The Marquette County Board of Commissioners met in Regular Session on Tuesday, February 15, 2000 at 7:00 P.M. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Tuominen and unanimously carried by voice vote that the minutes of the Regular Meeting held on February 1, 2000 be approved.

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

It was moved by Comm. Rapport, seconded by Comm. Wallace, and unanimously carried by voice vote that the agenda be approved with the following late additions: 11a) OEA Grant Application, 11b) Resolution Modifying Lease and Purchase Terms for Renaissance Zone, 11c) Real Estate Commission Policy at Sawyer, 11d) Lease Enforcement Policy for Sawyer.

INFORMATIONAL ITEMS

It was moved by Comm. Joseph, seconded by Comm. Rapport, and unanimously carried by voice vote that the following informational items be accepted and placed on file:

a. Correspondence from US Senator Spencer Abraham regarding Long Term Federal Aviation Funding.
b. Thank You from Congressman Bart Stupak for Marquette County Comments on His Work.
d. Thank You from Ardy Payan, K1 Sawyer Communications, Inc., for Chairperson Corkin’s Interest and Support for Their Project.

ACTION ITEMS

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

10a) Payment of Claims and Accounts for the period February 4, 2000 through February 10, 2000 in the amount of $1,021,456.20.

10b) Committee of the Whole Recommendation to approve a Contract with Industrial Piping Company for Heat Conversion Improvements to Sawyer Building No. 643 in an amount not to exceed $397,550.

10c) Committee of the Whole Recommendation that the County Board approve a Contract Extension with American National Management Association and authorize the Chair to execute the Agreement, 100% Air Force Funded in the amount of $66,330; and also authorize the Chair to execute a Lease Agreement for a vehicle from Frei Chevrolet, 100% Air Force funded – cost $8,040.

10d) Committee of the Whole Recommendation to amend the Budget for the Juvenile Department of the Marquette County Circuit Court Family Division by $49,065 to authorize an increase in the staffing level by one part-time limited, limited term position. The position will end January 31, 2001.

RESOLUTION AMENDING RESCUE SAFETY FUND BUDGET

Fiscal Year 2000 Amendment No. 3

WHEREAS, budgets were adopted by the County Board on October 12, 1999 to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and
WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

<table>
<thead>
<tr>
<th>Expense Budget Account</th>
<th>Previous Budget</th>
<th>Amended Budget</th>
<th>Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
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<tr>
<td>Salary</td>
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<tr>
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<table>
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<th>Previous</th>
<th>Amended</th>
<th>Change</th>
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</thead>
<tbody>
<tr>
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<td></td>
<td></td>
</tr>
<tr>
<td>Juvenile Accountability Incentive Block Grant Review</td>
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<td>49,065.00</td>
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<tr>
<td>Total Review Changes</td>
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<td>49,065.00</td>
<td>49,065.00</td>
</tr>
</tbody>
</table>

Motion was made by Comm. Rapport, Supported by Comm. Curto, to adopt the foregoing resolution. Upon roll call vote, the following vote was recorded:

- P. Arsenault X
- C. Bergdahl Absent
- G. Carkin X
- D. Curto X
- N. Joseph X
- Rapport X
- F. Roberts X
- G. Seppanen X
- K. Tuominen X
- H. Wallace X

The Chairperson declared the motion carried and the resolution duly adopted this 15th day of February, 2000.

**ACTION ITEMS CONTINUED**

The County Board considered a recommendation from the Marquette County Planning Commission regarding an Empire Iron Mining Partnership – Part 301 Permit to expand an existing mine pit and stock pile areas for use by an existing mining operation. The stock pile areas would be expanded under the permit proposal by the total of 254.1 acres, and two pit areas of approximately 208.2 acres would be developed an expanded. Also, approximately 11,187 feet of new perimeter road will be constructed within the proposal. A total of approximately 87.3 acres of wetland area, and approximately 8,288 linear feet of stream will be impacted by the project.

Al Feldhauser, Staff Planner, John Meier, Cleveland-Cliffs, and Ted Minnes, Empire Mine, were present to discuss the permit application and answer questions.

Commissioners commended the Planning Commission and Staff for their review of the Permit Application expressing their support for their comments. Commissioners also expressed concern about relocation of the Suicide Ski Hill and noted it was not included in the comments and felt that it should be.

Ted Minnes explained that the present permit application only includes a portion of the ski trails and does not affect the Suicide Bowl jumping area. The time frame for implementing the expansion of the stock pile and pit areas addressed in this permit application is 3-5 years.

It was moved by Comm. Rapport, seconded by Comm. Seppanen, and unanimously carried by voice vote that the Marquette County Board of Commissioners concurs with the comments made by the Marquette County Planning Commission and forward them to the Michigan Department of Environmental Quality, comments as follows:

* The Planning Commission Recommendation is as follows:
  * Project alternatives were reviewed. Selected alternatives (by the Mining Company) fall into a “mid-range” where other alternatives have more extensive wetland impacts while others have less impact. The economic benefit of the selected alternative substantially exceeds alternatives that result in only a 10 acre (+/-) change in wetland impact. Selected alternatives are not disputed.
  * Compensatory mitigation
Wetland - A ratio of 1:1 (one acre destroyed: one acre created elsewhere) is proposed, a ratio of 1:1.5 is commonly used. As impacts to greenspace also occur, we believe a 1:1.5 ratio is appropriate.

Streams - The value of a stream is difficult to estimate. The Commission considered the impact on land value (property with a stream versus without) and determined $32 per linear foot be appropriate. The Mining Company proposed $8.

Montes collected for stream mitigation should be maintained locally by the Marquette County - Central Lake Superior Watershed Partnership.

- The County Board should send a letter to municipalities impacted by the expansion (City of Negaunee, Richmond Township, Tilden Township) and Republic Township (where mitigation is scheduled to take place) urging them to comment on the permit application.
- Local municipalities should enforce zoning ordinances that have land use and permitting requirements.
  - Alternative uses should be explored and pursued for all waste materials resulting from the mining process.
  - The Commission would like to see an ongoing supply of crushed rock made available at the mine site for use in stream crossings and other environmentally related projects.

LATE ADDITIONS

11a) The County Board considered a Grant Application to the Department of Defense, Office of Economic Adjustment for administrative and planning activities related to the conversion of Sawyer to civilian use.

Steve Powers, County Administrator, explained that this is the third year of a continuation grant. Total estimated funding amounts to $533,600 of which $288,675 will come from the OEA. The Marquette County local match of $244,325 will come from the KI Sawyer Development Department Fund.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve of the OEA Grant Application for Staffing and Related Activities at the Former KI Sawyer Air Base, consistent with the Business Plan and overall redevelopment objectives of the County.

11b) The County Board considered a resolution modifying the lease and purchase terms for existing businesses located within the Renaissance Zone. Nine businesses voluntarily agreed to lease/purchase agreement increases as a result of their support and the County approval of a Renaissance Zone.

It was moved by Comm. Arsenault, seconded by Comm. Rapport, and unanimously carried by voice vote that the County Board adopt the following resolution:

BE IT RESOLVED that the Marquette County Board of Commissioners authorize Staff to amend Lease/Purchase Agreements to reflect voluntary increases by KI Sawyer tenants who have purchase options and who supported Renaissance Zone adoption, and to negotiate terms with others who supported Renaissance Zone adoption but who have not yet specified the amount of such increases.

11c) The County Board considered a recommendation from the KISDEC regarding cooperation with experienced, professional real estate brokers and site consultants in marketing the former base. The County is the owner/developer of Sawyer property and in most cases acts as its own listing agent and negotiates directly with prospective tenants, however there are cases where a licensed broker is involved in recruiting, negotiating, implementing a lease/purchase agreement acceptable to the County and a commission of 5% would be considered appropriate.

Comm. Arsenault, Chairperson of the KISDEC, noted that criteria have been developed for professional brokers. Also, the 5% commission would be paid up front in the first year of a multi-year lease.

It was moved by Comm. Arsenault, seconded by Comm. Roberts, and unanimously carried by voice vote that the County Board adopt the following resolution:

BE IT RESOLVED that the Marquette County Board of Commissioners adopt a Real Estate Commission Policy as prepared by KISDD Staff, in order to encourage experienced, professional brokers to bring high quality investors and employers to the former KI Sawyer Air Force Base.

11d) The County Board considered the 02/07/00 Draft of a Lease Enforcement Policy from Harley Andrews, Civil Counsel. Comm. Arsenault, Chairperson of the KISDEC, noted the KISDEC recommends the County Board adopt the lease enforcement policy resolution. The policy provided that notices of rent due, evictions, etc. will be made on a timely manner and the policy will be enforced equally throughout Sawyer.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board adopt the following resolution:

BE IT RESOLVED that the Marquette County Board of Commissioners adopt the Sawyer Lease/Sublease Enforcement Policy for Economic Development Conveyance, Properties, and Assets (02/07/00 Draft), to be effective immediately, in order to standardize
Chairperson Corkin opened the meeting for public comment. None was forthcoming.

**COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS**

Commissioner Curto reported on a meeting between Pathways, the Alliance Group, and Mr. Bill Allen, former Director of the Michigan Department of Community Mental Health, regarding managed care issues. Mr. Allen contended that never before has he seen such cooperation between the Michigan Association of Counties and Community Mental Health. Comm. Curto will keep the County Board informed on further developments.

Chairperson Corkin noted he attended the US Census Open House Meeting at their Ishpeming Pioneer Square Office. Census forms will be mailed on March 3, 2000. As Chair of the County Board he will continue to make public announcements on the importance of everybody being counted. An accurate count affects federal and state funding for many programs.

Steve Powers, County Administrator, pointed out Commissioners may want to consider holding a special meeting regarding the American Communications Network lease. At this moment Tom Rumora and Harley Andrews are in Farmington Hills attending a meeting regarding lease terms with the American Communications Network.

There being no further business, the meeting was adjourned at 7:42 p.m.

Respectfully Submitted,

[Signature]

David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, February 15, 2000, 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 ON FEBRUARY 1, 2000.
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. Correspondence from US Senator Spencer Abraham regarding Long Term Federal Aviation
      Funding.
   b. Thank You from Congressman Bart Stupak for Marquette County Comments on His Work.
   c. Letter from Robert J. Laciniski, President, and Timothy K. McGuire, Director, MAC,
      regarding Legislative Issues for 2000.
   d. Thank You from Ardy Payan, KI Sawyer Communications, Inc., for Chairperson Corkin’s
      Interest and Support for Their Project.
10. ACTION ITEMS:
    a. Review of Claims and Accounts.
    b. Committee of the Whole Recommendation to Approve a Contract with Industrial Piping
       Company for Heat Conversion Improvements to Sawyer Building 643.
    c. Committee of the Whole Recommendation to Approve a Contract Extension with American
       National Management for Resource Protection Services at Sawyer.
    d. Committee of the Whole Recommendation to Accept a Juvenile Accountability Incentive
       Block Grant and Authorize a Staff Level Increase for the Juvenile Department.
    e. Planning Commission Recommendation to Forward Comments to the Michigan DEQ
       regarding Empire Iron Mining Partnership – Part 301 Permit (Copy of Permit Application
       in Commissioner’s Mailroom.
11. LATE ADDITIONS:
    a. [Handwritten text not legible]
    b. [Handwritten text not legible]
    c. [Handwritten text not legible]
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.