The Marquette County Board of Commissioners met in Regular Session and for the continuation of the Annual Meeting on Tuesday, October 15, 1996 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. Angeli, seconded by Comm. Braamse and unanimously carried by voice vote that the minutes of the October 1, 1996 Regular Board Meeting be approved.

Chairperson Corkin read the following proclamation honoring Sheriff Joseph Maino on his retirement:

RESOLUTION
HONORING SHERIFF JOE MAINO ON HIS RETIREMENT

WHEREAS, Joe Maino joined the Marquette County Sheriff's Department in 1967 and was promoted through the ranks to Sergeant and then Undersheriff, and

WHEREAS, Joe Maino was elected Marquette County Sheriff in 1976 at age 34, one of the youngest Sheriffs in Michigan, and

WHEREAS, Sheriff Joe Maino is serving his twentieth year, the second longest serving Sheriff in Michigan, and has served as President of the Michigan Sheriffs' Association 1981-82, and

WHEREAS, Sheriff Joe Maino has taken a leadership role in the fight against drugs with such programs as DARE, MCTV, and UPSET, drunk driving enforcement, and has obtained over $4 million in federal, state, and local grants to better serve and protect Marquette County citizens,

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners commends Sheriff Joe Maino on his thirty years of excellent public service and community involvement, and

BE IT FURTHER RESOLVED, that on behalf of all County citizens the Marquette County Board of Commissioners congratulates Sheriff Joe Maino on his retirement and wish him and his wife Jean many happy years to come.

Adopted this 15th day of October, 1996
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. Arsenault, seconded by Comm. Joseph and unanimously carried by voice vote that the agenda be approved with the following deletion: That Suncliffe Subdivision Flood Damage is not in litigation and should be removed from the Closed Session list for discussion.

PRIVILEGED COMMENT

The County Board continued the Annual Meeting for the purpose of certification of the millage levies for various taxing units for December, 1996. Eight Township millage levies were still outstanding as of the last meeting, however, six of them have provided their L4029 form and their millage levies can be certified tonight. The Annual Meeting will have to be recessed until October 29, 1996 for the purpose of certifying the millage levies of Tilden Township and Wells Township.
It was moved by Comm. Seppanen, seconded by Comm. Rapport and unanimously carried by voice vote that the County Board certify the millage levies for various taxing units as follows and recess the Annual Meeting until October 29, 1996:

<table>
<thead>
<tr>
<th>Local Unit and Purpose of Millage</th>
<th>Authorized (Headless)</th>
<th>Headless</th>
<th>Recommended (Headless)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Chocolay Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Operating - Charter</td>
<td>5.0000</td>
<td>0.9835</td>
<td>4.3175</td>
</tr>
<tr>
<td>Extra voter - Library</td>
<td>1.0000</td>
<td>0.8635</td>
<td>0.8635</td>
</tr>
<tr>
<td><strong>Ewing Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage - Operating</td>
<td>1.4000</td>
<td>0.9724</td>
<td>1.3614</td>
</tr>
<tr>
<td>Extra voter - Operating</td>
<td>2.0000</td>
<td>0.9724</td>
<td>1.9448</td>
</tr>
<tr>
<td>Extra voter - Fire Protection</td>
<td>1.0000</td>
<td>0.9724</td>
<td>0.9724</td>
</tr>
<tr>
<td><strong>Marquette Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Operating - Charter</td>
<td>5.0000</td>
<td>0.8875</td>
<td>4.4375</td>
</tr>
<tr>
<td>Library Services</td>
<td>1.0000</td>
<td>0.9476</td>
<td>0.9476</td>
</tr>
<tr>
<td>Fire Equipment</td>
<td>1.0000</td>
<td>0.9476</td>
<td>0.9476</td>
</tr>
<tr>
<td>Act 33 - Fire Protection</td>
<td>2.5000</td>
<td>N/A</td>
<td>2.5000</td>
</tr>
<tr>
<td><strong>Hiawatha Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage - Operating</td>
<td>1.4000</td>
<td>0.9616</td>
<td>1.3625</td>
</tr>
<tr>
<td>Act 99 - Community Center</td>
<td>2.0000</td>
<td>0.9616</td>
<td>1.9323</td>
</tr>
<tr>
<td>Extra voter - Road Repairs</td>
<td>1.0000</td>
<td>0.9616</td>
<td>0.9616</td>
</tr>
<tr>
<td>Act 33 - Fire Protection</td>
<td>2.5000</td>
<td>N/A</td>
<td>2.5000</td>
</tr>
<tr>
<td><strong>Tehk Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage - Operating</td>
<td>1.4000</td>
<td>0.8749</td>
<td>1.2249</td>
</tr>
<tr>
<td>Tri-Township Fire</td>
<td>1.0000</td>
<td>0.8968</td>
<td>0.8968</td>
</tr>
<tr>
<td><strong>West Branch Township</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fixed Millage - Operating</td>
<td>1.4000</td>
<td>0.9649</td>
<td>1.2109</td>
</tr>
<tr>
<td>Extra voter - Library</td>
<td>1.0000</td>
<td>0.8649</td>
<td>0.8649</td>
</tr>
</tbody>
</table>

Steve Powers, County Administrator, reported on the relocation of AMR to Ki Sawyer. It is proceeding on schedule. The County needs access to the buildings by November 1st and is getting cooperation with the federal and state agencies. He also commended Ron Koshorek, Resource Management Director, Jim Kippola, Senior Planner, and David Payant, Civil Counsel, on their work on the relocation project. It has also been decided among the representatives of the Local Reuse Agency that the County will take the lead role in discussions with the OEA regarding Caretaker Agreement funding.

Chairperson Corkin also reported that he spoke with Frank Opolka, Michigan DNR, at the recent Upper Peninsula Association of County Commissioner’s meeting in Watersmeet. Mr. Opolka indicated that the DNR is going to make every effort to cooperate in the Airport relocation efforts.

INFORMATIONAL ITEMS

It was moved by Comm. Rapport, seconded by Comm. Minelli and unanimously carried by voice vote to place the following informational items on file:

a. Notice from Betty J. Mercer, Director, Office of Highway Safety Planning, MSP, that the Marquette County Sheriff’s Department has been Awarded $7,462 in Federal Funds for Highway Safety Project "Marquette County Cops in Shops."


ACTION ITEMS

It was moved by Comm. Seppanen, seconded by Comm. Minelli and unanimously carried by voice vote that Action Items 10b, 10c, 10d, and 10e be approved as follows:

10b) Committee of the Whole Recommendation to approve of the Deficit Fund Plan for 1995 as follows:
BOARD OF COMMISSIONERS            COUNTY OF MARQUETTE            OCTOBER 15, 1996

MARQUETTE COUNTY DEFICIT FUND PLAN
FOR FISCAL YEAR ENDED DECEMBER 31, 1995

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEFICIT AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Probate Child Care Special Revenue Fund</td>
<td>39,691.00</td>
</tr>
<tr>
<td>Maintenance of Effort Special Revenue Fund</td>
<td>385,881.00</td>
</tr>
</tbody>
</table>

This deficit was resolved with an equity transfer from the General Fund.
Millage levy's over the next several years should be sufficient to cover current expenses and eliminate the deficit.

Plan adopted by County Board of Commissioners at their meeting held on October 15, 1996.

10c) Committee of the Whole Recommendation to approve of Administrator Steve Powers attending the OEA Air Force Conference to be held in Phoenix, Arizona October 28-30, 1996, funds to come out of the Administrator Travel Budget, and further, that Chairperson Corkin designate one Commissioner to attend the OEA Air Force Conference, with funding possibly to come from the Michigan Jobs Commission, otherwise from the Commissioner Travel Budget.

10d) Committee of the Whole Recommendation to approve of Luce County joining the 911 Central Dispatch System and paying one-half the cost for LIFELINE 100 which is one-half of $5,286. Marquette County has the capacity in the system to handle 64 trunks and are currently only using four.

10e) Committee of the Whole Recommendation to adopt a resolution endorsing the United Way and urge citizens of the County to give their full support to this fund drive, resolution as follows:

MARQUETTE COUNTY RESOLUTION
ENDORSING THE UNITED WAY

WHEREAS, the United Way of Marquette County has been working since its inception in 1974 helping to improve the quality of life for thousands of people in Marquette County; and

WHEREAS, their work has helped to develop for Marquette County and atmosphere of community spirit and has fortified the qualities of community service, goodwill and compassion for all; and

WHEREAS, through the United Way, thousands in the Marquette County area will join together in this one drive to make an annual contribution which will help to carry on the work of thirty-one local agencies and through one of them, the United Way of Michigan, this same gift will reach out to many thousands more who are served by twenty additional agencies throughout the Upper Peninsula and the State; and

WHEREAS, the United Way of Marquette County enlists the time and energies of hundreds throughout the County in business, labor, government, education and those retired, all who devote countless hours to making this fund drive a success;

THEREFORE, BE IT RESOLVED, that we, the Marquette County Board of Commissioners, strongly endorse the United Way, and hereby urge each citizen of the County to give their full support to this fund drive.

Adopted this 15th day of October, 1996
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners
ACTION ITEMS CONTINUED

10a) The County Board considered a recommendation from the Committee of the Whole regarding the Lease Agreement for part of the AMR Project. Civil Counsel David Payant has reviewed the Lease which is complex and 83 pages in length. The lease is for Building No. 627 and part of another building. The lease is on a form used by the Air Force known as an "Adhesion Contract." Before occupying the buildings a Condition Report and video record must be completed, which includes plans for containing any environmental contamination such as spills, etc. AMR is to prepare this plan.

The Air Force Consultant has recommended that additional items be checked. The County will check the buildings for any additional contaminations that may not already be on the Air Force list. The Lease contains a dispute resolution mechanism, in other words, any disputes between the County and AMR will be resolved by Air Force personnel.

Other requirements of the Lease include: AMR or the County cannot dig any wells nor disturb asbestos or lead paint. AMR should stay out of any contaminated areas and any remediation that is in progress must be allowed to continue. Any contamination prior to the Lease Agreement the County is not responsible for. We have applied to the Michigan DNR for this status, that is, not be responsible for prior pollution and we will use the Air Force assessment of the environmental condition of the buildings.

It was moved by Comm. Braamse, seconded by Comm. Trudell and unanimously carried by voice vote that the County Board agree to sign the Lease Agreement for part of the AMR Project with the understandings as outlined by Civil Counsel David Payant.

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

COMMISSION COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin reminded Commissioners of Sheriff Joseph Maino’s retirement dinner, Saturday, October 19th at 6:30 P.M. at the Marquette Holiday Inn.

Comm. Joseph noted a copy of a letter received by County Commissioners from Cynthia Nyquist, Administrator/CEO, Upper Peninsula Home Nursing, sent to Dr. Randall Johnson, Health Department Director. The letter contends that Dr. Johnson has made public statements which are false and inaccurate regarding the Upper Peninsula Home Nursing. Comm. Joseph contended that this letter is an indirect result of the County Board responding to a newspaper editorial on the home health care issue.

It was moved by Comm. Arsenault, seconded by Comm. Minelli and unanimously carried on a roll call vote 10 Ayes (Comm. Arsenault, Angeli, Bergdahl, Braamse, Joseph, Minelli, Rapport, Seppanen, Trudell and Corkin) to 0 Nays that the County Board go into closed session for the quarterly litigation report and the following lawsuits:

Carlson v. County, Sheriff’s Dept., Grasso, Small (lawsuit and worker’s compensation)
Maki v. Alger/Marquette CMH Board; County, et al.
Rochon v. County
Brandon v. Walker and County of Marquette
Pekuri v. Ruffus, et. al.
Chairperson Corkin declared a brief recess to clear Commission Chambers at 7:20 P.M.

CLOSED SESSION

The County Board came back into open session at 8:24 P.M. No action was forthcoming as a result of the Closed Session.

Chairperson Corkin reported that the Vice-Chairperson Arsenault and Administrator Powers, and EDC Chair Jay Scherbenske met with Makela, Toutant & Hill. The auditors claim that they have received no information.

There being no further business, the meeting was adjourned at 8:28 P.M.

Respectfully Submitted,

[Signature]
David J. Roberts
Marquette County Clerk
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 ON OCTOBER 1, 1996.
4. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
   a. Resolution Honoring Sheriff Joe Maino on His Retirement.
5. PUBLIC COMMENT. (time limit 20 minutes total)
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:
   a. Continuation of the Annual Meeting for the Certification of the Millage Leves for
      Various Taxing Units for December, 1996 (Material Forthcoming at Meeting).
9. INFORMATIONAL ITEMS:
   a. Notice from Betty J. Mercer, Director, Office of Highway Safety Planning, MSP,
      that the Marquette County Sheriff’s Department has been Awarded $7,462 in
      Federal Funds for Highway Safety Project "Marquette County Cops in Shops."
   b. Notice of Continued Accreditation of the Alger-Marquette Community Mental
      Health.
10. ACTION ITEMS:
    a. Committee of the Whole Recommendation regarding the Lease Agreement for Part
        of the AMR Project.
    b. Committee of the Whole Recommendation to Approve the Deficit Fund Plan for
        1995.
    c. Committee of the Whole Recommendation to Send Administrator Steve Powers and
        One County Commissioner to the OEA Air Force Conference in Phoenix, AZ
        October 28-30.
    d. Committee of the Whole Recommendation to Approve of Luce County Joining the
        911 Central Dispatch System.
    e. Committee of the Whole Recommendation to Adopt a Resolution Endorsing the
        United Way Campaign in Marquette County.
11. LATE ADDITIONS:
    a.
    b.
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. CLOSED SESSION FOR QUARTERLY LITIGATION REPORT
    RE: Carlson v. County, Sheriff’s Dept., Grasso, Small
        (lawsuit and worker’s compensation
        Maki v. Alger/Marquette CMH Board; County, et al.
        Rochon v. County
        Brandon v. Walker and County of Marquette
        Suncliffe Subdivision Flood Damage
        Newland v. O’Connor, et al.
        Pekuri v. Ruffus, et. al.
15. ADJOURNMENT.