The Marquette County Board of Commissioners met in Regular Session on Tuesday, April 21, 1998 at 7:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan 49855.

Chairperson Corkin called the meeting to order. Present: Comm. Angeli, Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Joseph, Comm. Rapport, Comm. Roberts, Comm. Seppanen, Comm. Tuominen, and Comm. Corkin. Absent: None.

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

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote that the minutes of the Board of Commissioners Special Meeting held on March 31, 1998, and the Board of Commissioners Regular meeting held on April 7, 1998 be approved.

PROCLAMATIONS, PRESENTATIONS AND AWARDS

Chairperson Corkin read the following Resolution honoring the 1997-1998 Ishpeming High School Boys Basketball Team.

RESOLUTION HONORING THE 1997-1998
ISHPEMING HIGH SCHOOL BOYS BASKETBALL TEAM

WHEREAS, the Ishpeming High School Boys Basketball Team has had a strong winning tradition in the last decade including 4 Conference Titles, 9 District Titles, 6 Regional Titles, State Runner-up in 1989, 1990, 1992, and State Champion Class C in 1995; and

WHEREAS, the 1997-1998 Ishpeming High School Boys Basketball Team finished the season with an overall record of 19 wins and 7 loses, including another District Title, Regional Title, Quarterfinal Win, before ending its season at the State Semifinals at Michigan State University, THEREFORE,

BE IT RESOLVED, that the Marquette County Board of Commissioners congratulates the Ishpeming High School Boys Basketball Team, Coach Gerald Racine, Assistant Coaches, Cheerleaders, and Team Staff for its winning season, and

BE IT FURTHER RESOLVED, that the Marquette County Board of Commissioners acknowledges the dedication and winning spirit instilled by Coach Gerald Racine, and teamwork demonstrated by the players, which will assure continued success well into the future.

Proclaimed this 21st day of April, 1998
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. Tuominen, and unanimously carried by voice vote that the agenda be approved with the following changes: Delete Action Item 10e) Committee of the Whole recommendation to approve a contract with K&K Kleaning for Custodial Services at the K.I.Sawyer Development Department Building; and add Late Addition 11a) Vet Clinic Lease Renewal Bldg. 816, and 11b) Navy Reserve Lease Bldg. 504.

PRIVILEGED COMMENT

John Fallon, JBF Associates, gave a slide presentation regarding Draft Studies for K.I.Sawyer. A Final Review of the Business Plan & Related Studies was distributed. Mr. Fallon highlighted various parts of the Four-Part Study; Utilities, Transportation, Business Plan and Marketing Plan. Commissioners accepted the plan for review and engaged in a lengthy discussion regarding the plan and asked questions of staff and Mr. Fallon. JBF Associates recommends the County Board take the following seven steps:

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1. Decide on PBT/EDC boundary.
2. Apply for PBT.
3. Decide on new utility charges and implement.
4. Decide on sale of utilities and implement.
5. Decide on new lease & sale prices and implement.
6. Decide on marketing objectives and implement.
7. Adopt the four studies, modified as necessary, at the next County Board of Commissioners meeting.

It was moved by Comm. Arsenault, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board direct Staff and Consultants to develop a final plan which will ensure self sufficiency of K.I.Sawyer and also work toward maximum job creation with time tables and information to help in making final decisions. The final plan to be presented to the K.I.S. Economic Development Committee at a Special Meeting on May 18, 1998.

Commissioners thanked Mr. Fallon for his presentation.

(A complete copy of the Review is available for public inspection at the County Clerk's Office.)

INFORMATIONAL ITEMS

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

a. Congratulations from Congressman Bart Stupak to Comm. Corkin on being re-elected Chairperson of the Marquette County Board.
b. Acknowledgement from State Senator Don Koivisto of Letter regarding Heat Conversion Project at K.I.Sawyer.
c. Acknowledgement from Rep. Paul Tesanovich regarding continued funding for K.I.Sawyer.
d. Acknowledgement from Rep. David Anthony regarding continued funding for K.I.Sawyer.
e. Letter to Paul Hemmila, Site Manager, AFBCA/DD, from Administrator Powers regarding Extension of the K.I.Sawyer Caretaker Agreement.
f. Newspaper clipping, Sunday, April 12, 1998, regarding Old Airport in Troy, MI becoming a Business Park.
g. Monitoring report from Kathryn Koryba, MISHDA, of Marquette County's 1996 LAUNCH CDBG Housing Rehabilitation Program.
h. Letter from Edward Sloan, Executive Director, EUPSAS, regarding Liquor Tax Funds for Substance Abuse Services.
i. Road Commission Report for the Month of February, 1998.
j. Letter from James Kippola, Manager of Recreation, to Pam Clark, Director, Big Bay Relay, regarding use of Perkins Park on May 16th.
k. Letter from Chocolay Charter Township in Opposition to a County-Wide Ban on Smoking in Public Places.
l. Letter from Paul Arsenault, Chair, Six County Employment Alliance, urging Marquette County's Assistance in keeping the Ojibwa Casino Open.

ACTION ITEMS

It was moved by Comm. Joseph, seconded by Comm. Arsenault, and unanimously carried by voice vote that Action Items 10d), 10f), 10g), and 10h) be approved as follows:

10d) Committee of the Whole recommendation to approve a grant agreement between the Michigan Jobs Commission and the County of Marquette for funds to support economic development efforts to convert K.I.Sawyer from military to civilian use.

10f) Committee of the Whole recommendation to award the design phase of the Annex and Barrier Free Connecting Element Roof Replacement Project to U.P. Engineers and Architects, Inc. at a bid price not to exceed $6,125.

10g) Committee of the Whole recommendation to approve an amended Community Corrections Substance Abuse Contract with Great Lakes Recovery Centers.

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10h) Committee of the Whole recommendation to send letters to our State Legislators indicating support of the Clean Michigan Initiative to protect and improve our water quality.

ACTION ITEMS CONTINUED

Comm. Seppanen requested Action Item 10i) be considered before 10a), 10b) and 10c) due to public presence. Commissioners concurred.

10i) The County Board took under consideration Marquette County Resolution Supporting Marquette Ojibwa Casino. Comm. Seppanen read a revised resolution and recommended support. He commended the County Board for waiting until after the public hearing. It gave the Tribe and the Township time to discuss their negotiation process. There is hope that the negotiations will lead to a relocation of the casino into a more appropriate location.

Ivan Fende, Chocolay Township Supervisor, was present and explained that he has no objection with the County Board supporting the resolution with the changes recommended by Comm. Seppanen. He further explained that he agrees that we want to have a casino in Marquette County and to continue the work with the current operators and find a place to locate the casino where it will meet the likes of everyone.

Lois Sherbinow and Nancy Rife, Chocolay Township Residents, spoke in opposition to the resolution.

Comm. Cihak had two concerns. First, that it was his understanding that the Chocolay Township Board would make a decision based upon the public hearing before the County Board took any action, and second that the issue is still pending in the courts.

It was moved by Comm. Seppanen, seconded by Comm. Roberts, and carried on a roll call vote 9 ayes to 1 nay (Comm. Cihak) that the County Board approve the Marquette County Resolution Supporting Marquette Ojibwa Casino with Comm. Seppanen's revisions.

MARQUETTE COUNTY RESOLUTION
SUPPORTING MARQUETTE OJIBWA CASINO

WHEREAS, the Marquette Ojibwa Casino has provided a positive stimulus to the Marquette County economy by providing jobs, by purchasing goods and services from local businesses and by increasing local tourist traffic; and,

WHEREAS, many residents in Marquette County have utilized the Marquette Ojibwa Casino for their entertainment purposes over the past 4 years; and,

WHEREAS, many jobs will be lost if the Marquette Ojibwa Casino were to close; and,

WHEREAS, this dislocation of employees and their families will have a significant impact on the student bodies of local school districts causing a hardship on the students and a major loss in State school aid to the local communities, and

WHEREAS, Marquette County would lose a strong tourist destination were the Marquette Ojibwa Casino to close; and,

WHEREAS, the Keweenaw Bay Indian Community has operated the Marquette Ojibwa Casino in a responsible and positive manner; and

WHEREAS, the Keweenaw Bay Indian Community has expressed a willingness to continue working with the local community in developing a long range plan for the Marquette Ojibwa Casino operation. Now, therefore, be it

RESOLVED, that the Marquette County Board of Commissioners supports the ongoing operation of the Marquette County Ojibwa Casino in Marquette County, and respectfully requests that Governor Engler, the State of Michigan, and the federal government take all steps necessary to keep the Marquette County Ojibwa Casino operating.

RESOLVED, that the Marquette County Board of Commissioners supports the continued efforts of the Keweenaw Bay Indian Community to work with the local community in developing a long range plan for the casino.

Adopted this 21st day of April, 1998
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

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10a) The County Board considered a Committee of the Whole recommendation regarding the draft request for proposals to purchase the Marquette County Airport site plus improvements. James Kippola, Manager of Planning, has prepared a summary of the following issues raised by the Committee of the Whole and the Negaunee Township Board during consideration of the RFP:

County Board Committee of the Whole

Issue 1: Modify selection criteria by combining 4 and 5 (10% each) as a single percent criterion. Raise criterion 3 (jobs) from 20% to 25%.

Issue 2: Provide further clarity regarding the status of environmental contamination at the site.

Issue 3: Negaunee Township has requested the RFP schedule be adjusted to accommodate their comprehensive plan and zoning ordinance revisions which are currently under way with CUPPAD.

Issue 4: Provide additional clarity as to the nature and status (options?) of leases which extend beyond the date of property transfer.

Issue 5: Advance the timing for the bonding requirement or other performance guarantee to occur before selection.

Issue 6: Provide further explanation of the status of CCI lands.

Issue 7: Consider softening the July 1999 occupancy date as a contingency plan.

Issue 8: When referring to proposals which might include airports leave out the modifier private.

Issue 9: Consider removing the term regional when referring to the Airport on page 4.

Issue 10: The discussion of job loss on page 4 is misleading.

NEGAUNEE TOWNSHIP BOARD

Issue 1: Provide a more accurate community description in the introduction.

Issue 2: Consider Negaunee Township's schedule for ongoing plan/zoning ordinance updates when developing the RFP schedule.

Issue 3: Strengthen the discussion of environmental clean-up especially as relates to the AMR contamination.

Issue 4: Review ownership/lease status of hangers on pages 5 and 6.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote that the County Board approve the draft Request for Proposals for the sale of the current Marquette County Airport and request JBF Associates to consider the changes presented by the Committee of the Whole and the Negaunee Township Board.

10b) The County Board considered a communication from Rosemary Wellington, KISDD, regarding retroactive approval of the Architectural/Engineering Contract with Superior Extrusions, Inc./Sundberg, Carlson Associates. Harley Andrews, Civil Counsel, explained that at the Committee of the Whole meeting on April 14, 1998, a request was made that the County retroactively assume the interest and the obligations of Superior Extrusion, Inc. in a contract which SEI had entered into with Sundberg, Carlson and Associates, Inc. Pursuant to that contract SCA was to provide architecture and engineering services to SEI. Those services relate to modifications to Bldg. 740 which SEI will be subleasing from the County to establish its manufacturing operations. The necessity for the County to assume that contract arises from changes in the CDBG resulting from the moving of this project from Bldg. 661 to Bldg. 740.

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Mr. Harley and Mr. Powers have reviewed the competitive process by which SEI awarded the contract to Sundberg, Carlson and Associates, Inc. and have found it to be consistent with the process the County would have followed if the County had entered into this contract in the first instance. The have also reviewed the Professional Services Agreement which was entered into between SEI and SCA, along with its related documentation. While the Agreement contains certain provisions to which they would have objected if they were reviewing it in the first instance, they do not feel that such provisions should preclude the County from assuming this Agreement in the present circumstances.

Pursuant to the Agreement, SCA will provide Architectural and Engineering services for the sum of $50,450 and will provide construction engineering services for the sum of $15,930. The total amounts to $65,970, plus reimbursables estimated to be in the amount of from $500 to $1,000.

Mr. Andrews has drafted an Assignment of Professional Services Agreement assigning the interest of SEI to the County. It has been reviewed and approved by SEI. It has also been submitted to SCA, but has not heard back from them. Mr. Andrews recommends the County not accept the assignment of this contract unless and until it has in hand the $75,000 local match that Superior Extrusion has committed to pay so that the County will have that money to pay this contract when the time comes to pay it.

It was moved by Comm. Roberts, seconded by Comm. Rapport and carried 9 to 1 with Comm. Arsenault abstaining, that the County Board approve the Assignment of Professional Services Agreement with Superior Extrusions, Inc./Sundberg, Carlson Associates contingent upon Mr. Andrews recommendation to have the $75,000 local match that Superior Extrusion has committed to pay in hand before the County accepts the assignment of this contract.

10c) The County Board considered a Committee of the Whole recommendation authorizing the execution of the Sawyer Airport Construction Contract bids to Lindberg & Sons of Ishpeming.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and carried 9 ayes to 1 nay (Comm. Cihak) that the County Board authorize the execution of the Sawyer Airport Construction Contract bids to Lindberg & Sons of Ishpeming for the construction of the access road and connection to utilities for the Passenger Terminal at $410,883.85 and repainting the Airfield markings for $22,761.93.

LATE ADDITIONS

11a) The County Board considered the Veterinary Clinic Lease Renewal Bldg. 816. Comm. Arsenault explained that the original sublease for the Gwinn-Sawyer Veterinary Clinic expired in March 1996. Although the sublease terms are not consistent with the JBF recommendations, the KISDD Staff recommends approval of these terms.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote that the County Board approve the Veterinary Clinic Sublease Bldg. 816.

11b) The County Board considered the Navy Reserve Lease Bldg. 504. Comm. Arsenault explained that the KISDD proposed that Bldg. 504 be used as a training center for Naval Reservists. The rent per square foot meets our requirements of $2.00 per square foot for the first year with a $.50 per year escalator for the next three years. There will be several jobs involved. Comm. Arsenault further explained that approximately 100 Reservists one weekend per month will be in attendance and they will be staying overnight using the facilities. This project offers significant benefits to the community and to the many U.P. residents who are military retirees and dependents.

The Naval Reserve Center is currently located in Calumet. The space they lease is too costly and they believe a more central location in the Upper Peninsula will help them attract and retain Naval Reservists. They surveyed the reservist population and 95% supported the move to K.I.Sawyer. No personnel will be displaced by this move.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote that the County Board approve a lease for Bldg. 504 as a Naval Reserve Center.

Chairperson Corkin opened the meeting for public comment. Rich Rossway thanked the County Board for their support of the Marquette County Ojibwa Casino, Comm. Seppanen for his efforts, and wanted to vouch for the integrity of the Tribe. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

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It was moved by Comm. Seppanen, seconded by Comm. Tuominen and unanimously carried on a roll call vote 10 ayes (Comm. Seppanen, Angeli, Arsenault, Bergdahl, Cihak, Joseph, Rapport, Roberts, Tuominen and Corkin) to 0 nays that the County Board go into closed session to discuss pending litigation - Northern Michigan Aviation vs. Marquette County, et al.

Chairperson Corkin declared a two minute recess to clear Commission Chambers.

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CLOSED SESSION

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The County Board came back into open session at 9:40 p.m. There was no action as a result of the closed session.

There being no further business to come before the County Board the meeting was adjourned at 9:44 p.m.

Respectfully submitted,

Connie M. Branam

Connie M. Branam
Deputy County Clerk

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MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, April 21, 1998 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 SPECIAL MEETING HELD ON MARCH 31, 1998, AND THE COUNTY BOARD OF COMMISSIONERS REGULAR MEETING HELD ON APRIL 7, 1998..
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
   a. Resolution Honoring the 1997-1998 Ishpeming High School Boys Basketball Team.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:
   a. Presentation by John Fallon, JBF Associates, of Draft Studies for KI Sawyer. 7:08 / 7:55
9. INFORMATIONAL ITEMS:
   a. Congratulations from Congressman Bart Stupak to Comm. Corkin on Being Reelected Chairperson of the Marquette County Board.
   b. Acknowledgement from State Senator Don Koivisto of Letter Regarding Heat Conversion Project at KI Sawyer.
   c. Acknowledgement from Rep. Paul Tesanovich regarding Continued Funding for KI Sawyer.
   d. Acknowledgement from Rep. David Anthony regarding Continued Funding for KI Sawyer.
   e. Letter to Paul Hemmila, Site Manager, AFBCA/DD, from Administrator Powers regarding Extension of the KI Sawyer Caretaker Agreement.
   f. Newspaper Clipping, Sunday, April 12, 1998, regarding Old Airport in Troy, MI becoming Business Park.
   g. Monitoring Report from Kathryn Koryba, MISHDA, of Marquette County's 1996 LAUNCH CDBG Housing Rehabilitation Program.
   h. Letter from Edward Sloan, Executive Director, EUPSAS, regarding Liquor Tax Funds for Substance Abuse Services.
   i. Road Commission Report for the Month of February, 1998.
   j. Letter from James Kippola, Manager of Recreation, to Pam Clark, Director, Big Bay Relay, regarding Use of Perkins Park on May 16th.
   k. Letter from Chocolay Charter Township in Opposition to a County-Wide Ban on Smoking in Public Places.
   l. Letter from Paul Arsenault, Chair, Six County Employment Alliance, urging Marquette County's Assistance in Keeping the Ojibwa Casino Open.
10. ACTION ITEMS:
   a. Committee of the Whole Recommendation to Approve the Draft Request for Proposals to Purchase the Marquette County Airport with Suggested Changes.
   b. Communication from Rosemary Wellington, KISDD, regarding Retroactive Approval of the Architectural/Engineering Contract with Superior Extrusions, Inc./Sundberg, Carlson, Associates.
   c. Committee of the Whole Recommendation to Award Sawyer Airport Construction Contract Bids to Lindberg & Sons for Access Road and Repainting Airfield Markings.
   d. Committee of the Whole Recommendation to Approve Grant Agreement Between the Michigan Jobs Commission and the County of Marquette for Funds to Support Efforts to Convert KI Sawyer from Military to Civilian Use.
   delete e. Committee of the Whole Recommendation to Approve a Contract with K&K Kleaning for Custodial Services at the KI Sawyer Development Department Building.
   f. Committee of the Whole Recommendation to Award the Design Phase of the Annex Roof Replacement Project to UP Engineering and Architects, Inc.
   g. Committee of the Whole Recommendation to Approve an Amended Community Corrections Substance Abuse Contract with Great Lakes Recovery Centers.
   h. Committee of the Whole Recommendation to Send Letters to Our State Legislators in Support of the Clean Michigan Initiative.
   i. Marquette County Resolution Supporting Marquette Ojibwa Casino.
11. LATE ADDITIONS:
   x. Vet Clinic Lease Renewal Bldg. 814
   y. NAVY Reserve Lease - Bldg. 504
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. CLOSED SESSION: To Discuss Pending Litigation RE: Northern Michigan Aviation vs. Marquette County, et al.
15. ADJOURNMENT.

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