The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, November 14, 1995 at 4:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Rapport, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on October 24, 1995 be approved.

Chairperson Corkin opened the meeting for public comment. Rex Buettgenbach, a member of the Marquette Ambassadors, a Business and Community Support Group for the Marquette Area, was present to discuss two issues which need to be addressed by the K.I.Sawyer Conversion Authority and the Marquette County Board of Commissioners. 1) A decision on the relocation of the Marquette County Airport; and 2) The Renaissance Zone concept for the redevelopment of K.I.Sawyer AFB.

Mr. Buettgenbach stated that while both of these issues are important, the Marquette Ambassadors believe the development of a realistic economic plan for base reuse is necessary before action on either of the aforementioned issues. Members of the Ambassadors would like to recommend that a private sector group be included in establishing the criteria for this economic plan, and are willing to volunteer their time for whatever committee or team the Conversion Authority and the County Commission may choose to set up to work on this plan.

The Marquette Ambassadors pledge their assistance and stress that the business community believes that its time to move forward and resolve the issues surrounding K.I.Sawyer Reuse. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Rapport, seconded by Comm. Minelli, and unanimously carried by voice vote, that the agenda be approved with the following late addition: item 14) a communication from Michael E. Zorza, County Emergency Program Manager, regarding the proposed agreement between the Marquette County EMS Medical Control Authority and the U.P. Children's Museum to develop and construct "Safetyville" injury prevention and community safety exhibits.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period October 20, 1995 through November 9, 1995, in the amount of $1,951,712.04, be approved.

The Committee took under consideration a Tax Free Renaissance Zone for K.I.Sawyer Air Force Base. A Tax Free Renaissance Zone would take an economically distressed area, both urban and rural, and allow state taxes, except the sales taxes, to be waived within the zone if the local governments agree to waive all local taxes with the zone. The Tax Free Renaissance Zone would establish the nation's purest version of an enterprise zone. Hence, local governments must match the state government's commitment to forego revenue.

The Committee recognizes the importance of providing financial incentives in an effort to redevelop the K.I.Sawyer AFB, but also recognizes and is concerned that the redevelopment of the air base must have adequate revenues to support infrastructure so that services can be provided to new tenants. Currently, sources for funding these services are undetermined. The Committee is concerned that revenues from taxes generated at the facility may be necessary to support the cost of operating and serving these new tenants. The Committee is looking to the federal government and the State of Michigan through the Jobs Commission to provide guidance and assurance that adequate revenues will be available to support the operation of the facility during the life of a renaissance zone if established.
It was moved by Comm. Minelli, seconded by Comm. Aresnault, and carried by voice vote, 6 ayes to 1 nay, with Comm. Rapport voting nay, that the Committee of the Whole recommend the County Board support the renaissance zone in concept and encourages the State of Michigan and the Jobs Commission to provide assurances that adequate revenue sources are found to support service delivery at K.I.Sawyer.

It was further moved by Comm. Minelli, seconded by Comm. Aresnault, and carried by voice vote, 6 ayes to 1 nay, with Comm. Rapport voting nay, that if these revenue sources are identified and guaranteed by the state and federal governments for the life of the renaissance zone, the County Board supports and will submit application for such a renaissance zone.

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The Committee considered a communication from Law Weathers & Richardson regarding the Supreme Court Decision on the funding of Michigan’s Trial Court System: Grand Traverse County, et al vs. State of Michigan. The Grand Traverse case is now terminated and a final billing statement with its allocation of fees and costs was discussed. The amount due is $720.40.

Gary Yoder, Finance Manager, stated that currently there is no money budgeted for the amount due, the money would have to come from Contingency.

It was moved by Comm. Seppanen, seconded by Comm. Braamse, and unanimously carried by voice vote, that $720.40 be taken from the Contingency Account for the final billing statement regarding the Supreme Court Decision in Grand Traverse County, et al vs. State of Michigan.

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The Committee considered the Substance Abuse Contract renewal between the State of Michigan and Marquette County (Community Corrections). This is a continuation agreement between the County of Marquette and Great Lakes Recovery Centers for substance abuse services. The County Board has already approved the agreement between the State of Michigan and the County for these services. This is the sub-contract with the service provider. This past summer, the exact document with a termination date of September 30, 1995, was approved with the County Board. The Marquette County Community Corrections Advisory Board is asking the County Board to renew this agreement for services with Great Lakes Recovery.

It was moved by Comm. Rapport, seconded by Comm. Seppanen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the Substance Abuse Contract renewal between the State of Michigan and Marquette County Community Corrections.

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The Committee considered a memo from the Marquette County Planning Commission regarding the Honor Camp property Right-of-Way, Silver Creek Road Extension. Sands Township is requesting that the Marquette County Board grant a right-of-way to allow extension of a proposed road from County Road 553 to County Road NKA through the County’s Honor Camp property.

Al Feldhauser, Planner, was present and stated that the Planning Commission reviewed a report by the Resource Management/Development Department which addressed several concerns regarding extension of Silver Creek Road, including current traffic flow and road design standards, safety of residents along Silver Creek Road, ability to respond to emergency situations, and the impact on the recreational uses at the Honor Camp.

Dennis Alosa, County Administrator, distributed an analysis of the request made on behalf of Sands Township. Included is comment from the Planning Commission opposing the extension; the Chocolay Township Planning Commission opposing the right-of-way; the Chocolay Township Board indicates support only if all other County Roads are brought up to Class A standards; opposition from the Marquette County Road Commission; and concerns expressed by the Marquette Public Schools and the Marquette County Sheriff’s Department. Administrator Alosa recommends the County Board not authorize the easement for Sands Township through the Honor Camp property.
It was moved by Comm. Seppanen, seconded by Comm. Rapport, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board deny the request from Sands Township for Honor Camp Property Right-of-Way, Silver Creek Road Extension.

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The Committee considered Prosecuting Attorney Opinion 95-5 Re: Authority of the Marquette County Board of Commissioners to review the budget for the Marquette County Medical Care Facility. In summary, the County Board of Social Services holds the Medical Care Facility as trustee for Marquette County. The express powers granted to the Board of Social Services include hiring employees and a director and setting their compensation. The County Board of Commissioners may require the Board of Social Services to submit the Medical Care Facility budget for their approval. Day to day management responsibilities remain with the County Board of Social Services.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote that the communication be placed on file.

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The Committee considered a Notice from the CUPPAD Regional Commission of a meeting to explore the concept of a Regional Jail. At the Upper Peninsula Association of County Commissioners meeting in Menominee, there were a couple of commissioners that started discussing the concept of a regional jail. Through the course of this session, numerous county commissioners from the central Upper Peninsula thought it was appropriate enough of an idea to at least explore the concept of a regional jail at a separate meeting. In these discussions it was also suggested that the Hannahville Indian Community be invited to this meeting. A meeting has been arranged for December 7, 1995, at 4:00 at the Hannahville Tribal Administration Center. It is suggested that a couple county commissioners from each of the six central Upper Peninsula counties participate in the meeting, along with tribal members.

It was moved by Comm. Rapport, seconded by Comm. Minelli, and unanimously carried by voice vote, to authorize the County Administrator, County Board Chair, and any other interested Commissioner to attend the meeting to discuss the concept of a regional jail.

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The Committee considered a recommendation from Dennis Aloia, County Administrator, regarding Transfer of Surplus Equipment located at the Old Acoks Facility. A request was received from Charles Bergdahl, President of the Marquette County Fair Board, for acquisition of surplus equipment prior to its closure.

Administrator Aloia stated that he has reviewed the request, and recommends the Board authorize the transfer of the equipment with the exception of the fire extinguishers. It appears that there is no other office of County government that has a demonstrated need for this equipment as dictated by our County surplus property policy. He feels the Fair Board, being associated with the County for many years, could significantly benefit from the use of the equipment, while retaining it as County equipment would serve little or no purpose. In regard to the fire extinguishers he believes that they are a fixture of the property that may be necessary for the future owners. He suggested the Fair Board approach the new owners to see if they are interested in providing them with that equipment.

It was moved by Comm. Trudell, seconded by Comm. Minelli, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board authorize the transfer of the surplus equipment at the Old Acoks Facility with the exception of the Fire extinguishers to the Marquette County Fair Board.
The Committee considered an informational item Re: All recommendations be reviewed by the County Administrator before placement on Committee or County Board agenda. Administrator Aloia stated that he has no problem with reviewing recommendations, he feels it’s part of his job and appreciates comment from Comm. Arsenault that this needs to be done more often. He wants Commissioners to know that it may slow up some processes. Departments are used to, and policy states, that bringing items in on Thursday afternoon by 4:00 will be placed on an agenda. Bringing in items at the last minute on Thursday that may require research by Administrator Aloia, may not be enough time to give the Board a recommendation by Tuesday. He suggested that because this may require a change in policy, the issue be deferred to the January Organizational Meeting.

It was moved by Comm. Trudell, seconded by Comm. Rapport, and unanimously carried by voice vote that the Committee of the Whole defer the issue to the January Organizational Meeting.

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The Committee considered a communication from Michael E. Zorza, PEM, County Emergency Program Manager, regarding a proposed agreement between the Marquette County EMS Medical Control Authority and the U.P. Children’s Museum to develop and construct “Safetyville” injury prevention and community safety exhibits.

The Safety program was approved by the Marquette County EMS Medical Control Authority as a priority injury prevention initiative. The “Safetyville” Project is a very creative injury intervention that primarily focuses on the children of our community. The Michigan Department of Public Health is providing 100% funding for this project through grants awarded to the EMS Medical Control Authority.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the agreement between the Marquette County EMS Medical Control Authority and the U.P. Children’s Museum to develop and construct “Safetyville” injury prevention and community safety exhibits, modifying the language in the indemnification clause.

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Chairperson Corkin opened the meeting for public comment. Dr. William Birch, Alger-Marquette Community Mental Health Director, was present to inform the Committee that the Report regarding the Community Mental Health System will be ready for distribution and review in its final form at the end of the month. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

There being no further business, the meeting was adjourned at 5:30 p.m.

Respectfully submitted,

Connie M. Branam
Deputy County Clerk
CONTINUATION OF THE ANNUAL MEETING
(Recessed from November 7, 1995)

The Marquette County Board of Commissioners met in Special Session for the continuation of the Annual Meeting (recessed from November 7, 1995) on Tuesday, November 14, 1995 at 5:30 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


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

The County Board took under consideration Certification of the NICE Schools. NICE Schools has estimated 4.8 mills for their new bond debt, and 1.75 mills for the old debt. However, indications are that the millage needed may be less than the 6.65 mills requested. The mills levied is important to the County as it relates to the distribution of the Specific Ore Taxes.

David Payant, Civil Counsel, was present and explained the opinion received from John Axe & Associates, Financial Consultants Inc. If it is determined that the millage requested to be levied by the School District is greater than the amount needed to retire the bond, it is the discretion of the County Board to levy a lesser amount. Mr. Axe has reviewed the figures that were supplied by Mr. Sodergren and the School District, and based on those figures feels that 5.4 mills is sufficient to meet the bond payments.

Chairperson Corkin explained that the School District has a right to estimate the amount of mills needed. If they received more than what is needed, then next year they will apply the surplus and levy a lesser amount.

Mr. Ronald Kulie, Superintendent of the Nice School District, was present and explained that Thrun, Maatsch and Nordberg, Attorney for the Nice District, sought counsel from the Michigan State Tax Commission, in particular Don Bengal, who has advised Nice Schools that in his opinion there is no authority for the County Board of Commissioners to modify the debt tax certified by the Board of Education. Mr. Kulie stated the millage requested was the vote of the people, and does not deny for one moment that Nice is raising more taxes than necessary, it was an estimate. They will have excess monies this year and next year levy a lesser amount to make it up to the taxpayers.

Civil Counsel Payant stated that there is nothing illegal in the Nice District levying more. Now that they know exactly how much they need, are they allowed to levy more than that? The answer is yes. The County Board has to decide.

James Sodergren, County Treasurer, was present, and stated that the amount of millage recommended by the School Board is in excess of what is needed to make the payment on the debt. The County Board has recessed their annual meeting to accommodate the Nice School Board so that the proper debt millage (old and new) can be adopted. The proposed levy of 4.8 mills on the new debt will yield $143,000 more than is needed. On the old debt there will be a balance of $96,000 after payments are made. Aside from this the County Board will lose $15,000 from specific taxes. That is money that the County needs now. It is a mistake for the School Board to levy 6.65 mills when the need is 5.4 mills.

Nice Schools has submitted a revised certification indicating a debt millage split for the "old" and "new" debt millage. This was necessary due to the action in recent years whereby portions of a few townships that were in the NICE District have now joined a different school district and are therefore not responsible of repayment of the "new" debt.

Chairperson Corkin explained that Certification of the Nice School District was done at the October 10, 1995 Annual Meeting, therefore no action is required. The Nice Schools millage split is as follows:
It was moved by Comm. Rapport to renegotiate the Nice Schools 1995 millage request. Motion died for lack of support.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote the County Board reconsider the Powell Township Millage request. The 1995 millage rates certified by the County Board for Powell Township were incorrectly factored by the current year millage reduction fraction and are therefore understated. It was further moved by Comm. Arsenault, seconded by Comm. Trudell and unanimously carried by voice vote that the following revised millage rates be approved:

<table>
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<th>PURPOSE OF MILLAGE</th>
<th>INCORRECT MILLAGE</th>
<th>REVISED MILLAGE</th>
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<tr>
<td>General Operating</td>
<td>1.1780</td>
<td>1.1791</td>
</tr>
<tr>
<td>Ex Voted Operating</td>
<td>2.1251</td>
<td>2.1270</td>
</tr>
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</table>

The County Board considered appointed to the Social Services Board. Applications were received from incumbent, Caroline Bridges, Negaunee, and Virginia Paulson, Negaunee.

It was moved by Comm. Trudell, seconded by Comm. Rapport, and carried on a roll call vote 6 Ayes (Comm. Arsenault, Braamse, Minelli, Rapport, Trudell and Corkin) to 2 Nays (Comm. Joseph and Seppanen) to reappoint Caroline Bridges of Negaunee to the Social Services Board.

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

There being no further business to come before the Annual Meeting the meeting was adjourned.

Respectfully submitted,

CONNIE M. BRANAM
Deputy County Clerk
ROLL CALL.


PUBLIC COMMENT.

APPROVAL OF THE AGENDA.

Review of Claims and Accounts.

Consideration of a Tax Free Renaissance Zone for K.I. Sawyer.

Supreme Court Decision regarding the Funding of Michigan's Trial Court System: Grand Traverse County, et al vs. State of Michigan.

Substance Abuse Contract Renewal between the State of Michigan and Marquette County (Community Corrections).

Memo from the Marquette County Planning Commission regarding the Honor Camp Property Right-of-Way, Silver Creek Road Extension.

Prosecuting Attorney Opinion 95-5 RE: Authority of the Marquette County Board of Commissioners to Review the Budget for the Marquette County Medical Care Facility.

Notice from the CUPPAD Regional Commission of a Meeting to Explore the Concept of a Regional Jail.

Recommendation from Dennis Aloia, County Administrator, regarding Transfer of Surplus Equipment Located at the Old Acocks Facility.

Topic for Committee Consideration RE: All Recommendations be Reviewed by the County Administrator before Placement on Committee or County Board Agenda. (No Packet Materials).

PUBLIC COMMENT.

ANNOUNCEMENTS.

ADJOURNMENT.

CONTINUATION OF THE ANNUAL MEETING

Call to Order.

Public Comment.

Certification of the NICE Schools and Powell Township Millage Levy. (Materials Forthcoming).

Appointment to the Social Services Board. (Applications Forthcoming).

Public Comment.

Adjournment/Recess.