BOARD OF COMMISSIONERS       COUNTY OF MARQUETTE       OCTOBER 29, 1996

The Marquette County Board of Commissioners met in Regular Session and for the Continuation of the Annual Meeting on Tuesday, October 29, 1996 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. Arsenault, seconded by Comm. Braamse and unanimously carried by voice vote that the minutes of the of the County Board of Commissioner’s Annual Meeting held on October 8, 1996 and Regular Board Meeting and Continuation of the of the Annual Meeting held on October 15, 1996 be approved.

It was moved by Comm. Rapport, seconded by Comm. Arsenault and unanimously carried by voice vote that the following proclamation honoring Doug Bovin as the Upper Peninsula Person of the Year be adopted as follows:

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION HONORING DOUG BOVIN
UPPER PENINSULA PERSON OF THE YEAR

WHEREAS, Doug Bovin is first a strong supporter of his local community being involved as co-founder of the Gladstone Jaycees, a charter member of the Kiwanis Club Board of Directors, and Past Parish Council President of All Saints Church, and

WHEREAS, Doug Bovin has served as Gladstone City Commissioner for eight years, the Mayor of Gladstone for four years; twenty years on the Delta County Board of Commissioners, being its Chairperson since 1984, and

WHEREAS, Doug Bovin has served as President of the Michigan Association of Counties, President of the Michigan Rural Health Partnership, organizer and President of the Great Lakes Council of County Governments, and a member of the K.I. Sawyer Base Conversion Authority... and

WHEREAS, Doug Bovin’s positive involvement in City, County, and State government has resulted in his appointment to the National Association of Counties Board of Directors and his inevitable election as NACo President 1995/96.

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners applauds the selection by UPCAP of Doug Bovin as the 1996 Upper Peninsula Person of the year, and

BE IT FURTHER RESOLVED that the Marquette County Board of Commissioners looks forward to Doug Bovin’s continued leadership and involvement with issues affecting the whole Upper Peninsula of Michigan.

Adopted on October 29, 1996
by the Marquette County Board of Commissioners
Gerald O. Corkin, Chairperson

* * * * *

Chairperson Corkin opened the meeting for public comment. None was forthcoming.
It was moved by Comm. Arsenault, seconded by Comm. Rapport and unanimously carried by voice vote that the agenda be approved with the following additions: Item 11a) Department of Natural Resources Use Permit to Lease to AMR, and 11b) 25 Year Lease Agreement with AMR.

PUBLIC HEARINGS

Chairperson Corkin opened a public hearing for the purpose of receiving community input regarding Alger-Marquette Community Mental Health Center becoming an independent authority. Chairperson Corkin reviewed the rules for public hearings, then read a recommendation from Steve Powers, County Administrator on approving the authority status for Community Mental Health. Administrator Powers pointed out the following advantages to moving Community Mental Health from a County Agency to an Authority:

- As an Authority, AMCMHC would have the power to enter into managed care contracts, allowing AMCMHC to participate in the managed care system.

- An Authority is a separate public government entity. Authority employees are not County employees. An Authority is Employer in regard to all rights, responsibilities, and benefits and compensation.

- Marquette County is severed from exposure to all future liability that might arise from the actions and omissions of AMCMHC, its board, employees, representatives, or agents.

Mr. Powers further pointed out that several considerations that must be worked out: The resolution establishing authority must include AMCMHC remaining in the building until January 31, 2011, the debt for group homes and facilities should be transferred to the Authority ($1.5 million approximately), whether or not an Authority should continue to receive legal services from the County Prosecutor’s Office, and an evaluation system on an annual or semi-annual basis. The County Administrator’s office is ready to work with AMCMHC should the Board of Commissioners be in favor of preparing a resolution approving authority status.

Chairperson Corkin then opened the public hearing for comment.

Dr. William Birch, CEO, Alger-Marquette Community Mental Health, thanked the County Board for hosting the hearing. The newly enacted Michigan Mental Health Code (P.A. 290 of 1995) provides the statutory means by which a County Board of Commissioners can voluntarily create a Community Mental Health Authority. The law encourages authority status because the Public Mental Health System will be going through a transition and will be open to competition by the private sector. Authority status will allow Mental Health to compete and form partnerships and to serve citizens as in the past. The County Board of Commissioners will still appoint the members to the Community Mental Health Board of Directors and the authority status can be reversed if need be. This is a unique opportunity for a win win situation for both Community Mental Health and the County. Community Mental Health hopes to achieve authority status as soon as possible looking at January 1, 1997 as the deadline. October 1998 is the deadline for open competition. The authority status will allow the continuation of quality services by Community Mental Health while providing for an affixed appropriation for the County and also releasing the County of any liability.

Ed Sloan, Director, Eastern Upper Peninsula Substance Abuse Services, and also President of the Great Lakes Behavioral Health System spoke in favor of authority status for Community Mental Health. The Great Lakes Behavioral Health System is a non-profit corporation which includes the membership of Marquette General Hospital, EUP SAS, five Community Mental Health agencies, and two Health Departments. The authority status will enable CMH to work with the Great Lakes Behavior Recovery Services to provide a network of mental health and substance abuse services throughout the Upper Peninsula.
Rudy Kempainen, Ishpeming, Michigan, Chairperson of the Alger-Marquette Community Mental Health Board pointed out that the AMCMH Board unanimously voted for authority status. The CMH Board is anxious to become an authority. The non-residential managed care businesses are looking to make profits but CMH believes they are still the best answer in a threatening environment for mental health care. CMH is pleased that the County Board is open to establishing authority status. Across Michigan nine other mental health agencies have already been approved for authority status. It is a good way to protect Community Mental Health services, the County Board, and our citizens.

Terry Dean, Civil Counsel for CMH, pointed out that three public hearings are required before CMH can become an authority. The County Board may want CMH to hold the remaining hearings. The statute does not require that the County Board hold all of them. He is in favor of the authority status because the previous Mental Health Code had a number of inadequacies but the new Revised Code can allow the Authority to rectify these inadequacies. As an Authority we can own property, we can sue or be sued. The concept of Mental Health is changing and the new code is designed to keep CMH up to date.

Dr. Birch noted that a meeting was held before the Alger County Board of Commissioners which may meet the requirements of a public hearing, if not, CMH could hold another public hearing before the Alger County Board of Commissioners and then the third public hearing could be conducted by the Community Mental Health Board.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried by voice vote that the County Board direct CMH to hold the two other public hearings, one in Alger County (if the first meeting does not meet the requirements of a public hearing) and the other before the Community Mental Health Board.

It was moved by Comm. Arsenault, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board direct our County Administrator and Civil Counsel to work with Community Mental Health to draft the appropriate resolution that meet our considerations for approval of Authority status, for the Alger-Marquette Community Mental Health Center.

PRIVILEGED COMMENT

Continuation of the Annual Meeting for the certification of the millage levies for various taxing units. The two remaining millage levies from Tilden Township and Wells Township have been provided.

It was moved by Comm. Seppanen, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board approve of the millage levies for Tilden and Wells Townships as follows:

<table>
<thead>
<tr>
<th>Local Unit Certification of Levies (for 12-1-96 Levy)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local Unit Name</td>
</tr>
<tr>
<td>Tilden Township</td>
</tr>
<tr>
<td>Extra voted-Road Maint./Const.</td>
</tr>
<tr>
<td>Wells Township</td>
</tr>
<tr>
<td>Extra voted-Operating</td>
</tr>
<tr>
<td>Extra voted-Road Maint./Const.</td>
</tr>
</tbody>
</table>

Chairperson Corkin declared the Annual Meeting to be adjourned.
8b) Fred Benzie, Environmental Health Supervisor, and Karen Lamore, Environmental Health Engineer for the Marquette County Health Department, were present to discuss proposed changes to the State Administrative Rules on Soil Erosion and Sediment Control, the State Statute on Soil Erosion and Sediment Control, and proposed changes to the Michigan Drain Code. The Board of Health has asked that the County Board be advised on these proposed changes and rules that will affect the residents and governmental units of Marquette County. The proposed changes to Administrative Rules 1701 through 1714 on soil erosion and sediment control may create another unfunded mandate which will significantly add to the number of construction projects that must be under permit, the cost of which must be recovered by County tax dollars. The process to adopt new Administrative Rules is very lengthy so there is ample time to provide input at the State level. This winter Health Department Staff intends to prepare a written response. The Health Department Environmental Division will provide a copy of the written response to the County Commissioners for their information and possible action.

The proposed changes to the State Statute on Soil Erosion and Sedimentation has been drafted by the Michigan Department of Environmental Quality. Russell Harding, the MDEQ Director, has not responded to the Health Department’s request for a copy of the proposed revisions or provided any verbal statement regarding its content.

Proposed changes to the Michigan Drain Code were introduced by Representative Carl Gnotdte, Republican, Berrien County, on September 25th, known as House Bill 6150. Mr. Gnotdte is Chair of the House Agriculture and Forestry Committee upon which Rep. Michael Prusi and Rep. David Anthony serve. It is the Health Department’s understanding that HB 6150 is on the fast track. Rep. Gnotdte, a former Drain Commissioner from Berrien County, is attempting to pass this legislation before he retires at the end of this legislative session in December, 1996. A meeting of the House Committee will be held in Lansing on Wednesday, October 29th and the Michigan Drain Commissioner Association and the Michigan Department of Agriculture will be there to provide testimony in support of the revisions. The public can attend this meeting, however, following testimony, Rep. Gnotdte may push for an immediate Committee vote to report the Bill onto the floor of the legislature. The Health Department has not taken a position on this Bill but want to make the County Board aware of the situation. If HB 6150 doesn’t come out of Committee at this time there is no immediate concern.

Chairperson Corkin thanked Fred Benzie and Karen Lamore for providing the information. He pointed out that the County Board of Commissioners Legislative Committee will meet Thursday morning at 9:00 a.m. in Administrator Steve Powers’ Office. Also attending this meeting will be the Drain Commissioner, representatives of the Health Department and the Soil Conservation District.

It was moved by Comm. Angeli, seconded by Comm. Arsenault and unanimously carried by voice vote that the County Board fax its concerns to the House Legislative Committee on Agriculture and Forestry regarding legislation to revise the Drain Code. The County Board is concerned that this legislation is on a fast track before its final draft is available for public review and that the legislation will have serious financial and administrative consequences for local units of government.

INFORMATIONAL ITEMS

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

a. Central Upper Peninsula Sawyer Redevelopment Authority (CUPSRA), Friday, November 1, 1996, 9:00 a.m. - Base Conversion Authority Office, K.I.Sawyer.
b. Inquiry from Hal Pawley, Airport Manager, to Charles Curran, Senior V.P., Comair, Cincinnati, regarding the potential of air service to Marquette County.
c. Notice of approval of grant application from the EDA for improvements on the former K.I.Sawyer Air Base.
d. Letter from Robert Menard, Engr./Mgr., Road Commission, regarding use of Building 530 at K.I.Sawyer.
e. Federal notification of the preparation of a Draft Environmental Statement on ice breaking activities in the Great Lakes.
g. Road Commission Report for the month of September, 1996.
h. A thank you from Ray Leverton, Curator/Manager, U.S. National Ski Hall of Fame, to Chairperson Corkin for participation in the recent Hall of Fame Induction Breakfast.
i. Notice of Vacancies to Various County Boards and Commissions.

Comm. Angeli, while commenting on informational item 10f regarding Snowmobile Law Enforcement Grant Reimbursement expressed his concern about the DNR recently outlawing dog sleds on State controlled snowmobile trails.

It was moved by Comm. Angeli, seconded by Comm. Seppanen and unanimously carried by voice vote that the County Board direct the Legislative Committee to review the DNR policy which outlaws dog sleds on State operated snowmobile trails.

**ACTION ITEMS**

It was moved by Comm. Rapport, seconded by Comm. Arsenault and unanimously carried by voice vote that Action Items 10a, 10b, 10c, 10d, 10e, 10f, 10g and 10h be approved as follows:

10a) Committee of the Whole Recommendation to adopt a resolution establishing a governmental structure to administrate the County Airport at KI Sawyer as follows:

**RESOLUTION**

WHEREAS, the Marquette County Board of Commissioners has officially decided to move the Marquette County Airport from its current location in Negauene Township to the former K.I. Sawyer Air Force Base, and

WHEREAS, the Marquette County Board of Commissioners desires to establish the governmental structure that will manage construction and operations at the K.I. Sawyer Air Force Base site during the period of transition from the Negauene Township site to K.I. Sawyer, and

WHEREAS, the Aeronautics Code, MCL 259.133(a) gives power to the Marquette County Board of Commissioners to establish the governmental structures to administer County Airports,

NOW, BE IT RESOLVED that the Marquette County Board of Commissioners hereby appoints Harold Pawley K.I. Sawyer Airport Manager, to manage all operations that will be conducted at the K.I. Sawyer Air Force Base site effective immediately. The County Administrator shall be the supervisor of the K.I. Sawyer Airport manager and the administrator shall report to the County Board of Commissioners.

IT IS FURTHER RESOLVED that the Marquette County Board of Commissioners will approve all grants and contracts for improvements to be made at the K.I. Sawyer Air Force Base site in order to convert the runway and other aeronautical equipment to civilian use.
BOARD OF COMMISSIONERS   COUNTY OF MARQUETTE   OCTOBER 29, 1996

IT IS FURTHER RESOLVED that the County Administrator, will have authority of the Marquette County Board of Commissioners to make all change orders and other administrative decisions during the construction of the new facilities at K.I. Sawyer. This authority shall also include construction and alterations to hangars and other buildings intended for future tenants at K.I. Sawyer Air Force Base. This authority can be delegated by the County Administrator to the Airport Manager and/or the Director of Resource Management/Development Department upon written notification to the County Board of Commissioners.

IT IS FURTHER RESOLVED that the Marquette County Board of Commissioners intends that all management at the current Marquette County Airport site at Neguenee Township shall continue under the jurisdiction of the Marquette County Airport Board as specified in a resolution passed by the Marquette County Board of Commissioners effective January 1, 1994.

IT IS FURTHER RESOLVED that the County Airport at K.I. Sawyer shall be known as the "K.I. Sawyer County Airport."

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

* * * * * *

10b) Committee of the Whole Recommendation to appoint the County Board Chairperson as its representative to the Central Upper Peninsula Sawyer Redevelopment Agency (CUPSRA).

10c) Committee of the Whole Recommendation to award the Radio Maintenance Contract for Central Dispatch to ELCOM Services, Inc, in the amount of $15,720.

10d) Committee of the Whole Recommendation to award the bid for the Heavy Rescue Vehicle to 3-D Manufacturing, Oconto, Wisconsin, in the amount of $169,700 consistent with County Purchasing Policy #215 and direct the County Administrator and the Sheriff to negotiate a purchase contract.

10e) Committee of the Whole Recommendation to approve a budget transfer of $15,000 for the County Litigation Fund.

RESOLUTION AMENDING
Fiscal Year 1996 Amendment No.

WHEREAS, budgets were adopted by the County Board on October 10, 1995, 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 Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change + (-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecuting Attorney Legal Fees</td>
<td>41,559.00</td>
<td>56,559.00</td>
<td>15,000.00</td>
</tr>
<tr>
<td>Contingency Account</td>
<td>43,170.00</td>
<td>28,170.00</td>
<td>(15,000.00)</td>
</tr>
<tr>
<td>Totals</td>
<td>84,729.00</td>
<td>84,729.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prosecuting Attorney</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>No Changes Made</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

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

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

The Chairperson declared the motion carried and the resolution duly adopted this 29th day of October, 1996.

* * * * * * *

10f) Committee of the Whole Recommendation that the County Board send a letter of concern regarding any attempt of Ameritech to move the Marquette Maintenance Center out of Upper Michigan.

10g) Committee of the Whole Recommendation regarding a contract renewal with the Marquette Community Corrections and Great Lakes Recovery Centers, Lawrence Ziomkowski, Executive Director, for the Community Corrections Substance Abuse Treatment Agreement.

10h) Committee of the Whole Recommendation to recognize the Marquette County Volunteer Center as a non-profit organization operating in Marquette County and support their application for a raffle license to the State of Michigan Lottery Commission.

**LATE ADDITIONS**

11a) It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried by voice vote that the County Board approve of the Michigan Department of Natural Resources Use Permit for occupancy of land and buildings at the former K1 Sawyer Air Force Base in conjunction with County Airport operations and operation of the Aircraft Heavy Maintenance Depot (AMR).
11b) The County Board considered the 25 year Lease Agreement with AMR for four buildings at KI Sawyer. Civil Counsel Payant reported that AMR has received it, reviewed it, and it meets the requirements of the Memorandum of Understanding.

It was moved by Comm. Arsenault, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board approve the Lease Agreement between the County of Marquette and AMR Eagle Regional Aircraft Maintenance Center, Inc.

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

There being no further business, the meeting was adjourned at 8:02 p.m.

Respectfully Submitted,

[Signature]
David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting and Continuation of the Annual Meeting
Tuesday, October 29 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.
3. APPROVAL OF THE MINUTES OF THE COUNTY BOARD OF COMMISSIONERS ANNUAL
MEETING HELD ON OCTOBER 8, 1996 AND THE REGULAR MEETING and CONTINUATION
OF THE ANNUAL MEETING HELD ON OCTOBER 15, 1996.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS:
   a. Public Hearing on CMH Authority Status
8. PRIVILEGED COMMENT:
   a. Continuation of the Annual Meeting - Certification of Tilden Township and Wells
      Township Millages. (This completes the Annual Meeting for 1996).
9. INFORMATIONAL ITEMS:
   a. Central Upper Peninsula Sawyer Redevelopment Authority (CUPSRA), Friday,
      November 1, 1996, 9:00 a.m. - Base Conversion Authority Office, K.I.Sawyer.
   b. Inquiry from Hal Pawley, Airport Manager, to Charles Curran, Senior V.P., Comair,
      Cincinnati, regarding the potential of air service to Marquette County.
   c. Notice of approval of grant application from the EDA for improvements on the former
      K.I.Sawyer Air Base.
   d. Letter from Robert Menard, Engr./Mgr., Road Commission, regarding use of Building
      530 at K.I.Sawyer.
   e. Federal notification of the preparation of a Draft Environmental Statement on ice
      breaking activities in the Great Lakes.
   f. Memo from Hector Chintu, Michigan DNR, Recreation & Trails Coordinator, regarding
   g. Road Commission Report for the month of September, 1996.
   h. A thank you from Ray Leverton, Curator/Manager, U.S. National Ski Hall of Fame, to
      Chairperson Corkin for participation in the recent Hall of Fame Induction Breakfast.
   i. Notice of Vacancies to Various County Boards and Commissions.
10. ACTION ITEMS:
   a. Committee of the Whole recommendation to adopt a resolution establishing the
      Governmental Structure to Administrate the County Airport at K.I.Sawyer.
   b. Committee of the Whole recommendation to appoint the County Board Chairperson
      as its Representative to CUPSRA.
   c. Committee of the Whole recommendation to approve the Radio Maintenance Contract
      for Central Dispatch with ELCOM Services, Inc.
   d. Committee of the Whole recommendation to aware the bid for the Heavy Rescue
      Vehicle to 3-D Manufacturing, Oconto, Wisconsin.
10. ACTION ITEMS: Cont’d.
   e. Committee of the Whole recommendation to approve a budget transfer for Court Litigation Fund.
   f. Committee of the Whole recommendation to direct a letter to Ameritech expressing concern regarding a potential move of the Marquette Maintenance Center.
   g. Substance Abuse Contract Renewal between Marquette County Community Corrections and Great Lakes Recovery Centers.
   h. Resolution to the State of Michigan for a Raffle License for the Marquette County Volunteer Center.
11. LATE ADDITIONS:
   a. DNR Occupancy Permit
   b. LEASE OCCUPY
12. PUBLIC COMMENT. (time limit 20 minutes total)
13.
14. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
15. ADJOURNMENT.

HAPPY HALLOWEEN!!