When the Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, January 26, 1993 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Trudell, seconded by Comm. Bergdahl and unanimously carried that the minutes of the Committee of the Whole Meeting held on January 12, 1993 be approved.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

It was moved by Comm. Angeli, seconded by Comm. Braamse, and unanimously carried that the agenda be approved with the following additions: Item 13) become the old Acocks Property Purchase Agreement Update and Item 15) a memo from Prosecutor Gary Walker regarding remodeling his office.

It was moved by Comm. Seppanen, seconded by Comm. Minelli and unanimously carried that Claims and Accounts for the period 12/31/92 through 1/22/93 in the amount of $1,384,628.07 be approved.

Department Head Introductions: Over the next several Committee of the Whole Meetings, department heads will each give a 5 to 10 minute presentation introducing department and explaining its duties. The following department heads were present and gave their presentations at this meeting:

Gerard Markey, Equalization Director
Randall M. Johnson, M.D., Health Department Director
David A. Payant, Civil Counsel, Prosecuting Attorney’s Office
Robert Taylor, Employment Program Director
Ron Koshorek, Resource Management/Development Department Director
Cyndi Beaudry, Risk Management Specialist
Brent Nault, Data Processing Manager

The Committee considered a memo from the Marquette County Soil and Water Conservation District which has been reviewing the Draft Storm Water Management Ordinance, prepared by Darryll Sundberg for Marquette County. The SWCD Storm Water Committee has reviewed and recommended changes to the draft Storm Water Ordinance, however, they strongly feel that Marquette County would benefit more from a combined Storm Water and Soil Erosion Control Ordinance.

It was moved by Comm. Potvin, seconded by Comm. Angeli and unanimously carried that the Committee of the Whole direct the SWCD Storm Water Committee’s recommended changes to the draft Storm Water Ordinance to the Ad Hoc County Committee on Soil Erosion Control for further review and recommendation.

It was moved by Comm. Angeli, seconded by Comm. Seppanen and unanimously carried that the Committee of the Whole send a written request to the three member panel (County Clerk, Prosecutor, and Probate Judge), to delay the appointment of the County Drain Commissioner it is more determined whether the position will be part time or full time and if the Drain Commissioner’s duties and responsibilities will include administration of a new County Storm Water/Soil Erosion Ordinance.

The Committee considered an amendment to the 1989 Airport Improvement Program Grant Agreement from Hal Pawley, Airport Manager. Mr. Pawley was present and explained the 1989 AIP project included the following:
expansion and remodeling of the terminal, installing reflectors on the parallel taxi-way, and rehabilitation of a service road way. The grant funds received for the projects were from the FAA and the Michigan Bureau of Aeronautics, however, the final closeout of the 1989 AIP was delayed pending a determination of grant eligibility for an additional $37,970.74 of project costs.

It has finally been determined by the FAA that the additional costs are allowable under the grant program. As a formality, the County Board must accept the amendment to the grant agreement to receive the additional funds, but it will not result in any increase in the local share for this grant. The amendment no. 1 to the grant agreement increases the FAA share by $37,970.74 to a total of $706,390.74.

It was moved by Comm. Minelli seconded by Comm. Braamse and unanimously carried on a roll call vote, that the Committee of the Whole recommend the County Board adopt the resolution accepting the grant amendment and approve the execution of the documents by the Board Chair.

The Committee a communication from Lynn Emerick, Director, Commission on Aging regarding a resolution to issue a waiver of penalties for late payment of property taxes by eligible persons who have filed for state income tax refunds but have not received the refund by March 1, 1993. Four eligible persons applied for the waiver for 1991 tax penalties and County Treasurer Jim Sodergren had indicated to Ms. Emerick that a renewal of the resolution for one year should not present a financial problem to the County.

Eligible persons include senior citizens, persons with various disabilities, low income, etc.

It was moved by Comm. Seppanen, seconded by Comm. Potvin, that the Committee of the Whole recommend the County Board adopt the resolution waiving penalties for late payment of taxes by eligible persons who have filed for state income tax refunds for the year 1993.

The Committee considered a letter from Richard P. Klahn, Interim Director of the Marquette County EDC regarding possible restructuring of the EDC. The letter did note that the EDC Board of Directors moved by unanimous vote that they are satisfied with the present structure and policy governing the EDC Board, however, this does not preclude future discussions between the County Commission and EDC.

The Committee considered an update from Ron Koshorek, Resource Management Director on the Honor Camp Access Road Project. Mr. Koshorek was present and explained that the long term plans to use the Honor Camp Property called for a new access road connecting it to County Road 553. Marquette County applied for a grant from the Michigan National Resources Trust Fund (MNRTF) to acquire two parcels of approximately 22 acres and at the time of application, the property value was estimated at $50,000.

Recently the grant was approved for the amount requested, with a 25% local match. The County proceeded with the acquisition following state requirements, however, appraisals performed show the market value of the two properties at $118,320. If the property is acquired at the appraised value, including expenses of the sale, the project will cost $125,000. In order to bring this back within the $50,000 budget, a reduced acquisition is being considered. Staff still believes that enough property can be purchased for the road with an additional 60 to 90 acres which staff feels would still be the best deal for the County. This project has been under consideration for 9 years and the Michigan Natural Resources Commission has extended the deadline for acquiring the property until December 31, 1993.

Several questions were raised regarding alternative options such as doing a land swap to obtain the property or altering the access road from County Road 480. The $118,000 appraisal was also questioned.

It was moved by Comm. Seppanen, seconded by Comm. Potvin and unanimously carried that the Committee of the Whole send the appraisal report to the County Equalization Director for his review and comment for a future Committee Meeting.

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The Committee considered a financial analysis and options regarding the cost of making the Drain Commissioner position full time from Dennis Aloia, County Administrator. Administrator Aloia considered the most viable option to be determining whether or not a Storm Water Management and Soil Erosion Program will be part of the Drain Commissioner’s budget and duties, and if so, a salary increase could be built into a fee system.

It was moved by Comm. Potvin, seconded by Comm. Angeli and unanimously carried that the Committee refer the Administrator’s analysis to the Ad Hoc Soil Erosion Committee.

The Committee considered a recommendation from Dennis Aloia, County Administrator, to support a community effort urging the Federal Government to maintain K.I. Sawyer Air Force Base as an active air base. Mr. Aloia was present and explained that a community group has formed with Ellwood Mattson, Chairperson, to prepare information and lobby on behalf of keeping K.I. Sawyer Air Force Base open. Administrator Aloia was asked to be a part of that group and work on the planning effort. The Secretary of Defense through the various branches of the military will make recommendations to a Base Realignment and Closure Commission (B R & C), and that committee will in turn present its recommendations to the President of the United States. Once the President has sent the list to Congress, the recommendations must be approved or rejected in total, and changes to his recommendation cannot be made. The community group has an opportunity to affect decision making with the Secretary of Defense and at the B R & C levels.

National Security Analyst, Inc. has been hired at a cost of $7,200. This firm has extensive experience in preparing justification papers (white papers) for the Secretary of Defense and the B R & C. They have successfully negotiated on behalf of other bases in the United States and have proven their expertise in this area. In addition to hiring National Security Analysts, Inc. the community group has decided to put together a plan for the next several years whereby they will meet with our Washington representatives and the Defense Department to assure that K.I. Sawyer remains active. To this end, the local community group is asking local units of government, service organizations, etc., to financially participate in the cost of funding the multi-year effort. The group is looking to raise $25,000.

It is estimated that $156 million was spent by K.I. Sawyer Air Force Base in 1992, which is approximately 20% of Marquette County’s total economy. It is vital that K.I. Sawyer Air Force Base remain open and to that end, Administrator Aloia is recommending that the County of Marquette appropriate $5,000 towards the effort. Mr. Aloia has further requested in discussions with Ellwood Mattson that the County funds be spent directly on hiring National Security Analysts, Inc. so that the appropriation is for a specific purpose.

Comm. Potvin contended that he will vote no on this recommendation. He believes K.I. Sawyer to be important to the Marquette County economy, but the decision for it to remain open ought to be based on its military role, and not on its economic role. He also felt that the County EDC should contribute the $5,000 and that a community-wide appeal be made to individuals to donate to this effort. He himself will to give $100 and urged other commissioners to do the same.

Commissioner Angeli supports the community group’s effort to maintain K.I. Sawyer AFB and pointed out that the group will be studying many other issues besides the economic impact of closing K.I. Sawyer, including air space.

Comm. Seppanen and Comm. Corkin concurred with Comm. Angeli and supported this community effort.

It was moved by Comm. Seppanen, seconded by Comm. Braamse and carried on a roll call vote. Seven ayes (Comm. Seppanen, Comm. Angeli, Comm. Berghdahl, Comm. Braamse, Comm. Minelli, Comm. Trudell, and Comm. Corkin) and one no (Comm. Potvin), that the Committee of the Whole commend the County Board support the community effort to maintain K.I. Sawyer as an active Air Force Base and approve the appropriation of $5,000 for the hiring of National Security Analysts, Inc. with the funds to come from contingency.
The Committee a memo from David Payant, Civil Counsel regarding the purchase agreement for the old Acocks property. Civil Counsel Payant was present and explained that there are two issues he needs County Board direction on.

First, the purchaser will agree to the County's indemnification for liability for potential environmental problems provided that a full disclosure and list of such problems is made entering into the sale. Civil Counsel Payant pointed out that such an indemnification agreement does not bind the DNR. Should environmental problems appear in the future, the County would have the right to sue the purchaser for cleanup costs, however, should the purchaser become insolvent, the DNR can look to the County to pay for the cleanup. This does not mean that the County should not sell the property. It just means that an indemnification agreement is probably the only protection we can reasonably seek in the negotiations. If the County does not sell the property, the environmental liability is all the County's anyway.

Second, the Marquette County Planning staff has been working with the Negaunee Township Planning Commission to expand their zoning ordinance but Negaunee Township has been reluctant. The purchasers would like a specific new zoning district added to the Negaunee Township Ordinance, which would allow for planned unit developments (PUD). The present zoning allows for business and light industry which is be unacceptable to the neighboring residents in Marquette Township. Also, Mr. Fezzat would like to develop a single family district on the East side of the property, which would act as a buffer, to Marquette Township and also develop moderate income housing units on the remainder of the property. Low income housing is no longer planned.

County Administrator Dennis Aloia summarized the situation with the following recommendation: that the County enter into the sale and purchase agreement with the indemnification of all potential environmental hazards disclosed and that the sale and purchase agreement include language for the appropriate zoning.

It was moved by Comm. Potvin, seconded by Comm. Seppanen and unanimously carried that the Committee of the Whole recommend the County Board direct Civil Counsel and the Administrator to draft a purchase agreement with Maple Wood Development Group, Inc. for the sale of the old Acocks property that would include an indemnification agreement disclosing all known potential environmental contaminations upon entering the agreement, and further that the County continue to work with Negaunee Township for the appropriate zoning of the property to restrict certain business and industrial uses and instead allow for single family and multiple housing development.

The Committee considered a request from Gary L. Walker, Prosecuting Attorney to bring a request directly to the County Board meeting on February 2, 1993, for minor remodeling in the Prosecutor's Office. Prosecutor Walker is out of town and could not attend this Committee of the Whole meeting.

It was moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried that the Committee allow Prosecutor Walker's request to come directly to the County Board as requested.

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

County Administrator Dennis Aloia reminded the Commissioners of the special Committee of the Whole meeting to be held Monday, February 1, 1993 at the Valente Medical Care Facility at 4:30 p.m. This meeting will include a tour of the facility and a meal.
There is also a special Executive/IGR Committee Meeting scheduled for Wednesday, February 3, 1993 at 4:30 p.m. in the Commission Chambers for the purpose of considering restructuring of the Airport Committee.

There being no further business, the meeting was adjourned.

Respectfully submitted,

[Signature]

David J. Roberts
Marquette County Clerk
ROLL CALL.


3. PUBLIC COMMENT.

4. APPROVAL OF THE AGENDA.

5. Review of Claims and Accounts.

6. Departmental introductions.

7. Brief recess. The Executive/IGR Committee and the Finance/Personnel Committee will meet separately to elect a Chair and Vice-Chair.

8. Storm Water/Soil Erosion Control Ordinance recommendations from the Ad Hoc Committee.

9. Amendment to the 1989 Airport Improvement Grant Agreement from Hal Pawley, Airport Manager.

10. Waiver of penalties for late payment of property taxes for eligible persons.

11. Letter from Richard P. Klahn, Interim Director, regarding restructuring of the EDC.


13. Financial analysis from Dennis Aloia, County Administrator, regarding full-time Drain Commissioner.

14. Community effort to support K.I.Sawyer AFB.

15. PUBLIC COMMENT.

17. ANNOUNCEMENTS.

18. ADJOURNMENT.