The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, June 11, 1991 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Angeli, Comm. Arsenault, Comm. Seppanen and Comm. Corkin. Absent and Excused: Comm. Bays.

On a motion by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the minutes of the Committee of the Whole meeting held on May 28, 1991 be approved.

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

On a motion by Comm. Angeli, seconded by Comm. Arsenault, and unanimously carried that the agenda be approved with the following addition; that item 11) become the General Fund Budget Amendments for the Jail Expansion Project.

On a motion by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that Claims and Accounts for the period May 25, 1991 thru June 7, 1991, in the amount of $4,142,299.12 be approved.

The Committee of the Whole provided a forum for discussion on the disposal of contaminated soils, and invited representatives from several agencies to the Committee meeting.

James Kippola, Senior Planner, provided an overview of the present situation. Mr. Kippola estimates there are 1,100 buried fuel tanks in Marquette County, in 350 various sites, and all may eventually be a source of contamination. Presently about 50,000 cubic yards of fuel contaminated soils are known. The Marquette County Solid Waste Plan allows for the disposal of fuel contaminated soils in the landfill; however, the Landfill Authority will not accept such soils until they are treated. The concern is that the petroleum products in the soil will combine with other liquids to form a leachate that will react negatively with the plastic liner. The Solid Waste Plan does not allow hauling of solid waste out of Marquette County, unless the Planning Commission declares an emergency. The County could then negotiate an agreement with Ontonagon, or Delta, or Chippewa County, if they are willing to take these soils on a temporary basis.

On a long-term basis, new technology will be required to clean the contaminated soils before it can be disposed of. Several private companies have made proposals and are currently undergoing the permit process with the DNR. They must meet air and water quality standards. The short-term solution would be to haul the soils out of the County.

Rob Schmelling, of the DNR Waste Management Division, spoke of four private businesses that clean contaminated soils, who are in the permit process. All of these proposals should be able to meet the Act 641 standards; however, the real difficulty lies in meeting air quality standards. Mr. Schmelling added that the DNR allows for contaminated soils to be hauled to any licensed landfill, even out-of-county, as long as each county's solid waste plans allows for it.

Mike Etelamaki, Director of the Solid Waste Authority, explained that Cleans Soils Co. (one of four present proposals) would come right to the landfill with a portable unit and process 1,000 cubic yards of soil at a time. They also would be available to contractors for on-site cleaning, of course the contractor must pay a fee, but once the soils have been cleaned they can be placed back into the site and not be filling the landfill. Mr. Etelamaki is hoping to clear the DNR permit process within the next 60 days.

Dave Olsen, Chairperson of the Solid Waste Planning Committee, expressed concern about landfill space, and does not want to see stockpiles of contaminated soils at the landfill. Any soils put into the landfill should be treated first.

Earl Yelle, Sands Township Supervisor, does not want the County Landfill to accept contaminated soils until they have been cleaned, otherwise we are jeopardizing the future with a more costly clean up.

Dave Kallio, Chairperson of the Solid Waste Authority, believes it is a contradiction for the Solid Waste Authority to accept hazardous materials into the landfill, and at the same time promote a Household Hazardous Waste program. The State of Michigan is requiring the digging up of contaminated soils, but at this time we have no place to put them.

Norman Holmes, Chairperson of the Planning Commission, stated that they are reluctant to declare an emergency, allowing contaminated soils to be hauled to other landfills. There could be a problem in the future and Marquette County may share liability.

On a motion by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole direct the Planning Commission to re-evaluate the possibility of declaring an emergency, thereby allowing the out-of-county hauling of contaminated soils as per the Solid Waste Plan, and also direct Civil Counsel to review the potential liability of such an action.

Chairperson Corkin declared a five minute recess.

The Committee considered a proposal to make the Henry A. Skewis Annex and the Courthouse smoke free. The County Board previously approved a smoke-free jail and smoke-free Health Department, with the approval of its employees, and also adopted a County Wide Smoking Ordinance which prohibits the use of cigarette vending machines by youth and establishes the licensing of cigarette sales. Several individuals were present and felt that it was now time for the County to ban smoking in the Courthouse Complex. Those in favor of a Non Smoking Policy were Patricia Gruber, Senior Planner, George Sedlacek, Health Department Educator, Robert Roberge and Susan Godin, DSS Employees. They were especially concerned about the smoke surrounding the designated smoking area known as the "cubby hole" underneath the steps in the courthouse.

Carol Margriff, Regional Coordinator for the American Lung Association, was also present and suggested that should the County Board impose a non smoking policy, time be allowed for employees who smoke to adjust to the new policy. Ms Margriff also introduced several ways in which the American Lung Association can assist smokers to quit.

Gary Walker, Chief Civil Counsel, pointed out that the County Board cannot unilaterally eliminate smoking without the approval of the Bargaining Unit. It is a condition of employment. They could request the union to do a survey, however the union does not have to.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole direct staff to contact the union representatives and request that they survey their members to determine whether or not the bargaining unit is in favor of a Smoke Free Courthouse and Annex, and further that the County Board do away with the "cubby hole" as a designated smoking area.

The Committee reconsidered a recommendation from the Upper Peninsula Association of County Treasurers to abolish the Commercial Forest Act. At the June 4, 1991 County Board meeting Commissioners sent this recommendation back to Committee, under consideration that abolishing the Act was too strong of a request, but rather efforts must be further made to amend the Act to provide better administration, enforcement, and increase local revenues.

Bradley Homeier, Mead Corporation Forester, was present to discuss the Commercial Forest Act and answer questions. Mead Corporation currently owns approximately 450,000 acres of CFA Lands under jurisdiction of its Pulp and Paper Division, and another 250,000 acres in its Northern Hardwoods Division. Mead is the major CFA land owner in the Upper Peninsula. There are a total of 2,000,000 acres CFA lands available in the Upper Peninsula for public recreation, that is hunting, fishing, etc. To abolish the Act would jeopardize the public's opportunity to use these lands. Mr. Homeier also pointed out that there is a ten year review provided for in the Commercial Forest Act, and in 1990 an increase of 28 percent in taxes was approved. This means that the 30 cents an acre paid by the land owner has increased to 38 cents, and the 70 cents per acre to be paid by the state has increased to 90 cents.

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Currently Mead Corporation is working on revisions of the Act with Representative Anthony, and Senator Faust. Mead recommends that the Act be simplified. The Act is very complicated and it is difficult to determine yield taxes and their disbursements to the various units of government. Kenneth Salo and Henry DeGroot, Planning Commission Members, were present and supported Mead Corporation in their efforts to amend the Act, but were not in favor of abolishing it.

Chairperson Corkin distributed a recommendation to the Committee which calls for CFR lands to be placed on the Ad Valorem Tax Rolls, and that the State return monies to the land owners through the State Income Tax mechanism (P.A.116 of 1987). If the State believes the CFR system is of significant public benefit, then Forest Reserve Lands can be maintained without penalizing the tax-payers of the counties, cities, townships and school districts of the Upper Peninsula.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend that the County Board support a change in the Commercial Forest Act which would place CFR lands on the Ad Valorem Tax Rolls, and further that the State return monies to land owners through the State Income Tax System (PA 116 of 1987) and further that this recommendation be sent to all Upper Peninsula Counties, and also to our Upper Peninsula State Legislators.

The Committee considered a resolution from the Eastern Upper Peninsula Substance Abuse Services, requesting that they be endorsed as the designated coordinating agency in their eight county service area. Each individual county is being requested to adopt a similar resolution.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend that the County Board adopt the appropriate resolution.

The Committee considered a recommendation from Dennis Aloia, County Administrator, to authorize the County Building Authority to oversee the Jail Construction Project. Mr. Aloia explained that the Building Authority has been a very good mechanism for monitoring, on a regular basis, the construction of the Geraldine DeFant Building, and he believes it would be advantageous to use the Authority to oversee the construction of the Jail Expansion Project and Sprinkler Project as well.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend that the County Board authorize the Marquette County Building Authority to oversee the construction of the Jail Expansion Project and Jail Sprinkler Project as recommended by the Administrator.

The Committee considered the necessary budget amendments to establish the Jail Expansion Budget in the General Fund.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend that the County Board adopt the appropriate budget amendments.

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

There being no further business the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk

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MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
Tuesday, June 11, 1991, 4:30 p.m.
Room 231, Henry A. Skewis Annex
Marquette, Michigan 49855

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE MARQUETTE COUNTY BOARD'S COMMITTEE OF THE WHOLE MEETING HELD ON May 28, 1991.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Disposal of contaminated soils (no packet materials)
7. Michigan's Commercial Forest Act.
8. Resolution endorsing the Eastern Upper Peninsula Substance Services as the designated coordinating agency in this region.
9. Recommendation to authorize the County Building Authority to oversee the Jail expansion.
10. Proposal to make the Henry A. Skewis Annex and the Courthouse Smoke Free.
11. Budget Ammendment - jail project
12.
13.
14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.

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