

**COMMITTEE OF THE WHOLE**  
Tuesday, August 12<sup>th</sup>, 2008  
Menominee County Courthouse - Courtroom B  
Menominee, MI 49858

**MINUTES**

The meeting was called to order at 6:30 p.m. (CDT) by Chairman Jim Lynch.

The Pledge of Allegiance was recited.

Roll call was taken with the following in attendance:

Present: Commissioners Lang, Berger, Kakuk & Lynch

Absent: Commissioner Furmanski

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**Public Comment:** We heard from Pat Krah, President of the Historical Society and Pat Johnson, Co-Chairperson for the Menominee Historic District in reference to the Bell Tower restoration. They offer their support and services in any way they can to help preserve the historical value of the tower. They would like to request the board to allow Robert McKay, Historical Architect to come to assess the tower for necessary repairs or restoration. Pat Johnson speaks for the people of Marinette and Menominee stating that the Bell Tower can be seen from the interstate bridge. It is an "Icon" for the two cities... "Preserve this Great Landmark"! Jean Arnold, Secretary of the Menominee Area Arts Counsel, commented on how much positive feedback she is getting for preserving the Menominee "1874" courthouse keeping it's historical, artistic integrity intact. Harry Ellory expressed his concern for the materials currently on the roof. According to information on the internet, the current materials, being only 30 years old, should last over 100 years...He says the proposals we currently have are inadequate. He suggests we speak with Ed Francis, who did some restoration work on the tower in previous years...Or we get a "competent company" here to take a look at the projects proposed.

Wayne Erickson, Attorney requested time to speak about the Annexation for the Village of Carney.

**Department Head Reports/Comments:** Sheriff Botbyl commented on the "need" for a new vehicle for School Resources/Marine Patrol/Water Rescue. He asks that Mr. Lynch sign the application for a USDA Grant to fund a portion of the money needed for the vehicle replacement.

**Approval of the Agenda:** Moved by Comm. Berger, seconded by Comm. Kakuk to approve the agenda. Motion carried, 4-0.

**Approval of the Previous Meeting Minutes:** Moved by Comm. Lang, seconded by

Comm. Berger to approve the previous meeting minutes. Motion carried, 4-0

**Presentations:** Joe Maki, Geologist from DEQ spoke of the Mining Exploration Status. Aquila Resources is the company proposing to apply for a mining operation in Lake Township at Menominee River. Currently Aquila is in an exploration phase, there is no drilling happening at this time. There has been ore body identified in samples collected. This means that it can be marketable. Michigan requires 2 years of data to support the mining operation. After that data is collected and submitted to DEQ, the company is allowed to apply for a permanent permit. Then Michigan must also check into the data collected before a decision is ever made to allow the mining operations to begin or to approve the permit. Acid drainage is a question in the community. Mr. Maki explains that minerals can react when they're mixed with air, and can create a chemical reaction in the form of acid wash. If the minerals are kept in large rock form, then it could take years for the acid to be traced; however if the minerals are crushed into powder form, then the acid drainage can take only days to be traced. Mr. Maki feels that the requirements in MI are very strict and that "IF" the project is approved, then the state feels it is safe for the community and environment to allow the mining project.

**Agenda Items:**

**1. Personnel Items:**

- a. Dr. Paul A. Haupt, County Medical Examiner's four year contract expires on 30 Aug. 2008. A renewed four year contract (31 Aug. 08 - 30 Aug. 2012) was submitted to the board. Brian Neumeier discussed the changes in the contract. Administration will place a recommendation on the next County Board agenda to approve Dr. Haupt's contract renewal.
- b. The Courthouse Union ratified the employee contract dated Oct. 2007-Sept. 2010. Brian Neumeier discussed the changes of the new contract. Administration will place a recommendation on the next County Board agenda to approve the Courthouse Union Contract as written.

**2. Building & Grounds Items:**

- a. Panic Button Security: Only one bid was received at the county for the New Panic Button Security system to be installed. Twin City Electric, Inc. quoted \$7823.00 to install the required system. An annual monitoring fee of \$165.00 plus a one time set up charge of \$35.00 will be in addition to this cost. Administration will place a recommendation on the next County Board agenda to approve the bid from Twin City Electric.
- b. Bell Tower Restoration: Three bids were received for the restoration of the Bell Tower: Alfredson Brothers, \$112,245; Northern Restoration, \$138,475 & Moyle Development, \$90,955. Administration will place a recommendation on the next County Board agenda to approve the lowest bid for the Bell Tower Restoration.
- c. Replacement of Courthouse Roof: Two Bids were received for the replacement of the Courthouse roof: Independent Roofing, \$56,758 & Moyle Construction, \$133,492. Administration will place a recommendation on the next County Board agenda to

approve the lowest bid for the replacement of the roof.

### 3. Miscellaneous Items:

- a. Petition for Annexation: Village of Carney/Nadeau Township ~ Annexation paperwork is included in the agenda packet for the commissioners to view. Lands involved in the annexation are described in full. Proposed annexation is said to be necessary to promote the business economy and development of the Village of Carney.  
Attorney David Stoker advised the board on what to look for in the annexation paperwork. After reading Mr. Stoker's recommendation, the board has asked Mr. Wayne Erickson, Attorney for Village of Carney to provide the board with
  - i. A petition from the Village of Carney to include a detailed reason for the proposed annexation.
  - ii. To have the Legal description of the properties involved verified for accuracy.
  - iii. And to provide the Commissioners with maps of the properties involved in the annexation and their immediate surrounding areas.
- b. Miscellaneous Resolutions:
  - i. House Bill #5398 – *States an individual shall not bring or maintain an action for personal injury or property damage sustained by the individual arising from the individual's operation of a motor vehicle while fleeing and eluding a police or conservation officer in violation of section 602A.* Administration will draft a resolution supporting House Bill #5398 and place a recommendation on the next County Board agenda to approve this bill.
  - ii. House Bill #6112 – *If passed will create a new act known as the Corrections Officers Compulsory Arbitration Act to provide a binding arbitration procedure for the resolution of labor disputes.* Administration will draft a resolution in opposition of House Bill #6112 and place a recommendation on the next County Board agenda to oppose this bill.
- c. Pharmaceuticals Collection/Drop off: Sheriff Botbyl advises the board of the Pharmaceutical Collection in an attempt to rid area homes of unused drugs and possibly reduce area home "drug related" break-ins. The date of the drug collection for Menominee County is Sept. 6<sup>th</sup>, 2008 from 9:00 AM to Noon at the Menominee Fire Department, the Michigan State Police Post in Stephenson, and the Spalding Township Hall. Volunteer Pharmacists will be at each location for identification of narcotics. Menominee County will deliver the pharmaceuticals to the Oconto County Sheriff's Impound Site at 10:30 AM on Sept. 17<sup>th</sup>, when the fees will be charged by weight (approx. \$1500). The pharmaceuticals will be held in containment with Sheriff Botbyl until then. Brian Neumeier states that the Household Hazardous Waste account should have enough money in it to cover the cost of the collection. Administration will place a recommendation on the next County Board agenda to approve the Pharmaceutical Collection.

### 4. Finance Items:

- a. 9-11 Surcharge: Concern is brought to the board in ref. to the 9-11 surcharge renewal. What are our options to continue receiving surcharge money to keep our 9-11 in operation? Currently we are receiving \$1.30 per device, to be paid to the county on a quarterly basis. (Oct., Jan., Apr., July). This amount is not enough to continue operations. We were previously receiving \$2.12 per device. Other options to receive operational money are to ask property owners to vote in a milage...but we're uncertain how the court of appeals will respond to the current legislation claims. If the milage gets voted in and the courts approve the legislation, then what? The board asks Brian Neumeier to speak with Attorney, VanEssen for legal advice on this matter.
- b. Comm. Per Diems/Expenses: Based on discussion, Administration will place a recommendation on the next County Board agenda to approve the per diems/expenses as paid.
- c. Miscellaneous Bills: Based on discussion, Administration will place a recommendation on the next County Board agenda to approve miscellaneous bills dated July 10<sup>th</sup> & 24<sup>th</sup> in the total of \$179,930.04 as paid.

**Other Items Members may wish to present:**

- a. Administrator Neumeier has asked the board to look at "use" of county vehicles. Because of rising costs of fuel, will county employees continue to be allowed to drive the county vehicles to a place of residence? Because of the 08-09 budget coming due, this is something that should be addressed. The commissioners would like to discuss this in more detail on the next committee of the whole meeting on Sept. 9<sup>th</sup>.

**Correspondence:** None

**Public Comment:**

- a. Pat Johnson would like the commissioners to allow Mr. Robert McKay be allowed to come and assess the roof and bell tower...to receive an architectural view on the repairs. She also questions if there'll be a maintenance plan in place after the repairs are complete.
- b. Sheriff Botbyl states that he is in support of keeping the 9-11 program here...it's very important to our county.
- c. Dave Arnold, an electrical engineer would like permission to go into the bell tower with Steve, so the community has a professional's view of what exactly is going on with the deterioration of the roof and tower.

**Adjournment:** Moved by Comm. Kakuk, seconded by Comm. Lang to adjourn this meeting at 8:57 pm. Motion carried, 4-0.