The Marquette County Board of Commissioners met in Regular Session on Tuesday, September 21, 1993 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. Braamse, and unanimously carried that the minutes of the September 7, 1993 Regular Board Meeting be approved.

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

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried on a roll call vote that the agenda be approved with the following changes: Delete item 8a) under Privileged Comment, Rancey Creek Drainage District Bond Issue (Drain Commissioner and Attorney not ready to present issue to the County Board); and add Late Addition 11a) Acocks Property Sale.

Informational Items

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried on a roll call vote that the following informational item be accepted and placed on file: 9a) A National search to fill the position of Director for the National Institute of Corrections, U.S. Department of Justice.

Action Items

It was moved by Comm. Braamse, seconded by Comm. Minelli, and unanimously carried on a roll call vote that action items 10a), 10b), 10d), 10f), and 10h), be approved as follows:

10a) A Federal Emergency Management Agency (FEMA) Grant Application from the Emergency Management Division, Michigan State Police. The $4,000 grant will upgrade the existing amateur radio emergency communication services and support equipment in Marquette County. The grant award requires a 50% ($2,000.00) local match from Marquette County.

10b) A Committee of the Whole recommendation to approve the Emergency Management Assistant Agreement and the Local Emergency Management Work Agreement for FY 1994 for Marquette County.

10d) A Committee of the Whole recommendation to place the Commission on Aging, Search and Rescue, and Central Dispatch/911 millage for renewal on the August 1994 ballot.

10f) A Committee of the Whole recommendation to approve the low bid of $1,690 to repair the flat portion of the roof at the Youth Home to G & S Roofing for, and the low bid of $2,775 for replacement of the dishwasher to Hobart of Neguane. $7,000.00 was previously allocated for 1993 to replace the entire roof. The dishwasher and the flat section of the roof total $4,465, a savings of $2,535 from the original $7,000.

10h) A Committee of the Whole recommendation to adopt the following resolution to reorganize the Marquette County Airport Committee:
RESOLUTION

WHEREAS, the Marquette County Board of Commissioners desires to reorganize the Marquette County Airport under the Michigan Aeronautics Code, MCL 259.1 et seq.; and

WHEREAS, in order to reorganize the Marquette County Airport, it is necessary to abolish the current Marquette County Airport Committee and transfer its duties to a five member Board established under the Aeronautics Code, MCL 259.133(a).

NOW, THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners hereby abolishes the Marquette County Airport Committee effective January 1, 1994.

IT IS FURTHER RESOLVED, that the Marquette County Board of Commissioners hereby establishes the Marquette County Airport Board, effective January 1, 1994, which will consist of five members and shall be organized pursuant to the Michigan Aeronautics Code, MCL 259.1 et seq.

IT IS FURTHER RESOLVED, that terms of office for the new Marquette County Airport Board will be staggered with members serving three year terms. The initial five members of the Board will have their terms staggered with two members serving three years, two members serving two years, and one serving for one year. After the initial Board is appointed, the new members shall be appointed when each term expires. Should any Board seat become vacant, the County Board may appoint a replacement to fill the remainder of the unserved term of the seat that was vacated.

IT IS FURTHER RESOLVED, that the Marquette County Airport Board shall have all of the powers to manage the Airport that are listed in MCL 259.133, with the exception that the Board shall not have the power to sell real property that is under its management and control without the concurrence of the Marquette County Board of Commissioners. The Airport Board shall have the power to:

1. Make policies to manage the operation of the Airport;
2. Employ an Airport Manager;
3. Fund the hiring of staff by the Airport Manager. Staff will work under the supervision and control of the Airport Manager;
4. Hold funds in trust for the County, with approval of the County Board, whether such funds are from revenue generated by the operation of the Airport or are appropriated by the County Board to fund Airport operations;
5. Adopt all rules, regulations and ordinances for the management, government, and use of any of the properties under its control;
6. Appoint Airport guards or police, with full police powers;
7. Fix penalties for the violation of the rules, regulations and ordinances it adopts, and enforce penalties therefore;
8. Lease for a term of years or rent real or personal property, aeronautical facilities, or buildings and structures relating thereto, to any person(s), corporation or government entity for operation and/or public use;
9. Confer the privilege of operating concessions and/or of supplying on the Airport, goods, commodities, things, services and facilities; to enter into leases contracts, agreements, or grants of privileges of concessions with any person(s) or any other political subdivision or department. The terms, charges, rentals and fees for such concessions shall be equal and uniform for the same type of facilities provided, services rendered, or privileges granted with no discrimination between users of the same class for like facilities provided, services
rendered, or privileges granted. The terms, charges, rentals and fees may vary where necessary, to provide security and funds for repayment of bonds to the issue as authorized by the Aeronautics Code to finance improvements in or on the Airport;
10. The power to determine charges, rentals, or fees for the use of any properties under its control, and the charges for services or accommodations, and the terms and conditions under which the properties may be used, which rentals, fees, charges, terms and conditions shall be uniform and equal for the same type of use provided. Terms, charges, rentals, and fees may vary where necessary, to provide security and funds for the repayment of bonds issued as authorized under the Aeronautics Code. Liens may be had and enforced by law, as provided in such cases, for repairs to, or improvements, or storage, or care of any personal property;
11. Dispose of personal property in a manner consistent with Marquette County policies;
12. Accept gifts or devises and hold them in trust on behalf of Marquette County to use for Airport purposes;
13. Supervise improvements to Airport facilities;
14. With the concurrence of the Marquette County Board of Commissions, pledge revenue for the issuance of revenue bonds; and
15. The Airport Board may exercise all powers necessarily incidental to the general and special powers granted herein.

IT IS FURTHER RESOLVED, that the Marquette County Airport Board shall endeavor to adopt County policies as soon as practicable.

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

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Action Items Cont'd.

10c) The County Board considered a recommendation from the Committee of the Whole to approve the Sheriff's Department Secondary Road Patrol and Accident Prevention Program (P.A. 416) Application for FY 1994. Materials were not available at the last Committee of the Whole meeting for review, the Sheriff's Department requested they go directly to this County Board meeting for approval. The application already has legal and administrative approval. Total projected cost of the application is $94,191.00. Based on State projections for FY 1994, Marquette County's total allocation will be $54,360.00.

It was moved by Comm. Joseph, seconded by Comm. Trudell, and unanimously carried on a roll call vote that the Sheriff's Department Secondary Road Patrol and Accident Prevention Program (P.A. 416) Application for FY 1994 be approved.

10e) The County Board considered a Committee of the Whole recommendation to certify the delegates and alternate delegates to the annual MERS meeting, and further that the County Board not authorize delegates to attend the annual meeting this year. Chairperson Corkin stated that employees have expressed their concern and feel it is important that they have a representative at this meeting.

Randell Girard, Human Resources Director, stated that the purpose of the annual meeting is to elect representatives to the MERS Board and to provide information on pending legislation and regulatory changes affecting MERS participants. After reviewing the agenda of the annual MERS Board meeting he made the recommendation not to attend this year based on the cost. Since that Committee meeting several employees have contacted him and...
stated that they feel it is important to attend, based on the Governor's recommendation to change the retirement system. The issue is not on the agenda, but may be discussed at the meeting. He stated that the bargaining unit has agreed to pay the cost to send the employee delegate. Mr. Girard stated that he has changed his recommendation at this point and asks the County Board to allow the employee delegate to go if the bargaining unit pays the cost. He doesn't feel it is cost beneficial for the County to pay, the items on the agenda can be dealt with over the telephone rather than sending people to the meeting for two days.

Mr. Girard explained that a representative from the retirement system is coming to Marquette County to service us as a client the week of October 11, 1993. They will schedule three meetings with staff, and anyone can attend those meeting and have an opportunity to ask questions.

Susan Shaver, the employee delegate elected, was present and stated that this meeting is one of the more important meetings that they have ever had. The future of our retirement system is in jeopardy of being changed. Currently our retirement system is being handled very effectively, we have an excellent return on our investments. She explained that Donna Kohut, a MERS Board member, who is also the finance director for the City of Marquette, is the only MERS Board member north of Traverse City. She feels it is very important to support Ms. Kohut in her re-election. She feels the Upper Peninsula should be more active in the MERS system.

It was moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried on a roll call vote that County Board allow the Employee Delegate to attend the MERS 1993 Annual Meeting.

It was moved by Comm. Seppanen, seconded by Comm. Trudell, and unanimously carried on a roll call vote that the County Board fund, as in past practice, the Employee Delegate to attend the MERS 1993 Annual Meeting.

Dennis Aloia, County Administrator, asked that the County Board also consider allowing the Officer Delegate to go to represent the County from the management standpoint, this has also been past practice. He suggests that if the employee representative is there, we should also have the management representative there.

It was further moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried on a roll call vote to follow staff recommendation and also fund the Officer Delegate to attend the MERS 1993 Annual Meeting.

MERS' 1993 ANNUAL MEETING
DELEGATE & ALTERNATE CERTIFICATION FORM

OFFICER DELEGATE & ALTERNATE:
I hereby certify that at a meeting of the governing body of Marquette County, held on September 21, 1993, Randell E. Girard, was appointed Officer Delegate and Gary H. Yoder was appointed Officer Alternate to represent the MERS' participating municipality at the 1993 Annual Meeting of the Municipal Employees' Retirement System.

EMPLOYEE DELEGATE & ALTERNATE:
The employees by secret ballot elected Susan Shaver as Employee Delegate and Donald H. Kaupila as Employee Alternate to represent the employees at the 1993 MERS' Annual Meeting.

GERALD O. CORRIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS
10g) The County Board considered a Committee of the Whole recommendation to authorize attendance at the Upper Peninsula Association for County Commissioners' Conference in Iron River. Comm. Bramse questioned whether there were any other Commissioners who expressed interest in attending other than herself.

It was moved by Comm. Bramse, seconded by Comm. Arsennault, and unanimously carried on a roll call vote that the County Board authorize attendance at the Upper Peninsula Association of County Commissioners' Conference to be held in Iron River on October 8th and 9th.

10i) The County Board considered a resolution opposing House Bill 4873 (Court Financing Statute) from Douglas W. VanEssen, Attorney, Law Westhers & Richardson. This Bill creates a new State court fund which will draw revenue from increases in trial court filing fees. The collected funds are then to be distributed to finance four activities: the State Court Administrative office, the State's obligations to fund the Wayne County Trial Court System, legal representation for indigents in civil matters and reimbursement to some Michigan counties for a portion of their trial court expenditures. The latter reimbursement occurs under a formula that offsets the reimbursement county by county, by the sum of all of the revenues collected by the trial courts in that county, plus State contributions to the local child care fund and existing State contributions to the trial court system such as for judicial salaries. When the offset is administered, only 20 Michigan counties will be entitled to any reimbursement whatsoever.

HB 4873 appears to be an attempt to destroy local governmental consensums by dividing Michigan counties. It is important that Michigan counties stick together to insure an equitable and an adequate result for all Michigan counties.

Chairperson Corkin read a memo received from the Michigan Association of Counties that MAC staff is presently working on a substitute bill for HB 4873 with Senator William Van Regenmorter. The substitute will revamp the current legislation. The language in the substitute will provide a more equitable distribution of revenues to local units of government. The bill will completely revise the current formula.

It was moved by Comm. Seppanen, seconded by Comm. Joseph, and unanimously carried on a roll call vote to table the resolution opposing HB 4873 until we have received an acceptable substitute.

Late Additions:

11a) The County Board took under consideration the purchase agreement for the Acoks Facility. David Payant, Civil Counsel, was present and stated that he received a telephone call from Mr. Clark who represents Mr. Pesola, and Mr. Pesola is not satisfied with the rezoning of the property. The property had been rezoned to allowed multi-family in the area where the buildings are now located, but the two other 40'a that are outside of that area were left in a forestry designation. The agreement with the purchasers indicates that if the zoning is not acceptable to both parties then the agreement can be terminated. Mr. Pesola wishes to terminate the agreement.

Mr. Payant also received a communication from Mr. Howard Fissette indicating that he wants to continue the agreement and is looking for other investors. He will have an answer by October 1, 1993 as to whether or not there will be additional investors.

Mr. Payant recommends the County Board terminate the agreement with Mr. Pesola and return the deposit and seek other offers for the property.

It was moved by Comm. Arsennault, seconded by Comm. Seppanen, and unanimously carried on a roll call vote that the County Board accept the recommendation of Civil Counsel and return the deposit and seek other offers for the property.
Chairperson Corkin opened the meeting for public comment, none was forthcoming.

Commissioners Comments and Announcements

Chairperson Corkin reported that the Conversion Authority had their first meeting today at K.I.Sawyer AFB. There was a tour of the base in the morning and the meeting in the afternoon. He stated that the Authority has many good people. Chairperson Corkin will keep Commissioners informed as the meetings continue. He will ask for County Board consensus on any important issues. He also feels it is very important to get the public involved, in any way they feel they want to be involved, and encourages them to do so.

A tour of K.I.Sawyer is scheduled for October 12, 1993. Administrator Aloia will send a reminder notice to Commissioners and also notices of any meetings of the Conversion Authority.

Dennis Aloia, County Administrator, distributed a letter he received from Dale Iman, Marquette City Manager, regarding payment of the special assessment for Whetstone/Orianna Drainage District design and engineering. He has been working on the project to get the money owed to the County repaid on the two drainage loans. Mr. Iman is making a recommendation at the next City Commission meeting that they repay the County in full and suspend the rules and repay Marquette County immediately. The money could be available to us next week.

There being no further business the meeting was adjourned.

Respectfully submitted,

Connie M. Branam
Deputy 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.

8. PRIVILEGED COMMENT:
   a. Raney Creek Drainage District Bond Issue

9. INFORMATIONAL ITEMS:
   a. A National search to fill the position of Director for the National Institute of Corrections, U.S. Department of Justice

10. ACTION ITEMS:
    a. Federal Emergency Management Agency grant application from the Emergency Management Division, Michigan State Police
    b. Committee of the Whole Recommendation to approve the Local Emergency Management Work Agreement for FY 1994
    c. Committee of the Whole recommendation to approve the Sheriff's Department Secondary Road Patrol and Accident Prevention Program Application for FY 1994.
    d. Committee of the Whole recommendation to place the Commission on Aging, Search and Rescue, and Central Dispatch/911 millages for renewal on the August, 1994 ballot.
    e. Committee of the Whole recommendation to certify the delegates to the annual MERS meeting.
    f. Committee of the Whole recommendation to repair a portion of the Youth Home roof and replace the dishwasher.
    g. Committee of the Whole recommendation for several County Commissioners to attend the Upper Peninsula Association for County Commissioners' Conference in Iron River
    h. Committee of the Whole recommendation to adopt a resolution to reorganize the Marquette County Airport Committee
    i. A resolution opposing House Bill 4873 (Court Financing Statute)

11. LATE ADDITIONS:

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

13.

14.

15. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.

16. ADJOURNMENT.