The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, July 22, 1997 at 6:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Rapport, seconded by Comm. Joseph, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on July 8, 1997 be approved.

Chairperson Corkin opened the meeting for public comment.

Earl Yelle, Sands Township Supervisor, explained that Sands Township has the same problem as does Forsyth Township under Agenda Item 12 regarding the Red Fox Inn delinquent personal property taxes. Sands Township is seriously considering filing a civil suit. The amount owed to Sand Township amounts to $13,000.

There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen and unanimously carried by voice vote that the agenda be approved with the following additions: Item 16) Memo from Civil Counsel Harley Andrews regarding establishing rules for scheduling special meetings, Item 17) Michigan Association of Counties Summer Conference Report and Approval of Expenditures, Item 18) Lutheran Social Services Application to the Upper Peninsula Area Agency on Aging for grant funding, and also that Item 14) Road Commission Lease at Sawyer be moved forward to Item 5a.

It was moved by Comm. Roberts, seconded by Comm. Seppanen and unanimously carried by voice vote that Claims and Accounts for the period July 2, 1997, through July 18, 1997 in the amount of $415,185.56 be approved.

The Committee considered a Prime Lease between Marquette County and the United States Air Force and a Sublease between Marquette County and the Marquette County Road Commission relating to property on the former Sawyer Air Force Base which the Road Commission wishes to use as a Warehouse/Maintenance Facility. Harley Andrews, Civil Counsel, noted that instead of paying cash rent for the subleased premises, the Road Commission will be performing service maintenance on all roads on the Base which are presently designated as noncaretaker and nonprivate roads. In addition, when the roads presently designated as caretaker roads are removed from caretaker status the Road Commission will assume responsibility for their maintenance. The Sublease provides for a purchase option to be exercised by not later than June 30, 2002.

J. Patrick Farrell, Chairperson, Marquette County Road Commission, was present and presented a signed copy of the Sublease which the Road Commission approved last evening. It has been a long, slow process to get to this point. It is very difficult to make progress with the federal government, especially the military. Mr. Farrell thanked those connected with this effort including the Road Commission Superintendent/Manager Robert Menard, Road Commission Employees, and the members of the Road Commission Board. Mr. Farrell also thanked Chairperson Corkin, Comm. Arsenault of the KISEDIC, Civil Counsel Andrews, Administrator Powers, the Marquette County Planning Commission, and Staff members, Al Feldhauer, Ron Koshorek and Jim Kippola.

Mr. Farrell reported that the Road Commission will be closing the Skandia and Gwinn garages and moving to nice buildings on KI Sawyer. The Road Commission will serve Sawyer and the southeastern part of Marquette County in a more efficient manner. The garages in Skandia and Gwinn were in very poor and deteriorating condition.
Mr. Farrell also noted that Senate Bill 255 provides funding to the Road Commission before October 1, 1997 to pave County Road 553 from the Crossroads to the Ski Hill, therefore, by the end of 1998 and excellent roadway will be established between Marquette and KI Sawyer.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the Prime Lease between Marquette County and the United States Air Force and the Sublease between Marquette County and the Marquette County Road Commission for property which the Road Commission will use as a Warehouse/Maintenance Facility at KI Sawyer, and authorize the Chairperson to sign the Lease documents.

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The Committee considered a Community Policing and Crimeline Report from Sheriff Michael Lovelace and Dt. Jim Bjorne.

Sheriff Lovelace showed a video which explained the "Community Policing Program" to be undertaken in Marquette County. The video was produced by Dawn Garner, Community Relations Coordinator for the Sheriff's Department. The County Board of Commissioners was the first group to review the video and Sheriff Lovelace invited any Commissioner to call him with concerns or questions. He introduced Dt/Lt. Jim Bjorne who explained Marquette County's new "Crimeline".

Dt/Lt Bjorne explained that eyes and ears are the biggest public asset regarding crime prevention. The general public sometimes is hesitant to call for several reasons including: apathy, fear of retribution, or just don't know who to call. The crimeline concept provides for one phone number for the public to call to report crimes or suspicious activity. Business owners, especially on the west end, have agreed that the Crimeline is a good idea. Many have provided donations, enough to start up the line, for an answering machine, and reward pool. As of today the Crimeline is running on Number 228-9909.

Chairperson Corkin, on behalf of the County Board, thanked Sheriff Lovelace, Jim Bjorne, and Dawn Garner for their presentations.

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The Committee considered a request from Randell Girard, Human Resources Director, regarding the County's disability insurance policy renewal. Mr. Girard explained that our present disability insurance carrier has sent notice of an increase. Twelve insurance carriers have been contacted and eight have rejected our request for proposal in that they no longer serve municipal markets. The increase in disability insurance premiums is industry wide. The lowest quote came from Allianz Insurance at an increased cost of $1,750 per year. Mr. Girard requests authorization from the County Board to file an application to Allianz for disability insurance coverage, final approval of an agreement will come back to the County Board.

It was moved by Comm. Rapport, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board authorize that an application for disability insurance coverage be submitted to Allianz.

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The Committee considered a County Solid Waste Management Plan Update Resolution. Al Feldhauser, Planner, was present and explained that the Michigan Department of Environmental Quality has announced the commencement the next round of Solid Waste Management Plan Updates. These have typically occurred at five year intervals, however, legislative initiatives affecting solid waste management interrupted that cycle and Marquette County's last update was 1989. Marquette County's approach to solid waste management is relatively unique. Through an intergovernmental agreement the landfill in Sands Township is provided by a coalition of municipalities. Tipping fees have remained stable for five years due to diverse interest groups and numerous government agencies exerting pressure on the solid waste management process. The County is clearly the level at which solid waste planning can be most effectively done.
Al Feldhauser also noted that while tipping fees in surrounding counties are averaging over $50 per ton, Marquette County’s tipping fees are presently $38.43. It was a wise decision for our County to provide for an environmentally sound landfill from the very beginning. Initially costing more, in the long run it will cost less. Our landfill presently has about a 60 year lifespan.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve a resolution indicating Marquette County’s intent to prepare a Solid Waste Management Plan, direct the Chair to sign to the Notice of Intent, reaffirm the Marquette County Planning Commission as a designated Planning Agency, and authorize the 1998 General Fund budget expenditure of $15,200 for the staffing of solid waste planning and committee meeting costs.

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The Committee considered an agreement with the U.S. Army Corp of Engineers for right-of-entry for environmental assessments and response at KI Sawyer. Steve Powers, County Administrator, said the Agreement has been reviewed by Civil Counsel and Risk Management. There is no impact on the County Budget.

Ed Bailey, Operations Manager, KI Sawyer Development Department, is also a member of the Restoration Advisory Board. They hold quarterly public meetings. Also on that Board is Jim Kippola, County Planner, and Fred Benzie, County Health Department Environmental Division. Over the years over 400 wells have been drilled at KI Sawyer. The Air Force doesn’t typically provide monitoring reports. This right-of-entry will provide specific wells to be monitored. Any information regarding results and reports will be available.

It was moved by Comm. Roberts, seconded by Comm. Rapport, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board authorize the Chairperson to execute a Right-of-Entry Agreement with the Army Corp of Engineers for County owned lands in Forsyth Township.

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The Committee considered a recommendation from Randell Girard, Human Resources Director, for the employment of Employer Delegate and Alternate Delegate to the Annual MERS Meeting to be held on September 23, 24, 1997 in Lansing. The purpose of the Annual Meeting is to elect members of the MERS Board, and to transact business required for the proper administration of the retirement system, and to formulate positions on legislation and regulatory issues affecting MERS participants. Mr. Girard is recommending that the County Board of Commissioners appoint him as the Employer Delegate with Finance Manager Gary Yoder designated as the Employer Alternate Delegate. County employees will be electing their own delegate and alternate delegate by a secret election to be held on August 4, 1997.

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 appoint Randell Girard, Human Resources Director, as Employer Delegate and Gary Yoder, Finance Manager, as Alternate Employer Delegate to the Annual MERS Meeting in Lansing.

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The Committee considered a letter from Edward J. Sloan, Executive Director, Eastern Upper Peninsula Substance Abuse Services, regarding an interim Governing Board appointment. EUPSAS Governing Board is only a nine member board requiring five members for a quorum who must travel long distances from all over the Eastern Upper Peninsula. The recent resignation of Peter Plummer may create a difficulty in achieving a quorum.

Mr. Sloan is requesting that Georgianna Maynard be appointed as an interim member for the rest of the year. Ms. Maynard has been an active member of the Advisory Council for a number of years and expressed an interest in serving on the Board.

It was moved by Comm. Seppanen, seconded by Comm. Cihak, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board appoint Georgianna Maynard as an interim member for the rest of 1997 to the Eastern Upper Peninsula Substance Abuse Services Governing Board.

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The Committee considered a memo from William E. Pesola, President, Red Fox Properties, Inc., regarding Red Fox personal property taxes. Mr. Pesola has met with Chuck Swanson, who was hired to review the method used by Sands Township and Forsyth Township to assess personal property taxes.

Earl Yelle, Sands Township Supervisor, explained that Red Fox Properties, Inc. failed to appear at the Board of Review and did not appeal to the State Tax Commission. Sands Township assumes that they are satisfied with their assessment. The method used was the depreciated replaceable cost method, which is the same method that was applied to all other properties at Kl Sawyer. All other properties have paid their taxes.

Mr. Yelle further explained that he had assistance from the Marquette County Equalization Department and believes that Red Fox Woods received a fair appraisal. Normally, properties are padlocked and sold for back payment of personal property taxes, however, in this case the property belongs to the federal government. At this point Sands Township does not want to seize the property, however, Mr. Yelle believes they have the authority to do so. They would rather proceed with a civil suit in District Court to retire the debt. The Gwinn Schools has the most tax dollars to lose and the County also will lose a substantial amount. It is not profitable for Sands Township to pursue the matter in Court, however, they will if they have to.

It was moved by Comm. Seppanen, seconded by Comm. Roberts and unanimously carried by voice vote to place the information on file.

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The Committee considered awarding a bid to Pentecost Construction and authorizing a contract for an amount not to exceed $482,000 for the heating conversion of eight buildings at Sawyer. Ed Bailey, Operations Manager, Kl Sawyer Development Department, noted that this is the first 8 of 64 buildings to be considered for heating conversion. The engineer estimated the cost of these 8 buildings to be $180,740. Two bids received were much higher than anticipated with the low bid from Pentecost Construction at $482,000. If these costs are extrapolated over the 64 buildings the total heating conversion costs will be $3.8 million instead of $3.1 million. The County Board currently has an agreement with the Air Force for $2.643 million for heat conversion.

Mr. Bailey had no real explanation for the difference between the estimate and the two bids received. Sundberg Carlson & Associates was also surprised at the bids. The next round of heating conversion bids will be for 10 additional occupied buildings. There should be no problem to convert the occupied buildings with the $2.643 million.

County Administrator Steve Powers noted that these bids are the first real cost figures to be provided in the heating conversion process. The initial State estimate was $5.2 million which was lowered to $3.1 million but the Air Force has agreed to pay $2.643 million. Perhaps fewer buildings will be able to be converted. These figures may help should we request more funding from the Air Force.

Chairperson Corkin noted that we have no real choice. We must award the bid for heating conversion and proceed. We are facing a winter deadline. There is a significant difference here and it makes it difficult to have credibility when dealing with people. Commissioners requested that representatives from Pentecost Construction and Sundberg Carlson attend the July 29th County Board Meeting to explain the estimate versus bid differential.

It was moved by Comm. Aresnault, seconded by Comm. Roberts, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board award the heating conversion bid to Pentecost Construction and authorize a contract for an amount not to exceed $482,000, funds for conversion to be provided by the Air Force Base Conversion Agency.

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The Committee considered responses to Commissioner requests for information regarding several items including: AMR RA/IMCA information, housing program applicant selection process, and Keweenaw Bay Tribal Council Agreement to House Inmates and the 2% gaming revenues.
The Committee considered the memo from Steve Powers, County Administrator, regarding Keweenaw Bay Tribal Council gaming revenues in response to a request for information from Comm. Chihak. Since 1995 the KBIC has provided $145,000 to Marquette County. Sheriff Maino initiated the first request for funds consistent with Board policy in order to seek revenues to support special County programs offered through the Sheriff’s Department like DARE, MCTV, and Road Patrol. The requirement to provide 2% funds to local government is included in a Consent Judgement between the tribes and the State of Michigan. Each tribe may determine which local unit or units of government shall receive payments and the payment amount.

Mr. Powers met with Mr. Raymond Schwartz, Tribal Chairman, and members of the Tribal Council. The tribe provides $250,000 annually to local governments. The tribe’s preferences for requests tie to specific needs with children and youth emphasized.

The County Board in the past has provided general direction to departments to seek outside funding other than ad valorem property taxes to support special services and the Sheriff has carried out this direction by requesting funds from the KBIC. Administrator Powers recommends that the County Board approve the request to the Keweenaw Bay Tribal Council because the Board should set the County’s budget policies. It is noted that the 1997 budget includes $116,703 in gaming revenues, and the 1998 tentative budget includes $75,000. The compact gives tribes considerable discretion in the selection of local governments and activities to fund. The Keweenaw Bay Tribal Council could choose to support a different unit of government or school programs for that matter.

Civil Counsel Harley Andrews noted that the 20-year compact has 17 more years to go. When the first quarter is spent in Detroit in the new casinos the State may lose their 8%, but the 2% local government funding will continue.

Comm. Joseph expressed concerns about any County department getting gaming funding in return for services. Comm. Chihak noted there is a downside to gaming revenues and that is the gambling addiction.

It was moved by Comm. Rapport, seconded by Comm. Seppanen, and carried by voice vote 7 Ayes to 3 Nays (Comm. Bergdahl, Chihak, Joseph), that the Committee of the Whole recommend the County Board authorize a County-wide request for Keweenaw Bay Tribal Council gaming revenues to be developed by the Administrative Staff after discussion with Department Heads.

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The Committee considered a recommendation from Harley Andrews, Civil Counsel, to amend the County Board Rules of Order by adding a Section IV-15 Scheduling special meetings of the County Board of Commissioners. Mr. Andrews explained that the County Board must revise its Rules of Order to provide for more efficient means of giving notice to Commissioners of special board meetings. MCL 46.10 provides that a special meeting can be held only when it is requested by at least four (one-third) members of the County Board. The request must be in writing and addressed to the County Clerk stating the purpose, time, date, and place of the meeting. In return, the Clerk must give notice of the special meeting to Commissioners at least 10 days prior to the scheduled meeting, unless the County Board adopts rules which provide for different notification requirements. The ten day notice requirement is unworkable.

Civil Counsel Andrews reviewed the matter with County Clerk Roberts and has written a proposed section to the County Board Rules of Order, that being Section IV-15 Special Meetings which provide that the Clerk shall give notice of a special meeting to Commissioners not less than 24 hours prior to the meeting by a written notice delivered personally, or a written notice to be left at the residence of the Commissioner, or verbally in person or by phone to the Commissioner only.

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 adopt the section IV-15 Special Meetings as recommended.

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The Committee considered a memo from Comm. Karlyn Rapport, MAC Summer Conference Committee Chairperson, regarding conference bills for payment. The County Board of Commissioners allocated $5,000 in the Contract with the Michigan Association of Counties to host the Summer Conference. The MAC Summer Conference Committee proposes to use the allocation in the following manner:
COHOS (Opening Reception) - $250.00
Transportation for Delegates via MarqTran - $2,200.00
Morgo Zid, Native American Dance Troupe - 400.00
Mary Wright for Consultant Services for decorating
the Superior Dome at the entrance and the Banquet
Room on Monday Evening - $2,000.00
TOTAL $4,850.00

It was moved by Comm. Rapport, seconded by Comm. Roberts, and unanimously carried by
voice vote, that the Committee of the Whole recommend the County Board approve the payment
of $5,000 for the MAC Summer Conference Bills as presented and further, a letter be written to
Yvonne Simon, MAC Conference Coordinator, indicating the County Board’s financial allocations.

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The Committee considered the Lutheran Social Services Grant Proposal to the Upper
Peninsula Area Agency on Aging.

It was moved by Comm. Seppanen, seconded by Comm. Tuominen and unanimously carried
by voice vote that the County Board indicate it has received and reviewed the grant from Lutheran
Social Services to the Upper Peninsula Area Agency on Aging.

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

County Administrator Steve Powers reminded Commissioners of the Special County Board
meeting to be held on July 29, 1997 at 6:30 p.m., the purpose of the meeting is to consider the
bid award for the heat conversion contract at KI Sawyer, the Prime and Sublease for the Road
Commission Building at Sawyer, and the Special Meeting Scheduling Rules.

Comm. Cihak reported he spoke with Ann Wilson, Michigan DNR regarding vandalism that
has occurred near the beach at Wetmore Landing. Approximately 700 feet of erosion control fence
had been ripped up and apparently burned in a bonfire. This is the second time this has occurred
and Comm. Cihak contributed $25 donation towards a reward fund for information leading to the
arrest and conviction of the vandals.

Chairperson Corkin attended a reception welcoming the new Northern Michigan University
President Dr. Judith Bailey on behalf of the County Board. President Bailey will be an excellent
asset to the University and Marquette County.

There being no further business, the meeting was adjourned at 8:09 p.m.

Respectfully Submitted,

David J. Roberts
Marquette County Clerk
REVISED

MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
TUESDAY, JULY 22, 1997, 6:00 P.M.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE
   MEETING HELD ON JULY 8, 1997.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
9. Sawyer Air Base Right-of-Entry for Environmental Assessment and Response.
10. Appointment of Employer Delegate and Alternate to MERS Annual Meeting.
11. Interim Appointment to the Eastern Upper Peninsula Substance Abuse Services
    Governing Board.
12. Red Fox Inn Personal Property Taxes.
14. Prime and Sublease for Road Commission Building at Sawyer (materials
    forthcoming).
15. Commissioner Requests for Information.
16. Special Memo
17. MAC Summer Camp Report on Expense
18. CSS application to U.P.A.R.S. for personal & homeowner care.
19. PUBLIC COMMENT.
20. ANNOUNCEMENTS.
21. ADJOURNMENT.