MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, April 16, 1991, 7:00 p.m.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
2. SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.
3. APPROVAL OF THE MINUTES OF THE Committee of the Whole Meeting held on March 26, 1991, the Regular County Board Meeting held on April 2, 1991, and the Equalization Meeting held on April 9, 1991.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS:
   a. Resolution honoring men and women of Marquette County who served in Operation Desert Shield/Desert Storm.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS:
8. PRIVILEGED COMMENT.
9. INFORMATIONAL ITEMS:
   a. Letter from B. Peter Treml, President, Northern Michigan Savings Bank, and response from Charles Hohman, Airport Manager, regarding loan bid for new tank farm.
   b. Annual letter regarding the planning process for the Big Bay Relay Race.
   c. Notice that Sands Township has rescinded its Building and Construction Code Ordinances.
   d. Resolution from Neguanee Township urging investigation to assure minimum risk from Elf operations.
   e. Announcement: Upper Peninsula Association of County Commissioners Spring Conference, Friday and Saturday, May 3 - 4, 1991, Holiday Inn, Marquette.
10. ACTION ITEMS:
    a. Committee of the Whole recommendation to file a Notice of Intent with the Michigan Dept. of Treasury for Issuance of Bonds for Cell Expansion at the Marquette County Landfill.
    b. Committee of the Whole recommendation to approve the Comprehensive Community Corrections Plan.
    c. Committee of the Whole recommendation to send a letter to Governor Engler urging him not to abolish the Crippled Childrens Program.
    d. Committee of the Whole recommendation to adopt a resolution regarding cuts in funding for Aging Services.
    e. Committee of the Whole recommendation to approve the final payment for the re-roofing project at the Valente Medical Care Facility.
    f. Recommendation from Brent Nault, Data Processing Manager, to purchase a power conditioner for the District Court new T.I. Computer System.
    g. Notices of Intent to apply for grants on the 1) Ice Arena Improvements, City of Neguane; 2) Miners Park, City of Neguane; and 3) Ishpeming Township Recreation Area.
11. LATE ADDITIONS.
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.
The Marquette County Board of Commissioners met in Regular Session on Tuesday, April 16, 1991 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.

On a motion by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried the minutes of the Committee of the Whole meeting held on March 26, 1991, the Regular Board meeting held on April 2, 1991, and the Equalization meeting held on April 9, 1991, were approved.

Chairperson Corkin, on behalf of the County Board, welcomed representatives of the Armed Services who participated in Operation Desert Shield/Desert Storm. Representing the Air Force was Col. John E. Frisby, K.I. Sawyer AFB, 410 BMW/CC; Coast Guard Officer in Charge, Harvey Scherer, Marquette Coast Guard Station; representing the National Guard, Lt. Cmdr. James Jajich, Cpt. Mark Dahlquist, 1075th Maintenance Co., Marquette, and also Cpt. Tom Perry, 1075th Engineer Battalion, Ishpeming; Navy, Senior Chief Jesse Schultz, Navy Command Unit, K.I. Sawyer AFB; representing the Marines, Sgt. Robert McAllister, U.S. Marine Recruiting Office, Marquette.

Chairperson Corkin, on behalf of the County Board and for all the citizens of Marquette County, thanked those present representing the Armed Services and presented them with a plaque containing the following proclamation.

RESOLUTION
OPERATION
DESERT SHIELD/DESERT STORM

WHEREAS, the United States Armed Forces are charged to protect and defend the right to choose democracy for ourselves and all the world; and

WHEREAS, our Armed Forces were recently called to do so in the Middle East for the Desert Shield/Desert Storm operation; and

WHEREAS, our soldiers risked their lives for our welfare; and

WHEREAS, the Upper Peninsula and Marquette County have always displayed their patriotism by meeting our responsibility in defending our country; and

WHEREAS, the men and women of Marquette County served bravely alongside the rest of our soldiers in the conflict; now, therefore, be it

RESOLVED, that the Marquette County Board of Commissioners, on behalf of the citizens of Marquette County, hereby extend their sincere gratitude and express their great pride in the Armed Forces of Marquette County for the magnificent job carried out in the recent engagement in the Middle East.

GERALD O. CORKIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS

Chairperson Corkin opened the meeting for public comment. Wes Larson, Negaunee Township Supervisor, reminded the County Board that several years ago there were complaints of noise at the Marquette County Airport. With the possibility of additional aircraft maintenance jobs provided by the airport expansion, these noise complaints may have to be addressed again in the future. There being no further public comment, Chairperson Corkin closed this portion of the meeting.
On a motion by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried the agenda was approved as presented.

Public Hearing

Amendatory Rezoning Request #155-RZ-WB-12A. A petition from Daniel & Suzanne Koehler as amended by the County Board, to rezone a parcel of land on the South and East side of Wilson Lake, West Branch Township, from Resource Production 20 acres (RP-20) and Recreational Structure (RS) to Lake Shore/River Residential (LS/R), to allow construction of a single family dwelling.

Chairperson Corkin read Section VIII from the Rules of Order regarding Public Hearings on Proposed Amendments to County Zoning Ordinances.

Staff Recommendation - Patricia Gruber, Planner, was present. Staff recommends to deny the zoning request for several reasons: a) the Health Dept. indicated there are bad soils for septic systems in the area; b) the rezoning is against the West Branch Township Comprehensive Plan (However, the West Branch Township Board voted to support the rezoning); c) the building of single family dwelling in this remote area would promote sprawl; and d) in the future road maintenance could be demanded.

Ms. Gruber showed overhead slides with a detailed map of Wilson Lake and a color coded lot layout surrounding the lake. Two property owners could not be reached for comment, and three were opposed, four property owners favored the rezoning, and two were neutral.

Norman Holmes, Chairperson of the Planning Commission, indicated that although the Planning Commission sympathizes with the Koehler's, they must follow County zoning rules and the Comprehensive Plan. The Planning Commission voted four-to-zero to deny the rezoning request with Commission Member, Joe Erickson, abstaining because he is also a member of the Township Planning Commission.

Applicant, Dan Koehler, was present and contended that the two property owners not contacted by Planning Staff were not against the zoning ordinance, also of the three owners who are against, one was concerned about an increase in property taxes, and the other two were concerned about the minimum square foot space of 720 feet required for single family dwellings should the property be rezoned LS/R. Mr. Koehler stressed that the road is a private road and will remain a private road. They do not want the County ever to maintain the road.

Joe Snively, a year-round Engman Lake resident, near the Koehler property, spoke in support of the Koehler's zoning request. The road to Engman Lake is also a private road, and it has been no problem. Mr. Snively related that the Koehler's have worked hard to improve their property, and if it wasn't for them none of the camp owners would have access to Wilson Lake. They deserve the County Board's support.

Chairperson Corkin closed the public hearing portion of the meeting and opened the floor for Commissioner discussion. Civil Counsel, David Payant, pointed out the County Board could approve a proposed zoning with a lesser area then the requested zoning, or choose to zone the whole area RP-20 rather than LS/R. These would be acceptable because these options were discussed during the Planning Commission's public hearing. Any zoning plans that were not reviewed during the public hearing process could not be adopted by the County Board. All property owners and agencies affected by the rezoning would have to have an opportunity to comment.

Two possibilities were considered by the County Board. First, zoning the whole area RP-20; then directing the Koehler's to seek a conditional use permit through the Planning Commission. A public hearing must be held and if the Planning Commission denied the conditional use permit, then the Koehler's could appeal to the County Board. This whole process could take until Fall.

Second, if the County Board rezoned the strip of land within the proposed zoning area around the East and South side of Wilson Lake to LS/R, the County Board was concerned about creating a problem for present camp owners. Should the present camp owners decide to expand, they would construct a dwelling of at least 720 sq.ft., as well as meet other building
code requirements. However, it was learned from Staff that the present camp owners could seek relief from the building code requirements for single family dwellings by applying for a variance.

On a motion by Comm. Seppanen, seconded by Comm. Bays, and unanimously carried that the County Board approve the rezoning request of Daniel & Suzanne Kochler #155-RZ-WB-12A, by rezoning a strip of land following the section line on the back lots on the East side of Wilson Lake, and proceeding at the same depth on the South side of Wilson Lake, and rezoning this area LS/E to allow the construction of a single family dwelling. (The Planning Staff will have to provide a new zoning map for this area to be forwarded to the State of Michigan).

Informational Items

On a motion by Comm. Seppanen, seconded by Comm. Arsenaул, and unanimously carried to place the following informational items on file;
9a) Letter from B. Peter Treml, President, Northern Michigan Savings Bank, and response from Charles Hohman, Airport Manager, regarding loan bid for new tank farm; 9b) Annual letter regarding the planning process for the Big Bay Relay Race; 9c) Notice that Sable Township has rescinded its Building and Construction Code Ordinances; 9d) Resolution from Negumass Township urging investigation to assure minimum risk from Elf operations; and

Action Items

On a motion by Comm. Seppanen, seconded by Comm. Bays, and unanimously carried that action items 10a), 10d), 10e), and 10g), be approved as follows:

10a) A Committee of the Whole recommendation to file a Notice of Intent with the Michigan Dept. of Treasury for Issuance of Bonds for Cell Expansion at the Marquette County Landfill. Resolution as follows.

RESOLUTION TO FILE REQUEST WITH MICHIGAN DEPARTMENT OF TREASURY

WHEREAS, the County of Marquette (the "County") at the request of the Marquette County Solid Waste Management Authority (the "Authority") has determined to issue bonds pursuant to Act 185 of the Public Acts of Michigan, 1957, as amended ("Act 185") to defray a portion of the cost of acquisition and construction of improvements and additions to the Marquette County Solid Waste Management System; and

WHEREAS, Act 202 of the Public Acts of Michigan of 1934, as amended, ("Act 202") permits the County to apply to the Michigan Department of Treasury for an exception to prior approval by the Department of Treasury to issue the Bonds.

NOW, THEREFORE, BE IT HEREBY RESOLVED AS FOLLOWS:

1. That the County Clerk is hereby authorized and directed to file a "Notice of Intent to Issue an Obligation" with the Michigan Department of Treasury in order to obtain an exception from prior State approval for issuance of the Bonds pursuant to Act 185 and Act 202, and the filing of all necessary supporting documentation, and to take such other action as may be necessary to obtain approval for issuance of Bonds by the County pursuant to Act 185.
2. That all resolutions or parts of resolutions in conflict herewith shall be and the same are hereby rescinded.

GERALD O. CORKIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS
10d) A Committee of the Whole recommendation to adopt a resolution urging that cuts in funding for Aging Services be addressed to all levels, and not primarily to the most local providers of services to the rural elderly of the State; and further, that a copy of the resolution be sent to John Mead, Director of UPCAP. Resolution as follows.

RESOLUTION
MARQUETTE COUNTY BOARD OF COMMISSIONERS
STATE SENIOR CENTER STAFFING FUNDING

WHEREAS, the Marquette County Board of Commissioners supports local aging services providers in the County of Marquette; and

WHEREAS, the FORSYTH TOWNSHIP SENIOR CENTER in GWINN, MICHIGAN is an important link in the network of aging services which are closest to those they serve in the County; and

WHEREAS, the FORSYTH TOWNSHIP SENIOR CENTER provides a full range of services to the elderly, including in-home support services, escort, shopping, counseling, financial management, insurance forms and care management to over 300 elderly persons and their families; and

WHEREAS, there is no other entity within the County or the region which could provide these services in this rural township of Marquette County; and

WHEREAS, it is our understanding that SENIOR CENTER STAFFING FUNDS which support the FORSYTH TOWNSHIP SENIOR CENTER are proposed for elimination in Fiscal Year 1992, starting in October, 1991; and

WHEREAS, since the county and township coordinate with and assist in supporting the center, but could not provide the on-site services, the loss of STATE SENIOR CENTER STAFFING funds would seriously jeopardize or curtail the center’s operations and the provisions of services;

NOW THEREFORE, the Marquette County Board of Commissioners do resolve that cuts in funding for aging services, if necessary, be addressed to ALL LEVELS of the aging network and not primarily to the most local providers of services to the rural elderly of our State.

GERALD O. CORKIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS

10e) A Committee of the Whole recommendation to approve the final payment in the amount of $24,172.89 to Ted’s Paint & Drywall, Inc., for the re-roofing project at the Valente Medical Care Facility.

1. Original Contract Sum ........................................... $212,000.00
2. Net Change by Change Orders ................................ $ 13,145.00
3. Contract Sum to Date (Line 1+2) .......................... $225,145.00
4. Total Completed & Stored to Date ........................ $225,145.00
5. Retainage:
   a. 0% of Completed Work $ -0-
   b. 0% of Stored Material$ -0-
   Total Retainage (Line 5a + 5b or Total in Column 1 of G703) ...................... $ -0-
6. Total Earned Less Retainage ................................. $225,145.00
   (Line 4 less Line 5 Total)
7. Less Previous Certificates for Payment (Line 6 from prior Certificate) ........ $ 200,972.11
8. Current Payment Due ............................................. $ 24,172.89
9. Balance to Finish, Plus Retainage ........................ $ -0-

GERALD O. CORKIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS

-4-
10g) The County Board considered Notices of Intent to apply for grants for three project proposals including: a) City of Negaunee Ice Arena Improvements; b) City of Negaunee Miners Park Improvements; and c) Ishpeming Township Recreation Area. Comments from the County Board must be received by the CUPPAD Regional Commission by April 20, 1991. The County Board had no problem with any of the proposed projects.

Action Items Cont’d.

10b) The County Board considered a recommendation from the Committee of the Whole to approve the Comprehensive Community Corrections Plan. Comm. Bays, the County Board representative on the Community Corrections Advisory Committee, pointed out that the Community Corrections Plan is a document which provides for sentencing alternatives to jail, and establishes priorities for funding for such alternatives as electronic supervision, community services, etc., as established by the plan.

Tal Lapins, Director of the Probation/Parole Dept. and Chairperson of the Community Corrections Advisory Board, was present to answer questions. Mr. Lapins was pleased with the final version of the plan which will be presented to the State Community Corrections Board meeting on May 9, 1991.

On a motion by Comm. Bays, seconded by Comm. Arsenault, and unanimously carried that the County Board approve the Final Comprehensive Community Corrections Plan, with the technical amendments as presented by the Marquette County Community Corrections Advisory Board for presentation to the State.

10c) The County Board considered a recommendation from the Committee of the Whole to send a letter to Governor John Engler urging him not to abolish the Crippled Childrens Program. Verna Numinen, Regional Administrator of the what is now known as the Childrens Special Health Care Services, was present and expressed her appreciation for the concern of the County Board. The Regional Office is scheduled for closure on September 30, 1991, and if this office is closed the functions of this office will go either to downstate health departments, to major medical centers, or a combination of these agencies. The services would be performed at a lesser level of funding of approximately $1 million dollars, with a disproportionate share of the cut for crippled children from this region.

On a motion by Comm. Arsenault, seconded by Comm. Bays, and unanimously carried that the County Board send a letter to Governor Engler urging him not to abolish the Crippled Childrens Program, and send a copy of the letter to all other Upper Peninsula County Boards.

10f) The County Board considered a recommendation from Brent Nault, Data Processing Manager, to purchase a District Court Power Conditioner. Mr. Nault has researched the request and concurs that a power conditioner is required to ensure data integrity and hardware functionality; however, through his research he has located the same equipment for a better price, and a method of payment which does not include new funds. The cost for the power conditioner is $1,425.00, plus $50.00 to $75.00 for shipping. The funds for purchase of the equipment can come from the balances leftover from the following accounts, the District Court Computer System, the EMS Automated Info System, the D.P. Furniture, and the Accounting Printer.

On a motion by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried, that the purchase of the District Court Power Conditioner be approved with the following budget amendments.

RESOLUTION AMENDING PUBLIC IMPROVEMENT (FRS) FUND BUDGET Fiscal Year 1991 Amendment No. 18

WHEREAS, budgets were adopted by the County Board on October 9, 1990, 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.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Expense Budget Acct.</th>
<th>Previous Budget Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change</th>
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<tr>
<td>Public Improvement (FRS) Fund Improvement Projects</td>
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</tr>
<tr>
<td>E.M.S. Automated Info System</td>
<td>2,620.52</td>
<td>2,334.36</td>
<td>(286.16)</td>
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<td>District Court Power Condit.</td>
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<td>1,500.00</td>
<td>1,500.00</td>
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<td>Total Expenditure Changes</td>
<td>2,620.52</td>
<td>3,834.36</td>
<td>1,213.84</td>
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<tbody>
<tr>
<td>Public Improvement (FRS) Fund Board of Commissioners</td>
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</tr>
<tr>
<td>Transfer from PIF (Non-FRS)</td>
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<td>1,213.84</td>
<td>1,213.84</td>
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<tr>
<td>Total Revenue Changes</td>
<td>0.00</td>
<td>1,213.84</td>
<td>1,213.84</td>
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Motion was made by Comm. Arsenault, Seconded by Comm. Angeli, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

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<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Angeli</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>P. Arsenault</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Bays</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>G. Seppanen</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
<td></td>
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The Chairperson declared the motion carried and the resolution duly adopted.

RESOLUTION AMENDING PUBLIC IMPROVEMENT (NON-FRS) FUND BUDGET Fiscal Year 1991 Amendment No. 19

WHEREAS, budgets were adopted by the County Board on October 9, 1990, 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.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Expense Budget Acct.</th>
<th>Previous Budget Amt.</th>
<th>Amended Budget Amt.</th>
<th>Change</th>
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<tr>
<td>Public Improvement (Non-FRS) Fund Improvement Projects</td>
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<tr>
<td>District Court Computer System</td>
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<td>Transfer to P.I.F. (FRS)</td>
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<td>1,213.84</td>
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<tr>
<td>Smaller Projects</td>
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<tr>
<td>D.P. Furniture</td>
<td>350.00</td>
<td>0.00</td>
<td>(350.00)</td>
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<td>Accounting Printer</td>
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BOARD OF COMMISSIONERS COUNTY OF MARQUETTE APRIL 16, 1991

Public Improvement (Non-FRS) Fund
Board of Commissioners

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<th>No Changes Made</th>
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<td>Total Revenue Changes</td>
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<td>0.00</td>
<td>0.00</td>
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</table>

Motion was made by Comm. Arsenault, Seconded by Comm. Angeli, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th></th>
<th>Aye</th>
<th>Nay</th>
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<tbody>
<tr>
<td>L. Angeli</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>P. Arsenault</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>C. Bays</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted.

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

There being no further business to come before the County Board the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk