

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, July 26, 2005, at 6:30 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent and excused: Comm. Arsenault.

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 July 12, 2005 be approved.

Chairperson Corkin opened the meeting for public comment.

Doreen Takola, West Branch Township Clerk and Township Association President, spoke in opposition to inclusion of township halls and offices in the proposed Smoking Regulation.

Carl Hammerstrom, Carol Margrif, Nheena Weyer Ittner, Michael Grossman, Licia Raymond, Michala Hansen, Nick Young, Kathy Peters, Lew Peters, Art Saari, Karlyn Rapport, Cathy Soltwich, Jean Baumann, Lenny Shivalla, and Jack Leadbetter all addressed the Committee in support of the proposed Smoking Regulation.

It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the Agenda be approved with the following change: move Item 7) Revised Marquette County Health Department Regulation Prohibiting Smoking in Public and Private Workplaces and Enclosed Public Places, not including Bars and Restaurants before Item 6) Mid-year Budget Amendments.

It was moved by Comm. Pellow, seconded by Comm. Joseph, and carried by voice vote 7 Ayes to 1 Abstention (Comm. Bergdahl) that Claims and Accounts for the period July 15, 2005 through July 21, 2005 in the amount of \$400,062.91, including Check No. 64693 in the amount of \$181.36 and Check No. 64694 in the amount of \$86.43 both made payable to Bergdahl's Inc. (Affidavit of Disclosure follows), and Bi-weekly Payroll for the period ending July 16, 2005 in the amount of \$576,164.70 be approved.

AFFIDAVIT OF DISCLOSURE
PURSUANT TO MCL 15.323(2)(a)

COUNTY OF MARQUETTE)
)SS
STATE OF MICHIGAN)

Charles Bergdahl, a Marquette County Commissioner, being duly sworn, hereby submits this Affidavit pursuant to the provisions of MCL 15.323(2)(a):

1. *The Final Disbursement List submitted for approval at this July 26, 2005 meeting of the County Board of Commissioners Committee of the Whole includes Check No. 064693, dated July 22, 2005, payable to Bergdahl's, Inc. in the amount of \$181.36, in payment for Perkins Park repairs; and Check No. 64694, dated July 22, 2005, payable to Bergdahl's Inc. in the amount of \$86.43, in payment for the Community Corrections Account;*

2. *I hereby disclose that I have a personal financial interest in Bergdahl's, Inc., which is as follows:*

90% Shareholder

3. *I hereby certify that any direct benefit I personally will receive from this payment to Bergdahl's Inc. will be less than \$250.00, and will be less than 5% of the total payment of \$267.79.*

Dated this 26th day of July, 2005.

/S/

Charles Bergdahl

* * * * *

The Committee considered a Revised Marquette County Health Department Regulation Prohibiting Smoking in Public and Private Workplaces and Enclosed Public Places, not including Bars and Restaurants. This Regulation was unanimously adopted by the Marquette County Board of Health at their meeting on June 29, 2005. The required public hearing was held on May 25, 2005.

The revised Regulation prohibits smoking in public and private workplaces and enclosed public places except for bars, restaurants, casinos, tobacco specialty stores, bingo halls and hotel/motel meeting rooms or assembly halls while these places are being used for private functions.

The Health Department's statutory mandate is to "prevent disease, prolong life, and promote the public health". The revised Regulation was adopted to comply with this mandate by addressing the significant proven health risks resulting from breathing secondhand smoke.

Michigan's Public Health Code grants local health departments the authority to adopt such regulations and provides that such regulations adopted by the Board of Health must be approved by the "local governing entity", i.e. the Marquette County Board of Commissioners.

The proposed Marquette County Health Department Regulation expands the protection provided by the Michigan Clean Indoor Air Act to most private sector workplaces and strengthens this protection by not allowing the designation of smoking areas in otherwise smokefree workplaces and enclosed public places.

Regulations such as that adopted by the Board of Health are already in place in many parts of Michigan. Nine counties and the City of Marquette have approved and implemented Clean Indoor Air regulations, which covers approximately 23.5% of the total population of Michigan.

Over a dozen individuals addressed the Committee speaking in support of the Regulation. Doreen Takola, West Branch Township Clerk and Township Association President, spoke in opposition to inclusion of township halls and offices in the regulation.

Comm. Pellow addressed the Township Associations opposition to the Regulation. She felt the townships were not included or involved in development of the Regulation and questioned the authority or jurisdiction of the Health Department over township buildings.

Commissioners questioned the enforceability, violation, and penalty issues of the regulation. Health Department personnel assured Commissioners that this aspect will be dealt with by the Health Department, and they anticipate very few problems.

It was moved by Comm. Wallace, seconded by Comm. Joseph, and carried by voice vote 7 Ayes (Comm. Bergdahl, Comm. Cihak, Com. Heikkila, Comm. Joseph, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 1 Nay (Comm. Pellow) that the Committee of the Whole recommend the County Board approve the Revised Regulation Prohibiting Smoking in Public and Private Workplaces and Enclosed Public Places, not including Bars and Restaurants.

* * * * *

The Committee considered Mid-year Budget Amendments #30 - #41. Departments were requested to review their revenues and expenditures as of June 30, 2005. The recommendations were prepared based on requests and information from the departments and review of the June budget reports.

#30-General Fund. General Fund revenue is increased by \$26,199. Included in this amount is 2% Gaming Revenue of \$12,500 which were appropriated to the American Indian Coordinating Council and the Lake Superior Chippewa, and a new revenue, judicial technology funds, of \$4,799. The judicial council has recommended these funds by used for a defibrillator kit and shock belt for Circuit Court and an ACCESS database for Probate Court. Real estate transfer tax is increased by \$25,000, Sheriff revenues are decreased by \$27,000, election reimbursements are increased \$7,400 and District Court revenues are increased by \$3,500.

On the expenditure side, the appropriation to the Friend of the Court Fund is increased by \$2,500 as previously authorized by the Board. The amendments also include \$7,400 for increased election expenses, the appropriation of the gaming revenues and the judicial technology funds.

#31-Airport Fund. The airport budget is increased by \$40,000 to reflect the Air Service Marketing Grant.

#32-Water & Sewer Fund. The expense budget is increased by \$70,868. Increased expenses are covered by increases to the service revenue line items.

#33-Friend of the Court. This amendment increased the personnel budget as previously requested by the Board.

#34-Forest Recreation Fund. This amendment covers Perkins Park Phase III improvements. The local match for the project was budgeted in previous years. The amendment also recognizes additional timber sale revenue from the Honor Camp sale.

#35-Rescue Safety Fund. This budget is increased by \$45,500. The majority of the increase is for a new vehicle. \$38,000 has been included for the vehicle. The actual cost will be less after law enforcement discounts and trade-in value. The vehicle being replaced is a 2000 model year with high mileage and frequent repair costs. YTD repair costs total \$3,110.

#36-Commission on Aging. This amendment reflects a \$23,935 increase in various grant revenue and expense line items.

#37-Reomonumentation fund. Expenditures have been reduced to the amount of the actual grant award.

#38-M.C.T.V. Fund. The budget is increased based on additional program revenue.

#39-Health Department. This amendment reflects the budget changes approved by the Board of Health.

#40-R.O.D. Automation Fund. This amendment allocated automation funds for the conversion of records and software support and maintenance.

#41-Veterans Trust Fund. This amendment reduces the budget to reflect the actual amount of veterans relief anticipated from the Michigan Veterans Trust Fund.

It was moved by Comm. Pellow, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve Mid-Year Budget Amendments #30 - #41.

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Wallace thanked the Commission for their support of the proposed Smoking Regulation. He also referred to the Marquette City Commission meeting in which City Manager Peterson resigned. He appreciated working with Mr. Peterson and feels he is a dedicated public servant and sees it as a loss for the City. He hopes the next Manager and Commission can work together.

Comm. Struck commented on the August 2, 2005 election in the City of Marquette. Regardless of the outcome of the election, it is important that a majority of the people get out to vote.

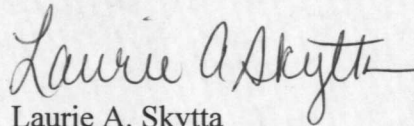
Comm. Heikkila questioned the surplus of \$911,000 at the end of the 2004 budget year. County Administrator Steve Powers responded that the 2004 audit showed that for the General Fund there was an

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unreserved fund balance of approximately \$900,000. It is an indication of how the books were closed for 2004 and is an accumulation of many years of surplus or deficit. Historically Marquette County reserves have been below recommended standards.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 8:05 P.M.

Respectfully submitted,



Laurie A. Skytta
Marquette County Deputy Clerk

**MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
TUESDAY, JULY 26, 2005, 6:30 P.M.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855
www.co.marquette.mi.us**

1. ROLL CALL.
2. APPROVAL OF THE MINUTES of the COMMITTEE OF THE WHOLE MEETING HELD ON JULY 12, 2005.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Mid-Year Budget Amendments.
7. Revised Marquette County Health Department Regulation Prohibiting Smoking in Public and Private Workplaces and Enclosed Public Places, Not Including Bars and Restaurants.
- 8.
- 9.
- 10.
11. PUBLIC COMMENT.
12. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
13. ADJOURNMENT.