BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  OCTOBER 24, 1995

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, October 24, 1995 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Seppanen, seconded by Comm. Rapport, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on October 10, 1995 be approved.

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

It was moved by Comm. Minelli, seconded by Comm. Joseph and unanimously carried by voice vote that the agenda be approved as presented.

It was moved by Comm. Rapport, seconded by Comm. Braamsse and unanimously carried by voice vote that Claims and Accounts for the period October 6, 1995, through October 19, 1995 in the amount of $1,106,932.98 be approved.

James Kippola, Senior Planner, presented a report on the 1995 NAID Conference at Glenview Naval Air Station (Chicago Suburb) and the AAAE Military Civilian Airport Reuse Conference (Texas). Mr. Kippola contended that as a result of his attending these sessions, Staff can provide a prospectus on base closure issues, and keep up with a changing federal system, to help the transition and provide jobs for Marquette County.

Mr. Kippola viewed case studies showing successful base conversions in other communities and determined they had a number of things in common which include: 1) A single unit of government with financial resources, 2) The reuse is free from politics, 3) High demand for commercial property, and 4) Strong local support for the conversion.

Staff opinion is that the Michigan Jobs Commission has the financial resources so the transfer of authority to them for the reuse of K.I. Sawyer is commendable, otherwise the Base Conversion Authority must work with three units of government. The County Board is still the lead body on the separate issue of potentially moving the County Airport.

Mr. Kippola reported a number of items that do not paint a rosy picture for moving the Airport: a) Passing a local millage would be very unlikely, b) EDA funding will continue to decrease, c) AIP Program Funding is also shrinking, and d) Rural Air Bases have the biggest challenges to face if considering aviation reuse. The delays in the K.I. Sawyer reuse issue have not been County delays. The Scope of Work is still before the Michigan Jobs Commission awaiting signatures.

County Administrator, Dennis Aloia, explained that the County Board has gone well beyond any expectations to assist in the conversion process. The agreement to study the reuse of the County Airport has been in the hands of the State for months. We received word that it should be signed on September 15th, then on October 10th, then on October 15th, etc. etc. Once this study begins it will take three to four months to complete. Mr. Aloia expects that once the agreement has been signed by the State they will expect the County Board to make its decision in a day or so. Mr. Aloia takes exception to the remarks by Tom Rumora as quoted in the newspaper: “The County should have no problem making a decision by the end of the year”

Chairperson Corkin on behalf of the County Board thanked Mr. Kippola for his presentation and report.

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The Committee considered a memo from Hal Pawley, Airport Manager, regarding Airport Improvement Program (AIP) concerns. Mr. Pawley was present and explained that he recently attended the semi-annual programming meeting with the Federal Aviation Administration, Airport District Office, and the Michigan Bureau of Aeronautics. Mr. Pawley presented summaries of three important interrelated issues which the County Board must make decisions soon.

First, the use of the $488,099.00 of AIP entitlement funds. The County Board previously placed on hold AIP projects pending a decision whether to relocate the Airport to K.I. Sawyer. There are $488,099.00 of FY 1994 Federal Entitlement Funds which must be obligated prior to September 30, 1996. The FAA/ADO will be unhappy if Marquette County should allow these funds to go unused. Because of the time required for approval and processing of an FAA grant, selection of a consultant, development of design plans and specifications, and the bidding and contract award, the process must be initiated about nine months earlier. Therefore, a decision must be made by January 1996. If a decision is made to relocate to Sawyer by January it would still be a difficult time frame to get FAA approval for transfer of NPIAS designation and obligate a project at Sawyer prior to loss of these funds.

Mr. Pawley suggested an alternative plan, which is to use most of these funds for projects at the current airport. Should it be subsequently decided to relocate to Sawyer this would increase the amount of investment at the present Airport, which would have to be reinvested at Sawyer, however, our proposed Airport Capital Improvement Plan (ACIP) includes two projects for replacement of snow removal equipment (blower and front end loader) which could be relocated to Sawyer. The estimated total of federal funds needed for this equipment is $360,000.

Mr. Pawley also presented summaries which addressed the proposed crosswind runway project and improvements and also upcoming termination dates for the authority to collect a passenger facility charge. A decision should be made by January, 1996 whether to proceed with the runway extension or alternate projects along with a request to the FAA to transfer this PFC to other projects or extend the time frame in which the PFC could be collected. Answers to these questions will be expected by the FAA at the February meeting.

After a lengthy discussion the Committee of the Whole deferred consideration of the proposed cross wind runway extension and the upcoming termination date of the passenger facility charge to a future meeting but did address use of the $488,099.00 of 1994 AIP Entitlement Funds with the following recommendation.

It was moved by Comm. Braamse, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board direct Hal Pawley to request that the FAA allow Marquette County to reprioritize its FY 1994 Entitlement Projects by utilizing $360,000 for snow removal equipment.

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The Committee considered a memo from Hal Pawley, Airport Manager, regarding the fuel tank farm cleanup. The Airport has completed remediation of the contaminated soil from the site and is now working on ground water remediation. Most of the costs were reimbursed from the MUSTFA Fund, that is until 1995. To date in 1995 the Airport has expended $45,744 and received $6,865 reimbursement from MUSTFA with another $5,924 approved but the remaining $32,955 has not been reviewed because MUSTFA has no funds. The Airport also has an additional $11,800 of outstanding bills not paid, therefore, a current budget shortfall for 1995 of $51,000 in expenditures exists.

The Airport also opened bids recently for installation of a ground water remediation system. They have not awarded the $42,715 contract because reimbursement from MUSTFA is doubtful. The Airport did not receive any County CIP funds for 1995 so they have no money to consider funding the ground water remediation system. The Airport Consultant is also preparing specifications to bid operation and maintenance for this system so we can determine the annual cost. It should be in the range of $20,000 to $30,000 annually and will take approximately two years to remediate the ground water. Unless the State refines MUSTFA it will not be likely that costs for FY 1995 and FY 1996 will be reimbursed.
One alternative is to delay remedial action. Should the Department of Environmental Quality accept that, at the very minimum they would require the continued monitoring of the ground water plume which would require installation of monitoring wells, and sampling analysis, which would cost around $15,000 annually. Thus far the ground water plume has moved very slowly and it will be several years before any contamination could possibly reach private water wells approximately 1,000 feet south. However, should these wells become contaminated from the plume by the Airport, remediation and liability will be much more expensive.

It was moved by Comm. Minelli, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board direct Staff to meet with Airport Staff to study the possibility of using the tax delinquent revolving fund as a funding source. (Total funds needed for FY 1995 and FY 1996 are approximately $125,000).

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The Committee considered a request from Robert Menard, Engineer/Manager of the Marquette County Road Commission for a donation of a 40 acre parcel of land in Section 20, T42N-R24W, Wells Township.

County Administrator Dennis Aloia would prefer that the County Board swap a parcel of land rather than just donate the land to the Road Commission. Estimates are that there is approximately $100,000 to $120,000 worth of gravel on this 40 acre parcel.

Mr. Menard was present and explained that because of the tight budgets that all governmental agencies are facing, and also a comment during the budget process that the County Board would like to do more to help the Road Commission financially, the donation of the land would help the Road Commission considerably without the County Board dipping into their limited financial resources. A swap of properties would require appraisals which would be time consuming and extra expense.

It was moved by Comm. Seppanen, seconded by Comm. Minelli, and carried by voice vote 9 Ayes to 1 Nay (Comm. Bergdahl voting nay) that the Committee of the Whole recommend the County Board donate the 40 acre parcel of Wells Township in Section 20, T42N-R24W and that the Road Commission pay the costs of preparing and recording the necessary documents.

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The Committee considered the proposed contract between the Michigan Jobs Commission/K.I. Sawyer Conversion Authority and Marquette County for resource protection at K.I. Sawyer. Under Sheriff Michael Quayle was present to discuss details of the Contract. The Contract budget provides for approximately 42 hours per day of resource protection at K.I. Sawyer at a cost of $16 per hour for this service, for a total of $245,280 for Fiscal Year 1996/1997. This cost is below the amount charged other contracts for similar service, however, under this Contract large capital items such as vehicle equipment and radios are being furnished by the Conversion Authority along with expensive maintenance items such as vehicle and equipment repairs. The Michigan Jobs Commission won’t pay for any administrative costs, however, will provide reimbursement for actual patrol hours which will be one day shift, two afternoon shift, and two night shift officers.

Civil Counsel David Payant has been reviewing the contract and recommends it be forwarded to the full Board on November 7th without a recommendation from the Committee. The one-year proposal at present makes Marquette County liable for anything that goes wrong during the delivery of police services and also does not provide for termination of the Contract by the County but only by the Authority. Civil Counsel Payant is confident that these two items can be corrected before the November 7th meeting.

It was moved by Comm. Arsenault, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole send the proposed Contract between the Michigan Jobs Commission/Base Conversion Authority and Marquette County for resource protection at K.I. Sawyer to the full County Board without a recommendation.

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Comm. Rapport was excused from the meeting at 6:05 p.m.

The Committee considered a recommendation from Sheriff Maino to accept a bid submitted by Advantage Ford for two 1996 Sheriff Patrol Vehicles. Under Sheriff Michael Quayle was present and explained that Advantage Ford met all bid specifications with cost per vehicle at $21,030 for a total of $42,060, minus a trade in amount of $13,300 for a balance of $28,760 to purchase the vehicles. There is $38,000 budgeted in the capital improvements for FY 1996 for these vehicles and change over costs.

It was moved by Comm. Trudell, seconded by Comm. Braamse, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the bid from Advantage Ford for two 1996 Sheriff Patrol Cars.

The Committee considered a memo from James Sodergren, County Treasurer, regarding federal PILT monies. Treasurer Sodergren was present and explained that on October 2, 1995 the federal government provided payment in lieu of taxes on 17,705 acres of land in Marquette County in the amount of $10,249. Treasurer Sodergren has in the past distributed this money to the schools and townships in proportion to the tax roll. Distribution of these monies was litigated in 1977 and the Courts ruled that the County was entitled to keep all of the revenues, however, Marquette has never done so. Mr. Sodergren recommends, because of the financial condition of the County, that we should reconsider the policy regarding the distribution of these monies and receipt all of the federal PILT monies into the County General Fund. Nearly all the Counties in Michigan are doing so.

It was moved by Comm. Seppanen, seconded by Comm. Braamse, and carried on a voice vote 6 Ayes (Comm. Seppanen, Angeli, Bergdahl, Braamse, Joseph and Minelli) to 3 Nays (Comm. Arsenaught, Trudell and Corkin), that the Committee of the Whole recommend the County Board receipt all federal PILT monies into the General Fund of the County.

Treasurer Sodergren also urged the County Board not to support the establishment of a renaissance zone at the Sawyer property. This is just another way of eroding the tax roll. Why should government and the taxpayers be asked to pick up the financing of someone who is trying to establish a business. If such a zone would be established perhaps all should be asked to participate such as banks give interest free loans and checking account services to prospective business, perhaps the Mining Journal would provide advertising space for 5 years, perhaps real estate brokers could reduce any commissions on the transfer or sale of properties and perhaps even Governor Engler could help since he is willing to spend millions of dollars for a new stadium in Detroit.

Treasurer Sodergren contended that once you allow an exemption to the ad valorem property tax roll it is very hard to reverse. An example is in 1951 legislation was passed which exempted the Mining Company’s from paying taxes on the mineral rights. Since that time Cleveland Cliffs has shipped more than 350 million tons of pellets and has collected in the neighborhood of $1 billion in royalty fees, by virtue of owning the mineral rights, none of which have been taxable. Treasurer Sodergren continued by pointing out that on the opposite end Cleveland Cliffs also can deduct depletion allowances from their federal taxes which also results in millions of dollars. Treasurer Sodergren suggested that the Committee of the Whole take a stand and recommend that the County Board not support a renaissance zone at K.I. Sawyer.

Chairperson Corkin thanked Treasurer Sodergren for his diligence regarding tax and revenue matters on behalf of Marquette County. The renaissance zone issue will be placed on a Committee of the Whole meeting in November.
The Committee considered a presentation from Lyn Nelson, Community Corrections Coordinator, of the contract for sanction and services between the State Michigan Department of Corrections and Marquette County. Ms. Nelson was present and explained that Marquette County’s Community Corrections Advisory Board has accepted this Contract and request its approval by the County Board. The Contract is for October 1, 1995 through September 30, 1996 at the same level as the previous year’s contract.

It was moved by Comm. Braamse, seconded by Comm. Joseph, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the Community Corrections Contract with the State Department of Corrections.

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The Committee considered amendments to the Michigan Health Code (Senate Bill 525). Senate Bill 525 was approved by the Senate on October 11th on a 22 to 15 vote. The Bill represents the first overhaul of the State’s Mental Health Code in 21 years. MAC was able to incorporate most of its amendments into Senate Bill 525. Budgetary control of Community Mental Health Agencies was restored. Commissioners will also be able to reject the hiring of a CMH Executive Director within 15 days of the initial appointment.

It was moved by Comm. Trudell, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board send a letter to the House Mental Health Committee chaired by Representative Bev Hammerstrom, our U.P. Legislators and the Michigan Association of Counties indicating its support for Senate Bill 525 with the MAC amendments.

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The Committee considered a recommendation from County Administrator, Dennis Aloia, recommending that the bid proposal for audit services (1995 through 1997) be awarded to Anderson, Tackman and Co. for the three years at a total cost of $61,800. Administrator Aloia explained that the County Board has in the past has talked about changing accountants. Anderson, Tackman and Co. has been our auditor for more than 15 years and it is generally recommended that auditors be changed from time to time in order to give units of government a new prospective on their financial condition and management. However, Anderson, Tackman has vast experience in providing County audits and are currently auditing 13 of 83 Counties in Michigan. While all the firms that made proposals have individual strengths, Anderson, Tackman has demonstrated their ability to complete the County audit as needed at a lower price.

John Blemburg, C.P.A., was present and expressed his appreciation for the County’s confidence in his firm. Page 9 of the proposal shows the 13 counties that Anderson, Tackman and Co. audits along with 7 cities, 4 road commissions, 3 medical care facilities, and 5 health departments. Anderson, Tackman and Co. has become specialists in the field of government audits and has made a concerted effort over the years to provide cost effective services.

It was moved by Comm. Seppanen, seconded by Comm. Minelli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board accept the bid for audit services from Anderson, Tackman and Co. for 1995 through 1997 in the amount of $61,800.

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The Committee considered a resolution by the Friend of the Court Administration of Michigan that urges Dr. Gerald Miller, Director of the Department of Social Services, to immediately rescind his actions set forth in his letter of August 15, 1995 to the Office of the Friend of the Court and assure responsibility for designing an effective and appropriate funding plan for local child support collection efforts.

Dr. Miller’s letter informed all Friend of the Courts that there would be no bonus incentive in the Fiscal Year 1994, and that previously paid 10% incentives would be dropped to 9% which represents a total shortfall to all Counties of at least $2 million in calendar year 1995 with an additional drop of at least $1 million plus the $2 million for each of the subsequent years. A significant drop in the AFDC case load represents huge savings realized by the State of Michigan, caused by the effectiveness of the Friend of the Court System. It appears that the State of
Michigan is not passing on to Counties for the benefit of the Friend of the Court System any of the savings realized by having people go off the AFDC, but rather is penalizing Counties severely by decreasing incentives by $3 million while the State of Michigan has only received $400,000 less in funding from the Federal Government.

It was moved by Comm. Joseph, seconded by Comm. Trudell, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board concur with the resolution of the Friend of the Court Association of Michigan and adopt a similar resolution.

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It was moved by Comm. Arsenault, seconded by Comm. Joseph and unanimously carried by voice vote that the Committee of the Whole accept and place on file an announcement that the Department of Environmental Quality is now operating and available for service.

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The Committee considered Prosecuting Attorney Opinion No. 95-6 regarding County Board of Commissioners authority to set hours for County offices. Chairperson Corkin asked Comm. Angeli, Bergdahl and Minelli to serve as a committee along with Administrator Aloia, who will set up a meeting with Department Heads and Elected Officials.

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Chairperson Corkin opened the meeting for public comment. James Sodergren, Marquette County Treasurer, expressed his disappointment with those Commissioners who voted against the County placing the Federal PILT monies in its general fund rather than distributing it to the schools and townships. It may be a small amount of revenue but all adds up. He was asked by the Administrator to seek ways to improve revenues. We need the money to keep our people working.

There being no further public comment, Chairperson Corkin closed this portion of the meeting.

COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Arsenault requested that Treasurer Sodergren provide the County Commissioners with a list of those Townships that receive PILT monies and how much they each receive.

Comm. Arsenault also requested that the next Committee of the Whole meeting consider establishing a policy that the County Administrator must review and make a recommendation on all agenda items.

Civil Counsel, Dave Payant, announced that Marquette County will be requesting repayment of funds from those local units that have Michigan State Housing Development Authority Projects located in them, but not have been distributing these funds as required by the law. There is a six year limitation on collecting back monies, however, it is estimated back payments amount to $100,000.

There being no further business, the meeting was adjourned at 7:05 P.M.

Respectfully Submitted,

David J. Roberts
Marquette County Clerk
1. ROLL CALL.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Report from James Kippola, Senior Planner, on NAID Conference and the AAAE Military Civilian Airport Reuse Conference.
7. Memo from Hal Pawley, Airport Manager, regarding Airport Improvement Program (AIP) Concerns.
8. Opinion on Development of Bid Specification for a Ground Water Treatment Center at the County Airport's Former Fuel Storage Facility from SCA Environmental Inc.
9. Letter from Robert Menard, PE, Road Commission, regarding Donation of Forty Acre Parcel of Land in Wells Township.
13. Memo from James Sodergren, County Treasurer, regarding Federal PILT Monies.
14. Community Corrections Advisory Board Contract with the Michigan Department of Corrections from Lyn Nelson, Community Corrections Coordinator.
15. Mental Health Code Amendments (Senate Bill 525).
16. Bid Recommendation for Audit Services from Dennis Aloia, County Administrator.
18. Notice that the Michigan Department of Environmental Quality is Available to Serve.
19. Prosecuting Attorney Opinion 95-6 - County Board of Commissioner - Power to Set Hours for County Offices.
20. PUBLIC COMMENT.
21. ANNOUNCEMENTS.
22. ADJOURNMENT.

CONTINUATION OF ANNUAL MEETING
Tuesday, October 24, 1995, Approximately 5:30 P.M.

1. Certification of Millage Levies for the Remaining Taxing Units.
2. Public Comment.
3. Adjournment/Recess.