The Marquette County Board of Commissioners met in Regular Session on Tuesday, March 5, 1991 at 7:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, MI.


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

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the minutes of the February 19, 1991 Board meeting be approved.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the agenda be approved with the following late addition; item 10a) a Notice of Intent to issue an obligation for the Michigan Dept. of Treasury Re: the Airport Fuel Farm Project.

Public Hearing

Amendatory Rezoning Request #155-RZ-WB-12 from Daniel & Suzanne Koehler to rezone a parcel of land on the south and east side of Wilson Lake from RP-20 and RS to LS/R to allow construction of a single family dwelling (West Branch Township).

Chairperson Corkin opened the public hearing by reading Section VIII-1, Public Hearings on Proposed Amendments to County Zoning Ordinances. Jim Kippola, Senior Planner, provided the staff report. The site is currently in the RP-20 Resource Production Twenty Acres and the RS Recreational Structure District. The proposed zoning district is LS/R Lakeshore & River Residential. Mr. Kippola presented slides showing the property and surrounding areas. The petition is the result of a desire from Mr. & Mrs. Koehler to construct a single family home on a lot they own on Wilson Lake. They also own an additional 10+ acres. The rezoning area was expanded to include parcels other than the Koehlers to avoid being classed as a spot zoning. It should be noted that not all of the parcels have been included in the rezoning petition because the owners could not be contacted. This irregular sawtoothed edge to the zoning district creates several spot zones of RS-1 along the lakeshore, including land owned by the State and County lying west of the lake. The Staff recommendation is that the proposed rezoning be denied on the basis of conflict with the goals and policies of the Comprehensive Plan, and also to prevent sprawl and the need to extend government services.

Norman Holmes, Chairperson of the Planning Commission, was present and reported that at their public hearing the Road Commission had no comment on the rezoning since the area was not served by a county road, nor was there a county road within a one-half mile of the site. The County Health Dept. noted that one well permit had been issued in the area. The Gwinn School District stated they would not provide bus transportation unless a road was maintained by the County, State or Federal Government. Daniel Koehler, the petitioner, has made improvements to the property over several years, including developing the access road, bringing in electricity, and telephone service. One neighbor, Ray LeMire, expressed concern that his property taxes may be increased as a result of the rezoning. Staff informed Mr. LeMire that rezoning would not directly effect the taxes of a parcel, property improvements might, but this is left to the assessor. The Planning Commission action was to unanimously recommend to the County Board that the rezoning be denied on the basis of conflict with the goals and policies of the Comprehensive Plan, and also to prevent sprawl and the need to extend government services.

Petitioner Dan Koehler was present and distributed several documents for consideration by the County Board. The Koehler's purchased their lot on Wilson Lake twenty-two years ago, and their dream has been to build a home.
there someday. Over the years the Koehler’s have spent many hours, and thousands of dollars improving the property. They have no intention of requiring additional government services. Mr. Koehler distributed a survey to nine property owners within the rezoning district, and only received responses so far from four of them, one of which was opposed to the rezoning only because of a concern for taxes. Mr. Koehler distributed a letter from Howard Robare, West Branch Township Assessor, stating that a change in the zoning will not effect property taxes. Mr. Koehler also distributed a note dated March 4, 1991 from the West Branch Township Board which voted unanimously to support the rezoning.

Phil Pender, 134 Engman Lake Road, owns a home on the Engman Lake Access Road about 1 mile from the Koehlers and receives no services. He must plow his own road, his mailbox is one-half mile from his home, and his children must walk or be driven out to the main road to catch the school bus. He prefers it this way, and supports the Koehler’s rezoning request.

Denise Beauchamp, West Branch Township Treasurer, supported the rezoning request and does not understand how the Planning Staff recommends its denial based upon the public services issue. The Koehler’s road is a private road and the Road Commission will not, nor does it ever have to, maintain a private road. Also, the schools do not have to provide bus services at all.

Doreen Takalo, West Branch Township Trustee, was present and explained that the reason for the late letter of support from West Branch Township is because the initial information received from the Marquette County Planning Staff lead the Township Board to believe that the Koehler’s had no power. The Board met recently in special session regarding its budget, and was approached by the Koehler’s at the meeting and learned more. As a result the Township Board unanimously supports their rezoning petition. The Koehler’s have spent thousands of dollars of their own for property improvements.

The County Board members asked questions and held a lengthy discussion regarding the rezoning petition. It was generally by Commissioners that they could support the rezoning if all of the property owners could be contacted and were in agreement. Civil Counsel, David Payant, pointed out that the County Board must either accept or reject the rezoning petition as presented. Any changes to the petition must be directed back to the Planning Commission and the rezoning petition process will have to start again.

There being no further discussion, Chairperson Corkin closed the public hearing.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the County Board return the amendatory rezoning request #185-BZ-WB-12 from Daniel and Suzanne Koehler to the Planning Commission, directing them to include the excluded properties in the rezoning request.

Informational Items

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried to place the following informational items on file; 9a) Memo from Edward Quinnell, Chief Judge, requesting Law Library Space be incorporated into any new office arrangements; 9b) Letter of support from Baryll Sundberg, Drain Commissioner, for Whetstone Brook Watershed Grant Application; 9c) Road Commission Monthly Report for January, 1991; 9d) Memo from Jackie Dault, Health Care Access Coordinator, announcing the end of the One-Third Share Plan; and 9e) Letter from Michael Zorza, Emergency Program Manager, announcing that Marquette County will receive additional funds from the National Board of Emergency Food and Shelter Programs.

Action Items

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that Action Items 10c), 10d), 10f), and 10g), be approved as follows:
10c) A Committee of the Whole recommendation to amend the County 9-1-1 Plan to include the Michigamme Forest Exchange and allow the Big Bay Exchange to come on-line when ready.

RESOLUTION
AMENDMENT TO THE MARQUETTE COUNTY 9-1-1 EMERGENCY TELEPHONE SERVICE DISTRICT FINAL PLAN

WHEREAS, the Marquette County Board of Commissioners adopted a final Marquette County 9-1-1 Emergency Telephone Service District Final Plan on November 7, 1989; and

WHEREAS, the adopted plan excluded the Upper Peninsula Telephone Company’s Michigamme Forest exchange, due to the high cost of modification of the Central Office switch and the low number of telephone subscribers; and

WHEREAS, subsequent to the adoption of the plan, the Upper Peninsula Telephone Company has upgraded its switch at no cost to Marquette County and the switch is now enhanced 9-1-1 capable; and

WHEREAS, the non-recurring and recurring costs associated with adding the Michigamme Forest Exchange are within the surcharges allowable under Act 32 of 1986 and Act 36 of 1989; and

WHEREAS, the inclusion of the Michigamme Forest Exchange will not necessitate changes to Public Safety Answering Points, will not add more Public Agencies or Public Safety Agencies and will not alter management, operational or technical considerations as outlined in the adopted plan;

NOW THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners hereby amends the Marquette County 9-1-1 Emergency Telephone Service District Plan to include the Michigamme Forest Exchange.

Adopted for purpose of public review as required by Sections 301-310 and Section 312 of Public Act 32 of 1986, with the required public hearing to be held on June 4, 1991 at 7:00 p.m. in the Commission Chambers, Room 231, of the Henry A. Skews Annex.

GERALD O. CORKIN, CHAIRPERSON

10d) A Committee of the Whole recommendation to discontinue the two out-going water lines and direct dial all of our 906 area code calls by entering into a one-year term payment plan with Michigan Bell under the Ameritech Value Calling Plan.

10f) A Committee of the Whole recommendation to approve the bid award to O’Boyle & Co., 706 Chippewa Square, Marquette, for the second floor remodelling project in the County Health Dept., in the amount of $25,149.

10g) A resolution approving a new bank signature card for the Friend of the Court Office as follows:

RESOLUTION OF CORPORATION

"RESOLVED, the following described officers, employees or agents of Corporation, whose names and signatures appear below, are hereby authorized, for and on behalf of the Corporation, to open and maintain a Depository account or accounts of the Corporation with Depository, subject to the terms and conditions specified in the applicable Account Agreement(s), and to endorse and deposit with said Depository negotiable instruments or other orders for the payment of money, which endorsements may be made in writing or by stamp and without the designation of the person endorsing.
BE IT FURTHER RESOLVED, the undersigned officers, employees or agents of Corporation may sign checks or other orders for the payment of money, withdrawing funds from Corporation account(s) with Depository. Such signature may be in writing or by facsimile. Any undersigned officer, employee or agent may sign without the other(s) unless specifically designated otherwise."

Friend of the Court  Carolyn L. Hanson
Dep. Friend of the Court  Janice M. Oxenford
Dep. Friend of the Court  Karla A. Rushford
Dep. Friend of the Court  Mary B. Brown

GERALD O. CORKIN, CHAIRPERSON

Action Items Cont'd.

10a) The County Board considered a letter of resignation from David A. Svanda, the City of Marquette's representative on the MarqTran Board and the County Solid Waste Planning Committee. Chairperson Corkin related that Mr. Svanda has been an excellent representative, and it is with great regret that the County accept his resignation.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the County Board accept David Svanda's resignation from the MarqTran Board and the Marquette County Solid Waste Planning Committee with regret, and send a letter of appreciation for his service.

10b) The County Board considered a recommendation from the Committee of the Whole to direct Planning Staff to forward questions to the Dept. of Natural Resources by March 15, 1991, regarding the Wisconsin Central Limited application to obtain a Bottomland Title to the area surrounding the Lower Harbor Ore Dock. Dennis Aloia, County Administrator, further explained that the City of Marquette and the Resource Development Dept. will continue to review the matter, the Board action at this time only directs Staff to forward questions to the DNR.

It was moved by Comm. Angeli, seconded by Comm. Seppanen, and unanimously carried that the County Board approve the Committee of the Whole recommendation to direct Planning Staff to forward questions to the Michigan Dept. of Natural Resources regarding the Wisconsin Central Limited application to obtain Bottomland Title around the Lower Harbor Ore Dock, and also to inquire about the development plans for the Lower Harbor by the City of Marquette.

10e) The County Board considered a Committee of the Whole recommendation authorizing the 1991/1992 State Recreation Grant Application for the Perkins Park Support Building Project. Dennis Aloia, County Administrator, reported that the previously submitted Honor Camp Access Road and the Shooting Sports Complex grant applications have received administrative approval from the State; however, they have not yet received legislative funding.

It was moved by Comm. Angeli, seconded by Comm. Seppanen, and unanimously carried that the County Board authorize the 1991/1992 State Recreation Grant Application as recommended.

10h) The County Board considered the resolutions for refinancing the bonds of the Ishpeming City/Ishpeming Township Wastewater Treatment System. Dennis Aloia, County Administrator, reported that the Ishpeming City Council, the Ishpeming Township Board, and the County Dept. of Public Works, have all approved their appropriate resolutions in the last several days and recommends the County Board take action to approve the refinancing contract resolution and the resolution authorizing the sale of the bonds.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the County Board approve the resolution for the refinancing contract as follows:
RESOLUTION APPROVING REFUNDING CONTRACT

WHEREAS, a contract entitled Marquette County Wastewater Treatment System 1991 Refunding Bonds Refunding Contract (the "Refunding Contract") dated April 1, 1991 by and among the City of Ishpeming (the "City"), the Township of Ishpeming (the "Township"), the Ishpeming Area Joint Wastewater Treatment Board (the "Joint Treatment Board"), and the County of Marquette (the "County") by and through its Board of Public Works (the "Board of Public Works"), providing for the advance refunding of bonds entitled Marquette County Wastewater Treatment System Bonds, Series 1984, in the aggregate principal amount of $4,500,000 (the "Prior Bonds") issued by the County to finance improvements and additions to a wastewater treatment facility, has been negotiated between the parties to the Refunding Contract, a copy of which is attached hereto and made a part hereof; and

WHEREAS, the Refunding Contract has been approved by resolution of the City, the Township, the Joint Treatment Board and the Board of Public Works.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Refunding Contract is hereby approved and the Chairman and the Secretary of the Board of Public Works are hereby authorized and directed to execute the Refunding Contract for and on behalf of the County.

GERALD O. CORKIN, CHAIRPERSON

It was further moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the County Board approve the Resolution Authorizing not to exceed $5 million dollars for the County of Marquette Wastewater Treatment System 1991 Refunding Bonds.

(Due to the length of the resolution a complete copy is not printed here in the minutes, but available for public inspection upon request in the County Clerk's Office).

Late Addition

The County Board considered a letter from John Ennett, Assistant Airport Manager, regarding the application for a maximum amount of proposed obligation of $100,000 for the Airport Fuel Farm Project. Mr. Ennett's letter indicates that the County Board must adopt a resolution seeking exemption from prior approval and authorizing the person signing the Notice of Intent to file same.

It was moved by Comm. Seppanen, seconded by Comm. Angeli, and unanimously carried that the County Board approve the following resolution:

"BE IT RESOLVED, that the Marquette County Board of Commissioners seek exemption from prior approval and authorizes the Chairperson to execute the Notice of Intent to Issue an Obligation, maximum amount of proposed obligation $100,000, to the Michigan Department of Treasury."

GERALD O. CORKIN, CHAIRPERSON

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

Commissioners Comments and Announcements – Regarding next week's Committee of the Whole meeting, Comm. Angeli questioned the amount of time the Navy will have to comment on Project Elf. Chairperson Corkin indicated they will have whatever time is necessary.

There being no further business the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, March 5, 1991, 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.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS:
   a. Amendatory Rezoning Request #155-RZ-WB-12 from Daniel & Suzanne Koehler to rezone a parcel of land on the south and east side of Wilson Lake from RP-20 and RS to LS/R to allow construction of a single family dwelling (West Branch Township).
8. PRIVILEGED COMMENT.
9. INFORMATIONAL ITEMS:
   a. Memo from Edward Quinnell, Chief Judge, requesting Law Library space be incorporated into any new office arrangements.
   b. Letter of support from Darryll Sundberg, Drain Commissioner, for Whetstone Brook Watershed Grant Application.
   d. Memo from Jackie Dault, Health Care Access Coordinator, announcing the end of the One-Third Share Plan.
   e. Letter from Michael Zorza, Emergency Program Manager, announcing that Marquette County will receive additional funds from the National Board of Emergency Food and Shelter Programs.
10. ACTION ITEMS:
   a. Resignation of David A. Svanda from the MarqTran Board and the Solid Waste Planning Committee.
   b. Committee of the Whole recommendation to direct Planning Staff to forward questions regarding Wisconsin Central Limited application to obtain Bottomland Title around the Lower Harbor Ore Dock.
   c. Committee of the Whole recommendation to amend the County 9-1-1 Plan to include the Michigamme Forest exchange.
   d. Committee of the Whole recommendation to participate in the Ameritech Value Calling Plan.
   e. Committee of the Whole recommendation to authorize the 1991/1992 State Recreation Grant Applications.
   f. Committee of the Whole recommendation to award the bid for the 2nd floor remodelling project, Health Dept., to O'Boyle and Co.
   g. Resolution to approve new bank signature cards for the Friend of the Court Office.
   h. Ishpeming Area Wastewater Treatment Refinancing:
      i. Resolution approving Refunding Contract.
      ii. Resolution Authorizing Wastewater Treatment System 1991 Refunding Bonds.
11. LATE ADDITIONS.
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.