PRIVILEGED COMMENT

James Sodergren, Marquette County Treasurer, proposed an alternative to the Mitigation Plan regarding the Tilden Mining Company Permit to stockpile rock strippings. Two items he felt were important to consider regarding environmental impact: First, County Road PC, otherwise known as Cliff’s Drive, was abandoned on April 15, 1988. Years ago many Marquette County residents spent a day riding around the eight lakes located on or near Cliff’s Drive, picnicking, swimming, and fishing in the lakes. These resources are now longer available.

Second, Mr. Sodergren estimated the shoreline of Tilden Lake to be 18,000 feet. At today’s current cash value of $200 per foot that makes Tilden Lake worth approximately $1.6 million. Cleveland-Cliffs has paid specific taxes for the past 20 years therefore does not pay ad valorem property taxes, but imagine if Tilden Lake and the surrounding lakes were in private ownership how much tax revenue that would have generated. When the Cliff’s Drive was closed not a peep was heard from the community because everyone understood the value of good jobs as a result of mining expansion.

Mr. Sodergren supports the permit to fill Tilden Lake with rock strippings but not a plan to build a swampland in Dickinson County. Treasurer Sodergren researched the provisions of the permit and contended that there is still time and there is flexibility in the law to allow the DEQ and the EPA to revise the plan. Treasurer Sodergren presented a Mitigation Plan requiring that $550,000 be deposited by CCI into an interest bearing escrow account, for the following:

1) $25,000 Tilden Township Well.
2) $25,000 Lake Bancroft Study.
3) $100,000 Filling and Capping Pits and Shafts in Marquette County.
4) $100,000 Ishpeming-Negaunee Water Supply Bond Debt.
5) $100,000 NICE School Bond Debt.
6) $100,000 Ishpeming School Bond Debt.
7) $100,000 Negaunee School Bond Debt.

The water and school bond debts were voted in by the electorate and approximately 5 mills must be levies on each issue, however, the cost of these projects did not increase taxes on the mining companies because of the specific ore tax law adopted in 1978. Crediting the debt retirement accounts will help soften the environmental impact that mining has had on our community. Treasurer Sodergren hopes that the County Board and the Townships would concur with his recommendation. Time is of the essence, final permit approval can occur anytime from now until December 29th.

Treasurer Sodergren noted that the Planning Commission is eager to prepare lists for future mitigation projects should that occur but right now the Tilden Mine Project is before us.

It was moved by Comm. Seppanen, seconded by Comm. Roberts and unanimously carried by voice vote that the County Board consider Mr. Sodergren’s proposal at the November 10, 1997 Committee of the Whole Meeting and request input from Tilden Township, where the mine is located, and other interested Townships and organizations.

It was moved by Comm. Rapport, seconded by Comm. Tuominen and unanimously carried by voice vote that Informational Items be accepted and placed on file as follows:

9c. Notification from Michigan Jobs Commission that Marquette County is Authorized to Incur CDBG Costs for the Superior Extrusion Infrastructure Project.
ACTION ITEMS

It was moved by Comm. Bergdahl, seconded by Comm. Roberts and unanimously carried by voice vote that Action Items 10c, 10e, 10f, 10g, 10h, 10i, and 10j be approved as follows:

10c) Committee of the Whole Recommendation authorizing the Chairperson to execute the Prime Lease for Building 661 at KI Sawyer with the U.S. Air Force and grant up to a 120 extension with Superior Extrusion, Inc. (SEI) for the execution of the sublease, conditioned upon SEI providing general liability ($1,000,000) and property loss damage ($316,000). Harley Andrews, Civil Counsel, noted that SEI has provided the appropriate insurance.

10e) Committee of the Whole Recommendation to approve of the US Department of Justice Grant Award of $249,567 to the Marquette County Prosecutor’s Office under the Violence Against Women Act, and authorize the appropriate signatures. The grant will provide for the establishment of a Domestic Violence Team consisting of 2 Assistant Prosecuting Attorney, a legal secretary, and the current Victim/Witness Coordinator. The goal of the project is to provide a more effective response to domestic violence in Marquette County and produce a written model protocol that other rural jurisdictions can adopt as a response to domestic violence.

10f) Committee of the Whole Recommendation that the County Board support proposed amendments to the Mine Reclamation Act as introduced by State Senator Don Koivisto and Representative Mike Prusi that would provide the DEQ with the necessary funding for enforcement and address other deficiencies in the Act. In addition to its support, the County Board would like to attach some suggested changes by the County Treasurer Jim Sodergren in the proposed amendment and also suggest that permanent records and reports under the Mine Reclamation Act be filed in the County Clerk’s Office.

10g) Committee of the Whole Recommendation that the County Board terminate all current Marquette County Member appointments to Superior Behavioral Health effective 12/31/97, and appoint 9 new members to the merged entity Pathways and further, that the County Board schedule a public hearing for consideration of the resolution approving the new authority Pathways at its November 18, 1997 Regular Board Meeting.

10h) Committee of the Whole Recommendation to approve of Change Order No. 1, Youth Home Replacement Project, with Seelen Construction. Change Orders in the amount of $3,870 for additional work as recommended by Building Official Gordon Uren, the new contract sum will be $25,725.

10i) Committee of the Whole Recommendation to approve a full-time Sheriff’s Deputy for snowmobile, ORV, marine, and rescue safety enforcement, funding to come from the Michigan Snowmobile Program, the ORV Program, and the COPS Program.

10j) Committee of the Whole Recommendation to approve of a line item transfer request by the 96th District Court to continue clerical support to employ a temporary worker through the end of 1997, budget amendment as follows:

RESOLUTION AMENDING GENERAL FUND BUDGET
Fiscal Year 1997 Amendment No. 41

WHEREAS, budgets were adopted by the County Board on October 8, 1996, 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:
ACTION ITEMS CONTINUED

10a) The County Board considered the heat conversion bid award for eight buildings in Group A-3, with lessee and reuse status (all are unoccupied and unheated). Three bids were received and a low bid was from Dresseler Mechanical, Inc. at $308,000. The engineer’s estimate for the Group A-3 Buildings was $345,000. The Air Force Base Conversion Agency is funding the heat conversion and including this bid the remaining funds available amounts of $785,000.

It was moved by Comm. Seppanen, seconded by Comm. Roberts and unanimously carried by voice vote that the County Board approve of the Heat Conversion Group A-3 Buildings to Dresseler Mechanical in the amount of $308,000.

10b) The County Board considered a Committee of the Whole Recommendation regarding the Sawyer Airport Instrument Landing System Project bid award.

It was moved by Comm. Seppanen, seconded by Comm. Bergdahl and carried by voice vote 8 Ayes to 1 Nay (Comm. Cihak) that the County Board approve of the Sawyer Instrument Landing System Project bid award in the amount of $599,858 with Wilcox Electric, Inc., conditional upon EDA approval.

10d) The County Board considered a Committee of the Whole Recommendation regarding the Lake Superior Jobs Coalition Plan for a Upper Peninsula Community Economic Development “Partnership” Organizing Plan and Bylaws.

Comm. Cihak took issue with a November 1st newspaper editorial which criticized government for being too slow in dealing with economic development issues compared to the private sector. Comm. Cihak noted that government has rules that must be followed for the benefit of the public including the Open Meetings Act. He has concerns about the Partnership’s proposal to have closed meetings except for an annual meeting. He appreciated the list of members of the Lake Superior Jobs Coalition being published but has some concerns about potential conflicts of interest. Comm. Cihak contended that we have Tom Rumora as the KI Sawyer Development Director, we have such organizations as CUPPAD progress at Sawyer has been good, so why do we need another economic development organization?

Comm. Roberts suggested dual stand alone corporations made of the Lake Superior Jobs Coalition and the Marquette County Economic Development Corporation. It may be the only legal formula to preserve fiduciary responsibility for public funds. Comm. Roberts also suggested a major project with future merit should be the development of Marquette’s lower harbor.

Several Commissioners spoke in support of the concept of a “Partnership” organization.

Chairperson Corkin noted that he is in favor of the private sector taking over economic development. The Marquette County Board has been committed to jobs. He noted when it closed there was 800 civilian jobs at Sawyer now there are 650 and he believes there will be 2,000 jobs at Sawyer by the year 2002.
It was moved by Comm. Seppanen, seconded by Comm. Rapport and carried by voice vote 8 Ayes to 1 Nay (Comm. Cihak) that the County Board approve of the Upper Peninsula Community "Partnership" Organizational Plan and Bylaws in concept, and that further discussions be arranged with the Lake Superior Jobs Coalition.

**LATE ADDITIONS**

11a) It was moved by Comm. Rapport, seconded by Comm. Bergdahl and unanimously carried by voice vote that the County Board approve of Change Order No. 2 in the Heating Conversion/Group A-2 Contract with Industrial Piping in the amount of $66,900, contract changes allow for an alternate heating system for Building 533. The total revised contract with all change orders for Heating Conversion Buildings Group A-2 is now $525,900.

11b) The County Board considered a memo from Ed Bailey regarding Buildings 708/9 Heat System Operation Contract. The Air Force Base Conversion Agency has decided to maintain heat in Building 708 through the winter which means the County of Marquette has won a major concession. This building is the only building at Sawyer which was heated by steam. Several years ago the Air Force contracted with Industrial Piping to install two steam boilers as an emergency backup system. The boilers are located in a separate utility building (709) nearby. These boilers will be used to heat Building 708 through the winter and hopefully beyond. It was noted that this building is commonly referred to as the SAGE Building, of which the County Board needs kept open to compete for potential location of US Customs. Chairperson Corkin noted that both Sen. Levin and Congressman Stupak worked very hard on this project. Comm. Tuominen offered a special thanks to Paul Hemmila for his efforts.

It was moved by Comm. Seppanen, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board approve of the KI Sawyer Heat System Operational Contract with Industrial Piping of Marquette, to check and start up two boilers for $900 per boiler, and also a once per week blowdown and testing of the system safety devices for $100 per week. Fuel consumption for Building 708 is estimated to be $22,000 for the heating season.

11c) The County Board considered a memo from Ed Bailey regarding the Sawyer Electrical Substation Switch Gear. Sawyer has experienced several substantial failures over the past year. Employees of UPPCO which maintains the electrical distribution system under direct contract with the Air Force Base Conversion Agency has expressed concern in that the switchgear is in danger of a catastrophic failure which could prevent complete electrical supply to Sawyer for several days. AFBCA has agreed to fund repairs to the switchgear under the Caretaker Program. A proposal from Systems Control for repair of the switchgear was presented in the amount of $35,000, however, the exact repair approach and cost cannot be fully determined until an inspection has been undertaken. Repair expenses could approach $80,000.

It was moved by Comm. Tuominen, seconded by Comm. Roberts and unanimously carried by voice vote that the County Board approve of the contract with Systems Control for switch gear repair in accordance with the Company’s proposal of $35,000 but not to exceed $80,000 to refurbish the Sawyer Electrical Substation Switch Gear.

11d) The County Board considered a memo from Harley Andrews, Civil Counsel, regarding an Intermediary Relending Program Resolution. The County Board at its September 16, 1997 meeting approved the recommendation from the Committee of the Whole to submit a signed application to the USDA for $1 million loan to establish an Intermediary Relending Program to be administered by the Sawyer Development Department. The application has been submitted and the closing of that land transaction with representatives of the USDA is scheduled for November 13th. Marquette County has utilized the services of Bond Counsel Robert Cooper to provide his expertise on behalf of the County in this matter. Mr. Cooper has prepared a resolution which must be adopted by the County Board in order for the closing to take place.

It was moved by Comm. Roberts, seconded by Comm. Joseph and carried on a roll call vote 9 Ayes (Comm. Roberts, Angeli, Bergdahl, Cihak, Joseph, Rapport, Seppanen, Tuominen, and Corkin) to 0 Nays, absent Comm. Arsenault, that the County Board approve of the following Resolution:

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RESOLUTION AUTHORIZING THE ESTABLISHMENT, IMPLEMENTATION AND
FINANCING OF THE INTERMEDIARY RELENDING PROGRAM WITH THE UNITED
STATES DEPARTMENT OF AGRICULTURE, RURAL DEVELOPMENT

WHEREAS, the United States of America (the "United States") has closed the Ki Sawyer military base ("Ki Sawyer") in the County; and

WHEREAS, the County of Marquette (the "County") and the United States believes there is great need to encourage economic development at Ki Sawyer; and

WHEREAS, the United States Department of Agriculture, Rural Development ("USDA") has entered into an Intermediary Relending Program Loan Agreement (the "Loan Agreement") and a Promissory Note (the "Note") with the State of Michigan (the "State") which Loan Agreement and Note are to be assigned to the County pursuant to a Transfer and Assumption Agreement (the "Transfer Agreement") which has been reviewed and approved by Law, Weathers & Richardson, P.C., of Grand Rapids, Michigan, acting as special counsel and bond counsel to the County.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the County establish and implement the Relending Program pursuant to the Loan agreement, the Note and the Transfer Agreement.

2. That the County enter into the Transfer Agreement with the USDA and implement and finance economic development at Ki Sawyer, in part, pursuant to the Relending Program.

3. That the Chairperson of the Board of Commissioners and the County Clerk are hereby authorized and directed to execute the Transfer and Assumption Agreement in a form as presented to this Board of Commissioners.

4. The Chairperson of the Board of Commissioners, the County Clerk and such other officers of the County as are necessary are hereby authorized and directed to execute such other documents and take such other actions as is necessary to implement the Relending Program.

5. That the repayment of the Indebtedness by the County, for purposes of the Transfer Agreement, the Note and the Loan Agreement shall be only from all funds now or hereafter placed in the County's revolving loan fund account, all present and future contract rights, accounts, general intangibles, chattel paper, notes, mortgages, security agreements, and any other collateral obtained by the County in connection with the intermediatory relending loan program financed with the proceeds of the Note (the "Relending Program"), gross receipts, gifts, pledges, income and revenue now or hereafter in existence, including the proceeds therefrom, attributable to or derived from the Relending Program financed by the proceeds of the Note.

6. That the indebtedness under and pursuant to the Relending Program shall not now or ever be a general obligation of the County.

Adopted this 4th day of November, 1997
Gerald O. Carkin, Chairperson
Marquette County Board of Commissioners

11e) The County Board considered a memo from Harley Andrews, Chief Civil Counsel, regarding Prime Leases for Sawyer Buildings No. 518 and 540. The Prime Lease for Building No. 540 was received from the Air Force in 1997, however, because of a change in plan by the Gwinn School System no agreement has been reached with respect to the Sublease of the Buildings. Also, the Prime Lease for Building 518 was to be Subleased to Glacier State Development for use as a storage area for bulk rock salt supplies. No agreement as to terms has been reached with Glacier. At this time Building 518 is now being used by the County in its Caretaker capacity for storage of road sand. If the Prime Leases are not signed by the County by November 6, 1997 the environmental certifications will expire and they will be returned to the Air Force for updating, which could take another six months. With that possibility in mind Civil Counsel Andrews suggests the County execute the Prime Leases prior to November 6, 1997, even though we do not have potential Sublessees at this time, in order to preserve the County's options with respect to the property.

Building No. 518 is an open, unheated storage building so maintenance concerns are minimal. Also, Building 540 is a classroom building located directly behind the Development Department Office and is "pickled" at this time. The County is required to insure these buildings but the cost of such insurance will be negligible.

It was moved by Comm. Rapport, seconded by Comm. Roberts and unanimously carried by voice vote that the County Board approve of the Prime Lease for Building No. 518 and Building No. 540 at Ki Sawyer with the Air Force Base Conversion Agency.
Chairperson Corkin opened the meeting for public comment. None was forthcoming.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin attended a meeting today and noted that the Mental Health merger is on schedule. A public hearing is to be held on November 18th to approve the new authority "Pathways." Chairperson will be placing information in Commissioners' mailboxes regarding the mental health budget. It appears that a minimum of $800,000 will be saved by the entire organization by the third year. These funds can be used for programs.

Comm. Tuominen noted that an Ad Hoc Committee has been formed by the Commission on Aging which will be updating a plan for Commission on Aging services by January/February, 1998.

Comm. Cihak noted there is a special meeting on Thursday, November 6th, 7:00 P.M., at the Negaunee Township Hall with representatives from Negaunee City, Negaunee Township, and Negaunee Schools regarding the present Airport status. Chairperson Corkin and Ron Koshorek, Resource Management Director, will be present to answer questions.

There being no further business, the meeting was adjourned at 8:00 p.m.

Respectfully Submitted,

[Signature]
David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, November 4, 1997 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 ANNUAL MEETING HELD ON OCT. 14, 1997 AND
   THE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD ON OCT. 21, 1997.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:
   a. James Sodergren, Treasurer, Re: Tilden Mining Co. Permit to Stockpile Strippings.
9. INFORMATIONAL ITEMS:
      County Youth Home from Michigan Department of Consumer and Industry Services.
   c. Notification from Michigan Jobs Commission that Marquette County is Authorized to
      Incur CDBG Costs for the Superior Extrusion Infrastructure Project.
10. ACTION ITEMS:
   a. Bid Award to Dressler Mechanical, Inc. for Sawyer Heat Conversion.
   b. Committee of the Whole Recommendation to Approve the ILS Project at K1 Sawyer.
   c. Committee of the Whole Recommendation to Authorize the Chairperson to Sign the
      Prime Lease for Building 661 with the U.S. Air Force and Grant Up to a 120 Day
      Extension with SEI for Execution of the Sublease.
   d. Committee of the Whole Recommendation to Approve the Upper Peninsula
      Community "Partnership" Organization Plan and Bylaws in Concept with Further
      Discussions to be Arranged with the Lake Superior Jobs Coalition.
   e. Committee of the Whole Recommendation to Approve U.S. Department of Justice,
      Domestic Violence Grant Award to the Marquette County Prosecutor's Office.
   f. Committee of the Whole Recommendation to Support Proposed Amendments to the
      Mine Reclamation Act.
   g. Committee of the Whole Recommendation regarding Appointments to Superior
      Behavioral Health and to Schedule a Public Hearing to Approve the New Authority
      Pathways.
   h. Committee of the Whole Recommendation to Approve Change Order No. 1, Youth
      Home Roof Replacement Project with Seelen Construction.
   i. Committee of the Whole Recommendation to Approve a Full-time Sheriff's Deputy for
      Snowmobile, ORV, Marine, and Rescue Safety Enforcement.
   j. Committee of the Whole Recommendation to Approve a Line Item Transfer Request
      for the 96th District Court.
11. LATE ADDITIONS:
   a. 8145 578 1807
   b. 8145 706/709/716
   c. 61314 612 77

12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
   The Next Committee of the Whole Meeting is Scheduled for Monday, NOVEMBER 10, 1997
14. ADJOURNMENT.
BOARD OF COMMISSIONERS COUNTY OF MARQUETTE NOVEMBER 4, 1997

The Marquette County Board of Commissioners met in Regular Session on Tuesday, November 4, 1997 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. Bergdahl, seconded by Comm. Angeli and unanimously carried by voice vote that the minutes of the October 14, 1997 Annual Meeting and the Regular Board Meeting held on October 21, 1997 be approved.

Chairperson Corkin read the following Proclamation declaring November 9th through November 15th, 1997 at Winter Safety Week in Marquette County:

MARQUETTE COUNTY
"WINTER SAFETY WEEK"

PROCLAMATION

WHEREAS, each year in Marquette county, lives and property are endangered, and residents and visitors suffer extreme hardships due to severe winter storms; and

WHEREAS, severe winter weather can cause death and injury through over exertion from snow removal, traffic accidents, frostbite, hypothermia, and isolation due to heavy snowfall; and

WHEREAS, the probability of residential fires is greatly increased during the winter season due to improper use and installation of alternative heating sources, or poorly maintained chimneys; and

WHEREAS, the citizens of our community need to be aware of the danger of winter hazards and the measures that can be taken to better prepare for such hazards; and

WHEREAS, Marquette County Emergency Management officials, the National Weather Service, local community safety organizations, and the area news media are cooperating to inform the public about winter related hazards and how to prepare for them, and;

WHEREAS, by taking reasonable precautions, the residents of Marquette County can lessen the hardships caused by severe winter conditions, and more fully enjoy the winter months;

THEREFORE, I, GERALD O. CORKIN, hereby declare November 9th through November 15th, 1997 as "WINTER SAFETY WEEK" in Marquette County. All residents are urged to take this opportunity to learn more about winter safety measures, and to better prepare their families for the winter season. Furthermore, residents and travelers are asked to fully cooperate with our local emergency services officials when severe winter weather conditions threaten the community.

Adopted this 4th day of November, 1997
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

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

It was moved by Comm. Seppanen, seconded by Comm. Roberts and unanimously carried by voice vote that the agenda be approved with the following late additions: 11a) Sawyer Building No. 553 Heat Conversion Change Order, 11b) Sawyer Buildings No. 708/709 Heath Conversion, 11c) Sawyer Electrical Substation, 11d) Intermediary Relending Program Resolution, and 11e) Sawyer Building 578/540 Prime Lease/Sublease.