The Marquette County Board of Commissioners met in Regular Session on Tuesday, November 17, 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. Seppanen, and unanimously carried that the minutes of the November 3, 1992 Board of Commissioners Regular Meeting be approved.

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 Late Addition: 11a) Out-of-County Disposal of Contaminated Soils.

Public Hearings

7a) Amendatory Zoning Ordinance #164-RZ-EL-46, a petition from Marvin J. Flack and Jacob M. Flack, Rt. 3, 47370 Co. Rd. 581, Ishpeming, MI, to rezone two 20 acre parcels west of Co. Rd. 581 in Southern Ely Township from TP-40, Timber Production 40, to RP-10 Resource Production 10. The property is described as:

The E-1/2 of the SW-1/4 of the NE-1/4 and the W-1/2 of the SW-1/4 of the NE-1/4, both in Section 22 T46N, R28W.

Chairperson Corkin read Section VIII of the County Board of Commissioners Rules of Order for the conduct of Rezoning Hearings.

Pat Gruber, Planner, gave an overhead and slide presentation of the property. Ms. Gruber explained that the request seems to be non-controversial and staff recommends that the proposed zoning district be found to be consistent with the existing development on the site, the guidelines in the ordinance and with the County Comprehensive Plan.

On behalf of the Planning Commission, Pat Gruber stated that the Planning Commission unanimously voted to grant the RP-10 zoning district as requested by the petitioner.

Chairperson Corkin opened the meeting for the petitioner or the public to comment. Mr. Flack was in attendance and stated he was awaiting the approval of the County Board to grant his rezoning request so that the permit he required for building could be purchased. Chairperson Corkin closed the public hearing.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen, and unanimously carried that the County Board approve the proposed rezoning to RP-10 for the area described in the petition.

Privileged Comment

Chairperson Corkin read the following communication from the Marquette County Road Commission regarding their Mail Box Policy:

MAIL BOX POLICY

The snow plow operators' visibility is restricted due to plowing operations, stormy conditions, snow accumulation, etc., which makes it very difficult for them to see unmarked mail boxes.
The Marquette County Road Commission requests the cooperation of residents living along county roads and streets to have their mail box locations marked with a wooden pole approximately 1-2/3 inches in diameter and of sufficient length that it will extend at least three feet above the mail box at all times.

The Road Commission will only repair mail boxes that comply with highway regulations and have been properly marked when damaged as a result of being struck by a snow plow unit. In the event that damage is so severe that the existing box is beyond repair, it will be replaced with a metal box, the size and style of which shall be at the discretion of the Road Commission. Unmarked mail boxes that are damaged and those that have been damaged by snow thrown by the plows will not be repaired/replaced.

MARQUETTE COUNTY ROAD COMMISSION

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Informational Items

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried to place the following Informational Items on file: 9a) Dept. of Employment Programs Monthly Report for October, 1992; 9b) Marquette County's Year 2000 Immunization Ad Hoc Task Force grant proposal from Randall M. Johnson, M.D., Health Department Director; 9c) List of Marquette County Medical Examiners from Randolph Smith, M.D., Chief Medical Examiner; 9d) Remonumentation Report; 9e) Notice that the National Oceanic Atmospheric Administration and the National Geodetic Association plan a high-accuracy control survey across Michigan beginning September, 1993; 9f) Area Agency on Aging Reconfiguration Proposal; 9g) Mobilization Day to Increase Tobacco User Fees on November 18; and 9h) A memo from the Marquette-Alger Reading Council regarding their "Gift of Reading" program.

Action Items

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

10b) A Committee of the Whole recommendation that the County Board accept a $31,284.00 grant from the U.S. Small Business Association to assist in the 1993 Tree Planting Project. Approximately $65,000.00 was already budgeted, but because Hon Koshorek, Resource Management Director, applied for the grant, the County will be able to do the 1993 tree planting utilizing only 55% of the budgeted funds.

10c) A Committee of the Whole recommendation to approve the 1993 Borrowing Resolutions (1992 Delinquent Taxes) and approve the low bidder, John Axe & Associates, as bond counsel, and also the low bidder, MFCI, as financial consultant. (The complete Borrowing Resolutions are not reprinted in these minutes because of their length; however, a copy is attached is the Board packet of November 17, 1992, and is available for public inspection upon request at the County Clerk's Office).

10d) A Committee of the Whole recommendation to approve the 1992/1993 Emergency Management Assistance Grant Agreement between the Michigan Department of State Police, Emergency Management Division, and Marquette County.

10e) The appointment of Gerard Markey, Equalization Director, to the Marquette County Building Authority due to the resignation of David J. Roberts, Marquette County Clerk.

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10f) The County Board appointed Larry Bussone, RLS, as the County Representative for the Remount Program for a period of three years. The payment for this contract position will be $5,000.00 in the first year, with the second and third years to be renegotiated at the end of the first year, based on the actual time necessary to complete the work. Civil Counsel, David Payant, and County Administrator, Dennis Aloia, are developing a contract that will be used to set forth the terms of this contractual agreement.

10g) Acknowledgment of the Sale of Bonds for the Community Mental Health Buildings by adopting the following resolution:

MARQUETTE COUNTY BUILDING AUTHORITY
County of Marquette
State of Michigan

RESOLUTION ACCEPTING AND AWARDING BIDS

WHEREAS, November 12, 1992, at 2:00 p.m. Michigan Time, was set as the date and time for opening bids for the purchase of Marquette County Building Authority — $1,705,000 Marquette County Building Authority Bonds, Series 1992 (Community Mental Health Facilities); and

WHEREAS, bids received were publicly opened and read in accordance with the Official Notice of Sale; and

WHEREAS, the following bids were received:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>NET INTEREST RATE</th>
<th>NET INTEREST COST</th>
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<tbody>
<tr>
<td>McDonald &amp; Co.</td>
<td>6.0903%</td>
<td>$866,557.50</td>
</tr>
<tr>
<td>Robert W. Baird</td>
<td>6.1993%</td>
<td>$882,148.32</td>
</tr>
<tr>
<td>A.G. Edwards</td>
<td>6.6808%</td>
<td>$950,570.83</td>
</tr>
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WHEREAS, the bid of McDonald & Co. has been determined to produce the lowest interest cost to the Authority.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The bid of McDonald & Co. as above stated, be and the same is hereby accepted.

2. Checks of the unsuccessful bidders be returned to each such bidder's representative either personally or by registered mail.

3. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

RESOLUTION DECLARED ADOPTED.

GARY WALKER, SECRETARY
MARQUETTE COUNTY BUILDING AUTHORITY

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Action Items Cont’d.

10a) The County Board took under consideration a Committee of the Whole recommendation regarding the Honor Camp Access from Co. Rd. 553. Comm. Seppanen emphasized the importance of this project and urged staff to investigate all possible options in order to acquire the property adjacent to the Honor Camp.
It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried to concur with the Committee of the Whole recommendation to ask the State for an extension to the Grant Agreement for the Honor Camp Access Road while staff completes an analysis of the value of the land based on the availability of the $50,000.00, and complete the investigation of other options.

**Late Additions**

11a) The County Board considered a memo from Norman Holmes, Chairperson, Planning Commission, regarding the County Board’s directive of November 10, 1992, to declare an emergency and allow type II fuel contaminated soil to be temporarily transported out of Marquette County.

The memo stated that on a 5-0 vote, with one member absent, the Planning Commission moved to accept the County Board’s recommendation for declaration of a temporary emergency for out-of-County disposal of Type II petroleum contaminated soil, with the understanding that the County Board has accepted full responsibility for liability related to that disposal; and noting the conflicting directives from the Board; and that those who have applied previously and have been denied be allowed to remove their soils immediately and to allow all others the opportunity to apply through the December 2, 1992 Marquette County Planning Commission meeting, with the requirement that all people desiring to take advantage of this opportunity must have the soil removed by February 28, 1993.

The Marquette County Planning Commission stated that the basis for declaring the emergency was:

1. The Marquette County Landfill Authority’s refusal to accept contaminated soil, contrary to the County’s Solid Waste Plan.

2. That such disposal is authorized under the emergency disposal provisions clause in the Marquette County Solid Waste Plan which allows the Marquette County Planning Commission to consider the Authority’s ban as creating the emergency.

3. Delays by the State of Michigan in approving permits for the permanent soil treatment facility at the Landfill, as well as other non-county treatment systems.

Again, on a 5-0 vote, the Planning Commission asked staff and/or Commissioners to represent the Marquette County Planning Commission at the DNR Air Quality Commission meeting in December, regardless of where it is held, and to encourage the County Board to also send a representative; or as an alternative, to send a strongly worded resolution supporting the issuance of an air quality permit for the County Landfill site.

Comm. Arsenault explained that the County Board has always been supportive of solving County problems and was disturbed by the following issue discussed by the Planning Commission: . . . why it required a large business like Shopko to make the County Board recognize there is a problem when small businesses with the same problem did not receive the same decisive response?

All Commissioners expressed concern and assured continued support for the County solid waste problems.

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

**Commissioners Comments and Announcements**

Chairperson Corkin recognized and welcomed newly elected District 10 Commissioner, Charles Bergdahl.
Dennis Aloia, County Administrator, announced that a public hearing to receive written and oral comment on a Tax Increment Financing (TIF) and Development Plan for an area within the current Downtown Development Authority District will be held by the Marquette City Commission on December 14, 1992 at 7:00 p.m. in Commission Chambers at 300 W. Baraga Ave.

Administrator Aloia announced that a joint meeting has been requested on December 2, 1992 at 7:00 p.m. in the Negaunee High School Library to discuss bonding for the Negaunee/Ishpeming Water Project. Commissioners felt a quorum could be present at that meeting.

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

Respectfully submitted,

Margaret A. O'Neill
Deputy County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, November 17, 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
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS:
   a. Rezoning petition #164-RZ-EL-46 Marvin & Jacob Flaack, Co. Rd.
      581, Ishpeming, to amend two parcels from TP-40 to RP-20.
8. PRIVILEGED COMMENT:
   a. Marquette County Road Commission Mailbox Policy.
9. INFORMATIONAL ITEMS:
   b. Marquette County's Year 2000 Immunization Ad Hoc Task Force grant
      proposal from Randall M. Johnson, M.D., Health Dept. Director.
   c. List of Marquette County Medical Examiners from Randolph Smith,
      M.D., Chief Medical Examiner.
   d. Remonumentation Report.
   e. Notice that the National Oceanic Atmospheric Administration and
      the National Geodetic Association plan a high-accuracy control
   g. Mobilization Day to Increase Tobacco User Fees on November 18.
   h. A memo from the Marquette-Alger Reading Council regarding their
      "Gift of Reading" program.
10. ACTION ITEMS:
    a. Committee of the Whole recommendation to ask the State for an
       extension to the Grant Agreement for the Honor Camp Access Road.
    b. Committee of the Whole recommendation to accept a $31,284.00
       grant from the U.S. Small Business Administration to assist with
       the 1993 Tree Planting Project.
    c. Committee of the Whole recommendation to approve the 1993
       Borrowing Resolution for the 1992 Delinquent Taxes.
    d. Committee of the Whole recommendation to approve a 1992/1993
       Emergency Management Assistance Grant Agreement.
    e. The appointment of Gerard Markey, Equalization Director, to the
       Marquette County Building Authority.
    f. The appointment of Larry Busson, RLS, as the County
       Representative for Remonumentation.
    g. Acknowledgment of the Building Authority Resolution to award the
       Community Mental Health bond bid.
11. LATE ADDITIONS: [Handwritten note]
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.