

October 6, 1982

The Marquette County Board of Commissioners met on October 6, 1982 at 7:00 p.m. in the Commissioners Room of the Courthouse Annex.

Chairperson Racine opened the meeting, roll was called and the following roll recorded:

Present: Commissioners Carlson, Farrell, Juidici, LaPin, Leone, Lowe, Steele, Villeneuve and Racine.

Absent: Commissioners Cheatham, LaMere and May.

Salute to the Flag was given followed by the Pledge of Allegiance.

It was moved by Comm. Villeneuve, supported by Comm. Steele and carried, that the minutes of the September 15, 1982 meeting of the County Board of Commissioners be approved.

Chairperson Racine opened the meeting for public comment. Wes Larson, Supervisor of Negaunee Township, asked to be allowed to speak when item 7-0, the communication from Representative D. J. Jacobetti regarding Simmons Aircraft Corp, and item 7-G, the application for EDC grant for Negaunee Township Projects, were taken up. Permission was granted. Public comment was then closed.

Approval of the agenda was given with the addition of item 7-D-1, a communication from Sheriff Maino regarding Sheriff's Department staffing level; item 10-C, an oral report by County Controller Duane Beard regarding the Tax Administration Program; item 8-L, a recommendation from the Personnel Committee on the staffing level of the Family Support Division; and the transfer of item 7-Q, a communication from Judge Edward A. Quinnell, to a spot on the agenda designated as 7-D-2.

A communication from the U.S. Department of Commerce regarding the Courthouse Renovation Project #EDA 06-11-01764.60 and approving the executed contract with Tezak Co. was read and placed on file.

The approval of the proposed project plan for the EDC project Cliffs Ridge Skiing Corp. was taken under consideration. Chairperson Racine opened the public hearing. Stephen Adamini, attorney for the project was present to explain the project to the Board of Commissioners. County Board of Commissioners members asked questions regarding the plan and the two representative citizens proposed as special members and directors of the project. Chairperson Racine closed the public hearing. It was moved by Comm. Carlson, supported by Comm. Leone and carried unanimously on a roll call vote, that the County Board approve the proposed project plan and inducement resolution and name Ronald Walker and Dominic Longhini as special directors for the project.

Chairperson Racine opened the public hearing on the B and B Development Company EDC Project. Mr. Jack Bureau, part owner of the B and B Development Company was present to explain the plan. Members of the Board of Commissioners asked questions concerning the plan. James Steward, attorney for the project, was not present, but a communication from him was read. It was moved by Comm. LaPin, supported by Comm. Steele and unanimously carried on a roll call vote that the county board approve a Resolution of Inducement with the deletion of section 2.05 and the addition of wording in the first paragraph of the resolution to eliminate any reference to the issuance of revenue bonds; and also to approve the two resident directors, John S. Peterson and Walter Koski. Chairperson Racine closed the public hearing.

Gary Johnson of Republic Township was present to submit a petition from residents and freeholders of Republic Township asking that T45N R30W not be allowed to secede from Republic Township. The petition was accepted and referred to the Executive Committee.

A resolution from the Republic Township Board asking that the Marquette County Board of Commissioners not allow the resident/freeholders of T45N R30W to secede from Republic Township, was read and referred to the Executive Committee.

It was suggested by Comm. Carlson that the Board Chairperson, Joseph Racine, call a special meeting of the County Board of Commissioners to consider the secession of T45N R30W Republic Township. Chairperson Racine then designated October 14, 1982 at 7:00 p.m. in the Commissioners Room of the Courthouse Annex as the time and place of the meeting.

A communication from Sheriff Joseph I. Maino asked that some consideration be given to reinstate the position which has been recommended as being eliminated in the Sheriff's Department for 1983. He submitted a suggested plan to use \$8,000.00 anticipated savings in Jail Medical Costs for 1982, and \$8,000.00 in reduced 1983 Jail Medical Costs, along with \$5,250.00 to be obtained by increasing work pass permits from \$4.00 per day to \$7.00 per day for 1983. This total of \$21,250.00 would defray the expense of retaining the position. It was moved by Comm. Carlson, supported by Comm. Juidici and carried, that the communication be referred to the County Board meeting October 12, 1982 for consideration.

A communication from Judge Edward A. Quinnell regarding the position in the Circuit Court 1983 Budget of Court Bailiff/Security Officer, and its possible elimination, was read. Judge Quinnell has suggested that the position be considered in the 1983 Budget as a 24 hour per week position rather than its being eliminated. Some discussion was held by County Board members on the possibility of combining the position of Court Bailiff/Security Officer and Friend of the Court into one position. It was moved by Comm. Carlson, supported by Comm. Juidici and carried, to refer Judge Quinnell's letter to the county board meeting of October 12, 1982 for consideration.

The contract for the renewal of the Status Offender Diversion Alternative Program (SODA) was taken under consideration. This grant is totally funded with State and Federal money and requires no county funds. It was moved by Comm. Carlson, supported by Comm. Juidici and carried, that the contract be approved and the county board chairperson be authorized to sign the contract. Comm. Farrell abstained from voting because he is a member of the Central Upper Peninsula Development Co. Inc. who also approves the contract.

A resolution adopting, ratifying and approving execution of a grant agreement between Marquette County and the United States of America, Federal Aviation Administration, for development of the Marquette County Airport under Project #3-26-0063-0182, Contract #AIP-FA82-GL-17, was read. It was moved by Comm. Juidici, supported by Comm. Leone and unanimously carried on a roll call vote, that the county board approve, ratify and adopt the resolution and authorize the execution of the grant agreement and certification by the County Clerk, Henry A. Skewis.

Greg Main, Executive Director of CUPPAD was present to speak to the county board in regard to Marquette County's becoming the applicant for a Small Cities grant for Negaunee Township Economic Development Project involving a grant of \$182,000 to U.P. Fabricating Co., Inc. and \$32,000 to the Midway Industrial Park (voter extension). After discussion, it was moved by Comm. Juidici, supported by Comm. Leone and carried, that Marquette County become the applicant for this project and approve and execute the application subject to approval of the Marquette County Planning Commission. Comm. Farrell abstained from voting because he is a member of the Central Upper Peninsula Development Co., Inc. who also would have to approve this application.

Wes Larson, Supervisor of Negaunee Township, stated that if this application is accepted and the \$214,000 in grant money is awarded, it would be repaid over a period of years to the county and could

be used for other projects. He hoped that when this occurred that Negaunee Township would be given first priority of use of this money for additional projects.

An agreement between Marquette County and Oberstar Excavating Co. of Marquette, Michigan for demolition of five (5) additional dilapidated buildings in Marquette Township under the CDBG Project was considered. It was moved by Comm. Farrell, supported by Comm. Leone and carried unanimously on a roll call vote, that Oberstar Excavating Co. be awarded the contract in the amount of \$2,740.00 and the board chair be authorized to sign the contract.

A contract between the Michigan Department of Social Services, the Prosecuting Attorneys Association of Michigan, Marquette County and the Marquette County Prosecuting Attorney for reimbursement by the U.S. Department of Agriculture for local costs incurred for investigation and prosecution of food stamp fraud, was considered. It was moved by Comm. Farrell, supported by Comm. Leone and unanimously carried on a roll call vote, that the county board approve the contract for the reimbursement and authorize the execution of the contract.

A communication from the County Controller, Duane Beard, and a recommendation from the Committee of the Whole recommending that the county board approve a grant application and authorize its execution for #31,500.00 in energy improvements to a Senior Citizens Housing Project in Republic Township, was read. It was moved by Comm. Farrell, supported by Comm. Juidici and unanimously carried on a roll call vote, to approve the grant application and authorize the board chairperson to execute the application by signature subject to approval of Chief Civil Counsel Patricia L. Micklow.

A petition signed by residents of Marquette County, asking that the Offender Aid and Restoration Program be continued in 1983, was read and placed on file.

A communication in regard to the adoption and signing of the County-Wide Emergency Operation Plan (Disaster Plan) was read. It was moved by Comm. Leone, supported by Comm. Lowe and unanimously carried, that the County-Wide Emergency Operation Plan (Disaster Plan) as approved by the Chief Civil Counsel, be approved, adopted, and the board chair be authorized to execute the plan by signature.

A communication from Chief Civil Counsel Patricia L. Micklow regarding the consolidation of the Parks, Harbor, Forestry and Mineral Resources Commissions was read. Chief Civil Counsel outlined the possible action that should be taken to consolidate these commissions. It was moved by Comm. LaPin, supported by Comm. Villeneuve and carried unanimously on a roll call vote, to have a resolution drawn up for consolidation of these four commissions and that the county board:

1. Adopt the resolution establishing the Consolidated Parks, Harbor, Forestry and Mineral Resources Commission to be comprised of five members, one of whom is a county commissioner, which will meet every other month effective June 1, 1983.
2. Adopt a resolution to repeal the existence of separate Forestry, Parks, Harbor and Mineral Resources Commissions effective December 31, 1982.
3. Appoint the members to serve on the consolidated commission pursuant to Board Appointment Policy.

and further, that the Intergovernmental Relations Committee give direction on the setting of time, date, and location for the first meeting of the new consolidated commission and perhaps provide written directions to the commission concerning their responsibilities and any charges which the County Board of Commissioners may wish to have accomplished.

A copy of a letter of commendation from the Alger-Marquette County Soil Conservation Committee to Dean Wilson, Soil Conservation District Forester, for his work on the Marquette County Reforestation Program, was read and placed on file.

A communication from Representative D. J. Jacobetti recommending that Marquette County prepare a letter stating that the county board has no objection to Simmons Airlines removing their repair facility from the Marquette County Airport, was read and tabled. More information is needed on this subject. Board Chairperson Joseph O. Racine will contact James Alderton of the Airport Committee and ask him to meet with the Environment, Lands, and Buildings Committee to further explain what is being done.

A communication from Chief Civil Counsel Patricia L. Micklow advising the county that the Michigan Civil Rights Complaint of Donna Boyer vs Marquette County has been denied by the Michigan Civil Rights Commission.

Reports of the September 14, 1982 meeting of the Executive Committee, the September 21 and September 23 meetings of the Intergovernmental Relations Committee were accepted and placed on file.

A recommendation from the Intergovernmental Relations Committee regarding the continued receipt of good evaluation reports on the Youth Home was read. It was moved by Comm. Leone, supported by Comm. Steele and unanimously carried, that a letter be sent to Probate Court Judge Michael Anderegg complimenting him on receiving consistently good evaluations on the Youth Home.

A report of the October 4, 1982 meeting of the Environment, Lands and Buildings Committee was accepted and filed.

A recommendation from the Environment, Lands and Buildings Committee regarding the adoption of the Revised Marquette County Comprehensive Plan, was read. It was moved by Comm. Villeneuve, supported by Comm. Leone and carried unanimously, that the county board adopt the Revised Comprehensive Plan for Marquette County. Comm. Carlson complimented Alan Chase, Planning Director, for his work on the Plan.

A recommendation from the Environment, Lands and Buildings Committee regarding Courthouse Renovation Project change orders #5, #6 and #7. Change orders #5 and #6 are for amounts under \$1,000.00 and can be finalized by the County Controller. It was moved by Comm. Leone, supported by Comm. Villeneuve and carried unanimously on a roll call vote, that the county board approve change order #7 in the amount of \$3,681.00 for the removal of an old, and installation of a new, sewer line and authorize the board chairperson to execute the change order #7.

A recommendation from the Environment, Lands and Buildings Committee regarding the Courthouse Renovation Project, Contractors Application and Certificate for Payment #2 was read. It was moved by Comm. Steele, supported by Comm. Villeneuve and unanimously carried on a roll call vote, that the county board concur with the recommendation and accept the Contractor's Application and Certificate of Payment #2 and authorize the payment in the amount of \$70,266.72.

Comm. Lowe inquired as to how many local people were employed at this time on the project. Duane Beard, County Controller, advised the county board that 13 out of 16 persons employed at this time are from Marquette County.

A recommendation from the Environment, Lands and Buildings Committee regarding Phase II design work on the Courthouse Renovation Project was read. It was moved by Comm. Villeneuve, supported by Comm. Juidici and carried unanimously on a roll call vote, that the county board concur with the recommendation and authorize, subject to legal and administrative review, an addendum to the existing contract for Courthouse renovation design to cover additional design work required to complete Phase II of the Renovation Project.

A recommendation from the Environment, Lands and Buildings Committee regarding the proposed lease between the State of Michigan Department of Social Services and Marquette County for approximately 900 square feet of space, known as Rooms A and B in the Courthouse lower level, was read. It was moved by Comm. Juidici, supported by Comm. Carlson and unanimously carried on a roll call vote, that the county board concur with the recommendation and authorize the signing by the board chair of a five-year lease for a period beginning May 1, 1982 and expiring April 30, 1987, for Rooms A and B of the lower level of the Courthouse, in the amount of \$262.50 per month. Such lease to contain a 90-day cancellation clause.

A recommendation from the Environment, Lands and Buildings Committee regarding the possible cancellation of lease on Rooms A and B on the lower level of the Courthouse, the space now leased to the Department of Social Services, was read. Because of possible rearranging of office space in the Courthouse/Jail Complex in the next few months and the immediate need of the space if the rearrangement should happen, it was moved by Comm. Carlson, supported by Comm. LaPin and carried unanimously on a roll call vote, that the county board put the Department of Social Services on a 90-day notice of cancellation of the lease as of October 6, 1982, and that the board chair execute the notice of cancellation document.

A recommendation from the Personnel Committee regarding the increasing of the staffing level in the Family Support Unit, was read. It was moved by Comm. Leone, supported by Comm. Juidici and carried unanimously on a roll call vote, that the county board concur with the recommendation and amend the staffing level of the Family Support Unit to allow for the hire of one temporary clerk/typist position for the remainder of 1982 fiscal year.

A report of the September 22, 1982 meeting of the Committee of the Whole was accepted and placed on file.

A recommendation from the Committee of the Whole regarding the housing of the R-52 Rescue Vehicle was read. Because of the necessity to have this vehicle centrally located, it was moved by Comm. Lowe, supported by Comm. Leone and carried unanimously, that the county board concur with the recommendation and direct Michael Zorza, Emergency Medical Services Director, and Charles Hohman, Jr., Airport Manager, to meet and try to resolve a plan for housing the R-52 Rescue Vehicle at the County Airport.

Reports for the month of July, 1982 of the Sheriff's Department and reports for the month of August, 1982 of the Road Commission and Acocks Medical Facility were accepted and placed on file.

Duane Beard, County Controller, advised the county board of some of the problems being encountered with the Tax Administration Program. He felt that some units of government were not sure if they wished to participate in the program at this time. He recommended that the program start Jan. 1, 1983 and accept each unit of government as they decide to become a part of the program. It was moved by Comm. Carlson, supported by Comm. Juidici and carried, that the program be set up as recommended by the Controller and the deadline for complying, of October 15, 1982, be dropped.

Comm. Lowe announced that the extension of time to file complaint on bids for Central Dispatch equipment was over, and comments from the engineering firm and others had been received. A decision will be made on the awarding of the bid and the information passed on to the Finance Committee.

Chairperson Racine opened the meeting for public comment. Peter Embley of Marquette advised the county board of the latest happenings in the field of HMO's and the programs being instituted in some counties in Michigan.

Mr. Embley also spoke on the necessity of having the cable TV franchises with the same companies throughout the County and using them in the best possible manner for the good of the people.

Mr. Embley advised the county board that he will be starting a class action in District Court against the Marquette City Commission jointly and severally for not giving proper consideration to the video tape he supplied for their use earlier in the year.

Mr. Embley also felt that the energy producing power plants should be owned by the county and that industry using energy, such as electric cars, should be promoted in the County.

Chairperson Racine closed the public comment section.

Comm. LaPin asked that some consideration be given to obtain bus transportation to and from the mines in the county and suggested that some effort be made to work out a schedule. It was moved by Comm. LaPin, supported by Comm. Lowe and carried, that the county board encourage that a pilot program be introduced and developed to transport mine employees to and from work. The pilot program to be tried for two or three months.

It was moved by Comm. Carlson, supported by Comm. Juidici and carried unanimously on a roll call vote, that the county board go into closed session to discuss litigation in the Applebaum case.

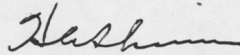
CLOSED SESSION

It was moved by Comm. Juidici, supported by Comm. Leone and unanimously carried on a roll call vote, to come out of closed session.

It was moved by Comm. Carlson, supported by Comm. Racine and unanimously carried on a roll call vote, that the county board accept the recommendation of the Chief Civil Counsel and cause Robert Rosemurgy's attorney to effect a settlement in the Applebaum litigation.

There being no further business to come before the county board, the meeting was adjourned.

Respectfully submitted,



Henry A. Skewis
County Clerk

in agenda bk.

MARQUETTE COUNTY BOARD OF COMMISSIONERS
Wednesday, October 6, 1982, 7:00 p.m.

Commissioners Room, Courthouse Annex
Marquette, Michigan

1. CALLING OF ROLL BY THE COUNTY CLERK.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. READING OF THE MINUTES OF THE SEPTEMBER 15, 1982 MEETING.
4. PUBLIC COMMENT (time limit of 20 minutes total).
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
 - a.
 - b.
7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
 - a. Communication from the U.S. Department of Commerce, Economic Development Corporation, advising the Board of the EDA's approval of the County's contract with Tezak Company for the courthouse renovation project.
 - b. Approval of the Cliff Ridge Ski Corporation inducement resolution, the project plan resolution and the naming of two directors at large for the project. Possible Public Hearing to be held on Oct. 20, 1982.
 - c. Approval of the Inducement Resolution and Project Plan for B&B Development Company to place a Wholesale-type Retail Food Store in Marquette Twp.. Also to name two resident citizens to the Board of Directors for this project only, and set Public Hearing for Oct. 20, 1982.
 - d. Petitions from resident freeholders in Republic Twp. asking the county board to not divide Republic Twp. as requested by other land owners. Represented by Gary and Kathy Johnson
 - e. Contract for the renewal of the SODA grant, Status Offender Diver- sion Alternatives Program approval and signature of board Chair.
 - f. Approval and execution of resolution and clerk's certificate and other necessary documents for the Marquette County Airport ADAP Grant agreement #3-26-0063-0182 Contract AIP-FA82-GI-17.
 - g. Application for Small Cities Block Grant for the Township of Negaunee. Greg Main of CUPPAD to be present to ask for approval of the grant application and authorize board chair to sign.
 - h. Approval of low bidder Oberstar Excavation for the demolition of five structures in Marquette Township, (CDBG Program) Request approval of agreement and execution by board chair.
 - i. Memo from Duane Beard, Controller and Patricia L. Micklow, Chief Civil Counsel, on approval of grant agreement between Michigan Dept. of Commerce and Marquette County on behalf of Republic Twp.
 - j. Approval of Bid award for engineering services on the CDBG Republic Township housing project, & execution of contract with county board chair signature.
 - k. Petitions from various individuals in support of the Offender Aid Restoration/Marquette County Program.
 - l. Communication from Chief Civil Counsel to Comm. Lowe, regarding the County-Wide Emergency Operations Plan (Disaster Plan)
 - m. Memo from Chief Civil Counsel, regarding the Consolidation of Parks, Harbor, Forestry and Mineral Resources Commissions. Requested by county board on 9/8/82

Freeholder oral

Greg Main

Same as 9B

Board of Commissioners Agenda

October 6, 1982

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7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS(cont'd.)
 - n. Comm. from Paul Salminen, of CED, Alger Marquette County ASC Committees, commending Dean Wilson SCD Forester for his service in gaining funds for the Marquette County Forestry Program. (Boards information)
 - o. Comm. from D. J. Jacobetti, State Representative, requesting a letter of approval to allow Simmons Airlines to transfer its repair service to a lower Michigan Airport.
 - p. Memo from Chief Civil Counsel to county board chair, advising county board of dismissal of civil rights complaint regarding job discrimination because of age.
8. REPORTS OF STANDING COMMITTEES:
 - a. Report from the Executive Committee on a meeting held September 14, 1982.
 - b. Intergovernmental Relations Committee report on a September 21, 1982 meeting.
 - c. September 23, 1982 report from the Intergovernmental Relations Committee.
 - d. Recommendation from the Intergovernmental Relations Committee, to send a letter to Judge Anderegg commending him on the Youth Home evaluation report.
 - e.
 - f.
 - g.
 - h.
9. REPORTS OF SPECIAL COMMITTEES:
 - a. Committee of the Whole report for September 22, 1982, Approval of the minutes.
 - b. Recommendation from the Committee of the Whole on acceptance of a 1982 Michigan Small Cities Program grant.
 - c. Recommendation from the Committee of the Whole that the county board direct Michael Zorza, EMS Dir. and Charles Hohman, Jr., Airport Mgr., to meet and try to resolve a plan to house the R-52 Rescue Vehicle at the Marquette County Airport.
 - d.
10. REPORTS OF COUNTY OFFICERS:
 - a. Sheriff's activity report for July, 1982.
 - b. Acocks Medical Facility report for August, 1982.
 - c. Road Commission report for August, 1982.
 - d.
 - e.
11. LATE ADDITIONS:
 - a.
 - b.
12. UNFINISHED BUSINESS:
 - a.
 - b.
13. NEW BUSINESS:
 - a. Request that county board go into closed session for the purpose of discussing the Applebaum Litigation.
 - b.
 - c.
14. PUBLIC COMMENT:
15. ANNOUNCEMENTS:
16. ADJOURNMENT:

MARQUETTE COUNTY BOARD OF COMMISSIONERS

Wednesday, October 6, 1982, 7:00 p.m.

Commissioners Room, Courthouse Annex
Marquette, Michigan

1. CALLING OF ROLL BY THE COUNTY CLERK.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. READING OF THE MINUTES OF THE SEPTEMBER 15, 1982 MEETING.
4. PUBLIC COMMENT (time limit of 20 minutes total).
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
 - a.
 - b.
7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
 - a. Communication from the U.S. Department of Commerce, Economic Development Corporation, advising the Board of the EDA's approval of the County's contract with Tezak Company for the courthouse renovation project.
 - b. Approval of the Cliff Ridge Ski Corporation ~~inducement~~ resolution, the project ~~plan~~ resolution and thenaming of two directors at large for the project. Possible Public Hearing to be held on October 20, 1982.
 - c. Approval of the Inducement Resolution and Project Area and Project District Area for B&B Development Company to place a Wholesale-type Retail Food Store in Marquette Twp.. Also to name two resident citizens to the Board of Directors for this project only, and set Public Hearing for October 20, 1982.
 - d. Petitions from resident freeholders in Republic Twp. asking the county board to not divide Republic Twp. as requested by other land owners. Represented by Gary and Kathy Johnson.
 - 7-D-2 *see memo* dl. Resolution from Republic Township Board opposing and protesting the petition submitted by freeholder of T45N R30W, Republic Twp., for secession from Republic Township.
 - e. Contract for the renewal of the SODA grant, Status Offender Diversion Alternatives Program approval and signature of board Chair.
 - f. Approval and execution of resolution and clerk's certificate and other necessary documents for the Marquette County Airport ADAP Grant agreement #3-26-0063-0182 Contract AIP-FA82-GI-17.
 - g. Application for Small Cities Block Grant for the Township of Negaunee. Greg Main of CUPPAD to be present to ask for approval of the grant application and authorize board chair to sign.
 - h. Approval of low bidder Oberstar Excavation for the demolition of five structures in Marquette Township, (CDBG Program) Request approval of agreement and execution by board chair.
 - i. Agreement between Michigan Department of Social Services and Prosecuting Attorneys Association of Michigan and Marquette County and Marquette County Prosecuting Attorney for reimbursement to Marquette County from the U.S. Dept. of Agriculture for local costs incurred for investigation and prosecution of food stamp fraud and the authorization and execution of the contract by Marquette County.
 - j. Approval of Bid award for engineering services on the CDBG Republic Township Housing project, & execution of contract with county board chair signature.

7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS (Cont'd)
 - k. Petitions from various individuals in support of the Offender Aid Restoration/Marquette County Program.
 - l. Communication from Chief Civil Counsel to Comm. Lowe, regarding the County-Wide Emergency Operations Plan (Disaster Plan)
 - m. Memo from Chief Civil Counsel, regarding the Consolidation of Parks, Harbor, Forestry and Mineral Resources Commissions. Requested by County Board on 9/8/82.
 - n. Comm. from Paul Salminen, of CED, Alger Marquette County ASC Committees, commending Dean Wilson SCD Forester for his service in gaining funds for the Marquette County Forestry Program. (Boards information)
 - o. Comm. from D. J. Jacobetty, State Representative, requesting a letter of approval to allow Simmons Airlines to transfer its repair service to a lower Michigan Airport.
 - p. Memo from Chief Civil Counsel to county board chair, advising county board of dismissal of civil rights complaint regarding job discrimination because of age.
 - q. Communications from Judge E. A. Quinnell regarding position of Circuit Court Bailiff/Administrator office in 1983 Budget. Requested to be placed on October 6, 1982 agenda by Judge E. A. Quinnell.
 - r.
 - s.
8. REPORTS OF STANDING COMMITTEES:
 - a. Report from the Executive Committee on a meeting held September 14, 1982.
 - b. Intergovernmental Relations Committee report on a September 21, 1982 meeting.
 - c. September 23, 1982 report from the Intergovernmental Relations Committee.
 - d. Recommendation from the Intergovernmental Relations Committee, to send a letter to Judge Anderegg commending him on the Youth Home evaluation report.
 - e. Report of the Environment, Lands and Buildings Committee meeting held on October 4, 1982.
 - f. Recommendation from the Environment, Lands and Buildings Committee regarding the adoption of the revised Comprehensive Plan and Executive Summary.
 - g. Recommendation of the Environment, Lands and Buildings Committee regarding the approval of Courthouse Renovation Project change orders #5, #6, #7 and the authorization of change order #7.
 - h. Recommendation from the Environment, Lands and Buildings Committee regarding the acceptance and authorization of payment of the Contractor Application and Certificate of Payment #2 in the amount of \$70,266.72.
 - i. Recommendation from the Environment, Lands, and Buildings Committee regarding the authorization of an addendum to the Courthouse Renovation Project contract for addition design work required for phase II.

8. REPORTS OF STANDING COMMITTEES (Cont'd)
 - j. Recommendation from the Environment, Lands and Buildings Committee regarding the approval of a five-year lease with the Dept. of Social Services for Rooms "A" and "B" of the lower level of the County Courthouse.
 - k. Recommendation from the Environment, Lands and Buildings Committee regarding the County of Marquette's intent of cancellation of lease with Dept. of Social Services, on 90-day notice, for Rooms "A" and "B" of the County Courthouse because of the uncertainty of future need of this area by the County.
 - l. *Rec. from Pers. Comm. on Family Services*
 - m.
9. REPORTS OF SPECIAL COMMITTEES:
 - a. Committee of the Whole report for September 22, 1982, Approval of the minutes.
 - b. Recommendation from the Committee of the Whole on acceptance of a 1982 Michigan Small Cities Program grant.
 - c. Recommendation from the Committee of the Whole that the county board direct Michael Zorza, EMS Dir. and Charles Hohman, Jr., Airport Mgr., to meet and try to resolve a plan to house the R-52 Rescue Vehicle. at the Marquette County Airport.
 - d.
10. REPORTS OF COUNTY OFFICERS:
 - a. Sheriff's activity report for July, 1982.
 - b. Acocks Medical Facility report for August, 1982.
 - c. Road Commission report for August, 1982.
 - d. *Oral Report on TX adm program Controller*
 - e.
11. LATE ADDITIONS:
 - a.
 - b.
12. UNFINISHED BUSINESS:
 - a.
 - b.
13. NEW BUSINESS:
 - a. Request that county board go into closed session for the purpose of discussing the Applebaum Litigation.
 - b.
 - c.
14. PUBLIC COMMENT:
15. ANNOUNCEMENTS:
16. ADJOURNMENT:

September 21, 1982

Honorable Chair and Members of the
Marquette County Board of Commissioners
Marquette, Michigan

Ladies and Gentlemen:

A meeting of your Intergovernmental Relations Committee was duly called and held on September 21, 1982 and copies of the minutes of that meeting have been furnished to all members of the Board of Commissioners and a copy of the minutes is attached hereto and made a part of this report.

Respectfully submitted,

INTERGOVERNMENTAL RELATIONS COMMITTEE

Chair

James A. Quinn
Frank J. Leone
Elaine Quinn

September 21, 1982

The Intergovernmental Relations Committee meeting was duly called and held on September 21, 1982 at 7:00 p.m. in the Courthouse Annex.

Present: Commissioners Juidici, Lowe, May and Racine.

Absent and Excused: Commissioners LaPin and Leone.

In Attendance: Bob Myers, Sands Citizens for Safe Waste Disposal (SCSWD); Gerry DeFant; David Svanda, Manager, City of Marquette; Earl Yelle, Supervisor, Sands Township; Jim Hunt, SCSWD; Ray Hiller, SCSWD; Henry DeGroot, Wells Township Board; Dalton Lilly, Sands Township; Tom Swick, Sands Township; David Carlson, Marquette Board of Light and Power; Ron Koshorek, County Planning; Jon Saari, Solid Waste Planning Committee; David Kallio, SCSWD;

The meeting was called to order by Chair Lowe.

The public comment section was opened. Bob Myers, Sands Citizens for Safe Waste Disposal (SCSWD) said the Solid Waste Planning Committee paid little attention to the recommendations of their group. He said the Planning Committee recommended the least expensive method that would meet the minimum standards set by the state, i.e. natural sanitary landfill. The proposed location of the landfill in Section 4 of Sands Township is over the township's source of water. He noted the Committee's final version of the plan contains some of the safeguards they recommended.

Mr. Myers said present zoning does not permit construction of a landfill at the proposed site; it is over the township's aquifer; and is near the center of Sands Township's population. He said the SCSWD recommended rezoning another area in Sands Township to industrial for use as a landfill site.

Mr. Myers said the criteria for the landfill has been changed since the Committee first began considering the matter: A Type II landfill now must be lined. Mr. Myers said that means that the reasons the Committee chose Section 4 (as a natural landfill area, not requiring a liner) no longer applies. Mr. Myers said he does not believe the landfill site proposed will solve the county's problem for a 20 year period. He noted the effect of the Delta County case against the DNR in terms of the Headlee Amendment and local cost for state mandated services, i.e. waste disposal, is confusing the issue also. Mr. Myers recommended that action on the plan be deferred until after the Delta County suit has been decided and in the meantime that the Planning staff be directed to seriously consider and recommend other possible sites where a lined landfill could be placed; and if no other sites are found that Section 4 not be used but that Section 33, Sands Township be used.

Earl Yelle, Supervisor, Sands Township, wanted to go on record stating that the Sands Township Board opposes use of Section 4 for the landfill. They feel there are other areas in Sands Township that could be used. In response to a question by Commissioner Lowe, Mr. Yelle said he believes the Sands Township Board would approve use of Section 33 for a landfill.

Dave Kallio, SCSWD, said two sites in Sands Township were considered and one site, Section 5, of Forsyth Township was considered for the landfill but he noted Forsyth Township residents did not actively involve themselves with the possibility of having a landfill site in their township. He believed the only site that was seriously considered during the planning process was Section 4.

Commissioner Racine said he is in favor of an incineration method of disposal.

David Svanda, Manager, City of Marquette, and member of the Solid Waste Planning Committee, said he believes the county has already taken too long in dealing with the issue of solid waste. He does not believe the county can wait until the Delta County decision is determined. He said the only way illegal dumps can be put out of existence is to set up a county-wide landfill site. He said Section 4, Sands Township, meets the maximum desirability in terms of soil. The lining system and other safeguards included in the plan take into account concerns expressed for a county-wide safe facility for solid waste disposal. He said the incineration method was looked into and it was felt it would not be economically feasible. Mr. Svanda said the Committee looked at various sites. It is not correct that the Committee did not study sites other than Section 4. He said the East Marquette Solid Waste Disposal Authority approved the proposed plan. He said the Planning Committee set as a goal the determination of a disposal method which was cost effective and environmentally safe. They looked at the cost because they did not want to spend more than they had to. He believes there are deficiencies in Section 33, such as access to the property and ownership of the property.

Henry DeGroot said it is unfair to outlying areas of the county to place the burden of transporting waste to Sands Township.

Ray Hiller, SCSWD, said the county is mandated to have an engineered site for landfill disposal (i.e. lined). Section 4 is not the cost savings that it was at first when it was considered as a natural site since it must now be engineered to meet requirements.

Robert Myers noted a letter was directed to the County Board from Ivan Fende, East Marquette Solid Waste Disposal Authority, asking that they consider the following before acting on the plan:

1. Affect of Delta County suit on reimbursement to county for cost of disposal site under the Headlee Amendment.
2. Insufficient opportunity to review recent changes in proposed solid waste management plan.

Mr. Fende also suggested that no action be taken on the plan until a legal opinion is obtained re the Delta County suit and a meeting is held with the County Board and all elected officials in the county to review recent changes.

In response to a question by Commissioner Racine, David Svanda said there is a formula contained in the plan for charging back costs of waste disposal to local entities involved in the landfill. The Planning Committee also recommended that the county be the vehicle to implement the program in terms of arranging financing, etc. Commissioner Racine said he is concerned that some units in the county believe the county will finance the project. He said the county cannot do so.

David Svanda said the reason for county involvement is because no other entity can deal with this on a local basis. Also the City of Marquette does not have room to provide a site.

A gentleman in the audience said since the Section 4 Sands site is no longer the least expensive site because of the required liner that other areas previously considered that require liners should be reconsidered.

Ron Koshorek said other sites were rejected not so much because of cost but for other reasons.

The same gentleman questioned why the Committee selected an area with the fastest population growth in Marquette County for the site of the landfill. He suggested choosing an area where the growth pattern is slow.

David Carlson, Marquette Board of Light and Power, said the Board is interested in a Type III disposal site located south of the City of Marquette limits for disposal of ash from the Shiras III Steam Plant. The Board requested that that be part of the county plan. He said the landfill site included in the plan will not be completed when the city landfill has reached its capacity. He said they do not have DNR approval for the site but have had consulting engineers look at the area. The site would be used for up to 15 years. At that time they would leave the land in good condition. In response to a question by Commissioner Juidici, Mr. Carlson said EPA standards prohibit use of this ash for road paving, etc.

Earl Yelle said he believes that site should not be considered for inclusion in the Solid Waste Plan. The area proposed for the site is also located in Sands Township. He believed the Sands Township Board would be happy to meet with the Board of Light and Power to find a site for disposal of ash.

Duane Beard said the plan has no official status at this point. It is a plan recommended to the County Board by the Solid Waste Planning Committee in compliance with Act 641. The review process is just beginning. He noted the County Board charged the Intergovernmental Relations Committee to make a recommendation to them on the plan. The first step is for the Committee to become fully informed of the plan. Once the Committee is familiar with the plan they must consider technical aspects, legal aspects, environmental and health aspects. They must learn of the concerns of the public and other commissioners and secure information on technical matters before reaching a decision.

Commissioner Juidici said the county must think of the cost but must also consider how best to conserve the land and protect the people and must look beyond 15-20 years. The cost should not be the first consideration.

The public comment section was then closed.

Approval of the agenda was the next item of business. It was moved by Commissioner Juidici, supported by Commissioner May and carried unanimously to approve the agenda as presented.

In re to the solid waste management plan, Ron Koshorek, Senior Planner, said the County Board may approve the plan as submitted or disapprove the plan and return it to the Planning Committee for review and comment on the Board's objections. The Committee may then return their responses to the Board's concerns to the Board. He said the Committee also asked the County Board to seek a legal opinion on adopting the plan in terms of the Delta County/Headlee Amendment case.

Mr. Koshorek said the plan points out the need for more facilities in the east portion of the county. They recommended a Type II landfill be constructed at one of three locations: Two of those sites are in Sands Township; one is in Forsyth Township. He noted the Intergovernmental Relations Committee wanted to discuss the incineration method of disposal. He said it is the opinion of the Planning staff that whether an incineration method is adopted or not a Type II landfill will be needed for disposal of incineration plant waste and as a back-up for the incineration plant. The landfill in this case would be 1/5 the size of the one now proposed. He said the eastern landfill site should have the capability of expansion. The Planning Committee also identified the County Board as the agency most appropriate to implement the plan. The recommendations contained in the plan are in compliance with Act 641.

In response to a question by Commissioner May, Ron Koshorek said they did not recommend that the Board set up a separate Authority. They felt adequate representation existed on the County Board and an Authority would be one more layer of government.

Duane Beard noted there is no mandate for county involvement in solid waste management. He questioned the possibility of a county-wide authority not established by county government but by a federation of units within the county. Ron Koshorek said local units in the county were asked to comment on management of a disposal facility and all the units that responded indicated they felt the county should be responsible for the implementation.

Mr. Koshorek said the biggest difference between Section 4 and Section 33 in Sands Township is that Section 33 requires that waste be transported a greater distance thereby adding to the yearly cost by \$32,000.

Commissioner May questioned the public present whether they thought local units would go with an incineration method with the units paying a percentage of the cost. Earl Yelle believed the units would go for an incineration method. Henry DeGroot said outlying units should not be penalized for being located a greater distance from the incineration plant. He believes it would not be fair. He would want to see the cost formula before deciding.

Duane Beard said the most cost efficient location for a facility is where the center of population is. He said the farther away a unit is from the center of population the more expensive it will be for them.

David Svanda said the City of Marquette looked at an incineration method of disposal about 2½ years ago. The technology was not sufficiently advanced to warrant such a system. Such plants were only 60% to 70% efficient. Mr. Beard said he believes there has been recent technological breakthroughs in this area which make them more efficient.

A memo from Ron Koshorek to the Committee on the incineration method of disposal was presented to the Committee.

In response to a question by Duane Beard, Ron Koshorek said Marquette County is ahead of most counties in the state in terms of plan preparation. Only one or two have gotten to the local approval stage. He said a successful incineration plant depends on the volume of waste and market of waste by-products. He said some successful plants are receiving private funding.

The Committee requested the following information from Ron Koshorek for review at a future meeting:

1. Environmental comparison information between Section 4 and Section 33 in Sands Township.
2. Information on other sites that had been considered.
3. More information on incineration on both successful and unsuccessful sites.

In response to a question by Robert Myers, Commissioner Lowe said the Committee will continue to pursue this until their questions have been answered. After that time they will submit a recommendation to the Board. Those interested in being notified of future meetings of the Committee should indicate their desire.

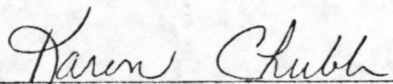
Bob Myers questioned whether a legal opinion will be requested on the Delta County case. Duane Beard said this may not be possible for the Chief Civil Counsel to determine since it is not possible to know which way the Supreme Court will decide. Mr. Myers recommended that the Committee ask the Planning staff to come up with other sites not already contained in the plan. David Svanda noted a lot of time will be required to do necessary research on other sites.

In response to a question by Duane Beard, Ron Koshorek said a joint county disposal site was pursued and it was found to be not feasible. A discussion was held on the feasibility of considering other sites for an engineered landfill site since those first selected were based on natural site criteria.

A legal opinion on the Headlee Amendment/Delta County case will be sought from Chief Civil Counsel.

The meeting adjourned at 9:15 p.m.

Respectfully submitted,


Karen Chubb, Commission Aide

8-C

September 23, 1982

Honorable Chair and Members of the
Marquette County Board of Commissioners
Marquette, Michigan

Ladies and Gentlemen:

A meeting of your Intergovernmental Relations Committee was duly called and held on September 23, 1982 and copies of the minutes of that meeting have been furnished to all members of the Board of Commissioners and a copy of the minutes is attached hereto and made a part of this report.

Respectfully submitted,

INTERGOVERNMENTAL RELATIONS COMMITTEE

Chair

Joseph J. Basini
Elaine Juhan
Frank J. Leone

September 23, 1982

The Intergovernmental Relations Committee meeting was duly called and held on September 23, 1982 at 7:00 p.m. in the Courthouse Annex.

Present: Commissioners Juidici, Leone, Lowe and May.

Absent: Commissioners LaPin and Racine.

In Attendance: Dr. Randall Johnson, Director, Health Department; Mike Zorza, Coordinator, Emergency Services; Duane Beard, Controller; and Lynn Emerick, Director, Commission on Aging.

The meeting was called to order by Chair Lowe. The public comment section was opened. No one present wished to speak under public comment.

Approval of the agenda was the next item of business. Commissioner Lowe asked to add a report from Lynn Emerick, Director, Commission on Aging, concerning use of DSS clients for a Commission on Aging program.

The next order of business was approval of the minutes of the August 26, 1982 meeting. It was moved by Commissioner Leone, supported by Commissioner Juidici and carried unanimously to approve the minutes of the August 26, 1982 meeting as presented.

Dr. Randall Johnson, Director, Health Department, was present to discuss Health Maintenance Organizations (HMO's) in response to a request from the Committee for information on this topic. He provided a communication to the Committee on general facts concerning HMO's. In his communication he stated the "...basic underlying concept of an HMO is that in exchange for an agreed upon prepaid fixed fee, enrollees in the HMO plan would receive a defined set of health care benefits...(the) enrollees...contract with the HMO who in turn either contract for physician services or sponsors the establishment of new physician groups to provide the agreed upon health benefits".

Dr. Johnson said there is controversy across the country re HMO's. Several have been established in Michigan over the last seven or eight years. Two or three of them have encountered big financial trouble in the last few years. Many of them are under Blue Cross/Blue Shield. He said it is difficult to see how an HMO would work in Marquette County because of the lack of population and the number of physicians in the area. To be successful a whole new group of physicians would probably have to be brought into the area, which may not be feasible considering the number already in the area. Those here are not interested in the concept. He said it is difficult to get the necessary cooperation to establish an HMO.

Duane Beard noted there is an HMO in the eastern portion of the Upper Peninsula. Dr. Johnson said this is an extension of an HMO set up in the northern Lower Peninsula and involves three eastern Upper Peninsula counties. It is closely associated with Blue Cross/Blue Shield.

Dr. Johnson said you have to have provider support for a successful HMO.

Lynn Emerick noted Commissioner Lowe referred an article to her on use of medicare funds to operate an HMO. The Commission on Aging will review the concept at an up-coming meeting. She said this type of program is being operated in the Minneapolis area. Dr. Johnson said a successful HMO is based on participation by young people who do not require frequent health services. He believes if it is based solely on senior citizen participation it would not be successful.

Duane Beard was excused from the meeting.

Lynn Emerick, Director, Commission on Aging, said she recently sent a memo to Commissioner Lowe on a successful inter-agency cooperative program in the providing of homemaker services. She noted that homemaker services are offered to senior citizens by the Commission on Aging. She said they do not have enough money to hire people to provide the service. At one time CETA funds were used for the program. Use of DSS work assistance people for the program has not been permitted by the state as the state would not allow work assistance people to work in private homes because of the lack of supervision. Dave Berns wrote to Noble Kheder, Director, Michigan Department of Social Services, regarding this. As a result a change of policy has been affected and Noble Kheder has agreed to allow the program in Marquette County. It is not allowed on a statewide basis at this time. The Office of Services to the Aging is developing guidelines for a statewide program.

In order to implement the program the county had to work up a plan for supervision which the local Department of Social Services had to approve. The state will not assume liability. A work supervision plan has been developed and approved by the County DSS. She noted many work assistance people will not agree to this type of work although there are some work assistance recipients in the Ishpeming City area that worked under the CETA funded homemaker program who will probably be willing to do so.

The liability problem has not yet been solved. The clients are covered by liability insurance, but if they damage anything in a home that is not covered. No DSS client has such coverage at any worksite.

There will be a 20 day trial period for each work assistance person at a local senior citizen center before being placed in the community.

Lynn Emerick noted the Human Services Council in Marquette County is getting attention from outside the area for its coordination of human services. The cooperative effort between Aging and Social Services will be a topic of a presentation at a statewide conference.

Mike Zorza, Coordinator, Emergency Services, was present to discuss the Basic Plan for the countywide emergency operations plan (disaster plan) for Marquette County. He said the plan serves as a general guide to county government and all local governments in Marquette County. The intent of the plan is for use by policy makers and department heads if a major disaster occurs. In the past the County Board has adopted the plan. In doing so this gives the Board members an opportunity to know what is in the plan.

In order that the Committee members may have an opportunity to review the plan prior to recommendation to the Board, it was moved by Commissioner Juidici, supported by Commissioner Leone and carried unanimously to defer action on the plan until the next meeting. Mike Zorza left the meeting.

A copy of a communication from David Berns, Secretary, Marquette County Board of Social Services, to Patricia L. Micklow, Chief Civil Counsel, on the Family Support Unit was received for the Committee's information, as well as Ms Micklow's response to Mr. Berns. Mr. Berns' letter contained various concerns the Board of Social Services had re the submission of report and pursuit of collections by the Family Support Unit. Ms Micklow responded to these concerns in her letter. Apparently there was some misconception by the Board of Social Services regarding activities of the Family Support Unit which have been since clarified. The communications were placed on file.

The recently passed Friend of the Court (FOC) legislation was discussed. Commissioner May said the legislation changes the way the FOC is appointed; provides for procedures for removal of an FOC; provides supervision of an FOC at the local level; guarantees supporting parents visitation rights; allows for garnishing of wages for child support payments. A copy of the new legislation will be obtained and provided to each Committee member.

A copy of a communication from Jay Bennetts, Consultant, Child Welfare Licensing Division, Michigan Department of Social Services, to Judge Michael Anderegg, Probate Court, on renewal evaluation of Marquette County Youth Home, was presented. Mr. Bennetts commended Judge Anderegg and his staff for the fourth licensing evaluation in a row in which one or less rule citations were noted. It was moved by Commissioner Leone, supported by Commissioner Juidici and carried unanimously to recommend to the Board that Judge Anderegg be complimented for receiving consistently good evaluations on the Youth Home.

A copy of a letter from Marquette Cablevision to Duane Beard expressing thanks for the opportunity to meet with the Committee on cablecasting, etc. was read and placed on file.

A copy of a communication from Lt. Eugene Sweeney, Central Dispatch Project Director, to Michaud, Cooley, Hallberg, Erickson & Associates, on inter-modulation interferences with the communications system was noted and filed.

A resolution from Van Buren County expressing concern with increased cost of administering the Michigan Transportation Fund while the funds distributed to counties, cities, and villages have been decreased in recent years was reviewed. The Committee felt additional information was necessary before they could act on it. It was moved by Commissioner May, supported by Commissioner Leone and carried unanimously to write to the Michigan Department of Transportation, with a copy of the resolution, and ask them what their response is to the resolution and if it is true that the administration funds have increased and funds distributed to local units have decreased, and if so what is the reason for it.

September 23, 1982

Page 4

Commissioner Leone reported on a Road Commission meeting he attended. A report on the regular maintenance program was presented. It was noted the Road Commission will receive a reimbursement from the state for about \$45,200 for 1980 rental of equipment. An assessors plat in Champion was discussed. Inland Steel wishes to sell some of its property in Champion Township and before this can be done an assessors plat must be developed. Clearing operations are taking place on Co. Rd. 480. The Road Commission discussed the inability to pave a road in the Kirkpatrick Subdivision in Forsyth Township because it is a narrow, windy road. The Road Commission has the authority to condemn 10' on both sides of this road. If that is done they could then cut the trees lining the road and enable the plows to get through. This is a difficult procedure however. The Road Commission reviewed the Perkins Park inspection report. Citations received have already been complied with. It was reported that Republic Township provided \$60,000 to the Road Commission to put sewer and water lines in. There were excess funds left from this project which Republic Township allowed to be used to repair roads in that unit.

Commissioner May reported on the Board of Social Services meeting she attended. The union questioned the Board of Social Services' participation in a state association and expenses involved in sending people to meetings. This has been responded to. The day care contract with Little Friends Nursery has been executed. The lease for space in the basement of the Courthouse was discussed. A report on fumes that entered into the DSS area from a truck working on the renovation project was made. Some DSS employees went home with headaches from the fumes. The union has asked that it be determined what the fumes were. A salary increase was requested by an employee. This request was placed on hold. The Board agreed to support the continuation of the Diversion Program. There was considerable discussion on supporting the youth substance abuse program contract with Catholic Social Services. It was felt it should be bid out.

Commissioner May reported that MSU is conducting a seminar on sexual assault of children at DSS on September 24, 1982.

There was no public comment.

The meeting adjourned at 9:40 p.m.

Respectfully submitted,

Karen Chubb

Karen Chubb, Commission Aide