The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, January 11, 2005, at 6:00 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. Arsenault, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on December 14, 2004 be approved.

Chairperson Corkin opened the meeting for public comment.
Mike Quayle, 1700 Mildred Avenue, Marquette, addressed the County Board regarding Tellkite. He asked the County Board to keep the public informed on further negotiations.
Jim Gallant, Skandia, Michigan, requested to speak to Item 8) Citizens Friend of the Court Advisory Committee.
Rod Wiest, Chairperson, Champion-Humboldt Township Emergency Services Board, requested to speak to Item 9) Request regarding MDOT Guidelines for Advance Warning Signs and Beacons.

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

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the agenda be approved with the following changes: Delete Item 7) Star Industries Concerns Regarding Medwaste Disposal, and add Item 13) Proposed Amendment to the Marquette County Board of Commissioners Rules of Order.

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period December 17, 2004 through January 6, 2005 in the amount of $320,652.61 and bi-weekly payroll for the period ending January 1, 2005 in the amount of $622,359.60 be approved.

It was moved by Comm. Joseph, seconded by Comm. Wallace, and unanimously carried by voice vote that the communication regarding Northern Great Lakes Forest Project be accepted and placed on file.

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The Committee considered the Citizens Friend of the Court Advisory Committee. Cheryl Hill, Civil Counsel, was present and explained that the Citizens Friend of the Court Advisory Committee was formed pursuant to Michigan Statute which required each County to have such a Committee. The Michigan Statute that provided for the establishment of such a Committee has been amended recently. The statute is no longer mandatory. MCL 552.504(1) now states: "Each county may establish a Citizen Friend of the Court Advisory Committee."

She further explained that the local Marquette County Citizen Advisory Committee has been operating since its Organizational Meeting of March 16, 2004. All members appointed to the Committee have endeavored to comply with the statutory mandates of the Committee. However, throughout the course of the past year, there have only been two grievances entertained by the Committee. Both grievances were filed by James Gallant. Neither grievance resulted in any recommendation from the Citizen Advisory Committee Board going to the Friend of the Court, the Circuit Court, or the Board. No other grievances by any member of the public have been filed. She also pointed out to the Commissioners that when the grievances filed by Mr. Gallant were reviewed, it was determined that the Marquette County Friend of the Court Office is an office that functions well and is responsive to the needs of the custodial parents, non-custodial parents, and of course the needs of the children involved in these cases.

Based upon a motion passed by the Advisory Committee on December 29, 2004, Ms. Hill is respectfully requesting the County Board dissolve the Citizen Advisory Committee. She further explained that in the event the County does not disband the Citizen Advisory Committee, Mr. Paul Marin, appointed to the Committee as an Attorney who engages in Family Law Practice, has indicated that his 1-year term is
up and that he is not seeking reappointment. Mr. Greg McGregor and Julia Hadas have also indicated they will not be seeking reappointment.

Mr. Gallant was present and addressed Commissioners extensively regarding his issues.

Cheryl Hill once again reminded Commissioners that Mr. Gallant, like any other non-custodial parent, has other avenues of recourse in filing grievances against the Office of the Friend of the Court. They may file a grievance directly with the Friend of the Court Office, the Circuit Court, or they may motion the Circuit Court to request a change in any Order of Custody or Support in place.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board disband the Citizens Friend of the Court Advisory Committee effective immediately.

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The Committee considered a request from the Champion-Humboldt Township Emergency Services Board for support in securing two flashing beacons for Highway US-41/M-28. The Champion-Humboldt Emergency Services Board has requested MDOT in August and October to address traffic safety concerns on the highway. They are requesting the posted speed limit be reduced so emergency vehicles can safely merge onto traffic on US-41/M-28. They are also requesting advance warning signs and flashing beacons to be erected on both approaches to the Champion Fire Hall.

Mr. Rod Wiest, Chairman, Champion-Humboldt Township Emergency Services Board was present to address Commissioners. He explained the sequence of events with their request to MDOT. Mr. Wiest is concerned for the safety of emergency personnel, citizens of Marquette County, and all who travel through the village of Champion. He explained the limited sight distance that exists from both approaches to the fire hall and the poor road conditions. He requests support of the Champion-Humboldt Township Emergency Services Board position to install emergency vehicle advance warning signs, flashing beacons on both approaches to Fire Hall, and a reduction of the speed limit to 45 MPH.

Mike Lovelace, Marquette County Sheriff, supports the request of the Champion-Humboldt Emergency Services Board. The need for a 45 mph speed limit is needed from County Road AB and US-41 on the side of the Fire Hall to County Road AW on the east side. There is no law enforcement available to enforce the current speed limit due to the reduction in Sheriff's Office Road Patrol. He also supports the request to have advanced warning signs and beacons erected. He explained that he is very familiar with the location and very supportive of this request to create a safe response environment for the Emergency Personnel, and the Citizens of Marquette County.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board send a Letter of Support to MDOT and our Legislators requesting the 45 mph speed limit and flashing beacons to be erected on both approaches to the Champion Fire Hall on US-41/M-28.

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The Committee considered Marquette County’s Purchasing Policy. Steve Powers, County Administrator, explained the Purchasing Policy was last updated in 1988. He explained that Department Managers have been reviewing the County’s Purchasing Policy. The Policy is intended to be the County’s Comprehensive Policy to specify how purchases of goods and services will be made. The Policy provides for management discretion while maintaining compliance with policy goals. The goal of the Policy is to provide the best overall quality at the lowest cost to the taxpayers through open and competitive purchasing procedures for goods and services. The current policy was adopted in 1986. Over 19 years, technology and inflation have resulted in the need for the revisions. Purchasing limits have been increased. Use of the internet is allowed and language is clarified.

Administrator Powers presented changes he recommends from the current policy. Commissioners discussed his recommendation regarding increasing thresholds for formal sealed bids from $5,000 to $25,000 and Board approval for all purchases over $25,000. Commissioners consensus was that the $25,000 figure is too high. The bid process is important and fair for all potential bidders.

Commissioners directed Administrator Powers to lower the threshold for formal sealed bids to $10,000 and adjust other dollar amounts accordingly.
It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve Marquette County’s Purchasing Policy contingent upon changes discussed.

The Committee considered 2004 Year End Budget Amendments. Sue Vercoe, Finance Manager, was present and explained the following:

#37 – General Fund

The amendment increases General Fund revenues by $402,948. The majority of the increase is the $260,000 CDBG grant for the B3 Loan. Revenue sharing was increased by $118,000 as a result of the establishment of the Revenue Sharing reserve account. Prisoner Board revenue is decreased by $70,000. On the expenditure side, General Fund expenses are increased by $399,229. Again, the most significant reason for the increase being the $360,000 B3 Loan. Humane Society boarding fees have been increased by $35,000 because of our potential liability for boarding fees for numerous animals involved in an abuse case. Personnel service line items have been adjusted for year-end accruals and interdepartmental transfers. The net impact is a $3,700 increase to the contingency account. The recommended amended ’04 General Fund budget is $17,542,870.

#38 – Airport Fund

The amendment adjusts both the revenue and expense line items. Expenses are $6,700 higher than anticipated at mid year. On the revenue side, parking did not meet projections. Hangar rental by Sikorsky was less than budgeted. The net result is a $45,000 transfer from the Development Fund. The recommended amended ’04 Airport budget is $2,238,089.

#39 – Sawyer Development Fund

Various adjustments to both revenue and expense items reduce the total budget by $7,469. This fund will be closed at the end of 2004 with all operations transferred to either the Airport or Water & Sewer Funds.

#40 – Caretaker Fund

The caretaker budget is increased by $17,055. Increased expenditures are covered by revenue adjustments. This fund will also be closed at the end of 2004.

#41 – Water & Sewer Fund

Expenditure increases of $12,552 are offset by revenue adjustment.

#42 – Airport Stabilization Fund

This amendment reflects actual revenue and expense for the year. The current fund balance in the Airport Stabilization Fund is $1,951,000.

#43 – Friend of the Court

The Friend of the Court budget is increased by $24,200 and provides for year-end salary accruals and adjustments. The amount of the General Fund transfer is increased by $29,919 which is covered by an increase in ADC Incentive revenue.

#44 – Probate Child Care Fund

This amendment reduces the current year General Fund appropriation by $45,839. The reduced appropriation is sufficient to cover 2004 expenses. It should be noted that the Child Care Grant has a September 30 fiscal year end, and various programs budgeted in 2004 may carry over into 2005.

#45 – M.C.T.V. Fund

This amendment provides for the Child Passenger Safety Grant that was implemented in October. There is no General Fund support for this program.

#46 – R.O.D. Automation Fund

This amendment reduces both expense and revenue items by $13,000.

#47 – Remonumentation Fund

This amendment provides for an additional supplemental grant of $128,238.
#48 – Forest Recreation Fund
This amendment adjusts various line items and provides for the Perkins Park III expenses that were included in the reserved fund balance.

#49 – Health Department
This amendment incorporates the Health Department’s year-end budget amendment.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the 2004 Year-End Budget Amendments as presented.

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The Committee considered proposed amendments to the Marquette County Board of Commissioners Rules of Order. Harley Andrews, Chief Civil Counsel, explained that during the past year situations occurred during meetings which led to the suggestions that the Board’s Rules of Order should be reviewed to determine whether any amendments to them would be appropriate. Comm. Wallace and Comm. Chihak volunteered to participate in this effort. They presented the following rules for amendment consideration:

- Rule IV-7 Right of Speaking – Subsection 1
- Rule V-3 Motion for Reconsideration
- Rule V-4 Motion to Rescind – Subsection 3
- Rule VII-1 Roll Call Vote: Commissioners Present; Excuse
- Rule VII-2 Roll Call Votes

Commissioners discussed each amendment and consensus was not to change Rule IV-7 Right of Speaking.

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the attached amendments to the Rules of Order.

"V-3. MOTION FOR RECONSIDERATION

A motion for reconsideration of a decision shall be in order when:

1. The motion is made at the same meeting or the following meeting and by one who voted with the prevailing side on the original motion; or,
2. Made by a commissioner who was absent at the time of the vote on the original motion, at the first meeting attended by that commissioner subsequent to the meeting at which the vote on the original motion was taken; or,
3. At any time by a new commissioner seated since the vote on the original motion.

SUBSECTION 3 of RULE V-4 MOTION TO RESCIND

"3. The original motion accepted a resignation or made an appointment, and the other party has already been informed of the action."

"VII-1. ROLL CALL VOTE: COMMISSIONERS PRESENT: EXCUSE

A roll call vote shall proceed alphabetically from the person making the motion, with the Chair voting last. Every member who shall be present when a question is last stated by the Chair, and no others, shall vote for or against the same, unless the Board shall excuse him/her, or unless he/she be prohibited by law from voting on the question."

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"VII-2. ROLL CALL VOTES:
A roll call vote shall be taken on any question when called for by any member of the Board, and on any question upon which the vote is not unanimous. Otherwise, all votes shall be by acclamation. The Chair shall determine and announce the outcome of each vote."

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Chairperson Corkin opened the meeting for public comment.

James Gallant, Skandia, Michigan, expressed his disappointment with action taken regarding the Friend of the Court Advisory Committee.

Mike Quayle, 1700 Mildred Avenue, Marquette, addressed the Committee regarding the Marquette County Board of Commissioners Rules of Order. He requested a summary of the amendments.

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


Chairperson Corkin declared a 5 minute recess to clear Commission Chambers.

.......................................................... CLOSED SESSION ..........................................................

The Committee of the Whole came back into open session. No action was forthcoming as a result of the Closed Session.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS
Comm. Pellow requested the monthly update on the Codes Department for the next Committee of the Whole meeting.

Chairperson Corkin announced Committee appointments have been made and distributed in Commissioner mailboxes.

Steve Powers, County Administrator, announced he will prepare a schedule of all various Boards and Commissions meeting schedules.

There being no further business to come before the Committee of the Whole the meeting adjourned at approximately 9:00 P.M.

Respectfully submitted,

Connie M. Branam
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
Tuesday, January 11, 2005, 6:00 P.M.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855
www.co.marquette.mi.us

1. ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. PRIVILEGED COMMENT:
   a. Northern Great Lakes Forest Project.
   b. Star Industries Concerns regarding Medwaste Disposal.
   c. Citizen Friend of the Court Advisory Committee.
   d. Request from Champion-Humboldt Township regarding MDOT Guidelines for Advance Warning Signs with Flashing Beacons.
7. Purchasing Policy.
8. 2004 Budget Amendments.
9. Consideration of CLOSED SESSION to Discuss Confidential Attorney/Client Correspondence regarding Telkite.
11. PUBLIC COMMENT.
12. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
13. ADJOURNMENT.