May 9, 1989

The Marquette County Board of Commissioners Finance/Personnel Committee met on Tuesday, May 9, 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 25, 1989 meeting be approved.

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

It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that the agenda be approved with the following additions; that item 12 become Controlled Substance Forfeiture Fees; and item 13 be the Use of Forfeiture Fee Funds for the lease of the Westlaw Computer Legal Research System.

It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that Claims and Accounts for the period April 22, 1989 thru May 4, 1989, in the amount of $833,087.23 be approved and ordered paid.

The Committee took under consideration salary data for elected officials provided by Randell E. Girard, Director of Human Resources. The data was requested to the Finance/Personnel Committee as a result of a previous meeting in which consideration of increasing the County Treasurer’s salary was discussed. Comm. Seppanen contended that County Elected Officials are being paid fairly, however would like to see the establishment of a wage scale, and also a survey of elected officials for their comments. Commissioners Arsenault and Corkin agreed that establishing a salary range for elected officials would be beneficial, but also urged that the salary of County Treasurer, James Sodergren, be increased. Data shows that County Treasurers across the State of Michigan are compensated at a rate comparable to County Clerks. Comm. Corkin would like to be fair. Mr. Sodergren has served as Marquette County Treasurer for over 15 years, has done an excellent job, and would like to see his pay be comparable to the County Clerk. The wage scale policy can be dealt with at a future Finance Committee meeting. It was moved by Comm. Corkin, seconded by Comm. Arsenault and carried on a roll call vote two to one, with Comm. Corkin and Comm. Arsenault voting aye, and Comm. Seppanen voting nay, that the Finance/Personnel Committee recommend the County Board bring the County Treasurer’s salary in line with the County Clerk’s salary over the three year period of FY 1990, 1991 and 1992.
The Committee took under consideration Marquette County Retiree Benefits. Randell E. Girard, Director, Human Resources, distributed a list of Marquette County Retirees including their effective date of retirement, years of service, and monthly benefit. The Commissioners were concerned in that an across the board increase of 2% would not benefit those retirees who are receiving very small pensions, but would greatly benefit those already receiving a large pension. The Committee thought it best to establish a minimum pension, however this can not be done through MERS. The last increase for Marquette County Retirees was the one-time E-Benefit granted in January of 1977. This provided a 2% increase multiplied by the number of calendar years since the date of retirement. Should the County Board wish to provide an E-Benefit again for the present 40 retirees, cost has been calculated by MERS to be at $8,815.00. To grant the E-Benefit the Board must adopt and file a resolution with MERS no later than December 1st of 1989 to be effective January 1st, 1990. There is also an E-1 Benefit which would provide for an automatic 2-1/2% increase every year. A $100.00 minimum pension would effect five retirees, and cost the County $2,877.00 from the General Fund. Various possibilities and combination of options were reviewed by the Committee with the following action recommended: It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that the Finance/Personnel Committee recommend the County Board establish a minimum $100.00 pension for Marquette County Retirees beginning FY 1990, and that Marquette County also adopt the one-time E Rider Benefit of 2% for all County Retirees for FY 1990.

The Committee took under consideration a notification that the Marquette County Local Emergency Planning Committee has been selected for a grant proposal from the CEIP Fund, Inc. which would make available short-term staffing for the Emergency Planning and Community Right-to-Know Programs being implemented in Marquette County. This is a student initiated project submitted by Mr. Michael West, a Land Use Planning and Management major at Northern Michigan University. The project will allow for 480 hours of supplemental staff time over a 12-week period, beginning May 29, 1989. The work plan will primarily focus on development of a hazardous product and facility information data base, preparation of support material and hazardous assessments for site emergency plans, and assistance in implementing the Community Right-to-Know provisions of the SARA Title III. As a sponsoring entity Marquette County would be responsible for providing a suitable work place, general supervision, related supplies, and an $1,800.00 local match towards salary and payroll tax expenses. Mr. West is also making arrangements for the use of special
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services available through Northern Michigan University to aid in supporting this program. Ron Koshorek, Resource Management/Development Director, indicated that Mr. West has been utilized before by the Planning Department as a temporary student intern. Mr. West is an excellent worker and the County should receive a good benefit from this grant program. 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 Local Emergency Planning Committee grant proposal and amend the 1989 LEPC budget to include the $1,800.00 local match by adopting the appropriate budget amendment resolution.

The Committee considered a memo from David A. Payant, Civil Counsel, regarding a demand for a "Preference Payment" from Randolph B. Ossyn, Attorney for the Unsecured Creditors Committee in the Cliffs Ridge Bankruptcy. Mr. Ossyn is demanding that the County refund the sum of $2,480.01 claiming that a payment the County made on a Small Cities Loan Grant to Cliffs Ridge constitutes avoidable preference under the Bankruptcy Act. Avoidable preference occurs when a creditor receives a payment from an insolvent debtor within 90 days of that debtor filing for bankruptcy. Marquette County received a payment from Cliffs Ridge Skiing Corp. on August 3, 1987 in the amount of $2,480.01, and Cliffs Ridge Skiing Corp. filed for bankruptcy on August 28, 1987. This would mean that the payment was received within 90 days of the bankruptcy filing. Mr. Payant indicated that one of the banks involved in the bankruptcy has also received a demand for preference payment. He will check to see how they will proceed and report back to the next Finance/Personnel Committee meeting. It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that the matter be kept on file until Civil Counsel Payant reports back to Committee.

The Committee reviewed the first quarter budget report from the Marquette County Economic Development Corporation. For future budget reports from the EDC, the Committee requested that another column be added showing the percentage of revenues and expenses to date. It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried to place the EDC Budget Report on file.

The Committee considered a request for air conditioning from Circuit Court Judges, Edward Quinnell and Raymond Jason. Judge Quinnell was present to discuss possible Courthouse air conditioning options with the Committee. The first alternative would be Central Air Conditioning, however due to the size of the project the cost would be prohibitive. The second option considered was Fan Coiled Units to be installed in each room, with piping to and from a remote condensing unit, located on either the
roof or the building grounds. An estimate of $308,000.00 provided by Dresseler and Sons, who installed a similar system in the Peter White Library in Marquette. This estimate does not include engineering. The third alternative would be to install Window Units just in the seven rooms on the second floor, cost estimated at $6,500.00. Comm. Corkin indicated that all offices in the Courthouse should be addressed when considering air conditioning, perhaps a survey taken of Staff. County Clerk, David Roberts, indicated his Staff was not in favor of air conditioning if the windows had to be permanently sealed. Judge Quinnell further added that several members of the Circuit Court Staff are considering purchasing their own air conditioning window units if the County Board will not purchase them. It was moved by Comm. Corkin, seconded by Comm. Seppanen and unanimously carried that the request for air conditioning window units for the Circuit Court be denied at this time, and suggested that it be presented as a Capital Budget Request for consideration for the 1990 budget.

The Committee took under consideration a request from Gary L. Walker, Prosecuting Attorney, to establish a special fund for the deposit of controlled substance forfeiture fees. Prosecutor Walker explained that his office has been cooperating with local law enforcement agencies by instituting forfeiture proceedings against property that was used in violation of Michigan Drug Laws. The forfeitures are authorized by law, MCL 333.752 et seq. Once property is condemned, part of the proceeds may be used "for the payment of proper expenses of the proceedings of forfeiture and sale, including the expenses incurred during the seizure process, maintenance of custody, advertising, and court costs." Also, any monies that are received may be used to enhance law enforcement efforts. Prosecutor Walker is proposing assessing a 20% fee, which is reasonable and substantially below collection fees charged by private attorneys. For example, if the Prosecutor condemns $1,000.00 cash in a drug arrest, his office would retain $200.00 after forfeiture and after payment of court filing fees and out-of-pocket expenses. The remaining money would be returned to the local unit that funds the law enforcement agency that seized the property. They would be required, under the law, to utilize the money to enhance law enforcement efforts. In the last year and a half, the Prosecutor's Office has forfeited approximately $35,000.00 in cash, and additional items such as two automobiles, a travel trailer, boat, etc. Based on these figures, the Prosecuting Attorney's Office could have collected approximately $7,200.00 for deposit in a controlled substance forfeiture fee fund. In addition the Prosecutor's Office also is currently involved in several proceedings to forfeit drug related
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assets worth approximately $39,800.00. It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that the Finance/Personnel Committee recommend the County Board concur with the Prosecutor's request and adopt the Controlled Substance Forfeiture Account Policy and the Resolution, which establishes an account for monies collected through forfeiture proceedings.

The Committee took under consideration a request from Gary L. Walker, Prosecuting Attorney, for an amount not to exceed $3,550.00 from the recently authorized Controlled Substance Forfeiture Fund to enter into a lease for the Westlaw Computerized Legal Research System. The first year cost of $3,550.00 would cover the subscription and computer time, which are at a substantially reduced rate for the first six months, plus any necessary hardware purchased. The projected yearly cost for the system will then be under $3,000.00, and Prosecutor Walker proposes to continue funding for the Westlaw Computer System from the Drug Forfeiture Fund. The Westlaw Computer System is an invaluable aid in legal research giving prosecuting attorneys staff access to case law history as recent as one week old. It was moved by Comm. Seppanen, seconded by Comm. Corkin and unanimously carried that the Finance/Personnel Committee recommend the County Board approve the lease of the Westlaw Computer System for an amount not to exceed $3,550.00 from the Controlled Substance Forfeiture Fee Fund.

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

[Signature]
David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
FINANCE/PERSONNEL COMMITTEE
Tuesday, May 9, 1989 - 4:00 p.m.
Room 231, Henry A. Skewis Annex, Marquette, MI

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE FINANCE/PERSONNEL COMMITTEE
MEETING HELD ON April 25, 1989.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Salary Data - Elected Officials
8. Local Emergency Planning Committee Grant Proposal.
10. Marquette County EDC 1st Quarter Budget.
11. Air Conditioning Request - Circuit Court.
12. [Signature]
13. [Signature]
14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.