

**ALGER COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE MEETING**

**June 11, 2012**

**Minutes are subject to corrections and approval**

Pursuant to recess, the Alger County Board of Commissioners convened in the conference room of the county building at 4:00 p.m. on the above date.

The meeting was called to order by Chairman Doucette with the following Commissioners present: Commissioners Mattson, Pullen, Rondeau, VanLandschoot, and Doucette. Absent ó none.

The board of commissioners said the Pledge of Allegiance.

Public comment session was open. Undersheriff Brock handed the board a 2011 Boat Activity Report. Commissioner Mattson said that he appreciates the handout and that they can now justify the cause to the public. There was discussion on the handout being put on the website. The sheriff asked about the medical examiner and has experienced people with an interest in the position. He also asked about a replacement of staffing at the Sheriff's Department. The staffing level is to be added to the agenda under old business. There was no other public comment from the floor; thus, the public comment session was closed.

It was the consensus of the board to look at the minutes and make a motion at Monday's regular board meeting.

The agenda was presented. There was a change adding staffing levels at the Sheriff's Department under old business.

The Employee Benefits Agency, Inc. was discussed to change the agent of record for the county's health insurance. Commissioner Doucette said that he met with Vince from Employee Benefits Agency and with labor employees. He discussed that he had talked to Emil Kezerle, who represents the Courthouse Union and the Sheriff's Union, and that Emil recommended working with Employee Benefits Agency for some time. He said that Todd Flack from AFSCME, who is representing the courts, also recommended them. Commissioner Doucette said that Employee Benefits works with MAC (Michigan Association of Counties), is up-to-date with all of the new legislation, and works as a third party administrator. There was discussion of the six-month cool-off period for Employee Benefits to be the third party administrator. It was the consensus of the board to immediately change the agent of record to Employee Benefits Agency, Inc.

Lisa Cromell, Director of the Munising School Public Library, spoke regarding the cost allocation costs. Anita Bouth from the Alger County Library Board was also present. Lisa said that they did not receive notice of the Special Board meeting in March. She said that they are not the Alger County Library. Lisa handed out a packet to the board. She said that they are a school public library and are governed by the school board. She said that their legal service area is the school board, Munising Schools, and that includes several parts of other townships. She said that they contract with the rest of the other townships with penal fines to serve them for public library service. She said that they are also contracted with Alger County through the Alger County Library Board for public library service with regard to the millage. Lisa said that in the last fiscal year they have had over 38,000 visitors to the public library. She said that they circulate a huge number of books, are open 51 hours per week, and also serve to Burt Township and Rock River Township with deliveries. She said that they are not a county agency, but with the cost allocation they are being treated as a county agency. She feels that the cost in 2009 of \$2,000 and in 2010 of \$3,257 is exorbitant. She said that there is a copy of the agreement between the Alger County Library Board and Munising Public Schools in the packet. Lisa said that this is for 100% of the millage in return for public library service and that the contract has been in effect since December 15, 2008. She went through the packet and next is copies of the cost allocation where it shows a charge for liability. She said that is where the question is. She said that she understands that there are costs associated with bookkeeping at the county, but the question is to look at the liability issue of what they are being asked to pay for. Lisa said that as a contractor they have their own liability. Their premises are theirs, not the county's. They have their own fiduciary agent in the school board that handles the money so how they are being charged is really a question to her. She said that in the cost allocation plan under 101-265 liability, it is based on a dollar value of expenditures so that goes according to how much money the county handles for the library. She said that if the county was handling all of their payroll, paying all of their bills, and doing all of the day to day operations, purchases and things like that, she feel that the dollar value of expenditures would be a big amount, but since the county is acting as a pass through agency for the townships to the school there really are very few transactions and are basing it on the dollar amount of the millage monies. Lisa said that in 2009 the liability amount for the library is \$897 and in 2010 the amount is \$969. She said that under liability allocations there are only four agencies that are being charged more than the public library and that they don't understand why that is. She discussed the November 14, 2011 board minutes wherein Jim

Olson from MGT said that the county would have to look at each department to see what could be charged and to look at each fund to see if services would be reduced in charging indirect costs of the cost allocation plan. Lisa said that in taking money directly from the budget of the public library, they are reducing public library services to people of the county and that is not something that they voted for. They didn't vote for a millage to fund the county, they voted for a millage to fund public library service. Commissioner Pullen said that they also didn't vote for a millage to cost the county money. Lisa said that by law that needs to be disclosed in the millage language that monies would be going back to the county and that would be true with every millage. She said that isn't the case for the monies that were collected in 2009 and 2010 and that the language was never in the millage. Lisa said that the last thing she wanted to address is an attached letter from Mark Luoma dated February 24, 2009 to Char Dugas who was the Library Director at that time. Lisa said that Char Dugas and Mark Luoma had discussed the county law library, which the county is to provide public access. She said that Mr. Luoma had expressed the idea that they would like to see West Law available to the public in the library because the county could not provide adequate access. She said that in the letter it states that other counties have done so in order to provide greater access to legal information and that the requirement for this change would include a dedicated computer for law library services. It could be used by the library for other purposes but it would be the only terminal where West Law could be accessed to the public. The county would pay for the legal subscription including the software but did not have the money to budget for a computer nor did they have staff to take care of helping people with it. So the public library at that time agreed to house the public access, make it free and available for anybody that wanted to use it so that the county didn't have to provide that service, which by law they have to provide. Lisa said that is what happened. That the county's law library was inadequate and the hours of operation were inadequate for meeting the need, so it was placed in the library in 2009. She said that West Law came and trained their staff, trained Stacey Masters, and that the public access has been there and is still there on their computer, using their software, their technology people, and being housed by them for free and that none of that was taken into consideration for the cost allocation. She asked them to look a little bit closer at what they are asking of the library in looking for them to pay for certain things because there were not some things taken into consideration. She said that she would like someone to look into the liability issue because they went over it with the superintendent and the business manager and they do not see the exposure, they are a contractor. Lisa said that the library has a contract with the library board for 100% of the millage, and have contracts in place with all of the townships for penal fine monies. She said that they understand that the county can't do things for free and neither can they. She said that every little piece of the library's budget keeps get whittled away by state cuts as well with the proposed personal property tax elimination. It is such a large hit that they will be cutting significantly and that this on top of it takes a good chunk of their budget. Lisa said that she has to make her request and certainly appreciates everything that the county does on their behalf. She said that she doesn't think that they were considered properly in the cost allocation. Commissioner Doucette said that the county got into this because during the audit this was one of the things that the county was told they could collect, so the budget staff went in with the authority to collect these monies into the 2011 and 2012 budgets. He said that there were concerns with others as well, being MSU Extension, the Road Commission, and Commission on Aging. He said that the county is in the process of getting some kind of a ruling from the State of Michigan Department of Treasury, but has not heard anything yet. He said until the ruling, the county is at a deadlock until they hear back from the Department of Treasury. Lisa said that she talked with Jim Olson from MGT and asked him if he understood that Alger County's library situation is not the same as most county library situations. She said that he was not clear on that, so she doesn't think that was taken into consideration. She said that the Munising School Public is only one of 18 school public libraries in the State of Michigan and that there are very few school publics left. It is a very unique situation and they are their own entity. Lisa said that in contracting, they are breaking ground with contracting with the county to do library service for the entire county. They are setting precedence in doing that. She said that the county has been looked to quite a bit at how they are serving the public for a public library service. They have had two other counties follow suit since they were the first one to put together the county library board and then contract with schools public for a countywide service. She said that Schoolcraft County and Luce County have done so and she knows that Lanse is looking at it as well. She said that in counties our size that is so rural, public libraries are few and far between, so the ability to provide library service that way is unique. In setting precedence with this in cost allocating a contractor, they are not just taking from them; the possibility of this happening to other contractors is precedence. Lisa said that she wants to make sure they are examining the liability question properly. The transactions in the treasurer's office were discussed. She said that she would like to hear back from the board on what she just told them and where they can go from here. All further communications are to be sent through the Alger County Library Board. John Howko is the Chair of the Library Board. She said that they need to be informed because they are the ones that have the responsibility of seeing this. Lisa explained what a public library is and how they are set up. Commissioner Doucette thanked Lisa and Anita for coming.

There was discussion on the bids that were submitted for approximately 44 VHF radios for the fire fighters through Emergency Management. They wanted 60 radios, 5 radios per entity and being compliant for federal mandates for narrow banding. Chuck Bouth did not have a recommendation, but said that Anderson Communications came in at \$295 per radio with a total of six rebates, earning \$1,110 back. Chuck said that this puts a dent in the 60 they would like. It was the consensus of the board to authorize Emergency Management to purchase the radios with Anderson Communication. The amount of the grant is \$15,000. The monies are to come from the Emergency Management Planning Grants #259.

The computers in the Prosecuting Attorney's office were discussed. Commissioner Doucette said that he had already given them permission to purchase the three computers because none of them were working. It was the consensus of the board to authorize the Prosecuting Attorney's office to purchase the computers in the amount of \$2,652.

There was discussion about hiring Attorney Terry Burkhardt regarding labor negotiations. Attorney Cannello can no longer work with Alger County because his partner retired and he does not have the time. Commissioner Rondeau thinks that the board should keep looking. It was the consensus of the board to authorize the chair to hire Attorney Terry Burkhardt. Commissioner Doucette is to acquire for Commissioner Rondeau Attorney Burkhardt's resume.

Old business was next. The sheriff discussed wanting to hire a full time employee. He said that Mike Perron was the last employee that he hired full-time. He said that they are down two full-time employees now. He said that the temporary employees are young, can only work 90 days and that he is concerned about the liability using the temporary employees in the jail. The sheriff said that they work 17,520 hours; 8,240 hours with full-time staff after vacation and leave time; 5,824 hours with part-time employees; and 2,880 hours with four temporary employees. That is 16,944 hours which leaves a 576 hour deficit. He said that the temporary employees get 40 hours of training. They do not get the 160 hours of correctional training and do not get basic 911 call training. He said that they need more full-time employees to be in the call center. The sheriff said that he is asking for one full-time employee. It was the consensus of the board to authorize the sheriff to hire one full-time employee.

There were no appropriations.

It was the consensus of the board to approve payment of all of the board bills as recommended by the audit committee.

It was the consensus of the board to approve the financial reports for all funds. A full 30-page report is available upon request with the treasurer.

There were no miscellaneous financial matters.

There were no resolutions.

Committee reports were next. Commissioner Mattson discussed a judicial meeting that he attended. He said that everyone agreed to go back to the resolution and it is to be reviewed annually. He said that in order for something to pass, all four counties must agree. Commissioner VanLandschoot said that this way everyone is held accountable. Commissioner Mattson discussed that JIS and the law library costs will be based on caseloads. Commissioner Pullen discussed Commission on Aging and that they would like answers before paying their cost allocation. Commissioner Rondeau said that the Alger County Road Commission purchased a gravel pit in Rock River Township and that part of H-58 is being torn-up with snowmobiles. Commissioner Doucette discussed culverts and emergency permits. The sheriff also discussed H-58 and the snowmobiles and discussed the speed limit signs of 25 MPH on H-58 in Grand Marais and Melstrand. He said that there is an issue between the road commission and the state police. He said that a traffic study will have to be done.

Correspondence was read, discussed, and will be filed.

Board comments were next. Commissioner Mattson asked about the appeals with the unemployment determinations and if we have anything with contracted employees. It was discussed that we are waiting on the determinations and waiting for a response with the attorneys from Lansing for the contracted employees. Commissioner VanLandschoot discussed some firework tubes that were taken from Joe Paquette's property. Commissioner Doucette discussed the DDA sponsoring boats to go out and watch the fireworks on July 4<sup>th</sup>. Tickets are to be \$12 - \$15 per person. There were no further comments.

Staff comments were next. The sheriff discussed a leadership class that Chuck Bouth and his wife Anita provided training for. He talked about doing a life-saving recognition for two people that helped with the dog attack and recognition for the utility employee on the Powell Lake incident. He also discussed recognition for Pete Lindquist that he supplies free air for scuba diving to the county and state police. He discussed that the Next Generation 911 is being installed and there is three-day training. He discussed the ambulance millage and that it is a renewal of the millage since 1980 and that they are not asking for anything new.

Public comment session was open. There was no public comment; thus, the public comment session was closed.  
This meeting is now adjourned at 6:24 p.m.

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Jerry Doucette, Chairman  
Alger County Board of Commissioners

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Mary Ann Froberg  
Alger County Clerk