The Marquette County Board of Commissioners met in Regular Session on Tuesday, May 3, 1994 at 7:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


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

It was moved by Comm. Arsenaught, seconded by Comm. Minelli, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Board Meeting held on April 19, 1994 and the annual Equalization Meeting held on April 12, 1994 be approved.

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

It was moved by Comm. Trudell, seconded by Comm. Joseph, and unanimously carried by voice vote that the agenda be approved as presented.

Informational Items:

It was moved by Comm. Joseph, seconded by Comm. Potvin, and unanimously carried by voice vote that the following informational items be accepted and placed on file:

a. A Letter from Mesaba Aviation Inc. Supporting the Retention of K.I. Sawyer RAPCON.
c. Memo from Ron Koshorek, Resource Management Director, Regarding Costs Associated with Damage Assessment of the Water Freeze Ups.
d. Letter from Brad Cory, Administrator MCMCF, regarding a Menominee County Maintenance of Effort Resolution.
e. Acknowledgement from John Perry, State Court Administrative Office, Regarding Resolution on 96th District Court Funding.
f. Approval of the Request for the Release of Funds from the Michigan State Housing Development Authority.
g. Thank You from the Upper Peninsula Resource Conservation and Development Council for Payment of 1994 Dues.
h. Presentation of the Upper Peninsula Strategic Development Plan, at 1:00 P.M., Thursday, May 5, 1994 at the Superior Dome.
i. Communications from Mary Lou Marsh and Susan L. Sundblad, Co-Race Directors, Regarding the Big Bay Relay on May 14, 1994.
j. Memo from James Sodergren, Marquette County Treasurer, Regarding Computerized Tax Rolls.

Informational Items Continued.

The County Board considered the resignation from Anthony Kroncich, from the Marquette County Economic Development Corporation due to personal reasons and professional commitments.

It was moved by Comm. Potvin, seconded by Comm. Minelli, and unanimously carried by voice vote that Mr. Kroncich be sent a letter of appreciation and his resignation be accepted with regret.
Action Items:

It was moved by Comm. Arsenault, seconded by Comm. Bergdahl, and unanimously carried by voice vote that action items 10A, 10D and 10E and 10F be approved as follows:

10A) A Committee of the Whole recommendation to bring the 1994 General Fund Budget back into balance by appropriated $86,000 as per the following amendments:

**RESOLUTION AMENDING GENERAL FUND BUDGET**  
Fiscal Year 1994 Amendment No. 13

WHEREAS, budgets were adopted by the County Board on October 12, 1993, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Expense Budget Acct.</th>
<th>Previous Budget Amount</th>
<th>Amended Budget Amount</th>
<th>Change + ( - )</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Contingency Account</td>
<td>133,321.00</td>
<td>93,321.00</td>
<td>(40,000.00)</td>
</tr>
<tr>
<td>Total Expenditure Changes</td>
<td>133,321.00</td>
<td>93,321.00</td>
<td>(40,000.00)</td>
</tr>
<tr>
<td>Revenue Budget Acct.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer from Stabilization</td>
<td>139,480.00</td>
<td>185,480.00</td>
<td>46,000.00</td>
</tr>
<tr>
<td>Use of Fund Equity</td>
<td>173,852.00</td>
<td>87,852.00</td>
<td>(86,000.00)</td>
</tr>
<tr>
<td>Total Revenue Changes</td>
<td>313,332.00</td>
<td>273,322.00</td>
<td>(40,000.00)</td>
</tr>
</tbody>
</table>

Motion was made by Comm. Arsenault, Seconded by Comm. Bergdahl, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Angeli</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>P. Arsenault</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Bergdahl</td>
<td></td>
<td></td>
</tr>
<tr>
<td>P. Braamse</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Corkin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>N. Joseph</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>J. Minelli</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>D. Potvin</td>
<td></td>
<td></td>
</tr>
<tr>
<td>G. Seppanen</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Trudell</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted this 3rd day of May, 1994.

* * * * *
RESOLUTION AMENDING GENERAL FUND BUDGET  
Fiscal Year 1994 Amendment No. 14

WHEREAS, budgets were adopted by the County Board on October 12, 1993, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Expense Budget Acct.</th>
<th>Previous Budget Amount</th>
<th>Amended Budget Amount</th>
<th>Change +(-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Stabilization Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Commissioners</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfers to General Fund</td>
<td>139,480.00</td>
<td>185,480.00</td>
<td>46,000.00</td>
</tr>
<tr>
<td>Total Expense Changes</td>
<td>139,480.00</td>
<td>185,480.00</td>
<td>46,000.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Revenue Budget Acct.</th>
<th>Previous Budget Amount</th>
<th>Amended Budget Amount</th>
<th>Change +(-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Budget Stabilization Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Board of Commissioners</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Use of Fund Equity</td>
<td>139,480.00</td>
<td>185,480.00</td>
<td>46,000.00</td>
</tr>
<tr>
<td>Total Revenue Changes</td>
<td>139,480.00</td>
<td>185,480.00</td>
<td>46,000.00</td>
</tr>
</tbody>
</table>

Motion was made by Comm. Arsenaught, Seconded by Comm. Bergdahl, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th>L. Angeli</th>
<th>Aye</th>
<th>Nay</th>
<th>N. Joseph</th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>P. Arsenaught</td>
<td>X</td>
<td></td>
<td>J. Minelli</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Bergdahl</td>
<td>X</td>
<td></td>
<td>D. Potvin</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>P. Braamsa</td>
<td>X</td>
<td></td>
<td>G. Seppanen</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
<td></td>
<td>C. Trudell</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted May 3, 1994.

***

10D) A Committee of the Whole recommendation to draft a letter to our State Legislators regarding the Federal mandates (Medicaid) for the Estate Recovery Act which require State Legislators to enact legislation to recover costs for long term health care.

The Marquette County Board of Commissioners would like the following points to be given serious consideration during legislative deliberations:

1. That there be legislative action to direct the Department of Social Services of their responsibilities.
2. That there be state-wide hearings on this issue.
3. That "recovery" be made only on homestead property after the surviving spouse or guardian is no longer living at the homestead.

4. That personal property, i.e., heirlooms, china, silver, jewelry, etc., be exempt from "recovery".

5. That any recovery is not to be retroactive but rather from the date of legislation.

* * * * *

10E) A Committee of the Whole recommendation that Marquette County not participate in the Six County Consortium Title II-B Program for 1994.

* * * * *

10F) A Committee of the Whole recommendation to allow the Air Force "Right of Entry" upon County lands near K.I. Sawyer, an Agreement as follows:

RIGHT OF ENTRY

This Agreement is made by and between U.S. Air Force of Marquette, MI, herein after referred to as the "Landowner," and the United States of America, its officers, employees, contractors, representatives, and agents, herein after referred to collectively as the "Government."

It is hereby agreed that:

1. The Government shall have the right to enter upon Landowner's property, if necessary, at any time within a three (3) month period from the date of this instrument to inspect that portion of Landowner's property adjacent to K.I. Sawyer Air Force Base for evidence of a release or threatened release of any hazardous substance or petroleum products, as required by the Community Environmental Response Facilitation Act, 42 USC 9620(h)(4).  

2. The Government shall use all reasonable means available to protect Landowner's property from damage arising from activities conducted pursuant to this right-of-entry or incidental to it, and where damages nonetheless occur, the Government shall be liable for such damages as herein after provided.

3. The Government agrees to be responsible for damages arising from the activities of the Government in the exercise of its rights under this right-of-entry, either by repairing such damage, or, at the option of the Government, by making an appropriate settlement with Landowner in lieu of restoration. The Government's liability will be governed solely by the Federal Tort Claims Act.

4. The Government (through its contractor) shall give the Landowner oral notice of its intention to begin activities under this right-of-entry at least forty-eight (48) hours prior to doing so. The Landowner shall be offered the opportunity to accompany the Government's inspection team during the inspection. If the time for the inspection proposed by the Government is not acceptable to the Landowner, the Government shall attempt to reasonably accommodate the Landowner's proposal for an alternate inspection time.
5. It is understood and agree that the Government does not acquire title or any other interest in Landowner’s property by means of this grant of permission to enter upon Landowner’s property during the term of this right-of-entry.

6. The undersigned represent that they are authorized to execute this Agreement; that this permission is given voluntarily without coercion and without promises of any kind not herein provided for; and that the parties have the rights and capacities to perform the acts contemplated herein.

Adopted May 3, 1994
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

Action Items Continued.

10B) The County Board considered a Committee of the Whole Recommendation to adopt a statement to discontinue further meetings and involvement with the Specific Tax Law.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, that the recommendation be brought to the floor for discussion.

Comm. Arsenault reiterated that the Marquette County Board has spent much time on the issue and is now beating a dead horse. Our State Legislators are aware of our position and are aware that the law must be changed. Continuing the debate locally would serve no good purpose but only stirs up the community. It gives the impression that the County Board is anti-business, which is not true. The time has come to put the issue to rest.

Comm. Arsenault further pointed out that Republic Township Supervisor, Gary Johnson, concurs with the County Board and wants the position statement approved so that the issue will only rest with Republic Township, where it belongs.

Comm. Joseph asked "does this mean forever?" He raised that question last week at the Committee meeting but thought that the majority of the board was willing to let the statement go as presented. It is no problem with him either way.

Comm. Potvin believed the County Board should keep its options open and add the phrase "at this time" to the end of the statement. It could not do any harm and would keep subtle pressure on the issue, besides the County Board could rescind the Specific Tax issue at any time with six votes.

It was moved by Comm. Potvin, seconded by Comm. Braamse, and carried on a roll call vote, Seven (7) Ayes (Comm. Potvin, Angeli, Braamse, Joseph, Seppanen, Trudell and Corkin) to Three (3) Nays (Comm. Arsenault, Bergdahl, Minelli) that an amendment to the County's position statement be made by adding the words "at this time" to the end of the statement.

Chairperson Corkin called for the vote on the original motion which was unanimously carried by voice vote that the County Board adopt the following statement as amended:

"The Marquette County Board of Commissioners has made our State Legislators aware of the need for clarifications in the Specific Tax Law. It is an issue that has to be determined by State government; therefore, Marquette County will now focus on the multitude of issues that they can hopefully resolve, and have no further meetings or involvement with the Specific Tax Law at this time."

* * * * *
10C) The County Board considered a Committee of the Whole recommendation to direct staff to develop a policy on absenteeism for various appointed boards and commissions. Civil Counsel, David Payant, presented policy drafts for consideration. After a review and discussion it was moved by Comm. Trudell, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board adopt policy Number 407, Attendance By Members of Boards and Commissioners, as follows:

**POLICY MANUAL - GENERAL POLICIES - ATTENDANCE**

407 ATTENDANCE BY MEMBERS OF BOARDS AND COMMISSIONS

It is essential to the proper functioning of Boards and Commissions appointed by the Marquette County Board of Commissioners that members of those Boards and Commissions regularly attend scheduled meetings. It shall be the duty of the secretary or clerk of each Board and Commission appointed by the Marquette County Board of Commissioners to keep records of attendance at all meetings. Any member of a Board or Commission appointed by the Marquette County Board of Commissioners who misses more than 30 percent of the regularly scheduled meetings of the Board or Commission in a calendar year shall be referred to the Marquette County Board of Commissioners. At the time of such referral, the member concerned may send a letter to the Board of Commissioners explaining the reason for him/her missing more than 30 percent of the meetings. The County Board of Commissioners may take whatever action it feels is appropriate based on the circumstances involved.

Adopted May 3, 1994
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

**Chairperson Corkin opened the meeting for public comment. None was forthcoming.**

**Commissioner Comment, Staff Comment and Announcements:**

Chairperson Corkin reported that the Base Conversion Authority today endorsed the International Gateway Inc. proposal. He has placed a packet of information in the Commissioner’s mail room for their review. The proposal deals with four basic areas: 1) International cargo, 2) Telecommunications, 3) International finance, and 4) Management training institutions. The Phoenix Project is also a part of the Gateway Proposal. International Gateway, Inc. will conduct a demonstration project sometime in the future. Members of the Base Conversion Authority are excited about the proposal.

Chairperson Corkin also commended Comm. Paul Arsenault on behalf of the County Board for being selected by the Ishpeming/Negaunee Area Chambers of Commerce as Business Person of the Year.

Comm. Arsenault announced, for the benefit of the residents of Marquette Township who might be watching the meeting on cable television that the issue regarding heavy truck traffic on Grove Street will be on the agenda at the next week’s Committee of the Whole meeting, May 10th.
Comm. Potvin took exception to an invitation from Suzanna L. Bell, Lieutenant Colonel, USAF, for County Commissioners to join the K.I. Sawyer Golf Course for the 1994 season. Comm. Potvin believed it to be wrong spirited that a select group of important people should be invited to join the golf course and the invitation not be open to the general public.

County Administrator, Dennis Aloia, distributed a packet of information and the schedule for the County Board’s Strategic Planning Session to be held May 12, 13 and 14. The Thursday evening dinner meeting will be held at Clark’s Landing. The Friday and Saturday sessions will be held at the Officer’s Club at K.I. Sawyer Air Force Base.

Administrator Aloia is also inviting all County elected officials, Judges and Department heads to a finance and budget meeting on Wednesday, May 11 at 6:00 a.m. He believed a meeting with department heads before the strategic planning session would be helpful. Commissioners are welcome to attend.

There being no further business, the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, May 3, 1994 at 7:00 p.m.
Room 231, Henry A. Skewis Annex
Marquette, Michigan 49855

1. ROLL CALL.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:

9. INFORMATIONAL ITEMS:
   a. A Letter from Mesaba Aviation Inc. Supporting the Retention of K.I. Sawyer RAPCON.
   c. Memo from Ron Koshorek, Resource Management Director, Regarding Costs Associated with Damage Assessment of the Water Freeze Ups.
   d. Letter from Brad Cory, Administrator MCMCF, regarding a Menominee County Maintenance of Effort Resolution.
   e. Acknowledgement from John Perry, State Court Administrative Office, Regarding Resolution on 96th District Court Funding.
   f. Approval of the Request for the Release of Funds from the Michigan State Housing Development Authority.
   g. Thank You from the Upper Peninsula Resource Conservation and Development Council for Payment of 1994 Dues.
   h. Presentation of the Upper Peninsula Strategic Development Plan, at 1:00 P.M., Thursday, May 5, 1994 at the Superior Dome.
   i. Communications from Mary Lou Marsh and Susan L. Sundblad, Co-Race Directors, Regarding the Big Bay Relay on May 14, 1994.
   j. Memo from James Sodergren, Marquette County Treasurer, Regarding Computerized Tax Rolls.
   l. Resignation of Anthony Kroncich from the Marquette County EDC.

10. ACTION ITEMS:
   a. Finance Committee Recommendation to Balance the 1994 Budget.
   b. Committee of the Whole Recommendation to Discontinue Further Meetings or Involvement with the Specific Tax Law.
   c. Committee of the Whole Recommendation to Direct Staff to Develop a Policy on Absenteeism for Various Appointed Boards and Commissions.
   d. Committee of the Whole Recommendation to Draft a Letter to Our State Legislators Regarding Federal Mandates for the State Recovery of Medicaid Funds.
   e. Committee of the Whole Recommendation Not to Participate in the Six County Consortium Title II-B Program for 1994.
   f. Committee of the Whole Recommendation to Allow the Air Force Right of Entry Upon County Lands Near K.I. Sawyer.
11. LATE ADDITIONS:
   a. 
   b. 

12. PUBLIC COMMENT. (time limit 20 minutes total) 

13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS. 

14. ADJOURNMENT.