The Marquette County Board of Commissioners met in Regular Session on Tuesday, January 21, 1992 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. Arsenault, and unanimously carried that the minutes of the Organizational Meeting held on January 7, 1992 be approved as presented; and the minutes of the Special Meeting held on December 30, 1991 be approved with the following corrections. On page 1 under Privileged Comment, line 10, the phrase should read "... to increase to $630,000.00 ..." rather than to increase by $630,000.00; and also on page 2 under Action Items, paragraph 2, the motion by Comm. Potvin "to amend the main motion to include a bill" should instead read "to amend the main motion to delete a bill."

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

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the agenda be approved with the following additions: under Privileged Comment 8b) Comm. Potvin will report on the recent EDC meeting; and Late Addition 11a) Consideration of an alternate to be appointed to the Solid Waste Authority.

Public Hearings

Rezoning Amendment Request #158-RZ-WE-05, petition from Tim Hurkmans, P.O. Box 25, Arnold, Michigan 49819, to rezone a parcel of land from RR-5 Rural Residential 5 acres to R-Residential.

Chairperson Corkin read the rules from Section VIII-1 regarding Public Hearings on Proposed Amendments to the County Zoning Ordinance.

Patricia Gruber, Planner, was present to give the staff recommendation. The rezoning amendment was previously approved by the County Board and the Planning Commission in October of 1991; however, the Zoning Review Unit within the Michigan Department of Commerce rejected the zoning amendment because the legal advertisement had an incomplete or improper land description, and it also did not provide the time and place at which the zoning amendment request could be viewed by the general public. As a result, the zoning amendment had to be redone.

The staff position is the same as in October, they recommend that the rezoning be denied on the basis of spot zoning. It should be noted however, that the Health Department has now approved the well and septic permits for the property since October of 1991. Wells Township is in favor of the rezoning, and indicated that they will submit a future request for additional parcels to be rezoned in order to clean up some spot zoning in the township. This parcel is 435' along Co. Rd. 426 going back to a depth of 200' in an area zoned for 5-acre parcels. The owner sold most of the original parcel leaving this piece of property substandard in size to meet its present zoning.

Ms. Gruber further reported that the Planning Commission voted 5-to-1 to recommend that the rezoning request be granted. The one Planning Commission member who voted against the rezoning had previously voted for it, contended the reason is that Wells Township has not come forth with its rezoning requests as had previously indicated. Comm. Angeli, the County Board liaison on the Planning Commission, attended the Planning Commission hearing and is confident that Wells Township will come through with the rezoning requests and is in favor of the present petition.

Chairperson Corkin opened the hearing for public comment. No one was present on behalf of the applicant or Wells Township, nor was anyone present to speak against the petition. 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 approve rezoning amendment request #158-RZ-ME-05, a petition from Tim Hurkman, P.O. Box 25, Arnold, Michigan 49819, to rezone a parcel of land from RR-5, Rural Residential five acres to R-Residential. The parcel is described as:

Part of the NW-1/4 of the NE-1/4 of T42N-R25W, Section 17, beg. at the intersection of the N line of Section 17 and the N ROW of County Road 42B, th SE'ly along the ROW 435' th N 200' th W 400' to the P.O.B.

* * * *

Privileged Comment

8a) Chairperson Corkin reported on a meeting held on January 2, 1992 to discuss pending legislation on the Commercial Forest Act. Those in attendance were State Senator, Don Koivisto; Lois Fireger, Luce County Treasurer; Art Bibbard, Iron County Treasurer; James Sodergren, Marquette County Treasurer; Gerald Corkin, Marquette County Commission Chairperson; Toivo Kuivanen, Ontonagon County Commissioner; Kenneth Piwarski, Iron County Commissioner; Bill Christensen, Burt Township School Superintendent; Alvar Kurin, Au Train/Onota School Superintendent; and David Holli, Holli Forest Products.

Chairperson Corkin reported that it was a very productive and meaningful meeting. Senator Koivisto was very positive and objective in recognizing the concerns of those present and is working on a substitute bill to be introduced into the Senate. Senator Koivisto is familiar with the analysis by Michigan State University which shows that over $6 million dollars in revenues has been lost by local units of government in the Upper Peninsula because of the present Commercial Forest Act. The final bill will reflect our concerns while the land will still be available for public use.

8b) Comm. Potvin reported on the January 13, 1992 EDC meeting held at the County Airport. The EDC often has difficulty establishing a quorum and finding people willing to serve. They will be meeting the second Monday of every month during the next six months. A recently submitted EDA Grant application was stranded in Chicago, but the EDC has been assured that it will be forwarded to Washington D.C. by February. EDC Director, Charles Manto, will be evaluated in the near future. On a positive note, Marquette General Hospital purchased an extensive amount of locally made furniture for its recent expansion after being contacted by the EDC.

Informational Items

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that the County Board accept for file Informational Items 9a), 9c), 9d), and 9f) as follows: 9a) Remonumentation Report from the Registered Land Surveyors; 9c) FY 1991/92 Substance Abuse Coordinating Agency Designation; 9d) Dept. of Employment Programs Monthly Report for December, 1991; and 9f) Acknowledgement from Senator Majority Leader, Dick Posthumus, of receipt of County Board resolution supporting SB 390.

Informational Items Cont'd.

9b) The County Board reviewed an announcement from the Marquette County Township's Association for their Annual Banquet to be held Saturday, March 28, 1992, at 6:30 p.m. in the NMU Great Lakes Room. Comm. Potvin encouraged all to attend but would have rather seen the Township's Association use a private facility.

It was moved by Comm. Potvin, seconded by Comm. Arsenault, and unanimously carried to place the announcement on file.
9e) The County Board considered a memo from MAC highlighting pending legislative proposals to increase County Revenues in 1992, which included legislation for the tobacco user fees, increasing the gasoline tax, a court financing package, local option sales/use tax, out of state catalog use tax, mobile home property taxes, and the commercial forest act. Chairperson Corkin noted that any of these issues can be referred to Committee for further consideration and discussion should any Commissioner desire. It was moved by Comm. Angeli, seconded by Comm. Seppanen, and unanimously carried to place the communication on file.

9g) The County Board considered a memo from Attorney, Marvin L. Heitman, who had been consulted by Mr. LeRoy Blondeau in connection with a publication of a tourism map showing proposed snowmobile trails passing through private property owned by Mr. Blondeau and others. The trail involves a segment of a proposed trail running from Harvey to the Crossroads of Co. Rd. 480 and Co. Rd. 553. Because of the publication and distribution of the map, Mr. Blondeau contends that snowmobilers have been using this trail to travel from Harvey to the Crossroads creating noise and a traffic hazard in the residential areas they pass through. Comm. Seppanen felt because the County Board supported the development of a tourism council map several years ago, that Greg Hokens, Executive Director of the Marquette County Tourism, be invited to the next Committee meeting to discuss the matter.

Civil Counsel, David Payant, informed the County Board that he already has contacted Mr. Hokens and learned that Mr. Hokens has already met with Mr. Heitman and the problem has been resolved.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried that the communication be placed on file.

Action Items

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

10a) A recommendation from the Executive/IGR Committee that the County Board request the names and signatures from each local unit of government that has their own zoning ordinance as to who can review and approve local zoning compliances prior to the issuance of a building permit.

10b) A recommendation from the Finance/Personnel Committee to accept the bids obtained from the low bidder Advantage Ford, Inc., Marquette, Michigan, in the net amount of $39,284.00 for three patrol vehicles, and $14,738.00 for a detective vehicle for the Sheriff's Department.

10c) A recommendation from the Finance/Personnel Committee to authorize the expenditure of up to $600.00 for the purchase of a handgun through the Sheriff's Department for additional Courtroom security with a budget amendment as follows:

RESOLUTION AMENDING PUBLIC IMPROVEMENT 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:

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<th>Amended Budget Amt.</th>
<th>Change (+/-)</th>
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<td>Public Improvement Fund</td>
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</tr>
<tr>
<td>Sheriff Vehicles</td>
<td>55,520.00</td>
<td>54,920.00</td>
<td>(600.00)</td>
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<tr>
<td>Misc. Small Projects</td>
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<td>600.00</td>
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<tr>
<td>Sheriff Pistol</td>
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<tr>
<td>Totals</td>
<td>55,520.00</td>
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<td>0.00</td>
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<td>Public Improvement Fund</td>
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</tr>
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<tr>
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<td>0.00</td>
<td>0.00</td>
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Motion was made by Comm. Seppanen, Seconded by Comm. Arsenault, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

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

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10e) A recommendation from the Finance/Personnel Committee to approve the proposed Pilot Grant Agreement between the Michigan Department of Natural Resources and the Marquette County Department of Employment Programs for the construction of park equipment for state campgrounds, with total manhours billed for all work performed not to exceed 4,762 manhours or $40,000.00 during the term of the agreement.

10f) A recommendation from the Executive/TGR Committee that the County Board adopt the revised wording for the Marquette County Smoking Policy 416:1 as follows:

POLICY MANUAL - GENERAL POLICIES
SMOKING POLICY FOR MARQUETTE COUNTY 416:1

416 Smoking Policy for Marquette County

In the interest of providing a safe and healthy environment for the public and employees of Marquette County and in accordance with the Michigan Clean Indoor Act, P.A. 198 of 1986, and City Ordinance Chapter 35 entitled: Smoking Regulations and Prohibitions, the following policy on smoking has been adopted.

SMOKING IS PROHIBITED THROUGHOUT OUR FACILITIES EXCEPT IN THE DESIGNATED SMOKING ROOMS; ROOM 13, LOCATED IN THE BASEMENT OF THE HENRY A. SKEWIS ANNEX; AND ROOM 215, LOCATED ON THE SECOND FLOOR OF THE GERALDINE DE FANT BUILDING.

This policy takes effect on July 23, 1991.

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Action Items Cont'd.

10d) The County Board considered a recommendation from the Executive/ITR Committee to approve the Marquette County Trails, Inc. Trail Permit with amended language in paragraph 3 that would state, "the trail will be marked by signs which conform to the Michigan Manual of Uniform Traffic Control Devices, the Michigan DNR Sign Manual, and the Guidelines for Snowmobile Trail Signing of 1988." (A copy of the guidelines are attached hereto). Civil Counsel, David Payant, further reported that he has discovered no speed limit regulations on snowmobile trails; however, he will continue to research the matter and keep the County Board informed.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the County Board approve of the Marquette County Trails, Inc. Trail Permit as amended.

10g) The County Board considered a recommendation from the Finance/Personnel Committee to continue to support the Marquette County Wellness Committee by allowing the use of release time for County staff and employees to attend their 1992 monthly meetings. Comm. Potvin suggested the possibility of inviting other public entities to participate in the Wellness Program, such as Community Mental Health or the City of Marquette. Administrator Aloia will look into the matter.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the recommendation be approved.

10h) The Marquette County Board received four nominations from the City of Marquette for two 3-year terms expiring 12/31/94 on the Marquette County Transit Authority. The nominees were Russell O. Eckloff, Rosemary Glenn, Richard P. Klahn, and Lois J. Paquet. Clerk Roberts called the role and Richard P. Klahn and Lois J. Paquet were appointed.

Late Additions

11a) The County Board considered a memo from the West Sanitation Authority requesting the appointment of alternates to the Marquette County Landfill Authority. The absence of any member or number of members would seriously impair representation on the Board, and the Articles of Incorporation Agreement provides for such an appointment in Section 5: "Each Designating Entity shall, concurrently, appoint an alternate member, who shall have the right to act in the place of the regular member in the event of the latter's absence from any meeting of the Board."

It was moved by Comm. Arsenaault, seconded by Comm. Seppanen, and unanimously carried that the County Board appoint Ken Salo, Republic Township, as an alternate for Dawson Carrier on the Marquette County Solid Waste Authority.

It was moved by Comm. Arsenaault, seconded by Comm. Potvin, and unanimously carried that the County Board solicit individuals for appointment as alternates for the other two County Board designees to the Solid Waste Authority for consideration at a future meeting.

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

It was moved by Comm. Arsenaault, seconded by Comm. Seppanen, and unanimously carried that the County Board go into Closed Session to discuss pending litigation. Chairperson Corkin declared a five minute recess to clear Commission Chambers.

CLOSED SESSION

The County Board came back into Open Session. No action was forthcoming as a result of the Closed Session.

There being no further business the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk
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 - Zoning Amendment #158-RZ-WE-05:
   a. A petition from Tim Hurkmann, Arnold, MI, to rezone a parcel from RR-5, rural residential five acres to R-residential.

8. PRIVILEGED COMMENT:

9. INFORMATIONAL ITEMS:
   c. FY 1991/92 Substance Abuse Coordinating Agency Designation.
   e. Pending Legislation to Increase County Revenues in 1992.
   f. Acknowledgement from Senator Majority Leader, Dick Posthumus, of receipt of County Board resolution supporting SB 390.
   g. Publication of a tourism map showing proposed snowmobile trails without authorization from private property owners.

10. ACTION ITEMS:
    a. Executive/IGR Committee recommendation requesting the names and signatures from local units of government of those who can approve local zoning compliances.
    b. Finance/Personnel Committee recommendation to accept the low bid for three Sheriff patrol vehicles and one Detective vehicle.
    c. Finance/Personnel Committee recommendation to purchase a handgun for additional Courtoom security.
    d. Executive/IGR Committee recommendation to approve the Marquette County Trails, Inc. permit to operate a snowmobile trail across a portion of County land.
    e. Finance/Personnel Committee recommendation to approve a Pilot Grant between the Michigan DNR and the Employment Programs Dept.
    f. Executive/IGR Committee recommendation to adopt revised wording for the Marquette County Smoking Policy.
    g. Finance/Personnel Committee recommendation to allow release time for County employees to attend monthly Wellness Programs.
    h. Appointments to various Boards and Commissions.

11. LATE ADDITIONS.

12. PUBLIC COMMENT. (time limit 20 minutes total)

13. CLOSED SESSION for the purpose of discussing pending litigation.

14. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.

15. ADJOURNMENT.