The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, October 27, 1992 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenaull, seconded by Comm. Angeli, and unanimously carried that the minutes of the Committee of the Whole meeting held on October 13, 1992 be approved.

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

Chairperson Corkin pointed out for the Committee and those present that the Committee of the Whole plans to recess at approximately 5:15 p.m. to attend a presentation by Vice-Presidential Candidate Al Gore at the NMU Hedgcock Field House, and then return after to continue the meeting.

It was moved by Comm. Arsenaull, seconded by Comm. Angeli, and unanimously carried that the agenda be approved with the following changes: that items 6), 8), 9), & 12), be moved forward on the agenda so that those waiting to discuss these items can do so before the Committee recesses.

** Continuation of the Annual Meeting recessed from October 20, 1992 for the purpose of Certification of Tax Levies from the Local Units of Government. It has been determined by Staff and the Equalization Director that the West Branch Township and Republic Township millages can be approved at this time. It was moved by Comm. Arsenaull, seconded by Comm. Angeli, and unanimously carried that the County Board approve the certification of local unit millages as follows:

<table>
<thead>
<tr>
<th>Local Unit and Purpose of Millage</th>
<th>Maximum Authorized Millage</th>
<th>Prior Year Compound Millage</th>
<th>&quot;Headlee&quot; No Hearing</th>
<th>Maximum Requested Millage</th>
<th>Maximum With Hearing</th>
<th>Approved Millage</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Branch Township</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage—Operating</td>
<td>1.4000</td>
<td>1.1914</td>
<td>1.0000</td>
<td>1.1823</td>
<td>1.4000</td>
<td>1.1823</td>
</tr>
<tr>
<td>Extra voted—Library</td>
<td>1.0000</td>
<td>0.0000</td>
<td>N/A</td>
<td>0.0000</td>
<td>1.0000</td>
<td>1.0000</td>
</tr>
<tr>
<td>Republic Township</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage—Operating</td>
<td>1.4000</td>
<td>1.4000</td>
<td>1.0000</td>
<td>1.3980</td>
<td>1.4000</td>
<td>1.4000</td>
</tr>
<tr>
<td>Extra voted—Operating</td>
<td>5.0000</td>
<td>5.0000</td>
<td>1.0000</td>
<td>4.9900</td>
<td>5.0000</td>
<td>5.0000</td>
</tr>
</tbody>
</table>

***

There are still eleven Townships whose millage levies must be further reviewed before approval; therefore Chairperson Corkin declared the Annual Meeting recessed until the November 3, 1992 County Board meeting.
The Committee considered the donation of a collection John Voelker memorabilia to Circuit Court by Millie Menze, former Marquette County Clerk 1969-1970. Ms. Menze was present and displayed several of the items from her collection that would be placed on display in the Marquette County Courthouse. The items Ms. Menze brought included: photographs and articles by Judge Frank Bell who presided over the original murder trial upon which Mr. Voelker based his book Anatomy of a Murder, a script book from former County Clerk Lloyd LeVasseur who played himself in the movie, and finally a book entitled Anatomy of a Motion Picture from Otto Preminger, which is a collection of photographs taken during the production of the movie. It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board accept the donation from Millie Menze, former Marquette County Clerk, of her John Voelker collection and work with staff and Circuit Court personnel to find an appropriate place for its display.

The Committee considered a memo from Norman Holmes, Chairperson, Marquette County Planning Commission, requesting that the County Board take whatever action is necessary to enforce the provisions of the Solid Waste Plan, and provide a temporary disposal option at the County Landfill for those trying to clean up the County's environment.

Mike Etelamaki, Engineer with Sundberg & Carlson, former Director of the Solid Waste Authority, was present and explained that consideration of the permit for the treatment for contaminated soils will be in front the Air Quality Division of the DNR on December 1, 1992. The hearing was originally scheduled for today, October 27, 1992, but now that there is a delay the construction of a treatment facility will have to wait until next Spring, and as a result the treatment of fuel contaminated soils will not occur until after construction is complete which could be late Summer. Mr. Etelamaki supports the Solid Waste Authority's decision not to put fuel contaminated soils in the landfill. Once treated, these soils could be use for fill, or large quantities of contaminated soil could be treated on site. Mr. Etelamaki believes part of the reason for the DNR delay is that they are just writing the rules for treating fuel contaminated soils and are being very cautious. The DNR permit process was going smoothly and then the Silta matter came up, and now the Authority will be held to the Silta standards even though the contaminated soils would be treated at the landfill. These standards are higher than previous. Mr. Etelamaki suggested that should the County Board want to do anything they should press the DNR to move forward on the permit process. Also another alternative the Authority had been working on with the DNR is a continuation of the pilot project. The pilot project would get Kalcron back to treat some of the smaller quantities of fuel contaminated soil.

Jim Kippola, Senior Planner, was present and pointed out that the Planning Commission can allow out-of-County disposal of fuel contaminated soils, but because of potential liability Civil Counsel advises them not to. The memo written to the County Board is speaking only of small quantities of fuel contaminated soils. If the Solid Waste Authority does not allow them to be disposed of at the landfill, then these piles will have to sit for another year.

Judy Mattord, Chairperson of the Authority, pointed out that the Sands Township Board is opposed to the disposal of fuel contaminated soils in the landfill. She contends the DNR has been dragging its feet, but if the County Board can do something to help, their assistance would be most welcome.

Norman Holmes, Chairperson of the Planning Commission, was present and explained that delays has been occurring for two years now, and we are facing a possible third year. Something has to be done to temporarily help with the small quantities from the small businessmen. Yes, it is true the Planning Commission has the option to allow some of these fuel contaminated
soils out of the County, but the only place that would accept them is Menominee County, which would be very expensive to transport waste, especially in light of the fact that the Solid Waste Plan allows for the disposal of such waste right now at our own landfill.

Ken Salo, Planning Commission Member, reported that the burden in unfair on the small businessmen who cannot haul the solid waste out of the County, nor can he dispose of it at the landfill, nor can it be treated because the DNR has not approved the air quality permit as yet. He pointed out that the Mission Statement of the Solid Waste Authority is to administer the landfill, and not to establish policy. Solid waste planning and policy is the responsibility of the Marquette County Planning Commission and the Solid Waste Planning Committee. Small business people who have contaminated soil piles right now have no options; however, Mr. Salo suggested that the Authority could limit the quantity of soil from any one site, or to only limit the amount of soil to be brought to the landfill per day. He believes the potential for environmental contamination is just as great because of the storage piles as it is should the landfill take all of the contaminated soils.

Chairperson Corkin explained that although this has been a difficult issue and now the time frame has been extended, he felt that we are getting close to a long-term solution and does not think the County Board should do anything rash at this time.

It was moved by Comm. Angeli, seconded by Comm. Potvin, and unanimously carried on a roll call vote that the Committee of the Whole recommend the County Board send a letter to the DNR urging them to continue the pilot project for the treatment of fuel contaminated soils with the process used by KALCON at the Marquette County Landfill for a short-term solution, and also urge the DNR to move off center on the permit process for the long-term solution, and further that the County Board send representatives down to Lansing to discuss the matter with the DNR.

Chairperson Corkin left the meeting at 5:15 p.m. because he had to make a presentation during the A1 Gore visit at the NMU Field House. In the absence of Vice-Chairperson Seppanen, Chairperson Corkin designated Comm. Arsenault as Chair to preside over the meeting.

The Committee considered a request to purchase the former Acoks Medical Care Facility property from Howard Fezzette, President, Northern Land Development, Inc. Dennis Aloia, County Administrator, distributed a copy of Marquette County’s Land Conveyance Policy, and recommended that the County Board consider this request to begin the land conveyance procedure. This policy delineates the step-by-step procedure that must be followed by the administrative staff, legal counsel, and the County Board before the Acoks property could be sold.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that County Staff begin the procedure of the land conveyance policy in reference to Mr. Fezzette’s request to purchase the Acoks property.

It was moved by Comm. Angeli, seconded by Comm. Potvin, and unanimously carried that Claims and Accounts for the period October 10, 1992 thru October 23, 1992, in the amount of $1,521,095.96 be approved.

The Committee considered a July 8, 1992 report from the Michigan Department of Corrections, Office of Facility Services, on the inspection of the Marquette County Jail. Dennis Aloia, County Administrator, explained that the report addresses three areas that require corrective planning and a written response to the Office of Facility Services by December 2, 1992.

The first has already been addressed because Phase I construction plans have been submitted to construct a secure wall and doorway within the lobby area, and Phase II will provide a secure corridor for visitors to the visitation area.
Under kitchen furnishings and maintenance, the present dishes used for inmate food service are worn, cracked, and severely chipped, and the report recommends they should be replaced. Administrator Aloia recommends the purchase of new plates and covers for meal service, at a cost of $1,800.00 with funds to come from Contingency.

The third item has been the ongoing recommendation from the Department of Corrections about repainting the interior of the Jail. It's been seventeen years since the interior of the Jail has been repainted. The County Board has reviewed this matter in recent years and estimated to repaint the Jail at $30,000.00 to $40,000.00. Administrator Aloia recommends that this project be included in a County bond issue.

It was moved by Comm. Angeli, seconded by Comm. Potvin, and unanimously carried that the Committee of the Whole recommend the findings of the inspection report be addressed by the County Board as recommended by Administrator Aloia.

The Committee considered a proposal from the Marquette County Soil & Water Conservation District to administer the Marquette County Soil Erosion Program (P.A. 347). Randy Gentry, Chairman of the Marquette County SCD was present to give a slide presentation and overview of the proposal. The County Health Department is currently designated as the County Administrator of P.A. 347. The Soil Conservation District contends that it is essential that the time available to administer the Soil Erosion Control Program must be balanced to include the application process, site inspections, and the pursuit of a violation. Presently the bulk of Health Department administrative time is spent performing indepth reviews; however, the off-site and sedimentation problems are coming from the lack of using simple soil erosion controls practice and enforcement of the law.

The Soil Conservation District feels that the Soil Erosion Control Ad Hoc Committee was a positive move, but has so far failed in coming forward with constructive solutions. Further erosion control regulations, resolutions and ordinances will only further complicate the process and add to administrative costs. Therefore, the Soil Conservation District feels they are best suited to administer the Marquette County Soil Erosion Control Program.

Mr. Richard Mick, 937 Wilson Street, Marquette, was present and explained that he felt Marquette County needs soil erosion law enforcement rather than more drainage districts and regulations. He also believed the Health Department should be glad for the additional help.

Randall M. Johnson, M.D., Director, Marquette County Health Department, was present and explained that the SCD proposal seems to be very optimistic and unrealistic. It is impossible to review 30 to 40 detailed plans and to be in the field at the same time, but we have come a long way from two years ago.

County Administrator, Dennis Aloia, recommended that the Commissioners send this proposal to the Ad Hoc Soil Erosion Control Committee for their review and recommendation, and then bring the Soil Conservation District and the Health Department back in for further discussion.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the proposal for the Soil Conservation District administration of the Marquette County Soil Erosion Control Program (P.A. 347) be referred to the Ad Hoc Soil Erosion Control Committee for review and recommendation.

Chairperson Arsenault declared a recess at 5:50 p.m. so the Commissioners and Clerk could attend the Al Gore speech at the NMU Field House.

The Committee considered a recommendation from the Marquette County Planning Commission to support a resolution from Washtenaw County regarding out-of-State shipment of solid waste.

It was moved by Comm. Arsenault, seconded by Comm. Potvin, and unanimously carried that the Committee of the Whole recommend the County Board adopt a similar resolution which will restore Michigan's authority to control solid waste.

The Committee considered a recommendation from the Marquette County Planning Commission supporting a resolution from the Keweenaw County Board of Commissioners opposing any reduction of service provided at Rock Harbor Lodge on Isle Royale National Park.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board adopt a similar resolution.

The Committee considered a request from James Sodergren, Marquette County Treasurer, to purchase two personal computer systems. Mr. Sodergren was present and explained that he submitted a capital budget request for three personal computer systems for 1993. After discussing the project with Brent Nault, Data Processing Manager, a concern was raised about office space. The Treasurer's staff members have a Data General terminal on their desk for delinquent tax processing, and adding a PC to each desk would use up most, if not all, of the available work space.

In August the Data Processing staff located and purchased a new software package that performs the desired functions that would solve the problem of office space and enable the staff to perform the majority of their tasks from the same work stations. The purchase of the two personal computers with software and a printer for the Treasurer's Office would come from the tax delinquent administration fund at a cost of $5,734.00, therefore no funds would be required from the general fund.

It was moved by Comm. Arsenault, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board approve the request to purchase two personal computers for the Treasurer's Office at a cost of $5,734.00, with funds to come from the delinquent tax administration fund.

The Committee considered a memo from James Sodergren, Marquette County Treasurer, regarding House Bill 4340. Mr. Sodergren was present and explained that this bill passed the House and would remove from the May tax sale all parcels owned by senior citizens. It would also set aside former sales for parcels owned by senior citizens. Mr. Sodergren explained that this would create a nightmare in tax administration, and may also effect the present sale of tax notes. It could mean a senior age 65 who lives to age 85 would not have to pay property taxes for 20 years. There was an amendment to the legislation which also added persons at the poverty level being removed from the tax sale.

Mr. Sodergren has learned from Senator Koivisto that this legislation will most likely not pass the Senate even though it passed the House. Those State Representatives seeking re-election in the House have got their political mileage out of this bill. Mr. Sodergren requested that the County Board oppose the legislation and send a letter to Senator Koivisto opposing the bill just to be sure.

It was moved by Comm. Potvin, seconded by Comm. Angeli, and unanimously carried that the Committee of the Whole recommend the County Board send a letter opposing House Bill 4340 to Senator Koivisto and to Senator Nick Smith, Chairman of the Senate Finance Committee.
The Committee considered a Local Emergency Management Work Agreement for FY 1993 from Lt. Michael E. Zorza, Emergency Program Manager. Lt. Zorza was present and explained that the Local Emergency Management Work Agreement is a statement of intent on the part of the County, and provides an opportunity for them to review proposed activities for 1993. The agreement requires the approval and signature of the Chairperson of the County Board of Commissioners prior to submission to the Emergency Management Division of the Michigan State Police.

It was moved by Comm. Angeli, seconded by Comm. Arsenault, and unanimously carried that the Committee of the Whole recommend the County Board approve the Local Emergency Management Work Agreement for FY 1993 as presented.

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

Announcements

Chairperson Corkin announced that MARPLEX, Inc. signed a purchase agreement for property within the City of Marquette.

There being no further business the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk
1. ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
** Continuation of Annual Meeting recessed from Oct. 20, 1992:
   a. Certification of tax levies from Local Units.
5. Review of Claims and Accounts.
7. Marquette County Jail Inspection Report from the Michigan Department of Corrections, Office of Facility Services.
8. Proposal for Soil Conservation District administration of the Marquette County Soil Erosion Control Program (P.A. 347).
11. Planning Commission memo regarding resolution from Keweenaw County opposing reduction of services provided at Rock Harbor Lodge, Isle Royal National Park.
12. A request to purchase the Acoks Medical Care Facility property from Howard Fessette, President, Northern Land Development Inc.
13. Request from James F. Sodergren, Marquette County Treasurer, to purchase two personal computer systems.
14. Memo from James F. Sodergren, Marquette County Treasurer, regarding House Bill 4340, legislation to remove parcels owned by senior citizens from the May tax sale.

16.
17.

18. PUBLIC COMMENT.
19. ANNOUNCEMENTS.
20. ADJOURNMENT.