is left over to pay the prior real estates taxes. Mr. Payant shared Mr. Sodergren's concern over the loss of this large amount of tax revenue, however the bankruptcy law must be followed and the loss was unavoidable.

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

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

Respectfully submitted,

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
FINANCE/PERSOONEL COMMITTEE
Tuesday, April 25, 1989 - 4:00 p.m.
Courthouse Conference Room, Marquette, Michigan

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE FINANCE/PERSOONEL COMMITTEE
   MEETING HELD ON April 12, 1989.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. A request from Gary L. Johnson, Supervisor, Republic
   Township, for support of Republic Township's efforts to use
   the published price in computing the specific ore tax.
7. The Plan of Financing for disposal of solid waste as adopted
   by the Marquette County Solid Waste Management Authority.
8. The Plan of Operations approved by the Marquette County
   Solid Waste Management Authority.
9. A Continuing-Legal-Education Grant from the Department of
   Criminal Justice for the Prosecuting Attorney's Office.
10. Information from James F. Sodergren, County Treasurer,
    regarding receipt of property taxes in Mather Inn
    Bankruptcy.

11.

12.

13. PUBLIC COMMENT.
14. ANNOUNCEMENTS.
15. ADJOURNMENT.