The Marquette County Board of Commissioners met in Regular Session on Tuesday, March 3, 1992, 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.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the minutes of the February 18, 1992 meeting be approved.

Chairperson Corkin read the following Resolution acknowledging the contribution of the Athletes of the Olympic Training Center in the 1992 Olympics:

RESOLUTION FROM THE
BOARD OF COMMISSIONERS
COUNTRY OF MARQUETTE
to
ATHLETES OF THE UNITED STATES
OLYMPIC TRAINING CENTER
who participated in the
1992 OLYMPIC GAMES

WHEREAS, Northern Michigan University has established a successful tradition of preparing young athletes to compete academically and athletically, and has had the good fortune of being designated as a United States Olympic Education Center; and

WHEREAS, the Olympic Education Center of Northern Michigan University, since its inception in 1985, has trained young athletes in preparation for competition, including the 1992 Winter Olympic Games held in Albertville, France; and

WHEREAS, those athletes have represented our country and have displayed their achievement of athletic excellence, obtained through their diligence and hard work. Now, therefore, be it

RESOLVED, that the Marquette County Board of Commissioners, on behalf of the citizens of Marquette County, gratefully acknowledges their pride in these individuals and would like to extend their appreciation for their contribution to the United States Olympic Team.

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. Potvin, and unanimously carried that the agenda be approved as presented.
Public Hearings

The County Board considered review of a Farmland Agreement Application from Blaine and Anita Bridges, Cornell, Michigan. Patricia Gruber, Planner, Resource Management/Development Department, was present and gave the Planning Commission and staff recommendations. The intent of PA 116 of 1974 is to assist farmers in retaining the ability to farm in light of increased taxes and developments. Farmers who place their lands under the Farmlands Agreement Act receive a tax break through a credit on their state income tax. Public Act 116 would also protect farmlands from special assessments. If such protection is not provided, in many cases farmlands which could not otherwise afford to operate would be sold and subdivided.

Ms. Gruber showed slides of the parcels referred to in Mr. Bridges Farmlands Agreement Application. The lands consist of four parcels totalling approximately 150 acres. The four parcels are not contingent to each other, and much of the parcels are also woodlands. Most of the lands that could be considered farmable are idle fallow fields. The Bridges live on one parcel in which they conduct a railroad iron-tie and wooden-tie recycling operation. Mortgages on the parcels total $240,000.00. It was also discovered during the Planning Staff review that 100 acres of the Bridges property has been sold to a corporation called FESTA; however, the deed has not been recorded. The Planning Commission and Staff recommend that the Farmland Agreement Application be denied because 50 acres of farmland are not available.

Chairperson Corkin opened the meeting to the applicant or any interested citizen for comment. None was forthcoming.

It was moved by Comm. Potvin, seconded by Comm. Seppanen, and unanimously carried that the County Board deny the Farmlands Agreement Application from Blaine and Anita Bridges, Cornell, Michigan.

Privileged Comment

James Sodergren, County Treasurer, provided an update on Commercial Forest Legislation. Mr. Sodergren reported that the Michigan Association of County Treasurers (MACT) has been working to change the Commercial Forest Act for fifteen years and has been studying House Bill 5019, which was introduced by Rep. David Anthony. MACT had five goals in mind for the CFA: 1) The total tax yield should be about $2.50 per acre; 2) a management plan should be required of the property owners; 3) the distribution of the taxes should be simplified; 4) the DNR should receive a portion of the funding so they could administer the Act; and 5) a inflationary factor should be built into the tax.

House Bill 5019 does not come close to meeting these goals. H.B. 5019 requires $1.10 an acre from the property owner and 90 cents an acre from the State; a management plan is not required, it does nothing to clear up distribution problems, no money is provided to the DNR to administer the Act, and there is a weak attempt to provide for inflationary increases. MACT unanimously opposes House Bill 5019 in hopes that it dies in the Senate.

The Michigan County Treasurers are supporting (in concept) Senate Bill 390, which has several drafts currently being considered, but MACT does not know the final version. What MACT does know so far is that S.B. 390 provides for 90 cents an acre from the landowners and $1.20 an acre from the State, which will be offset by landowner filing fees. Senator Kivisto contends he will amend S.B. 390 to make it $1.60 an acre from the landowner. S.B. 390 also provides for a forest management plan drafted by a certified forester that must be implemented by 1998 (however MACT wants it to be effective by 1995). S.B. 390 also provides for a 2% an acre increase for the first ten years. It requires an assessment review every seven years, and provides for those landowners who wish to withdraw from the Commercial Forest Act to pay penalties. S.B. 390 removes the cutting fees, but provides for notification of cutting. It will also provide for a 10 cents an acre fee so the DNR can administer the Act.
The Michigan Townships Association also supports S.B. 390, but the Michigan Association of Counties does not. Why? Mr. Sodergren is not sure, because the fifteen Upper Peninsula Counties would support S.B. 390. Mr. Sodergren requested that the County Board attempt to get MAC to support S.B. 390, but also noted that some votes in the State House must be changed in order to adopt S.B. 390.

It was moved by Comm. Seppanen, seconded by Comm. Potvin, and unanimously carried that the County Board request that James Sodergren draft a letter to reaffirm the Marquette County position supporting Senate Bill 390, and that this letter be sent to our Upper Peninsula Legislators, all Upper Peninsula Counties, Senator Faust and Senator Koivisto, the Governor, the Townships Association, and also a copy be faxed to Ron Wilson of the Michigan Association of Counties.

Informational Items

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried to accept the following Informational Items for file; 9a) Bond Commission Report for the month of January, 1992; 9b) Outline of the National Security Exercise conducted by the Michigan State Police, Emergency Management Division; 9e) Letter from David D. Olson regarding the Waterfall Park Project; and 9f) Acknowledgement from Governor Engler of County Board Resolution calling for DNR removal of dead animals along Michigan Highways.

Informational Items Cont’d.

9c) Chairperson Corkin read a memo from Chuck Manto, Director, Marquette County EDC, regarding Use Tax Exemption Legislation and AMR Eagle. On February 6, 1992, the Michigan House of Representatives voted unanimously (102 - 0) to approve the Use Tax Exemptions for parts used in commercial passenger or freight aircraft. On February 12, 1992, the Michigan Senate voted to approve the Bill by a vote of 35 to 0. The Bill has since been signed by the Governor. The memo reported that the EDC has worked very closely with Simmons AMR Eagle in Marquette, Chicago, and Dallas, during their budget process to increase the number of jobs in the maintenance shop in Marquette County, citing progress on the use tax exemption. There was a recent AMR press release about an additional twenty jobs that will take place by March.

Chairperson Corkin wanted to read the letter to show appreciation for the Marquette County EDC and its efforts on the Use Tax Exemption Legislation and its continuing efforts to get Simmons AMR Eagle to locate its maintenance facility in Marquette County.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried to place the communication on file.

9d) The County Board received notice from William C. Maki, Marquette County Mine Inspector, that he will not seek re-election. Comm. Seppanen, on behalf of the County Board, expressed appreciation to Mr. Maki for his service as Marquette County Mine Inspector. It was also noted that anyone seeking election as County Mine Inspector would be required to have ten years of mining experience, or a degree in mining engineering with two years experience. The newly elected Mine Inspector could not be affiliated or employed by any mining company or one of its subsidiaries. The filing requirements are the same for any other County-wide public office, and any interested individual should contact the County Clerk’s.

Action Items

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that Action Items 10a), 10b), 10c), and 10d), be approved as follows:

-3-
10a) A Committee of the Whole recommendation that the County Board approve the lease agreement between Marquette County and the Department of Social Services, and that Chairperson Corkin be authorized to sign the lease on behalf of the County. The new lease agreement starts off at a base rate of $154,978.20 per year, with an designated 3% inflationary rental increase over a ten year period.

10b) A Committee of the Whole recommendation that the County Board accept a DNHI Grant for 75% of the purchase price for two new outboard motors for the Sheriff's Department Marine Safety Program, not to exceed a reimbursement of $8,159.25, and further appropriate the remaining $2,720.00 from the Rescue Safety Fund, with the appropriate budget amendment as follows:

RESOLUTION AMENDING RESCUE SAFETY FUND BUDGET
Fiscal Year 1992 Amendment No. 7

WHEREAS, budgets were adopted by the County Board on October 8, 1991, 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 as required by P.A. 621 of 1978.

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>
</tr>
</thead>
<tbody>
<tr>
<td>Rescue Safety Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Grant</td>
<td>566.10</td>
<td>11,445.00</td>
<td>10,879.00</td>
</tr>
<tr>
<td>Capital Outlay</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rescue Safety</td>
<td>22,091.00</td>
<td>19,371.00</td>
<td>(2,720.00)</td>
</tr>
<tr>
<td>Increase in Fund Equity</td>
<td>22,657.00</td>
<td>30,816.00</td>
<td>8,159.00</td>
</tr>
<tr>
<td>Total Expense Changes</td>
<td>55,211.00</td>
<td>49,816.00</td>
<td></td>
</tr>
</tbody>
</table>

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<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>Rescue Safety Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Grant</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Marine Safety State Grant</td>
<td>15,927.00</td>
<td>24,086.00</td>
<td>8,159.00</td>
</tr>
<tr>
<td>Total Revenue Changes</td>
<td>15,927.00</td>
<td>24,086.00</td>
<td>8,159.00</td>
</tr>
</tbody>
</table>

Motion was made by Comm. Arsenaule, Seconded by Comm. Seppen, 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>
<th></th>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Angeli</td>
<td>X</td>
<td></td>
<td>G. Seppen</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>P. Arsenaule</td>
<td>X</td>
<td></td>
<td>G. Corkin</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>D. Potvin</td>
<td>X</td>
<td></td>
<td></td>
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</tbody>
</table>

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

* * * * *
10c) A Committee of the Whole recommendation that the County Board pay the $450.00 interest due on the $12,000.00 promissory note for the Cliff's Shaft Project Loan with MFC First National Bank in Ishpeming, which was due on February 28, 1992, and renew the note at 7-1/2% interest for another six month period, budget amendment as follows:

RESOLUTION AMENDING GENERAL FUND BUDGET
Fiscal Year 1992 Amendment No. 3

WHEREAS, budgets were adopted by the County Board on October 8, 1991, 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 as required by P.A. 621 of 1978.

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>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Special Appropriation</td>
<td>0.00</td>
<td>450.00</td>
<td>450.00</td>
</tr>
<tr>
<td>E.D.C. Loan Interest</td>
<td>152,760.00</td>
<td>152,310.00</td>
<td>(450.00)</td>
</tr>
<tr>
<td>Contingency Account</td>
<td>152,760.00</td>
<td>152,760.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals</td>
<td>152,760.00</td>
<td>152,760.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
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</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>No Changes Made</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>Totals</td>
<td>0.00</td>
<td>0.00</td>
<td>0.00</td>
</tr>
</tbody>
</table>

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

<table>
<thead>
<tr>
<th>Aye</th>
<th>Nay</th>
</tr>
</thead>
<tbody>
<tr>
<td>L. Angeli</td>
<td>X</td>
</tr>
<tr>
<td>P. Arsennault</td>
<td>X</td>
</tr>
<tr>
<td>D. Potvin</td>
<td>X</td>
</tr>
<tr>
<td>G. Sepponen</td>
<td>X</td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
</tr>
</tbody>
</table>

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

***

10d) A Committee of the Whole recommendation for modifications in the Employee Assistance Service structure, to provide employee assistance services to all County staff members at no cost for the first twelve months following pre-certification, then should it be necessary to exceed twelve sessions, the County will pay 80% of the cost to a maximum of an additional $2,000.00 per year.
Action Items Cont'd.

10e) The County Board considered a recommendation from the Committee of the Whole that a check in the amount of $4,378.57 from the trust account of Federlein, Gyrlls, & Kernanen, on behalf of Kessler be accepted, and that Attorney David M. Lick be notified that the County Board does not want to legally pursue the remaining couple-of-hundred dollars in interest. With this check the County has received the full $300,000.00 in settlement agreements for the Valente Medical Care Facility roof arbitration.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the County Board accept the final check in the amount of $4,378.57 and notify Attorney David M. Lick that the Board will not pursue the estimated $200.00 in interest.

10f) The County Board considered a memo from Civil Counsel, David A. Payant, regarding the expansion of the Ishpeming Downtown Development Authority. Mr. Payant was present and explained that a Tax Increment Financing District (TIF) may be formed on the provisions of the Downtown Development Authority Act (MCL 125.1051). A TIF District freezes the property taxes at the level they are on the date the TIF is created. Subsequent increases in the SEV of properties in the district result in additional taxes being assessed against the TIF properties; however, in the years after formation of the TIF, these taxes which resulted from increased property values are retained by the DDA to be used in repairing and enhancing the infrastructure within the district.

The County has been informed through reports in the press that Ishpeming City intends to expand its Downtown Development Authority District. This is a preliminary step to establishing a TIF District, which will be co-extensive in area with the Ishpeming DDA. The County does not have to receive notification concerning the expansion of a DDA. The proposed Ishpeming DDA will create a corridor along Division Street, and then back to U.S. 41 along Euclid Street. The developments along U.S. 41 are not a part of downtown Ishpeming, but are within the City limits. This area has been the focus of much business expansion in recent years, and is perhaps some of the most valuable area within the City of Ishpeming.

Once the Downtown Development Authority has been established, a plan for a TIF District must be adopted, and notification must be given to Marquette County. Mr. Payant believes the County has strong legal grounds to challenge the TIF District should the County Board believe such action is appropriate.

Civil Counsel Payant indicated two Attorney General Opinions exist that can guide the County. The Attorney General concludes that there must be a deterioration in a significant number of parcels within the proposed Downtown Development Authority area before it can be included in an authority (OAG 1989, No. 6558), and also that it was not proper for a Downtown Development Authority to attempt to run a corridor through a primarily residential area and also to incorporate the unimproved parcel in a DDA (OAG 1984, No. 6121).

Civil Counsel, David Payant, suggested that if the County Board is opposed to the expansion of Ishpeming's TIF District, that they inform the City of its intentions. Ishpeming's City Council will be voting tomorrow evening, Wednesday, March 4, 1992, to extend its DDA. At a later date they will be considering a TIF Financing district. Mr. Payant is willing to represent the County Board at the Ishpeming City Council meeting.

It was moved by Comm. Potvin, seconded by Comm. Seppanen, and unanimously carried that the County Board send Civil Counsel, David Payant, to the March 4, 1992 Ishpeming City Council meeting to represent the County, and inform the City of Ishpeming that the County is opposed to their DDA/TIF expansion.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.
BOARD OF COMMISSIONERS        COUNTY OF MARQUETTE        MARCH 3, 1992

It was moved by Comm. Seppanen, seconded by Comm. Arsensault, and unanimously carried that the County Board go into Closed Session for the purpose of discussing labor negotiations.

8:04 p.m. Chairperson Corkin declared a brief recess to clear Commission Chambers.

CLOSED SESSION

8:52 p.m. the County Board came back into Open Session. No action was forthcoming as a result of the Closed Session.

Commissioner Comments

Comm. Potvin would like to see a separate resolution honoring the efforts of Olympic Luger, Wendell Suckow, a Marquette resident, but not a student at the U.S. Olympic Education Training Center at NMU.
Comm. Potvin also commended County maintenance staff for cleaning the snow off the main entrance stairway to the County Courthouse.

There being no further business the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk

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MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, March 3, 1992, 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 COUNTY BOARD OF COMMISSIONERS REGULAR
   MEETING HELD ON FEBRUARY 18, 1992.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS:
   a. Resolution acknowledging the contribution of the Athletes of the
      Olympic Training Center in the 1992 Olympics.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS:
   a. Review of Farmland Agreement Application for Blaine and Anita
      Bridges, Cornell, Michigan.
8. PRIVILEGED COMMENT:
   a. Update by James Sodergren, County Treasurer, regarding Commercial
      Forest Legislation.
9. INFORMATIONAL ITEMS:
   b. Outline of the National Security Exercise conducted by the
      Michigan State Police, Emergency Management Division.
   c. Memo from Chuck Manto, EDC Director, regarding Use Tax Exemption
      and AMR Eagle.
   d. Announcement from William C. Maki, Mine Inspector, that he will
      not seek re-election.
   e. Letter from David D. Olson regarding the Waterfall Park Project.
   f. Acknowledgement from Governor Engler of County Board Resolution
      calling for DNR removal of dead animals along Michigan Highways.
10. ACTION ITEMS:
   a. Committee of the Whole recommendation to accept a new lease
      agreement with Department of Social Services.
   b. Committee of the Whole recommendation to accept a 75% DNR Grant
      for the purchase of two outboard motors for the Sheriff’s Marine
      Division.
   c. Committee of the Whole recommendation to renew the promissory
      note for the Cliff’s Shaft Project Loan.
   d. Committee of the Whole recommendation to modify the Employee
      Assistance Service structure.
   e. Committee of the Whole recommendation to accept a final payment
      in settlement for the Valente Medical Care Facility roof
      arbitration.
   f. Discussion of the City of Ishpeming DDA/TIF. (No packet
      materials.
11. LATE ADDITIONS.
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. CLOSED SESSION to discuss labor negotiations.
14. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
15. ADJOURNMENT.