The Committee considered the establishment of Indigent Adult Dental Services. Steve Powers, County Administrator, explained that this may be an opportunity for County government to collaborate with the State and through a partnership, maximize the results from public funds. Administrator Powers further noted that the proposal would reduce the amount of general fund support required for the Dental Clinic. The Dental Clinic’s costs are increasing, grant support is decreasing, and the level of private support is unknown. Julia Hadas, Family Independence Agency Director and Dr. Randall Johnson, Health Department Director, have been discussing how the County and the FIA can best meet the health care needs of those unable to provide for themselves.

Julia Hadas, FIA Director, was present and explained that in her 22 years of experience there has been no providers for adult dental services for Medicaid recipients. They receive approximately 8 to 10 calls for adults per week and periodically adults are transported out of Marquette County for dental services. There are 33 different Medicaid programs that service seniors and children but the big gap is with adults. Part of the FIA mission is to help citizens get jobs and good dental care is needed so that job seekers can make themselves more presentable. Only referrals from FIA for Indigent Adult Dental Services would be allowed with the focus on family prevention.

The FIA Board at its October 15th meeting supported the idea of an adult dental clinic in concept, however the Adult Dental Services would be dependent upon funds from the Resident County Hospitalization Program. The FIA Board wants to continue evaluating this situation and review a legal opinion. The Childrens’ Dental Clinic Advisory Committee met November 6th also to discuss the concept and supports the proposal.

The FIA program that would be reduced is the Resident County Hospitalization Program. The need for hospitalization services for non-medicaid adults is without question but what is questionable is the County’s need and ability to pay. The two hospitals in Marquette County are both tax exempt, nonprofit acute care community hospitals. One condition for tax exempt status is that they provide care to all regardless of their ability to pay. The return on public tax dollars for this proposal is substantial. It would be a win win situation and would help keep the County’s Dental Clinic operating by expanding services.

It was moved by Comm. Rapport, seconded by Comm. Joseph, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board direct Staff to continue to develop the concept of broadening services at the Marquette County Dental Clinic.

The Committee considered a Contract Amendment with JBF Associates, Inc. for the purpose of providing technical assistance for the reuse of the current Marquette County Airport. Steve Powers, County Administrator, recommends approval of the Contract Amendment with JBF Associates in an amount not to exceed $16,500. This amount was negotiated down from the $27,000 previously considered. The proposed Contract Amendment will include four tasks: Prepare solicitation proposal, recommend strategy, assess bids, and recommend project implementation. JBF has made a reasonable request to have clerical assistance, mailing, and copying assistance of up to 7 days provided by the County, consistent with the need for local distribution of information. The Consultant’s proposal to add a fifth task, negotiating with the selected bidder, is not recommended at this time.

Comm. Cihak noted he will vote against the recommendation believing it to be inconsistent in that JBF is working on the reuse of KI Sawyer which would be in direct conflict with the reuse of the Airport in Negaunee Township. He suggested that a different firm be awarded the Reuse Contract for the current County Airport.

Administrator Powers related that he has no concerns regarding any inconsistencies with JBF. He in fact finds it more helpful to have JBF do both contracts. The Reuse Working Group also noted that JBF’s proposal was better.

It was moved by Comm. Roberts, seconded by Comm. Rapport, and carried by voice vote 8 Ayes to 1 Nay (Comm. Cihak), that the Committee of the Whole recommend the County Board approve of the Contract Amendment with JBF Associates in an amount not to exceed $16,500 for the purpose of providing technical assistance for the reuse of the current Marquette County Airport.
BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  NOVEMBER 10, 1997

The Committee considered the reorganization of the Soil Erosion Program (SEP). Steve Powers, County Administrator, distributed a draft of a Proposed Budget for the County SEP from the Marquette County Soil and Water Conservation District (SWCD). Mr. Powers noted that the Proposed Budget is now close enough for him to start working on a contract with the SWCD.

A memo from the Marquette County Planning Commission noted that at their regular meeting of November 5th the Planning Commission voted 5 to 0 to recommend that the County Board designate the SWCD to administer the County SEP. The consensus of the Planning Commission is that the SWCD is the agency most appropriate to administer the SEP, because SWCD has expertise in the field, qualified professional staff, and has a long history of customer service and satisfaction. Erosion control is a primary mission of the SWCD.

Commissioners also considered a communication from the Home Builder's Association that soil erosion control be designated to the SWCD. The Home Builder’s Association also noted that the SWCD has the expertise and resources needed to administer a SEP properly, and would be able to maintain a separate permit process which would prevent further encumbrance from the existing building permit process.

Comm. Tuominen and Comm. Rapport want to be sure that any contract negotiated with the SWCD addresses potential conflicts of interest.

Laurie Dondt, Administrator, SWCD, was present and noted that should there ever be a conflict of interest with someone who is on the SWCD Board, that person would have to abstain. Comm. Bergdahl is now a member of the SWCD Board but another Commissioner would be welcome. The SWCD would gladly provide monthly or quarterly reports and continue to work closely with Administrator Powers.

It was moved by Comm. Bergdahl, seconded by Comm. Cihak, and carried on a roll call vote 7 Ayes to 1 Nay (Comm. Rapport), that the Committee of the Whole recommend the County Board give its approval for the Administrator to negotiate a contract with the Soil and Water Conservation District for the administration of the County Soil Erosion Control Program.

* * * * *

The Committee considered a Mitigation Plan from County Treasurer, James Sodergren regarding the Tilden Mining Company's permit to stockpile rock stripplings in Tilden Lake. The Plan presented by Treasurer Sodergren at last week's County Board Meeting requires that CCI deposit $550,000 in an interest bearing escrow account so that they can commence their authorized activities of stockpiling rock stripplings. The $550,000 would include 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.

Treasurer Sodergren noted that the water and school bond debts were voted on by the electorate, and approximately 5 mills had been levied on each issue. The cost of these projects did not increase the tax on the mining companies because of the Specific Ore Tax Law which was passed in 1978.

The County Board received a memo from the Marquette County Planning Commission noting that at their November 4, 1997 meeting the Commission voted unanimously to support the concept of Treasurer Sodergren’s plan. They believe that Marquette County has an abundance of wetlands and mitigation efforts should be broadened to include projects not directly tied to wetlands.

Dave Kallio presented a letter on behalf of Sands Township noting that mining activities and the creation of tailings basins has significantly altered the Sands Plains Aquifer. Sands Township is requesting that at 100 acre lake with a maximum debt of 35 feet be created from a large depression located in the Sands Plains. Such a lake could be established and naturally sustained and would continue to serve as a recharge area for the Sands Plains Aquifer.
James Sodergren, County Treasurer, pointed out that the chances are already slim that the EPA and the DEQ will accept his proposal rather than creating wetlands in Dickinson County. So he is concerned that further amendments to his proposed list will dilute its impact and cause the EPA and DEQ to not consider any changes. The DEQ has already held the required public hearings, accepted testimony on the matter, and have no intentions of going through that procedure again. Treasurer Sodergren is sympathetic to the Sands Township request but suggested that it be added to the list being prepared by the Planning Commission for future wetlands mitigation in Marquette County. No other communities in Marquette County can compare to the environmental impact caused by 150 years of mining on the City of Negaunee, City of Ishpeming, Tilden Township, and Richmond Township.

It was moved by Comm. Roberts, seconded by Comm. Cihak, and carried by voice vote 8 Ayes to 1 Nay (Comm. Tuominen), that the Committee of the Whole recommend the County Board approve of the Mitigation Plan proposed by County Treasurer James Sodergren and direct the Planning Commission to add the Sands Township request to the list of future mitigation projects.

* * * * *

The Committee considered a Resolution of Support for the Marquette County Road Commission submittal for Category A, Michigan TDEF Application materials for funding of the related transportation matters involved with the base conversion, and also supporting the use of Act 51 funds to defray the cost of constructing, operating, and maintaining roads under County jurisdiction. Comm. Tuominen questioned wording in Paragraph 4, the fourth "Whereas" the use of the $12 million figure and suggested that that be eliminated. He also suggested that "coordination with the railway system" be added in the 10th paragraph, the second "Be It Resolved."

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 adopt the Resolution of Support for the Marquette County Road Commission submittal for Category A, Michigan TDEF Funding with the suggested changes.

* * * * *

The Committee considered the 1997 Annual OEDP Report. A memo from David C. Gillis, Executive Director, CUPPAD Regional Commission noted that the US Economic Development Administration (EDA) requires certain documentation to maintain the eligibility of the six central UP Counties to receive EDA funds. Each year CUPPAD has received concurrence of the Annual Report from the County Boards and submitted it to the EDA to satisfy the planning requirements.

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 adopt the Resolution of Approval and Concurrence of the 1997 Annual OEDP Report.

* * * * *

The Committee considered a memo from Cyndi Beaudry, Risk Manager, regarding Community Service Workers (CSW). Liability for Community Service Workers has been an issue raised over the years because of a catastrophic injury sustained by a CSW and Champion Township was found liable for injuries. As a result, communities such as Champion Township were advised by their insurance carriers not to participate in such programs. David Payant, previous Civil Counsel, prepared PAO 89-29 addressing the issue which notes that third parties utilizing Community Service Workers have to provide worker’s compensation if their program is federally funded. If it is not, they have common law liability for injuries sustained by community service workers. Meanwhile, the County is immune from this liability, and cannot assist Townships given the current statutes governing the issue.

This frustrates Berle LaPin, Champion Township Supervisor, and he continues to bring forth an issue in order to gain County Board support for in initiating modifications to the existing law. Ms. Beaudry recommends that a new opinion by Harley Andrews may prove useful and take into account any new legislation affecting this issue.

It was moved by Comm. Corkin, seconded by Comm. Bergdahl and unanimously carried by voice vote to place the communication on file and to request that Civil Counsel Harley Andrews do an updated Prosecuting Attorney Opinion regarding the issue.
The Committee considered and update from Steve Powers, County Administrator, regarding the Economic Development Umbrella “Partnership.” Mr. Powers reported that Chairperson Corkin, EDC President Bergdahl, and Civil Counsel Andrews attended a meeting to discuss the Umbrella Partnership and review organizing plans and bylaws with Mike Skytta and John Marshall. Others who attended were Ellwood Mattson, Rev. Louis Cappo, Comm. Arsenault, Jay Scherbenske, Lawrence Mosca, and Ron Adams. As per Administrator Powers’ October 28th recommendation, a contract for services will be the mechanism that allows the County Board to provide funding if the Board makes a policy decision to fund community development and to fund the Lake Superior Community “Partnership.”

The Lake Superior Jobs Coalition met Thursday, November 6th and Commissioners Rapport, Tuominen, and Joseph were in attendance at that meeting. The bylaws will be finalized by November 14th. Another meeting with the Townships and Cities is planned. The “Partnership” plans on starting in January.

A contract for County Board consideration will be prepared for the November 25th or the December 9th Committee of the Whole meeting.

Administrator Powers noted that the meetings so far have decided nothing. There is a figure in the County Board Budget of $83,250 for economic development services, however, the final figure could be more or could be less. What the EDC decides is between them and the “Partnership.” The Lake Superior Jobs Coalition does not have to post its meeting because it is a private corporation but does not exclude anyone interested in attending.

Commissioners engaged in a discussion regarding financial accountability, the Open Meetings Act, and membership of the “Partnership.”

It was moved by Comm. Arsenault, seconded by Comm. Joseph and unanimously carried by voice vote to place the report on the Umbrella “Partnership” on file.

* * * * *

The Committee considered a contract with Great Lakes Recovery for residential substance abuse treatment services. Steve Powers, County Administrator, explained that the contract is funded by the County’s Community Corrections Grant. The State will fund up to $55,480 for substance abuse services (housing and counseling) to felony offenders for up to 90 days. The contract is consistent with the Community Corrections Advisory Board’s 1998 Plan. The agreement has been reviewed by Civil Counsel and Risk Management.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the Community Corrections Advisory Board Contract with Great Lakes Recovery for substance abuse treatment services.

* * * * *

The Committee considered a communication from Dr. Randall Johnson, Health Department Director, regarding a shortfall in State Cost-Sharing for local public health services for fiscal year 1996/97. Dr. Johnson explained that earlier this year the Michigan Association for Local Public Health (MALPH) was informed that the cost sharing allocation was likely to be overspent by about $2.9 million for the current fiscal year. During that time the Legislature was debating the 1997/98 fiscal year budgets as well as supplemental appropriations for the 1996/97 fiscal year. MALPH was preparing background materials to request an additional $2.9 million be included in the supplemental appropriation when the leadership of the Michigan Department of Community Health (MDCH) gave assurance they could cover the shortfall within their budget through a simple transfer.

Dr. Johnson just learned two days ago that the promised transfer of $2.9 million into the cost-sharing line item would not occur and this amount would have to be deducted from funding for core services. This means that the Statewide allocation for core services would be reduced by approximately 80%, which means a $60,000 plus cut for the Marquette County Health Department. The Marquette County Health Department has already provided the required core services and will suffer severe economic hardship if the MDCH current approach is implemented. Dr. Johnson requested Commissioners to do what they can to assure that local Health Departments are not harmed by the misrepresentations of the Michigan Department of Community Health by contacting their State Legislators as soon as possible, either by phone or fax.
BOARD OF COMMISSIONERS      COUNTY OF MARQUETTE      NOVEMBER 10, 1997

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 do what it can to assure that local Health Departments are not harmed due to the misrepresentations of the Michigan Department of Community Health by contacting our State Legislators regarding the $2.9 million cost-sharing shortfall that was promised not to occur.

* * * * * * *

The Committee considered a contract with JJ Protective Services for resource protection at KI Sawyer, contract amount not to exceed $150,319. Steve Powers, County Administrator, explained that this contract is part of the KI Sawyer Caretaker Budget, however, the contract can be terminated by either party on 60 day notice. The Air Force Base Conversion Authority has approved the contract. JJ Protective Services will patrol nonleased property at the Base 24 hours a day, 365 days per year for the purpose of detecting, deterring, and reporting incidence of trespass, vandalism, and/or any other criminal activity.

Administrator Powers recommends that the County Board approve the contract with JJ Protective Services at this time. The Sheriff recommends that law enforcement services be provided by the Sheriff’s Department and his proposal has been distributed to Commissioners. Should the County Board decide that law enforcement services at Sawyer be provided by the Sheriff’s Department, the 60 day termination notice will enable that to occur.

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 the contract with JJ Protective Services in an amount not to exceed $150,319 for resource protection at KI Sawyer.

* * * * * * *

The Committee considered the contract with the American National Management Association for fire protection services at KI Sawyer. Steve Powers, County Administrator, recommends that the County approve the contract with American National Management Corporation for up to $696,975. The Air Force Base Conversion Agency will be funding the contract under Caretaker. This is the same Contractor that provided fire protection services for the Michigan Jobs Commission. The contract provides limited, defensive structural fire protection services to all facilities, however, priority is given to protection of nonlease federal property. The Company is required to respond to life threatening situations within six minutes. AFBCA has approved the contract which runs from October 1, 1997 through September 30, 1998.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the contract with the American National Management Association for fire protection services at KI Sawyer.

* * * * * * *

Chairperson Corkin opened the meeting for public comment.

Dave Kallio, Sands Township, spoke in opposition to the EDC Umbrella "Partnership" proposal. He noted how the Lake Superior Jobs Coalition, in concert with the Mining Journal and TV-6, put tremendous pressure on the County Board of Commissioners about saving AMR Eagle by moving it to KI Sawyer. During the process the Mining Journal got personal with Commissioners, the negotiations were not public, and many think Marquette County got a bad deal.

After the AMR Eagle move was in place the County Board was painted into a corner on the vote to relocate the Airport to KI Sawyer. These decisions might still have been made and Mr. Kallio believes Sawyer is probably the best place for the County Airport, but he is concerned about the future process of influence. A contract for this Lake Superior Community "Partnership" would give legitimacy to the Lake Superior Jobs Coalition. The expenditure of public funds means that the general public must be involved. Government is democratic and must follow proper processes and by nature is not as efficient as a private corporation, but the public needs protections in place.
Steve Powers, County Administrator, distributed an update on the second Economic Development Administration (EDA 2) Grant and Airport Relocation. EDA funding is needed for continued conversion of the military airfield and facilities at KI Sawyer to civilian use, platting and surveying at the former base, marketing, and infrastructure improvements at current Marquette County Airport. Until Marquette County receives an EDA Grant, the construction of the passenger terminal at KI Sawyer is on hold. The most optimistic schedule for completion of the passenger terminal is now March of 1999 and it could be as late as August of 1999.

Comm. Cihak requested that a letter from Civil Counsel regarding the appointment of Comm. Roberts as a temporary member of the Airport Commission be placed on a future meeting agenda.

There being no further business, the meeting was adjourned at 7:30 P.M.

Respectfully Submitted,

[Signature]

David J. Roberts
Marquette County Clerk
1. ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Indigent Adult Dental Services.
7. Contract with JBF for Current Marquette County Airport Reuse Planning.
8. Reorganization of Soil Erosion Control Program.
9. Mitigation Plan regarding Tilden Mining Company Permit to Stockpile Rock Strippings.
12. Community Service Workers Liability.
13. Update on Umbrella EDC "Partnership."
14. (Confidential)
15. Contract with American Wd/ Wastewater Corp for Solid Waste Treatment
16. S.J. Protective Service Inc. - Sewage $150,310
17. (Confidential)
18. PUBLIC COMMENT.
19. ANNOUNCEMENTS.
20. ADJOURNMENT.
The Marquette County Board of Commissioners met as a Committee of the Whole on Monday, November 10, 1997, at 6:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Bergdahl, seconded by Comm. Arsenault, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on October 28, 1997 be approved.

Chairperson Corkin opened the meeting for public comment. Laurie Dhondt, Administrator, Soil and Water Conservation District, Mike LaPointe, SWCD, and Gary Dahlke, 304 Jonathan Carver Road, Marquette, requested to speak during consideration of Item 8, Reorganization of Soil Erosion Control.

James Sodergren, County Treasurer, added comments to those he made last week regarding the Tilden Mining Company Permit to stockpile rock strippings in the Tilden Lake and the Mitigation Plan. His proposed list is already late in that the time frame for final approval by the EPA and the DEQ only goes to December 29th. The DEQ permit process has held the required public hearing and accepted public comment. Prior to Mr. Sodergren's mitigation list Tilden Township was satisfied with the Mitigation Plan. Further comments from municipalities may cause the EPA and the DEQ to frown upon Marquette County's request for reconsideration. He urged the County Board to support his Mitigation Plan.

Dave Kallio, Sands Township, expressed concerns regarding the Sands Plains Aquifer. Sands Township spent funds during the landfill investigation on hydrological studies. Mining activities are impacting the recharge area to the Sands Plains Aquifer. The most recent maps provided by CCI show the groundwater divide has changed and six square miles has shifted to the Escanaba River Watershed which runs into Lake Michigan. Six square miles of land means about 3.3 billion gallons of water, which is equivalent to three quarters of the flow for Cherry Creek. Sands Township would like the Tilden Mine Mitigation Plan to create a 100 acre lake from a large depression located in the Sands Plains which would serve as a recharge area for the Sands Plains Aquifer. Such a lake could be easily established and naturally sustained.

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

It was moved by Comm. Tuominen, seconded by Comm. Arsenault and unanimously carried by voice vote that the agenda be approved with the following late additions: Item 14) Contract with Great Lakes Recovery for Residential Substance Abuse Treatment Services, Item 15) Letter from Dr. Randall Johnson, Health Department Director, to Rep. Prusi regarding Cost Sharing Shortfall for Local Health Departments, Item 16) Agreement with JJ Protective Services at Sawyer for Resource Protection, Item 17) Contract with American National Management Association for Fire Protection Services at KI Sawyer.

It was moved by Comm. Arsenault, seconded by Comm. Roberts and unanimously carried by voice vote that Claims and Accounts for the period October 24, 1997, through November 6, 1997 in the amount of $814,260.40 be approved.