The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, May 10, 2005, at 6:30 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.


It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on April 26, 2005 be approved.

Chairperson Corkin opened the meeting for public comment.
Judge Dennis Girard requested to speak to Item 9) Ishpeming District Court, and Karen Christopherson, Marquette County Humane Society, requested to speak to Item 8) Humane Society Claim.

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

It was moved by Comm. Arsenault, seconded by Comm. Struck, and unanimously carried by voice vote that the Agenda be approved as presented.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that Claims and Accounts for the period April 29, 2005 through May 5, 2005 in the amount of $459,954.42 be approved.

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The Committee considered a communication from the Upper Peninsula Resource Conservation and Development Council. At the request of the Executive Board of the Upper Peninsula Resource Conservation and Development Council, they are requesting confirmation of Marquette County’s current RC&D appointee and alternate. Gerald Corkin has been appointed to represent Marquette County at the Quarterly Central RC&D Council meetings. Bob Struck has appointed as the County’s RC&D Alternate.

The Executive Board of the Upper Peninsula Resource Conservation and Development Council is also asking the County Board to officially support the Upper Peninsula Resource Conservation and Development Council in this time of severe federal funding cuts. The President has proposed to cut 100% of the U.P. RC&D Council’s federal funding, which would seriously jeopardize the ability to continue providing technical assistance and fund raising services to Marquette County. They are asking for support in the form of a letter to U.S. Senator Carl Levin, U.S. Senator Debbie Stabenow, U.S. Congressman Bart Stupak and State Senator Mike Prusi asking for reinstatement of full funding for the RC&D Program in 2006.
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It was moved by Comm. Wallace, seconded by Comm. Struck, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board send a letter of support for the Upper Peninsula Resource Conservation and Development Council in their time of severe federal funding cuts with copies to U.S. Senator Carl Levin, U.S. Senator Debbie Stabenow, U.S. Congressman Bart Stupak and State Senator Mike Prusi asking for reinstatement of full funding for the RC&D Program in 2006.

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The Committee of the Whole met on Tuesday, May 10, 2005, they considered a communication from Steve Powers, County Administrator, regarding Building Codes. He also distributed a copy of the minutes of the Marquette County Building Codes Task Force proceedings on April 18, 2005. Mr. Powers explained that to help improve Building Codes (or any other department or program) certain questions should be considered. He also updated the Commissioners on discussions the Task Force has had. He explained that the Building Codes Task Force is working with County Staff on improving service. The Task Force can advise on means to accomplish the ends, but managing budget, personnel, and operations must be the responsibility of staff within the policy limits set by the Board.

Commissioners discussed recommendations from the Task Force such as e-mail notification of inspection results and reducing the number of re-inspections. The Task Force is recommending that in an effort to immediately reduce the Department workload, Code Officials would be requested to submit a plan to reduce the number of on-site inspections by at least 50%.

Comm. Wallace discussed a communication from Jacob Guter, AIA, Facility Planner, Architect, Marquette General Health Systems, regarding outsourcing of building code enforcement for large projects. It has been suggested that an outside inspector be hired for such a project to free up our own inspectors. Comm. Wallace is concerned with that approach. He feels it should be considered carefully before a recommendation is made. Setting a standard to reduce the number of on-site inspections by at least 50% could be trouble. Some re-inspections are needed.

Chairperson Corkin explained that the Task Force is requesting Building Codes to make a recommendation on how to reduce re-inspections by 50% not set a standard. The Task Force believes this will increase efficiency.

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and carried on a roll call vote 7 Ayes to 1 Nay (Comm. Wallace) that the Committee of the Whole recommend the County Board support the Task Force and request Code Officials to submit a plan to reduce the number of on-site re-inspections by at least 50%.

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The Committee considered the Humane Society Claim. Steve Powers, County Administrator, updated Commissioners on the status of the Humane Society Claim. He explained that he is trying to broker a three-way deal that will satisfy the Humane Society’s Cat Claim against Marquette County, provide something of value to the Marquette County Road Commission and allow the Marquette County Humane Society to continue with plans to expand at their Snowfield Road location. The Road Commission
has surplus land that is of interest to the Humane Society. The County has surplus cranes that may be of interest to the Road Commission.

Mr. Powers further explained that the Humane Society has been interested in the Snowfield land since before the Cat Claim. He has proposed to Jim Iwanicki that the County trade the land for the cranes and continue use of Building 610. The Road Commission currently occupies Building 610 at Sawyer in addition to the buildings that the County gave them several years ago. Mr. Powers wants to be sure that the direction he is headed is acceptable to the Board.

Mr. Powers stated that the Humane Society plans on building a new shelter across the street from its present location. The land was given to the Humane Society by the Road Commission. The Road Commission included a reversion clause that if the land is not used for a shelter, it reverts to the Road Commission. The Humane Society is interested in having the reverter removed. The Humane Society is also interested in property (36 acres) behind the shelter that is owned by the Road Commission. The Marquette County Humane Society is interested in acquiring the property for an expansion of their shelter and as a buffer. The land is surplus to the Road Commission’s future needs.

Because of the agreement between Marquette County and the Humane Society for the care of stray animals and animals that have bitten persons or are suspected of having rabies, he believes the County has some interest in working with the Humane Society. Because of Marquette County’s interest Mr. Powers proposed a trade to Jim Iwanicki. Marquette County will give the Marquette County Road Commission two cranes, a 7 1/2 ton crane and a 15 ton crane. The Road Commission will give the County the 36 acres. In recognition of the land’s potential to increase in value, while the cranes will depreciate in value, and the difference between the land’s value and the crane’s value, Mr. Powers included the County will allow the Road Commission free use of Building 610 for up to five years. The Road Commission currently occupies the building.

Commissioners and Staff engaged in a lengthy discussion regarding the proposal recommended by Mr. Powers. Chairperson Corkin explained that this is an unfortunate incident and overall the Humane Society does a good job. He recommends Mr. Powers approach.

It was moved by Comm. Heikkila, seconded by Comm. Corkin that the Committee of the Whole recommend the County Board accept Mr. Powers proposal but that the County set aside the Sawyer part and work directly with the County and the Road Commission, and further the Agreement between Marquette County and the Marquette County Humane Society be revised to specify how animal cruelty/abuse/neglect cases will be handled; review with the County Prosecutor the procedures for handling animal cruelty cases; and direct Staff to review the current agreement between the County and the Humane Society for the care of stray animals. A report with recommendations to be brought back to the Committee of the Whole on May 24, 2005.

Judge Dennis Girard, District Court, was present and explained that he was the Judge presiding over the Humane Society case. He explained he was at the pre-trail conference when the agreement was reached. At that time, a big concern of his was to protect the right of the Humane Society to collect their money. Judge Girard was updated in chambers on the status of the negotiations. He strongly stated that it was his understanding without a doubt that the Humane Society was part of the negotiations. When the
agreement was reached that only a quarter was going to be paid. Judge Girard was very emphatic that this be agreed to by the Humane Society. He was told it was. He informed Commissioners that the plea agreement should be on the record from the day of the hearing when the plea was entered. He encouraged Commissioners to get a copy of the record.

After much discussion, it was moved by Comm. Wallace, seconded by Comm. Joseph and unanimously carried by voice vote that the Committee of the Whole postpone action on the Humane Society Claim until the next Committee of the Whole Meeting (May 24, 2005) until Commissioners review the Court records.

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The Committee discussed the Ishpeming District Court. Steve Powers, County Administrator, explained that the Lease between Marquette County and Pioneer Square, L.C., expires December 31, 2005. He requested direction from the County Board of Commissioners regarding the Court in Ishpeming. He presented Commissioners with a Draft Request for Proposals for their review. He explained that a Request for Proposals is the recommended process for selecting space for an Ishpeming Court Facility. He explained that the draft allows for either a lease or purchase of a building. He also explained that the draft RFP was prepared with requirements provided by the 96th District Court. The draft specifications are for a facility that will provide all services except jury trials. The space would be smaller and a different configuration than the current court facility in Ishpeming. He also distributed memos from both Judges Dennis Girard and Roger Kangas regarding the 96th District Court needs. The Judges cite customer service and enhanced security as important considerations.

Mr. Powers also attached the April 1, 2004 investigation of options for District Court services. The Board of Commissioners directed County Staff and District Court Administration to investigate the options of District Court services and formulate a recommendation to the Board regarding District Court operations. Also distributed was an August 28, 2003 opinion from Civil Counsel regarding the statutory requirements to maintain the 96th District Court Office in Ishpeming. The statute requires the Court to provide a Small Claims Hearing at least once every 30 days.

Judge Dennis Girard was present to answer questions. He explained that as in the past, both Judges continue to support a basically full-service Court within the City of Ishpeming. He stated that they do not need nearly as large a facility as they are currently renting. He emphasized security and efficiency. Steps are being taken to reduce costs, pleas and arraignments are now done in Marquette eliminating the need for transporting inmates to Ishpeming.

A lengthy discussion followed between Commissioners and Staff.

Commissioners requested Steve Powers, County Administrator, to provide background information for new Commissioners, new cost estimates of a new facility, cost to move the current facility, personnel savings, adding the option of Small Claims plus traffic payment, and a copy of the original RFP.

Mr. Powers will provide this information and report back to the Committee in four weeks.

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Board of Commissioners - County of Marquette

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Chairperson Corkin opened the meeting for public comment. Karen Christopherson, Humane Society Director, explained dog license fees and licensing of animals.

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin announced that at the U.P. County Commissioners Meeting a resolution was passed to request the State to stop buying State land unless they pay their payment in lieu of taxes in full to all local units of government. This resolution passed unanimously and scheduled for the Michigan Association of Counties Taxation and Economic Development Meeting.

Comm. Pellow announced that Connie Branam, County Clerk, was honored as the Marquette County Township’s Association County Official of the Year for 2005.

Commissioners requested an update from Harley Andrews, Chief Civil Counsel, on the status of Telkite documents.

Comm. Heikkila announced he also attended the U.P. County Commissioners meeting and stated that Chairperson Corkin is very respected by his peers.

Comm. Heikkila also announced that Steve Powers, County Administrator, was an excellent teacher for the budget and finance seminar he attended in Escanaba. He stated that Administrator Powers is an asset for Marquette County.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 8:10 P.M.

Respectfully submitted,

[Signature]

Connie M. Branam
Marquette County Clerk

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1. ROLL CALL.
2. APPROVAL OF THE MINUTES of the COMMITTEE OF THE WHOLE MEETING HELD ON APRIL 26, 2005.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
7. Building Codes.
9. Ishpeming District Court.
10.
11.
12.
13.
14. PUBLIC COMMENT.
15. ADJOURNMENT.