The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, November 8, 1994 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Braamse, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on October 25, 1994 be approved.

Chairperson Corkin opened the meeting for public comment. John DeRocher, 411 E. Hewitt, Marquette, addressed the Committee regarding relocating the Marquette County Airport to K.I.Sawyer AFB. He is concerned about the relocation. He feels the Greiner Study did not identify any revenue sources that would support using the Sawyer facility for a local airport. Mr. DeRocher feels the best option would be to leave the Marquette County Airport at its present location. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried by voice vote that the agenda be approved with the following late additions; added to item 20) a Consent for Election Agreement regarding Collective Bargaining Status of Sheriff’s Deputies, and item 21, a request from the Marquette County EDC for draw down of funds from the County Revolving Loan Fund.

It was moved by Comm. Minelli, seconded by Comm. Trudell, and unanimously carried by voice vote that Claims and Accounts for the period October 21, 1994 thru November 3, 1994 in the amount of $1,249,005.45 be approved.

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The Committee considered a resolution regarding the Longyear Corporation "Licenses to Camp" to Members of the Dead River Camper's Association. Reports have been received indicating that the Longyear Corporation has sent notices increasing rates to license holders in varying amounts, up to 600% increases. The Longyear Corporation has stated that one reason for the increases is the increased value and marketability of the land. Individuals on fixed or limited incomes, particularly senior citizens, will not be able to pay these increases and, as a result, may lose their investments that some have made over a period of forty years or more.

It was moved by Comm. Braamse, seconded by Comm. Bergdahl, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board adopt the resolution of support asking the Longyear Corporation to negotiate a fair and equitable compromise with the license holders.

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The Committee considered comments regarding the K.I.Sawyer Airport Authority Agreement (Governance). Mr. William M. Malinowski, P.E. Project Manager, Greiner Consulting Team, was present for review and comment regarding the fourth draft of the proposed Governance format. Mr. Malinowski gave the Committee background on the project that has been accomplished in the past three months. As part of the Reuse Plan, Greiner Consulting Team has been charged to provide a recommendation of a form of government to operate the Base when the Conversion Authority completes its business. By merging Act 7 and Act 206 together a form of governance has been created that allows an Airport Authority to run both the Base and the non-aviation portion of the Base. The plan was reviewed by the Governance Committee, which is made up to
representatives of the Board of Commissioners, and the three townships involved. The 4th draft distributed to Commissioners was the end product of four lengthy meetings at which each paragraph was reviewed.

A memo from Dennis Aloia, County Administrator, Ron Koshorek, Director, Resource Management/Development, James Kippola, Senior Planner, Dave Gillis, CUPPAD, and Linda Howlett, CUPPAD, summarizing concerns regarding draft 4 of the K.I. Sawyer Airport Authority agreement was discussed. The concerns are: 1) the Board should not support any agreement for operating the Base without the benefit of the findings of the Aviation Feasibility Study and Reuse Plan; 2) Based on the reuse plan, alternatives for different types of governance need to be carefully evaluated with the advantages and disadvantages of each being measured against the potential for least conflict in redevelopment of the Base; 3) Terminology is not consistent throughout the document; 4) While the aviation study suggests the feasibility of moving the airport, nowhere has it been established that the County has a role in administering or operating facilities as part of the reuse strategy at the base; 5) Legal issues remain surrounding the unique approach of a dual purpose agreement organized under two statutes with some conflicting provisions; 6) The agreement proposes to levy 1 mill across the County without County Board approval; and 7) The proposed Authority membership does not present a balanced representation given the suggestion that some facilities will serve all residents (County Airport).

Commissioners and Staff engaged in a lengthy discussion regarding these concerns with Mr. Malinowski. Mr. Malinowski stated that he would have no problem making some of the changes Commission and Staff suggest. He felt that this meeting was an excellent work session.

Dennis Aloia, County Administrator, indicated that a decision has to be made soon, but before Staff can make a recommendation to the County Board more analysis has to be done to determine the financial responsibility for operation of the K.I. Sawyer property, and what will happen to the present Airport.

Comm. Corkin stated that the Committee needs to take a position and start working fairly quickly toward a final decision. Base closure is fast approaching. He suggested that Commissioners submit ideas or comments in writing to the County Board.

It was moved by Comm. Arsenaault, seconded by Comm. Potvin, and unanimously carried by voice vote that the Committee of the Whole direct staff to put together a draft position to come back to the Committee of the Whole within the next six to eight weeks for further consideration.

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The Committee considered a Michigan Air Service Grant submitted by Hal Pawley, Airport Manager. The Michigan Aeronautics Commission (MAC) has established an Air Service Grant Program to counter the loss and decline of commercial air service at many communities, which is aimed at promoting increased use of air service. One category of this program provides grants to improve airport facilities for passenger acceptance and airport operations for improved air service and economic development.

Mr. Pawley has submitted applications for three passenger terminal projects to replace deteriorating seating in waiting areas, worn carpeting in public use areas, and automatic sliding doors of one passenger gate. The grant program provides 90% of the funding, with the local airport providing the other 10%. MAC has approved $47,000 of grant funding for these three projects. Our local share of $5,222 will be paid from FY 94 funds available.

The Airport Board realizes that improvements are being held in abeyance pending completion of the Feasibility study and decision on relocation of the Airport to Sawyer AFB, however, these projects are not really improvements, but are instead replacement of deteriorated equipment and furnishings.
The State requires execution of a contract by the Marquette County Board of Commissioners and the Michigan Department of Transportation, and a certified resolution approving the contract and designating the officials who are authorized to sign the contract.

It was moved by Comm. Arsenault, seconded by Comm. Minelli, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the Michigan Air Service Grant by adopting the resolution and authorizing execution of the contract.

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The Committee considered Proposed Settlement of Specific Ore Tax Litigation. The agreement will be between Republic and Humboldt Townships and Cleveland Cliffs Iron Company and the Marquette Iron Mining Partnership. Marquette Iron Mining Partnership owns the Republic Mine and C.C.I. manages the Mine on behalf of the Partnership.

David Payant, Civil Counsel, was present and stated that this agreement is similar to one that was negotiated over a year ago between Marquette County and Cleveland Cliffs. Since then there has been an addendum to the agreement which is referred to as Exhibit "H".

Exhibit "H" has some important affects on how transportation and handling charges will be determined under the tax and how the new direct-reduced pellets will be taxed should the Republic Mine reopen.

Civil Counsel Payant recommends the County board adopt the overall settlement agreement and only the transportation costs letter. He also stated that the County will receive some money as a result of this settlement. $166,000.00 will be paid to the units of government because C.C.I. did not pay the full amount under the Specific Ore Tax for the year 1992. They have agreed that they will pay that amount to us, and in return we are basically giving them a tax credit. Of that $166,000.00, $86,000.00 will come into the County.

It was moved by Comm. Trudell, seconded by Comm. Braamse, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the basic settlement agreement and the transportation costs letter between Marquette County and C.C.I., with the exception of Exhibit "H".

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The Committee considered Borrowing Resolutions for the 1994 Delinquent Taxes from James Sodergren, Marquette County Treasurer. Each year by ad valorem real property taxes are imposed by the County and the local taxing units within the County on July 1 and/or December 1. A certain portion of these taxes remain unpaid and uncollected on March 1 of the year following assessment, at which time they are returned delinquent to the County's treasurer. The Treasurer is bound to collect all delinquent taxes, interest and property tax administration fees which would otherwise be payable to the local taxing units with the County. The statutes of the State of Michigan authorize the County to establish a fund, in whole or in part from borrowed proceeds, to pay local taxing units within the County their respective shares of delinquent ad valorem real property taxes in anticipation of the collection of those taxes by the Treasurer.

James Sodergren, County Treasurer, was present and explained that the borrowing resolutions need to be adopted and in place should he need to borrow the necessary funds. He is hoping that he will not have to borrow, but in case he does, the borrowing will take place on or around May 15, 1995. He guesses that rather than $3.7 million being returned delinquent on March 1, it will be reduced to perhaps $2.5 million, but under the new tax proposal he is only guessing.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the 1995 Borrowing Resolutions for the 1994 Delinquent Taxes.
The Committee considered the response to Administrator, Dennis Aloia’s, inquiry about Maintenance of Effort Legislation Status regarding the Medical Care Facilities. Brad Cory, Administrator, Marquette County Medical Facility, in a memo recommends that the County support House Bill 5524. This bill extends the freeze on County Medical Care Facilities M.O.E. for another five years (1999). Maintenance of Effort is vital to assure adequate Medicaid funding for those unfortunate residents of county medical care facilities who have no other means to pay for long term care. Marquette County cannot afford a substantial increase in their M.O.E. contribution rates should current legislation sunset on December 29, 1994 without new legislation.

It was moved by Comm. Potvin, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board support and endorse House Bill 5524 to extend the freeze on County Medical Care Facilities M.O.E. for another five years.

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The Committee considered Health Department 1994 Budget Amendment #3. Randall M. Johnson, M.D., Director, Marquette County Health Department, in a memo, states that as a result of the receipt of several new grants, increases in revenue for several programs and increased availability of state cost-sharing funds beginning October 1, 1994, it is necessary to amend the Health Department’s 1994 budget. The budget amendment was developed by Department Administrators and Division Supervisors, and approved by the Marquette County Board of Health at their October 25, 1994 meeting. The following major changes have been incorporated into this amended budget:

1. The inclusion of a new state grant to support Cardiovascular Disease Prevention Activities. (Of the total $17,785 grant amount, $1,098 is included in the 1994 Health Dept. budget).

2. The inclusion of a new grant from the Healthy Michigan Fund to support Community Health Status Assessment activities. (Of the $24,354 grant amount, $1,289 is included in the 1994 Health Dept. budget).

3. The inclusion of a new Substance Abuse Prevention grant received under a subcontract from the Marquette-Alger Intermediate School District to provide Substance Abuse Prevention Services in Marquette County. (Of the $18,690 grant amount, $2,789 is included in the 1994 Health Dept. budget).

4. A $12,600 increase in fee revenue in the Food Service Program resulting from the annual fee adjustment, late fees and new establishments.

5. A $104,346 increase in anticipated Home Health Program third party revenue associated with program expansion experienced during the last three months.

6. A $2,344 increase in available state cost-sharing funds associated with the new tobacco tax approved in May and available beginning in October of 1994.

7. Because of changes in the state cost-sharing program reporting requirements beginning October 1, 1994, the following programs have been split into separate cost centers: 1) Public & Private Water Supplies have been split into Public Water and Private Water; and 2) The Vision & Hearing Program has been split into a Vision Program and a Hearing Program.
Overall, the amendment increases the 1994 budget by $133,798 (from $3,602,804 to $3,736,602). The County appropriation remains the same at $610,801.

Under the resolution adopted by the Board of Commissions on May 19, 1992 entitled "Clarification regarding Board of Health Responsibilities", the Board of Health is delegated responsibility for amending the Department's budget as necessary "provided such amendment does not require an additional county appropriation and provided the budget remains balanced." The resolution also states that "On August 1 and December 1 of each year, the Health Dept. will provide semi-annual updates of all amendments to be adopted by the Marquette County Board of Commissioners to keep the budget balanced as required by auditors."

It was moved by Comm. Joseph, seconded by Comm. Minelli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve Health Department 1994 Budget Amendment #3.

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The Committee considered a request for matching funds for Training Marquette County Fire Fighters from Ron DeMarste, Chairperson.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole direct the Board Chair to send a letter of regret to the Marquette County Fire Fighters Association Training Committee stating that this is an excellent program, but due to budget constraints there are no funds available.

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The Committee considered a Tree Planting Grant submitted by Ron Koshorek, Director, Resource Management/Development Dept. The County has received a grant in the amount of $14,889 to assist with the annual reforestation activities in the County Forest. The County's share of this project is estimated to be $24,647 and has been budgeted for FY 1995.

A key provision of the grant is that the funds must be expended with small businesses (having fewer than 100 employees). Mr. Koshorek recommends the County Board accept the grant and authorize execution of the grant agreement.

It was moved by Comm. Bergdahl, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board accept the grant and authorize execution of the Tree Planting Grant submitted by Ron Koshorek.

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The Committee considered a memo from James Kippola, Senior Planner, regarding a request from Schoolcraft County seeking support for the Manistique Papers, Inc. application for a Michigan Department of Natural Resources Solid Waste Alternatives Program Grant.

Marquette County's Solid Waste Plan recognizes the need to divert recyclables from the County's landfill. In fact, implementation of the recycling program identified in the Plan is dependent upon such markets. Some of the paper currently being collected in Marquette County is indeed finding its way to Manistique Papers, Inc. either directly or via Escanaba. A local concern is that Michigan Diversified Industries (cellulose insulation plan in Marquette) ceased operations earlier this year citing lack of supply. However, discussions with John Peterson, owner, suggest that the type of paper being sought at Manistique does not present competition for Michigan Diversified Industries. Michigan Diversified Industries uses strictly old news.

Mr. Kippola has prepared a resolution to address the proposal's consistency with the County Solid Waste Plan and recommends adoption by the County Board.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote, that the County Board adopt the Resolution of Support for Manistique Papers, Inc. Application for a Michigan Department of Natural Resources Solid Waste Alternatives Program Grant.

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The Committee considered an informational memo from James Kippola, Senior Planner, regarding Hydrocarbon Contaminated Soil Disposal Process - County Landfill. Mr. Kippola has reviewed this matter and confirmed that hydrocarbon contaminated soil accepted by the Authority will be processed according to the following protocol. Soil is first tested. Depending upon concentration of contaminants it is either used as daily cover directly or it will be remediated to a point at which it can be used as daily cover. No material will be landfilled.

It was moved by Comm. Seppanen, seconded by Comm. Potvin, and unanimously carried by voice vote that the communication be accepted for file.

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The Committee considered the Three-Quarter Year Budget Review submitted by Gary Yoder, Finance Manager. He presented a Financial Condition Projection Report for the General Fund, based on activity through September 30, 1994. Mr. Yoder stated that at this point he is not recommending any action to be taken on the projection. Department heads will be reviewing budget information in early December for preparation of year-end budget amendments, if necessary.

It was moved by Comm. Seppanen, seconded by Comm. Minelli, and unanimously carried by voice vote that the Three-Quarter Year Budget Review be accepted and placed on file.

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The Committee considered a communication from Kenneth VerBurg regarding the Strategic Planning Meeting Schedule. Mr. VerBurg plans to be in Marquette on two occasions in January. He will be conducting the New County Commissioners Training in Marquette on January 4. He will also be in Marquette on January 19. He expects that the January 19th and 20th dates will be better to allow more time for discussions.

It was moved by Comm. Arsenault, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the dates of January 19th & 20th, 1995 to bring the strategic planning process to a conclusion.

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The Committee considered acceptance of the Community Development Block Grant for Educational Training and Investment Project with NEI Corp.

Dennis Aloia, County Administrator, stated that he has reviewed the document and concur that this grant agreement is acceptable. He explained that there has to be a companion document to this that he is in the process of negotiating with NEI Corp. The agreement is between the County and NEI Corp, which states that NEI Corp will take over responsibility if there is any mis-spending of money or they do not meet the guidelines of the State agreement. Comm. Aloia stated that this companion agreement will be in Commissioner packets for the November 22, 1994 meeting. He recommends passing this on to the County Board without a recommendation.

It was moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried by voice vote that the Committee of the Whole pass this agreement on to the County Board meeting for the November 22, 1994 meeting without a recommendation.

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The Committee considered a Consent for Election Agreement submitted, by Randall Girard, Director, Human Resources. The Michigan Employment Relations Commission (MERC) requires execution of this agreement by the employer to authorize a mail ballot election to determine the representation issue before the MERC regarding the Deputies, Corporals, and Sergeants of the Marquette County Sheriff’s Department.
It was moved by Comm. Joseph, seconded by Comm. Minelli, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board authorize execution of the Consent for Election Agreement by the Board Chair, and concur with the recommendations of the Prosecutor and Human Resources Director and not negotiate with the Sheriff's Deputies Union until the matter is resolved.

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The Committee considered a request from the Economic Development Corporation for draw down of funds from the County Revolving Loan Fund in the amount of $60,000. The EDC Finance Committee and the EDC Board have reviewed and approved the project.

Comm. Potvin asked what the $60,000.00 is going to be used for.

Dennis Aloia, County Administrator, explained that there is an agreement which states that the County Board has the final say in the use of those funds. In the past the EDC has met with representatives of the County Board to explain what the project is about, who it is, and how the funds will be used. This time there are three Commissioners who are members of the EDC Board as representatives who have been involved in the process.

Comm. Arsenault explained that when the motion is made he intends to abstain from the discussion and the vote because this is a loan for a client of his. He stated that he could give as much detail as he feels necessary but would rather abstain.

It was moved by Comm. Bergdahl, seconded by Comm. Minelli, and carried eight to one, with Comm. Arsenault abstaining and Comm. Potvin voting nay, that the Committee of the Whole recommend the County Board approve the request from the EDC for draw down of funds from the County Revolving Loan Fund in the amount of $60,000.

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

Announcements: Comm. Corkin stated that on Wednesday, November 9, 1994 at 10:00 a.m. there will be a meeting at the K.I.Sawyer Conversion Authority Office.

Comm. Potvin commented on the Home Health Care Program. He stated that they are suggesting some new names for this program. He feels it should be called Marquette County Home Health Care or something similar. It is in fact that, and he feels we should be proud that the County is going to run it. It is a facility and a service that is being offered in the name of the County.

There being no further business the meeting was adjourned.

Respectfully submitted,

Connie M. Branam
Deputy County Clerk
ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Resolution regarding the Longyear Corporation "Licenses to Camp" to Members of the Dead River Camper's Association.
7. Comments regarding the K.I. Sawyer Airport Authority Agreement.
8. Michigan Air Service Grant.
13. Request for Matching Funds for Training Marquette County Fire Fighters.
14. Tree Planting Grant.
15. Resolution of Support for Manistique Papers, Inc.
16. The Hydrocarbon Contaminated Soil Disposal Process used at the Marquette County Landfill.
17. Three-Quarter Year Budget Review.
18. Strategic Planning Meeting Schedule.
19. Acceptance of the Community Development Block Grant for Educational Training and Investment Project with NEI Corp.

22.

23. PUBLIC COMMENT.
24. ANNOUNCEMENTS.
   The Next Regular County Board Meeting is scheduled for November 22, 1994. There is no meeting on November 15.
25. ADJOURNMENT.