The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, June 11, 1996 at 6:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Minelli, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on May 28, 1996 be approved.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

It was moved by Comm. Seppanen, seconded by Comm. Minelli and unanimously carried by voice vote that the agenda be approved with the following changes and additions: 8a) Become a Conditional Use Permit 1PC-96-4, that Item 15) Health Department Parking Lot Bids and move Item 13) Governance of K.I. Sawyer to the beginning of the agenda.

It was moved by Comm. Braamse, seconded by Comm. Arsenault and unanimously carried by voice vote that Claims and Accounts for the period May 24, 1996, through June 6, 1996 in the amount of $4,462,017.88 be approved.

The Committee considered an update from Earl Yelle, Sands Township Supervisor, and Barry Bahrmann, West Branch Township Supervisor, on the K.I. Sawyer Governance. The Supervisors reported that they have an open ended document that is near completion which will follow Public Act 7 of 1967. The three Townships will be members of a six member authority, two from each Township, with by-laws to deal with day to day operations. The wording for the governance has been taken from a similar document from Wurtsmith Air Force Base which involved two townships and three counties. The EDA will be main source of income for the first two years. The governance agreement should be complete well before September 30th, however, the EDA and the Michigan Jobs Commission will continue to work with the Governance Authority for a transitional period.

The County could help the governance issue by becoming a partner. The by-laws, similar to the those drafted by the landfill authority, allow for flexibility. There will be an airport at K.I. Sawyer under Public Act 7 regardless of whether or not the County Airport moves. It is an essential part of the redevelopment of K.I. Sawyer.

On behalf of the County Board Chairperson Corkin thanked Mr. Yelle and Mr. Bahrmann for the update.

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The Committee considered a summary of the Community Mental Health Meeting held May 29, 1996 where action was taken on the issue of salaries. Rudolph Kempainen, Chairperson, Community Mental Health Board, was present and distributed a summary of the issue and the developments leading to the final recommendation for adopting a two tier pay system which will be phased together over a 10-year period. Mr. Kempainen contended that there is no such thing as a perfect salary schedule. The Rye Study will be a benefit to County taxpayers and the salary issue has been solved in a fair and equitable manner for all.

Comm. Seppanen thanked the Community Mental Health Board for following through on the efforts that were started almost three years ago. The County Board consensus at the time desired several issues to be addressed, which included: a) Developing a scientific and objective labor market, b) mark a specific point in the future when staff will be completely in that labor market, c) develop a target position to where Community Mental Health will be in that market, d) know and justify the financial cost for the labor market to the taxpayers, and e) do all of this in an open and public manner. The Community Mental Health Board has accomplished all of these tasks and on behalf of the County Board Comm. Seppanen thanked the CMH Board and Staff for solving a very difficult issue.
It was moved by Comm. Seppanen, seconded by Comm. Minelli and unanimously carried by voice vote to place the summary on file.

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The Committee considered a Comprehensive Plan Update presented by Steve Enright and Al Feldhauser, from the Resource/Management Development Planning Staff. The Resource/Management Development Department has nearly completed its participation in the Community Adjustment and Economic Development Diversification Planning Program (CAEDP) funded by a grant through HUD. This project allowed the department to update and replace selected chapters of the County's Comprehensive Plan in response to the closure of K.I. Sawyer. The Commissioners received a copy of the Community Services and Facilities Plan which was presented to the Planning Commission at its June 5, 1996 meeting. A public hearing is scheduled for June 19th for comment prior to adoption of the plan by the Planning Commission. Mr. Enright and Mr. Feldhauser are attending tonight's Committee of the Whole Meeting to solicit Commissioner comments for the public hearing.

Planning Staff will be coming back to the County Board after the hearing to present its findings. This is the last of four chapter revisions to be undertaken with funding assistance from the CAEDP Program.

It was moved by Comm. Minelli, seconded by Comm. Seppanen and unanimously carried by voice vote that the Community Services Facilities Plan - 1996 Chapters Update be accepted for file and that Planning Staff be commended for their efforts.

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The Committee considered an analysis of House Bill 4441 and its potential impact on the Medical Care Facility from Bradley M. Cory, Administrator of the Marquette County Medical Care Facility. Mr. Cory was present and explained that House Bill 4441 has been on and off the burner for the last 10 years and is being promoted by SEIU and the Citizens for Better Care. The major thrust of this legislation is increased staffing ratios. If passed, medical care facilities and nursing homes would end up with another unfunded mandate.

The Michigan Medical Care Facility Council, the Nursing Home Association, the Michigan Health Departments, and the Michigan Nurses Association, all oppose this legislation. The main reason is that the nursing home industry is already very highly regulated, almost as much as the nuclear industry, and there are plenty of rules and regulations in the books now. Occasionally there is an unfortunate incident involving a resident of a nursing home facility and then immediately legislation is introduced as a knee jerk reaction by politicians. Mandated staffing ratios stifle the administration of nursing home facilities. Also, House Bill 4441 does not mention any increase in appropriations. It is estimated that this legislation would cost $9 million to $15 million a year just for medical care facilities. Imagine what the cost for the 400 nursing homes in Michigan would be. Mr. Cory requested that the County Board also oppose House Bill 4441.

It was moved by Comm. Seppanen, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board go on record opposing House Bill 4441 and forward its recommendation to our State Legislators.

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The Committee considered a memo from James Kippola, Senior Planner, regarding Conditional Use Permit 1PC 96-4. At a hearing held on June 5, 1996 the Ishpeming City Planning Commission granted a Conditional Use Permit for a scrap metal recycling facility on property just west of the Valente Medical Care Facility. This action by the Ishpeming City Planning Commission was taken in spite of the plea from the Marquette Medical Care Facility Staff citing the proposed use as being incompatible with the existing hospital and future development of the site.

Brad Cory, Administrator of the Marquette County Medical Care Facility, was present and indicated that the Medical Care Facility Administration and the Social Services Board plan to challenge the decision of the Ishpeming Planning Commission. This would require filing an appeal before the Ishpeming City Council prior to July 4, 1996. Because the County Board is the actual property owner, Medical Care Facility Administration is also seeking support from the County Board of Commissioners.
Mr. Cory further explained that the Medical Care Facility received no notice regarding this Conditional Use Permit and only heard of it inadvertently. Also, the residents in this area are overwhelmingly opposed to a scrap metal recycling facility being located here.

Comm. Arsenault, questioned whether proper procedures were followed under the Open Meetings Act. Jim Kippola, Senior Planner, also pointed out that under Michigan Zoning Law conditional use permits must meet certain standards set by ordinance which have to be followed with findings recorded in the minutes.

Comm. Seppanen suggested that the County Board support filing the appeal but also have Civil Counsel investigate possible violations of Zoning requirements or the Opening Meetings Act.

It was moved by Comm. Seppanen, seconded by Comm. Minelli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board support on appeal of the decision of the Ishpeming City Planning Commission in granting a Conditional Use Permit for a scrap metal recycling facility on property west of the Valente Medical Care Facility.

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The Committee considered a recommendation from J. Gordon Uren, Construction Codes Manager/Building Official regarding a Department of Social Services renovation project. Mr. Uren was present and explained that the Department of Social Services occupies the first floor of the Courthouse Annex as a tenant. Their lease allows them to make renovations as they deem to be needed with the approval of the County Board. In order to upgrade their computer system and office space DSS has approached the County with a proposal to upgrade the lighting system, add such wiring as needed, and make modifications to the air conditioning system in order to maintain the proper temperature for their computer use. They have also asked the Resource/Management Department to oversee the project including the bidding and construction.

Mr. Uren further explained that the State has agreed to fully fund this project, including contingency of 10% and administrative costs of 5% for up to $100,000. Such funds will be paid to us upon completion of the work. The County has received three responsive bids and the one being recommended has been submitted by Pro Therm, the low bidder at $70,575. Mr. Uren recommends that the Board accept this bid and enter into a contract for the project.

It was moved by Comm. Trudell, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the Department of Social Services Renovation Project and award the bid to Pro Therm, the low bidder at $70,575, plus contingency and administrative costs.

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The Committee considered the announcement by Gary Walker, Prosecuting Attorney, of a new program entitled ResponDV which will assist the victims of domestic violence in Marquette County. The programs stands for Rapid Electronic Signal Providing Ongoing Notification of Domestic Violence. The Program was developed through a collaborative effort between the Marquette Women’s Center and the Prosecuting Attorney’s Office. Mr. Walker introduced Glen Sarka, the Project Developer and Coordinator. This is a three-year demonstration project funded through a grant from the Michigan Department of Public Health. The program is modeled from similar programs which was offered in 36 other communities in the United States but believes that Marquette County will be first.

ResponDV allows victims of domestic violence to wear an electronic monitoring device like those used in the lifeline project offered to homebound handicapped or elderly people. If a perpetrator shows up at a domestic violence victim’s home they will be able to press the ResponDV button which will automatically trigger an alarm at Bell Memorial Hospital. The operator will then call Central Dispatch so law enforcement officers can respond to the situation. The cost of the program is $20 per unit and funding for the ResponDV pendants will originally be provided by the Marquette Women’s Center with additional funding to come from private donations and fund raisers. The Courts could also require the condition of bond or probation that perpetrators of domestic violence or stalking type offenses pay the $20 per month cost for the program. It has also been suggested that funds may become available from the Court’s Crime Victim Restitution Funds. However the program is funded it will not cause any additional financial burden to Marquette County.
It was moved by Comm. Braamse, seconded by Comm. Seppanen and unanimously carried by voice vote to place the ResponDV program information on file and commend the Prosecutor’s Office for their efforts in the prevention of domestic violence.

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The Committee considered a memo from Gary L. Walker, Marquette County Prosecutor, regarding the 1994 Upper Peninsula Domestic Violence and Training Project. Mr. Walker was present and explained that the Prosecutor’s Office sponsored a training project funded through a grant from the Michigan Law Enforcement Officers Training Council. This grant consisted of conducting five one-day trainings across Michigan’s Upper Peninsula, the purpose being to help coordinate a consistent community response to the problem of domestic violence.

The trainings were highly successful and helped to establish Marquette County as a leader, in not only the Upper Peninsula, but the whole State of Michigan in developing comprehensive training programs and effective responses and procedures to domestic violence. Some of the added benefits of the project were the development of a County-wide law enforcement policy concerning domestic violence, the distribution in bank and utility statements of approximately 65,000 domestic violence awareness and prevention pamphlets to homes, and the recognition of domestic violence as a serious crime.

Mr. Walker was pleased to further announce that the 1994 training project raised additional monies through tuition fees to cover additional cost of the project. Marquette County previously received $2,175 as part of the budget for the project, and recently received an additional $13,490 for a total of $15,665 received from the State of Michigan. Additionally, the project raised $6,173 in tuition fees for a total of $21,838. Cost of the project was $18,367 leaving a balance of $3,471. Mr. Walker is requesting that the Board of Commissioners authorize the balance remaining from these funds be placed in a special Domestic Violence Fund previously established through the grant from the Michigan Department of Public Health. These monies would be used for domestic violence education, prevention, training, and other related projects.

It was moved by Comm. Seppanen, seconded by Comm. Minelli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board authorize the balance remaining in these funds be placed in a special Domestic Violence Fund previously established through a grant from the Michigan Department of Public Health, funds to be used for domestic violence education, prevention, training and other related projects.

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The Committee considered amendment of the by-laws of the Economic Development Corporation for the County of Marquette. The EDC Corporation took action at their June 5, 1996 meeting to amend the by-laws.

Comm. Trudell, who is on the EDC Restructuring Committee, explained that they are looking for businesses to become partners with the EDC under a program called "Renaissance 21." There will be nine categories in which businesses will be invited to nominate three for each category, then the three will pick one for a nine member Board of Directors. The EDC will operate the rest of the year under the present system and the new organization would begin in 1997.

Comm. Bergdahl, who is also President of the EDC, further explained that they attempted to shorten the terms of the EDC Board of Directors from six years down to three years but under Public Act 338 the terms must be six years.

It was moved by Comm. Braamse, seconded by Comm. Minelli, and unanimously carried by voice vote that the EDC By-laws Amendments be forwarded to Civil Counsel for his review and recommendation.

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The Committee considered a memo from Dr. Randall M. Johnson, Health Department Director, regarding adjustment to Private Duty Fees. Don Aho was present on behalf of Dr. Johnson to explain that during the establishment of the private duty component to home health, the Board of Commissioners approved a Private Duty Fee Schedule. A recent analysis of private duty expenses and revenue suggests that the current service fees are not adequate to maintain self-sufficiency for the program. The main reasons are: a) higher anticipated program costs for supply/materials, b) high personnel turnover with a higher expected cost for orientation and training, and c) increased cost incurred when the client cancels services for a day.

Mr. Aho further explained that based on these factors, home health and private duty supervisors have recommended that the fees be adjusted. The proposed new rates are comparable but still lower than those charged by other local agencies. The Marquette County Board of Health took action at its May 29th meeting to recommend the adoption of the Revised Private Duty Fee Schedule.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board adopt the Revised Private Duty Fee Schedule.

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The Committee considered two recommendations from Tal Lapins, Field Supervisor, Probation/Parole Office, regarding the Victim Restitution/Probation Oversight Fund and a letter of support from the Marquette County Community Corrections Advisory Board. Mr. Lapins was present and explained that the Community Corrections Advisory Board approved the following recommendations:

1. Separation of the Marquette County Victim Restitution/Probation Oversight Fund into two separate accounts with disbursements initially reviewed by the Field Supervisor of the Probation/Parole Office and final review by the Circuit Court Judge.
2. Disbursement of $6,000 from the Circuit Court Victim Restitution Fund with $3,000 going to the 96th District Court and $3,000 to the Marquette County Probate Court with the remaining $4,000 to stay in the Circuit Court Victim Restitution Fund and the Parole/Probation Oversight Fund to start with $0 balance.

Mr. Lapins noted that the recommendation changes the disbursement process and the Community Corrections Advisory Board will no longer be involved with the Victim Restitution/Probation Oversight Fund. The usual restitution paid to a victim is up to $350 but on special occasions more has been provided. When Mr. Lapins first approached the County Board with the proposal it was based upon a fund of approximately $10,000, however, since he has learned that the fund contains over $11,000. The possibility exists that some funding could be provided for the Domestic Violence ResponDV Program administered by the Prosecutor’s Office.

It was moved by Comm. Braamse, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the proposed recommendations outlined by Tal Lapins, Department of Corrections Field Supervisor, and supported by the Community Corrections Advisory Board.

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The Committee considered bids for the parking lot addition at the Marquette County Health Department. Don Aho, Health Department Administrator, was present and explained that four bids were received. North County Engineering, who was retained to do the engineering design of the project, recommended that the contract be awarded to the lowest bidder, Associated Constructors in the amount of $18,372. The County Board previously approved funding for the project from the Service Center Fund.

It was moved by Comm. Braamse, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board award the contract for the Health Department Parking Lot Addition to the lowest bidder, Associated Constructors, in the amount of $18,370.

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Chairperson Corkin opened the meeting for public comment. Ralph Keto, Tilden Township Supervisor, was present and spoke on behalf of the Tilden Township Board and residents of Tilden Township in opposition to the A&L Scrap Recycling Project to be located near the Valente Medical Care Facility. Tilden Township is on the down side of potential ground water contamination. A lot of residents who live closer to the proposed site are also concerned about dust and noise.

Chairperson Corkin pointed out that the County Board just voted to appeal the decision of the Ishpeming City Planning Council and is not in favor of the scrap recycling project to be located there and requested Mr. Keto’s comments in writing.

Several Tilden Township citizens were present but did not identify themselves. They were only given three days notice of the project. They questioned whether the Department of Environmental Quality has been notified of the project? Residents are also concerned that they property values will decline.

Chairperson Corkin added that there are plenty of “brown” areas in the County that would make a good location for a scrap recycling area without having to put such a facility in a residential area.

There being no further public comment, this portion of the meeting was closed.

It was moved by Comm. Arsenault, seconded by Comm. Trudell and unanimously carried on a roll call vote 8 Ayes (Comm. Arsenault, Angeli, Bergdahl, Braamse, Minelli, Seppanen, Trudell and Corkin) to 0 Nays that the Committee of the Whole go into Closed Session for a Health Department Labor Negotiations Update.

Chairperson Corkin declared a recess at 7:25 p.m. to clear commission chambers.

CLOSED SESSION

The Committee of the Whole came back into open session at 7:41 P.M.

ANNOUNCEMENTS

Randell Girard, Human Resources Director, reminded Commissioners that interviews will take place Friday and Saturday with the Administrative Candidates. Steven Mielke has withdrawn so there will be only one interview on Friday at 3:00 P.M. and three interviews on Saturday at 9:00, 11:00 and 2:00 P.M.

There being no further business, the meeting was adjourned at 7:45 P.M.

Respectfully Submitted,

David J. Roberts
Marquette County Clerk
ROLL CALL.


3. PUBLIC COMMENT.

4. APPROVAL OF THE AGENDA.

5. Review of Claims and Accounts.


7. Summary of CMH May 29, 1996 Board Meeting regarding the Issue of Salaries.

8. House Bill 4441 regarding Health Care Facility Staffing Ratios from Brad Cory, Medical Care Facility Administrator.

9. Department of Social Services Renovation Project Bid Recommendation from J. Gordon Uren, Construction Code Manager.

10. Domestic Violence Projects - Gary Walker, Prosecuting Attorney
    a. Domestic Violence Justice Project - ResponDV Program
    b. 1994 Upper Peninsula Domestic Violence Prevention and Training Project
        Final Budget - Funds Transfer Request.

11. EDC By-Laws for Reorganization.

12. Adjustment to Private Duty Fees from Dr. Randall Johnson, Health Department Director.


15. PARKING COST HEALTH DEPT.

16. PUBLIC COMMENT.

17. ANNOUNCEMENTS.

18. CLOSED SESSION: Health Department Labor Negotiations

19. ADJOURNMENT.