September 23, 1981

The Marquette County Board of Commissioners met on September 23, 1981 at 7:00 p.m. in the Commissioners Room of the Courthouse Annex to reconvene the meeting of Sept.16, 1981.

Chairperson Farrell called the meeting to order and the Deputy County Clerk recorded the following Board members in attendance: Comm. Carlson, Juidici, LaMere, LaPin, Leone, Lowe, Steele, Villeneuve and Farrell.

Absent: Comm. Cheatham, May and Racine.

Chairperson Farrell opened the meeting for public comment, none was forthcoming and Chairperson Farrell declared the public comment section closed.

The agenda was approved with the addition of 13a, a Mailgram from Executive Director of the National Association of Counties and a letter to Pres. Reagan regarding his announcement of new round of cuts.

An opinion from Patricia Micklow, Chief Civil Counsel regarding the "Establishing of Special Assessment District for Maintenance of Previously Determined Lake Level of Lake Independence,"and a recommendation from the Finance Committee, was discussed. Because of the length of the opinion, Duane Beard, Controller gave a brief summary of what is concluded in the opinion. That being, in this case competitive bidding is not required for the selection of a contractor. The County Board has the discretion to establish a special assessment district to finance repairs on the dam at Lake Independence, even though a lake level determination was made previously, provided the procedural safeguards granted to the original property owners are assured the current property owners surrounding Lake Independence.

Mr. Darryll Sundberg, Drain Commissioner was present and commented. After further discussion by commissioners, it was moved by Comm. Juidici, supported by Comm. Leone to concur with the Finance Committee's recommendation with the addition of "To direct the Chief Civil Counsel to take whatever action necessary in Circuit Court." Comm. LaPin asked for a separation of the motion, as he felt there should be competitive bidding. After discussion a roll call vote was taken on the following and it carried unanimously.

1. To instruct the Drain Commissioner to establish a special assessment district to finance the entire cost of the project of repairs to the Lake Independence Dam.
2. Direct the Chief Civil Counsel to take whatever action necessary in Circuit Court.
3. That the Board loan the Drain Commissioner $8,000.00 to finance construction costs, to be repaid by the special assessment district.

A roll call vote was then taken on the following and it carried. Comm. Carlson, LaPin and Villeneuve voted Nay.

1. P & M Contractors of Ishpeming be selected on a time and material basis to perform initial excavation work and work needed to construct the wing wall and necessary repairs.

A memo from Chief Civil Counsel, Patricia Micklow regarding the Bruce Pesola Inc. EDC Project, was read. After examining the documents Ms. Micklow states she finds no legal impediment to the execution by the Board of Commissioners. Thomas Clark, Attorney for Pesola, was present and described the area involved and answered questions by the commissioners. After discussion it was moved by Comm. Lowe, supported by Comm. LaPin and unanimously carried on a roll call vote to approve the project area for the Bruce Pesola, Inc. Project and the following resolution.
BOARD OF COMMISSIONERS
Marquette County, Michigan
Resolution No. _____

RESOLUTION APPROVING PROJECT AREA, PROJECT DISTRICT AREA AND
CONSIDERING THE FORMATION OF A PROJECT CITIZEN'S DISTRICT COUNCIL
(Bruce Pesola, Inc. Project)

At a meeting of the Board of Commissioners of the County of
Marquette, Michigan held at the County Building in said County on
the 23rd day of September, 1981, at 7:00 o'clock, P.M. local

time.

PRESENT: Members Comm. Carlson, Juidici, LaMere, LaPin, Leone,
Lowe, Steele, Villeneuve and Farrell

ABSENT: Members Comm. Cheatham, May and Racine.

The following preamble and resolution were offered by

Member Comm. Lowe and supported by Member Comm. LaPin:

WHEREAS, pursuant to Act 338, Public Acts of Michigan, 1974, as amended (the "Act"), The Economic Development Corporation
of the County of Marquette (the "Issuer") designated a Project
Area and made recommendations regarding the determination of a
Project District Area and the formation of a Project Citizens
District Council and forwarded said designation and recommenda-
tions to this Board of Commissioners; and

WHEREAS, the territory surrounding the designated Project
Area will not be significantly affected by the Project; and

WHEREAS, the Act does not require the formation of a
Project Citizens District Council.

NOW, THEREFORE, IT IS HEREBY RESOLVED:

1. That the Project Area as designated by the Issuer
is hereby approved as described on Exhibit A, attached hereto.

2. That a Project District Area is hereby established,
the boundaries of which are coterminous with the boundaries of the
Project Area, as described on Exhibit A attached hereto.

3. That a Project Citizens District Council shall not
be formed.

YEAS: Members Comm. Carlson, Juidici, LaMere, LaPin, Leone,
Lowe, Steele, Villeneuve and Farrell.

NAYS: Members None

Members Comm. Cheatham, May and Racine.

RESOLUTION DECLARED ADOPTED.
Duane Beard reported on the delay on bids for the space modifications for the accounting division.

A mailgram from Barry McGuire, Executive Director of the Michigan Association of Counties to Chairperson Farrell regarding the urgency of contacting our political leaders in regard to President Reagan's announcement of his round of cuts, as it pertains to Revenue Sharing funds, and a letter from Chairperson Farrell to President Reagan expressing the boards concern and strongly urging that Federal Revenue Sharing be continued to enable decision making concerning local needs to be made at the local level, were read and placed on file.

Chairperson Farrell opened the meeting for public comment, none was forthcoming and the public comment section was closed.

It was moved by Comm. Juidici, supported by Comm. Carlson and carried to take from the table a recommendation from the Finance Committee regarding the adoption of the New Health Fee Schedule. The schedule was discussed again and Comm. LaPin pointed out several items that he felt should not be raised as people would be unable to get help if the cost was too high. After further comments by commissioners, it was moved by Comm. Lowe, supported by Comm. LaPin and carried to table this again and that the Chairperson will send a memo to Dr. Johnson to attend the next meeting to explain some of these fees.

There being no further business before the board the meeting was adjourned.

Respectfully submitted,

Joy Schlais

Joy Schlais, Deputy County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS  
Wednesday, September 23, 1981, 7:00 p.m.  
Commissioners Room, Courthouse Annex  
Marquette, Michigan

1. MEETING RECONVENED FROM SEPTEMBER 16, 1981. CALLING OF ROLL BY THE COUNTY CLERK.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. READING OF THE MINUTES OF THE PREVIOUS MEETING.
4. PUBLIC COMMENT (time limit of 20 minutes total).
5. APPROVAL OF THE AGENDA.
6. PUBLIC HEARINGS:
   a.
   b.

7. PRESENTATION OF CLAIMS, PETITIONS AND COMMUNICATIONS:
   a. Lake Independence Dam:
      1) Opinion (PAO 81-36) from Chief Civil Counsel on Establishment of Special Assessment District for Maintenance of Previously Determined Lake Level.
      2) Finance Committee recommendation on repair of Lake Independence Dam. Postponed from September 16 meeting.
   b. Consideration of Bruce Pesola, Inc. EDC Project plans and suggested pro tem directors. Set public hearing date for the project.
   c. Report from the Controller on bids for space modifications for Accounting Division.
   d.
   e.
   f.

8. REPORTS OF STANDING COMMITTEES:
   a.
   b.

9. REPORTS OF SPECIAL COMMITTEES:
   a.
   b.

10. REPORTS OF COUNTY OFFICERS:
     a.
     b.

11. LATE ADDITIONS:
     a.
     b.

12. UNFINISHED BUSINESS:
     a.
     b.

13. NEW BUSINESS:
     a. Mailgram: Sec'y, NAC, Emergency Announcements/Request Announcement of new round of cuts and
     b. Searle's response

14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.