The Marquette County Board of Commissioners met in Regular Session on Tuesday, November 23, 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. Joseph and unanimously carried that the minutes of the November 9, 1993 Regular Board Meeting and the Special Meeting held on October 26, 1993 be approved.

Chairperson Corkin declared November 28 through December 4, 1993 as "Winter Safety Week" with the following proclamation:

MARQUETTE COUNTY
"Winter Safety Week"
PROCLAMATION

Whereas, each year in Marquette County, lives and property are endangered and residents and travelers suffer extreme hardships due to severe winter storms; and;

Whereas, winter weather can cause death and injury through heart attack, traffic accidents, frostbite, hypothermia, isolation due to heavy snowfall and other related causes; and;

Whereas, the probability of residential fires increases in the winter due to improper use and installation of alternative heating sources, poorly maintained chimneys, and other factors; and;

Whereas, the citizens of Marquette County need to be aware of the danger of winter hazards and of the measures that can be taken to prevent or prepare for such hazards; and;

Whereas, Marquette County Emergency Management officials, the National Weather Service, local safety organizations, and the area media are cooperating to inform the public about winter safety issues; and;

Whereas, by taking reasonable precautions, the residents of Marquette County can lessen the hardships caused by severe winter weather and, as a result, more fully enjoy the winter months;

Therefore, I, Gerald O. Corkin, Chairperson of the Marquette County Board of Commissioners, hereby declare November 28th through December 4, 1993 as "Winter Safety Week" in Marquette County. I urge all residents to learn more about family, home, and vehicle safety measures to better prepare for the winter season. Further, I ask residents and travelers to fully cooperate with our local emergency personnel when severe winter weather conditions threaten Marquette County.

GERALD O. CORKIN, CHAIRPERSON
MARQUETTE COUNTY BOARD OF COMMISSIONERS

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

It was moved by Comm. Joseph, seconded by Comm. Trudell, and unanimously carried on a roll call vote that the agenda be approved with the following late addition: A memorandum from Civil Counsel David Payant regarding the trial court decision concerning the Ishpeming City Tax Increment Financing District. Civil Counsel Payant recommended the County Board go into closed session to discuss the court decision to determine whether to continue litigation by an appeal.
Information Items

It was moved by Comm. Potvin, seconded by Comm. Arsenault, and unanimously carried on a roll call vote that the following information items be accepted and placed on file:


b. Quarterly Status Report - Victim Restitution Fund from Tal Lapins, Field Supervisor - Probation/Parole Office.

c. Letter from Jacquelyn Williams-Armstrong, CDBG Housing/Homeless Programs Director acknowledging MSHDA's receipt and acceptance for review Marquette County's 1993 Community Development Block Grant housing application for the Housing Grant Program.

d. Letter from Sen. Carl Levin regarding closure of K.I. Sawyer AFB.

e. Letter from Bob and Sue Hogg expressing satisfaction with Courthouse staff during their daughter's wedding.

f. Third Quarter Airport Operations Report from Hal Pawley, Manager.

Action Items

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

10a) A Committee of the Whole recommendation that the County Board direct its staff to write a letter to the Marquette County Township Association explaining that the estimated cost to Ewing Township will be $566 for the past six millage years for 911 service, and further that the County Board has been in contact with State legislators to prevent Marquette County telephone subscribers from being double billed for PSAP equipment when Delta County's 911 system is on line.

10b) A Committee of the Whole recommendation that the offer to purchase the Acoks Facility property by Maplewood Development Group, Inc., Howard Fissette, President be refused and that the County Board direct staff to have the Acoks property appraised.

10c) A Committee of the Whole recommendation that the County Board approve of a grant application by Sheriff Joseph Maino to the U.S. Department of Justice, Police Hiring Supplemental Program, for the hiring of 18 additional deputies as follows:
<table>
<thead>
<tr>
<th>1. TYPE OF SUBMISSION:</th>
<th>Applicant Preapplication</th>
</tr>
</thead>
<tbody>
<tr>
<td>Construction</td>
<td>Construction</td>
</tr>
<tr>
<td>Non-Construction</td>
<td>Non-Construction</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2. DATE SUBMITTED</th>
<th>11-24-93</th>
</tr>
</thead>
<tbody>
<tr>
<td>Applicant Identifier</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>3. DATE RECEIVED BY STATE</th>
<th>State Application Identifier</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>4. DATE RECEIVED BY FEDERAL AGENCY</th>
<th>Federal Identifier</th>
</tr>
</thead>
</table>

5. APPLICANT INFORMATION

Legal Name: Marquette County

Address (give city, county, state, and zip code):
234 West Baraga Avenue
Marquette, MI 49855

Employer Identification Number (EIN): 3-8-6-0-0-4-8-6-9

6. TYPE OF APPLICATION:

- [ ] New
- [ ] Continuation
- [ ] Revision

- A. Increase Award
- B. Decrease Award
- C. Increase Duration
- D. Decrease Duration
- Other (specify):

7. TYPE OF APPLICANT: (enter appropriate letter(s) in box(es))

- [ ] A. State
- [ ] B. County
- [ ] C. Municipal
- [ ] D. Township
- [ ] E. Interstate
- [ ] F. Intermunicipal
- [ ] G. Special District
- [ ] H. Independent School Dist.
- [ ] I. State Controlled Institution of Higher Learning
- [ ] J. Private University
- [ ] K. Indian Tribe
- [ ] L. Individual
- [ ] M. Profit Organization
- [ ] N. Other (Specify):

Organizational Unit: Sheriff's Department
Name and telephone number of the person to be contacted on matters involving this application (give area code):
Sheriff Joseph I. Maino
906-228-6980

8. CATALOG OF FEDERAL DOMESTIC ASSISTANCE NUMBER:

- 1 6 4 5 8 0

Title: Drug control and System Improvement Discretionary Grant Program

Areas Affected by Project (cities, counties, states, etc.):
Marquette County Michigan

9. NAME OF FEDERAL AGENCY:

U.S. Department of Justice

10. DESCRIBED TITLE OF APPLICANT'S PROJECT:

Provide (9) sworn Law Enforcement Officers for the K.I. Sawyer Base closure scheduled in 1995.

11. CONGRESSIONAL DISTRICTS:

11th District

12. PROPOSED PROJECT:

Start Date: 10/1/94
Ending Date: 9/30/97

<table>
<thead>
<tr>
<th>a. Applicant</th>
<th>b. Project</th>
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13. ESTIMATED FUNDING:

<table>
<thead>
<tr>
<th>a. Federal</th>
<th>$272,237.00</th>
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<tbody>
<tr>
<td>b. Applicant</td>
<td>$0.00</td>
</tr>
<tr>
<td>c. State</td>
<td>$90,743.00</td>
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<tr>
<td>d. Local</td>
<td>$0.00</td>
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<tr>
<td>e. Other</td>
<td>$0.00</td>
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<tr>
<td>f. Program Income</td>
<td>$0.00</td>
</tr>
<tr>
<td>g. TOTAL</td>
<td>$362,980.00</td>
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</table>

14. IS APPLICATION SUBJECT TO REVIEW BY STATE EXECUTIVE ORDER 12372 PROCESS?

- [ ] YES: THIS PREAPPLICATION/APPLICATION WAS MADE AVAILABLE TO THE STATE EXECUTIVE ORDER 12372 PROCESS FOR REVIEW ON:
  - DATE

- [ ] NO: PROGRAM IS NOT COVERED BY E.O. 12372
- [ ] PROGRAM HAS NOT BEEN SELECTED BY STATE FOR REVIEW

15. TO THE BEST OF MY KNOWLEDGE AND BELIEF, ALL DATA IN THIS APPLICATION/PREAPPLICATION ARE TRUE AND CORRECT. THE DOCUMENT HAS BEEN DULY AUTHORIZED BY THE GOVERNING BODY OF THE APPLICANT AND THE APPLICANT WILL COMPLY WITH THE ATTACHED ASSURANCES IF THE ASSISTANCE IS AWARDED.

- a. Name of Authorized Representative: Gerald O. Corkin
- b. Title: County Board Chairperson
- c. Telephone number: 906-228-1501
- d. Signature of Authorized Representative:

Previous Editions Null and Void

Standard Form 424
Prescribed by OMB Control A-102

16. A Committee of the Whole recommendation to approve the low bid by Gil Hebard Guns for 20 Sheriff's Department handguns in the amount of $11,489, and Badger Uniform Company for holsters and magazine holders, in the amount of $2,290.
A Committee of the Whole recommendation that the County Board approve the Family Support Division's FY 1994 Cooperative Reimbursement Contract with the State of Michigan as follows:

**TITLE IV-D COOPERATIVE REIMBURSEMENT CONTRACT**

**SECTION IV - BUDGET PROPOSAL**

**A. CONTRACT DESCRIPTION**

<table>
<thead>
<tr>
<th>COUNTY</th>
<th>MARQUETTE</th>
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<tbody>
<tr>
<td>PROVIDER</td>
<td>PA FAMILY SUPPORT</td>
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<tr>
<td>FUNDING YEAR</td>
<td>1994</td>
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**B. ALLOCATION FACTORS**

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
<th>COLUMN III</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>PROPOSED IV-D BUDGET</td>
<td>PROVIDER'S ELIGIBLE BUDGET</td>
</tr>
<tr>
<td>1. FTE POSITIONS</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>2. % OF TOTAL FTE'S</td>
<td>100.00%</td>
<td>100.00%</td>
</tr>
<tr>
<td>3. CASELOAD % (FCC)</td>
<td>0.00%</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

**C. IV-D BUDGET CATEGORIES**

<table>
<thead>
<tr>
<th>COLUMN I</th>
<th>COLUMN II</th>
<th>COLUMN III</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>PROPOSED IV-D BUDGET</td>
<td>PROVIDER'S ELIGIBLE BUDGET</td>
</tr>
<tr>
<td>1. PERSONNEL</td>
<td>$109,106.00</td>
<td>$109,106.00</td>
</tr>
<tr>
<td>2. DATA PROCESSING</td>
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<td>$0.00</td>
</tr>
<tr>
<td>3. OTHER DIRECT</td>
<td>$9,785.00</td>
<td>$9,785.00</td>
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<tr>
<td>4. CENTRAL SERVICES</td>
<td>$11,457.00</td>
<td>$11,457.00</td>
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<tr>
<td>5. PATERNITY TESTING</td>
<td>$1,500.00</td>
<td>$1,500.00</td>
</tr>
<tr>
<td>6. TOTAL BUDGET</td>
<td>$131,848.00</td>
<td>$131,848.00</td>
</tr>
<tr>
<td>7. SERVICE FEES</td>
<td>($0.00)</td>
<td>($0.00)</td>
</tr>
<tr>
<td>8. OTHER INCOME (DESCRIBE)</td>
<td>($0.00)</td>
<td>($0.00)</td>
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<tr>
<td>9. NET BUDGET</td>
<td>$131,848.00</td>
<td>$131,848.00</td>
</tr>
<tr>
<td>10. COUNTY SHARE $</td>
<td>$32,566.00</td>
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<tr>
<td>11. COUNTY SHARE %</td>
<td>24.70%</td>
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<tr>
<td>12. STATE SHARE $</td>
<td>$99,282.00</td>
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<tr>
<td>13. STATE SHARE %</td>
<td>75.30%</td>
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</tr>
</tbody>
</table>
10g) A Committee of the Whole recommendation that the County Board request Circuit Judge Ed Quinell and Probate Judge Mike Anderegg to address the law library as part of Phase II of the 21st Century Court Pilot Project.

Action Items (cont’d)

10e) The County Board considered a recommendation from the Committee of the Whole to approve the agreement between Marquette County and the Marquette County EDC.

Comm. Potvin voted against the recommendation at the Committee meeting and urged Commissioners to join him tonight in voting no. He believes the EDC would not be hurt by waiting several weeks. His concern is that the County Board should not support any public body that doesn’t follow the Open Meetings Act or the Freedom of Information Act. The County EDC had free advice from our Civil Counsel, however, went ahead and hired their own attorney for a legal opinion to allow them to hold closed meetings. Comm. Potvin is not against confidentiality when necessary, but there are things that do not require confidentiality and the EDC is a public body and should act in the spirit of the Open Meetings Act and also provide records to the public whenever requested.

Civil Counsel Payant has not spoken with Attorney Randy Osstyn who was hired by the EDC, regarding this matter. Mr. Payant remains very confident that his original opinion is clear and correct, however, because the EDC is a separate public corporation, they can hire an attorney if they wish to do so.

Comm. Bergdahl, a member of the EDC Board, pointed out that all meetings of the EDC have been open to the public, except in those instances where people who are asking for business loans don’t want their business plan details to be public.

Comm. Joseph, a member of the EDC Board, brought this matter up at the last EDC meeting. A representative of the Mining Journal will be attending all EDC meetings in the future. The EDC knows that the County Board is not happy. They also believe that they are a public body. With the new director, Mr. Scherbenske, at the helm, these things will be worked out and those Freedom of Information requests that they are presently dealing with will be answered. If there are documents that should be available to the public, the public will get them. If the documents must remain confidential, then they won’t get them. It is that simple.

It was moved by Comm. Arsenault, seconded by Comm. Braamse, and carried on a roll call vote 7 ayes (Comm. Angeli, Comm. Arsenault, Comm. Bergdahl, Comm. Braamse, Comm. Joseph, Comm. Trudell, and Comm. Corkin) and 1 nay (Comm. Potvin), that the County Board approve the agreement between Marquette County and the Marquette County EDC.

Action Items (cont’d)

10h) The County Board considered the FY 1994 application for the Survey and Resumountmation Grant to the State of Michigan, Department of Commerce/Property Development Division. County Administrator Dennis Aloia explained that the 1994 Grant Application requires less County dollars and more State dollars. The grant generally follows the same budget guidelines for 1994 as it did for 1993, however, in 1993, we agreed to pay Larry Bussone, the County Representative, a flat $5,000 fee based on his hours. This was to be reviewed after one year. The 1994 Grant Application includes $7500 salary for the County Representative, which equates to 300 hours at $25 per hour. Private surveyors are generally paid between $40 and $60 per hour. Administrator Aloia recommends the County approve the grant application, which does not obligate the County Board to a final contract.

Larry Bussone, County Representative, was present and briefly reviewed 1993. One hundred corners were scheduled for resumptiontation, of which are 90% done as to surveying. The Peer Group has just begun its meetings, at which they will ratify the corners, then Sundberg and Carlson will monument each corner after ratification.
The 1994 grant calls for 141 corners to be monumented. The survey will concentrate on areas within the Cities of Marquette, Ishpeming, and Negaunee, also Chocolay Township, Forsyth Township, and especially K.I. Sawyer. Mr. Bussone indicated that of 20 corners reviewed so far by the Peer Group, only one has been in question. The survey has been quite accurate.

It was moved by Comm. Angeli, seconded by Comm. Arsenault, and unanimously carried on a roll call vote that the application for the 1994 Survey and Monumentation Grant be approved as presented.

STATE OF MICHIGAN
DEPARTMENT OF COMMERCE/PROPERTY DEVELOPMENT DIVISION
STATE SURVEY & REMONUMENTATION COMMISSION
116 W. ALLEGAN STREET
LANSING, MI 48933

Date Received: For Grant Year 1994
Financial Summary of State Grant & County Funds:

<table>
<thead>
<tr>
<th>Total County</th>
<th>Total Annual</th>
</tr>
</thead>
<tbody>
<tr>
<td>State Grant</td>
<td>Cash Contribution</td>
</tr>
<tr>
<td>$90,597.00</td>
<td>$26,500.00</td>
</tr>
<tr>
<td></td>
<td>$117,097.00</td>
</tr>
</tbody>
</table>

SUMMARY OF WORK PROGRAM FOR THE GRANT YEAR

CORNERS TO BE RESEARCHED:

M-4 thru M-12 (3-Meander Corners), E-5 thru L-5, E-4, and B-3 thru E-3: T47N, R24W.
A-1 thru L-1: T45N, R25W.
B-13 thru L-13 (1-Meander Corner), I-2 thru I-12 (1-Meander Corner): T48N, R25W
A-2 thru L-2: T47N, R26W.
B-13 thru M-13 (2-Meander Corners), M-2 thru M-12: T47N, R27W.
30 corners with potential of being lost, throughout Marquette County

$13,492  11.5% of Total Annual Project Budget
Total number of Corners Researched: 141 corners (double corners on S. line 48-25 & N. line 47-26)

CORNERS TO BE MONUMENTED:

M-4 thru M-12 (3-Meander corners), E-5 thru L-5, E-4 and B-3 thru E-3: T47N, R24W.
A-1 thru L-1: T45N, R25W.
B-13 thru L-13 (1-Meander corner), I-2 thru I-12 (1-Meander corner): T48N, R25W
A-2 thru L-2: T47N, R26W.
B-13 thru M-13 (2 Meander corners), M-2 thru M-12: T47N, R27W.
30 corners with potential of being lost, throughout Marquette County

$103,605  88.5% of Total Annual Project Budget
Total number of Corners Researched: 141 corners

TOTAL CORNERS TO BE RESEARCHED AND MONUMENTED:

$117,097  100% Sum must be at least 70% of total annual project budget to be eligible for maximum grant.
SOURCES OF REVENUE
STATE GRANT: $90,597.00

COUNTY CASH CONTRIBUTIONS:
Source  
Amount  
County Remonumentation Fund  $24,000
Marquette City GPS Donation  2,500

Total County Cash Contribution: $26,500.00
TOTAL ANNUAL PROJECT BUDGET: $117,097.00

*****

10i) It was moved by Comm. Potvin, seconded by Comm. Braamse, and unanimously carried on a roll call vote that the County Board accept the following applicants for nominations to various County Boards and Commissions:
(Note! Nominations to Commission on Aging, Central Dispatch, and MarqTran are still forthcoming from the three cities)

November 1993
LIST OF APPLICANTS TO BE NOMINATED BY THE COUNTY BOARD OF COMMISSIONERS TO VARIOUS COUNTY BOARD AND COMMISSIONERS (**MEANS INCUMBENT):

AIRPORT COMMISSION
Five Vacancies -  
One 1-yr. term expiring 12/31/94
Two 2-yr. terms expiring 12/31/95
Two 3-yr. terms expiring 12/31/96

Stephen F. Adamini, Marquette Township
James Alderton, Ishpeming Township
Robert L. Beams, Richmond Township
Daniel L. Benstrom, Forsyth Township
Paul Churchville, Marquette
John H. DeRocher, Marquette
J. Pat Farrell, Marquette
George Keskimaki, Gwinn
Gordon J. Moyle, Negaunee Township
Roger Pietro, Tilden Township
Paul A. Riis, Chocolay Township
David J. Schneider, Ishpeming
Robert J. Shimaneck, Negaunee Township
James R. Smith, Marquette
Glenn F. Spindler, Forsyth Township
Daniel R. Vivian, Chocolay Township
Kevin Weissenborn, Chocolay Township

BOARD OF HEALTH
Two Vacancies -  
3-yr. terms expiring 12/31/96

Karlyn I. Rapport, Marquette
Anna Sanford, Skandia Township
Harvey A. Wallace, Marquette

PLANNING COMMISSION
One Vacancy -  
3-yr. term expiring 12/31/96

Thomas D. Budgick, Chocolay Township
Paul Churchville, Marquette
Joseph W. Erickson, Marquette
Glenn W. Scott, Marquette
Justin F. Vasseau, Marquette
Kevin Weissenborn, Marquette
SPECIAL ELECTION SCHEDULING COMMITTEE
Three Vacancies – 2-yr. terms expiring January 1996

Donald Frederickson, NICE School Board Secretary
*Norm Gruber, Marquette City Clerk
*Arlene Hill, Chocolay Township Clerk

COMMUNITY MENTAL HEALTH
Four Vacancies – 3-yr terms expiring 12/31/96 Public or Private

Karen M. Chandler, Marquette
Paul Churchville, Marquette
Jacqueline Marie Dault, Marquette
Frank W. Hawthorne, Tilden Township
*Rudolph Kempfppinen, Ishpeming
*Ann Spear, Powell Township
Anna Sanford, Skandia Township

COMMISSION ON AGING
Four Vacancies – Three 3-yr. terms expiring 12/31/96
(Two Senior Citizen – One expert/interested citizen)
One 1-yr. term expiring 12/31/94
(Expert/interested citizen)

Barbara C. Bird, Chocolay Township (Senior-Expert/interested citizen)
Vern Dahlquist, Marquette (Senior)
Jacqueline Dault, Marquette (Senior – Expert/interested citizen)
Ken Olson, Ishpeming (Expert/interested citizen)
Wilfred Dompierrre (nomination from City of Negaunee)
Margaret Swetish, Marquette (Expert/interested citizen)
*Doreen Takalo, West Branch Township
Scott Tuma, Chocolay Township (Senior – Expert/interested citizen)

BUILDING CODE BOARD OF APPEALS
Two Vacancies – 2-yr terms expiring 12/31/95

*Douglas Benson Chandler, Marquette
*David M. Huntley, Marquette
*Michael J. Pond, Marquette
Daniel R. Vivian, Chocolay Township

ECONOMIC DEVELOPMENT CORPORATION
Four Vacancies – Two 6-yr. terms expiring 12/31/99
One in At-large category
One in Retail category
One 5-yr. unexpired term expiring 12/31/98
Military category
One 1-yr. unexpired term expiring 12/31/94 in Labor Category

Ron Adams, Marquette (Military, At-large, Retail)
Stuart C. Bradley, Marquette (Retail, Military, At-large)
E. Lloyd Bushong, Ely Township (Labor Category)
Karen Chandler, Marquette (At-large)
*Jon G. LaSalle, Marquette (At-large Category)
William H. Patrick, Ishpeming (At-large, Retail)
*Burt E. Parolini, Jr, Marquette (At-large, Retail)
Brian Andrew Schlientz, Marquette (At-large)
Glenn W. Scott, Marquette (At-large)
James J. Scullion, Marquette (At-large)
Harlan E. Sorensen, Marquette (Military, At-large)
Darryll L. Sundberg, Negaunee Township (At-large, Retired)
Kenneth A. Tuominen, Ely Township (Labor)
Kevin Weissennborn, Marquette (At-large)
EASTERN U.P. SUBSTANCE ABUSE SERVICES BOARD
Three Vacancies - 1-yr. term expiring 12/31/94
#Edward L. DeWitt, Ishpeming
#Richard J. Jason, Marquette
#Peter L. Plummer, Marquette

ALGER-MARQUETTE COMMUNITY ACTION BOARD
Two Vacancies - 2-yr. terms expiring 12/31/95
Thomas D. Budgick, Chocolay Township
#Laura M. Grover, Marquette
#Edward J. Keto, Skandia Township

LOCAL EMERGENCY PLANNING COMMISSION
Karen Chandler, Marquette
Justin F. Vasseau, Marquette

MARQTRAN
#Thomas Thomas, Chocolay Township
Denise Beauchamp, West Branch Township

CENTRAL DISPATCH
Susan Jandron, Ishpeming Township

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

Commissioner Comments

Chairperson Corkin reported that the Base Conversion Authority received a federal grant for operational expenses amounting to $356,000. These funds are to hire an executive director and staff. Sixty applications have been received for executive director, which will be narrowed down to five applications for their December 7th meeting. The five finalists will be interviewed. The applications are on file at Northern Michigan University and at the Base Conversion Authority Office.

Comm. Angeli distributed a newspaper article which pointed out that the erosion of topsoil may pose a greater threat to the Great Lakes than industrial pollution. Comm. Angeli would like to see the Soil Erosion Ordinance, included with the Stormwater Management Ordinance. Chairperson Corkin added that written comments on the Stormwater Management Ordinance are being accepted until the end of November, then a meeting schedule will be established for the ad hoc committee.

Comm. Potvin would like background information on the amount of millage required for the Valente Medical Care Facility operation. He urged the County Board to consider a resolution to place the Valente Medical Care Facility operation on the ballot next year, along with other County mil-lages.

Comm. Potvin also questioned the status of the Tobacco Ordinance Amendments. Civil Counsel Payant reported that Assistant Counsel Terry Dean is working on the Tobacco Ordinance Amendments.
Comm. Potvin emphatically felt that the County Board must take a pro-active approach to state legislation affecting County financial matters, especially those that require mandates that are unfunded by the State. A recent Berrien County resolution, to hold the new Court fees in escrow rather than send them to the State Court Fund, is an example. In order to
get the State’s attention, he urged the Board to engage in this type of civil disobedience, even if it means going to jail. Another good example is Act 347, where the State requires counties to administer and enforce soil erosion laws without funding, we should just refuse to do it!

Comm. Angeli generally agreed with Comm. Potvin about taking a proactive role in legislation matters, however, in the case of Act 347, we ourselves will suffer and our children will suffer, if soil erosion isn’t properly taken care of.

Comm. Breamse recently attended naturalization ceremonies at the United States Federal District Court. Thirteen people were sworn in as citizens of the United States and she found the ceremony very inspiring.

Dennis Aloia provided an update from Lynn Emerick, Commissioner on Aging Director, regarding the search for a new director. Forty-three applications were received by the deadline date and the nine-member search committee has reviewed all applications and narrowed them down to eight. Six of these are County residence, one is a former County resident, and one is from out-of-county. Interviews were conducted on November 19, 20, and 23rd, and reference and background checks are under way. At the December 3rd Commission on Aging meeting, the search committee will either develop a recommendation on the top candidates for Commission on Aging action or plan further interviews. The selection should be complete by mid-December.

Late Addition

The County Board considered a memorandum from Civil Counsel David Payant regarding a trial court decision of November 4, 1993 on the Ishpeming City TIF District. The decision was in favor of the City of Ishpeming. Judge Charles Stark ruled that, "the decision to establish and set the boundaries of a TIF District are decisions that should be left to the discretion of the municipality." He further ruled that the municipality’s discretion may not be overruled by a Court, unless there is a showing that the decision was arbitrary and capricious.

Civil Counsel Payant recommended that the County Board go into closed session to consider its next step regarding this litigation. It was moved by Comm. Arsenault, seconded by Comm. Trudell, and unanimously carried on a roll call vote of 8 ayes (Comm. Angeli, Comm. Arsenault, Comm. Bergdahl, Comm. Breamse, Comm. Joseph, Comm. Potvin, Comm. Trudell, and Comm. Corkin), 0 nays, that the County Board go into closed session to consider appealing the decision in the Marquette County Board of Commissioners vs. the City of Ishpeming and the Ishpeming Downtown Development Authority Board, file #: 93-28129-CZ.

Chairperson Corkin declared a five minute recess to clear Commission Chambers.

CLOSED SESSION

The County Board came back into open session.

It was moved by Comm. Arsenault, seconded by Comm. Potvin, and carried on a roll call vote with 7 ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Breamse, Comm. Joseph, Comm. Potvin, Comm. Trudell, Comm. Corkin) and 1 nay (Comm. Angeli) that the County Board not appeal the trial court decision regarding the Ishpeming TIF District and place the memorandum from Civil Counsel on file.

There being no further business, the meeting was adjourned.

Respectfully submitted,

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, November 23, 1993 at 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
   MEETING HELD November 2, 1993, and Special Session on October 26, 1993.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:
9. INFORMATIONAL ITEMS:
   a. Fourth Quarter Emergency Program Reports from Michael Zorza,
      Emergency Program Manager.
   b. Quarterly Status Report - Victim Restitution Fund from Tal
      Lapins, Field Supervisor- Probation/Parole Office.
   c. Letter from Jacquelyn Williams-Armstrong, CDBG Housing/Homeless
      Programs Director acknowledging MSHDA’s receipt and acceptance
      for review Marquette County’s 1993 Community Development Block
      Grant housing application for the Housing Grant Program.
   d. Letter from Sen. Carl Levin regarding closure of K.I. Sawyer AFB.
   e. Letter from Bob and Sue Hogg expressing satisfaction with
      Courthouse staff during their daughter’s wedding.
   f. Third Quarter Airport Operations Report from Hal Pawley, Manager.
10. ACTION ITEMS:
   a. Committee of the Whole recommendation to write a letter of
      explanation to Marquette County Twp. Assoc. regarding the cost of
      Ewing Township’s 911 Service and to prevent double billing of
      Marquette County subscribers.
   b. Committee of the Whole recommendation to deny an offer to
      purchase Acock’s Facility from Maplewood Development and to have
      it appraised.
   c. Committee of the Whole recommendation to approve grant applica-
      tion by the Sheriff’s Dept. to hire 18 additional deputies.
   d. Committee of the Whole recommendation to approve low bids for
      handguns and equipment for the Sheriff’s Department.
   e. Committee of the Whole recommendation to approve the agreement
      between Marquette County and the EDC.
   f. Committee of the Whole recommendation to approve the Family
      Support Division’s FY 1994 Cooperative Reimbursement Contract.
   g. Committee of the Whole recommendation to direct Judge Quinnell
      and Judge Anderegg to address the law library in Phase II of 21st
      Century Pilot Project.
   h. 1994 Grant Application for Remonumentation (materials forth-
      coming).
11. LATE ADDITIONS: 
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.