BOARD OF COMMISSIONERS    COUNTY OF MARQUETTE    SEPTEMBER 21, 1999

The Marquette County Board of Commissioners met in Regular Session on Tuesday, September 21, 1999 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. Tuominen, and unanimously carried by voice vote that the minutes of the September 7, 1999 Regular Board Meeting and the September 14, 1999 Special Meeting be approved.

PROCLAMATIONS, PRESENTATIONS AND AWARDS

Chairperson Corkin read the following Resolution Observing September 20-26, 1999 as Pollution Prevention Week:

MARQUETTE COUNTY
RESOLUTION OBSERVING SEPTEMBER 20-26, 1999,
AS POLLUTION PREVENTION WEEK

WHEREAS, Pollution prevention is being promoted as a priority in achieving environmental quality in the State of Michigan in a week of observance, education, and outreach; and

WHEREAS, The people of Marquette County are proud of their County’s beauty, natural resources, and environment; and

WHEREAS, Pollution prevention is a fundamental approach to protect the environment and maintain the health and safety of workers in the workplace by stopping pollution before it occurs; and

WHEREAS, The passage of the Clean Michigan Initiative bond fund has provided valuable new funding for pollution prevention activities and will result in a greater citizen awareness and support for pollution prevention throughout the state; and

WHEREAS, Pollution Prevention Week is an opportunity for the people of Marquette County to join together by taking action in promoting the reduction of waste at its source of generation and identifying where this is not feasible on reuse and recycling; now, therefore, be it

RESOLVED, that the Marquette County Board of Commissioners observe September 20-26, 1999, as Pollution Prevention Week in Michigan, and we encourage all businesses and community members to participate in local and regional celebratory and educational activities.

Adopted this 21st day of September, 1999
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

Chairperson Corkin opened the meeting for public comment. James Sodergren, County Treasurer, was present and addressed the County Board regarding Renaissance Zones. He made the following statement: “The Committee of the Whole has recommended to approve the preparation of Renaissance Zone applications. Renaissance Zones will erode the tax roll. Marquette County will be a better place to do business if everyone pays their fair share of taxes. I would like to recommend that the County not approve of schemes such as Renaissance Zones which in effect puts the tax burden on someone else.”

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

It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that the agenda be approved with the following late addition: 11a) Proposed Lease and Purchase Terms with Ace Refrigeration, Inc. for Building 408 at Sawyer.

PRIVILEGED COMMENT

Steve Powers, County Administrator, explained that the Lake Superior Community Partnership Update will be scheduled at a future County Board or Committee of the Whole meeting because they were unable to attend this meeting.
INFORMATIONAL ITEMS

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


d. Congratulations from Joseph P. Swallow, Chief Judge, 26th Judicial Circuit, to Chairperson Corkin for being elected a MAC Director.

ACTION ITEMS

It was moved by Comm. Roberts, seconded by Comm. Wallace and unanimously carried by voice vote that Action Items 10d), 10e), 10f), 10h), 10i), and 10j), be approved as follows:

10d) A Committee of the Whole recommendation approving the FY 2000 Military Airport Program MAP Grant Application with funding requests totalling $7,456,500.00 of MAP Grant Funding and $414,250.00 of State and Local Funds.

10e) A Committee of the Whole recommendation approving an amendment to the terms of purchase for Red Fox Property allowing them an option to purchase rather than the first right of refusal, as per recommendation by Civil Counsel.

10f) A Committee of the Whole recommendation awarding the contract to Menze Construction Company, Marquette, Michigan, for concrete block repairs to Sawyer Buildings #530, #752, #726, and #730, in the amount of $11,562.

10h) A Committee of the Whole recommendation supporting the Upper Peninsula Resource Conservation & Development District in their efforts for additional funding.

10i) A Committee of the Whole recommendation approving the following resolution opposing legislative action allowing non-residents the right to vote in Michigan municipalities or jurisdictions:

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION

WHEREAS, there is a bill before the Michigan Senate regarding a proposed amendment to the Michigan Constitution of 1963 to permit non-residents who pay ad valorem property tax on real property located in a political subdivision the right to vote on local issues, tax limit increases, or bond issues; and

WHEREAS, Senate Joint Resolution 1, introduced by Senator Jaye, would negatively impact the voter registration process, be a record keeping nightmare, and a very costly expense, not to mention the problem small counties and schools would have in passing a millage; and

WHEREAS, non-residents, who can afford to own recreational and/or vacation properties, understand that these properties are subject to tax before they buy it, and taxation without representation does not apply.

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners vehemently opposes any legislative action which would allow non-residents the right to vote on tax issues as proposed by Senate Joint Resolution 1, and asks that this matter be further researched and reconsidered because of the major impact involved.

BE IT FURTHER RESOLVED, that the Marquette County Board of Commissioners send this resolution to Governor John Engler, our Upper Peninsula State Representatives and State Senators, and to the Michigan Association of Counties.

Adopted this 21st day of September, 1999

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

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10j) A Committee of the Whole recommendation approving the FY 2000 Emergency Management Annual Work Agreement for Marquette County.

ACTIONS ITEMS CONT’D.

10a) The County Board discussed consideration of Public Benefit Transfer (PBT) and Economic Development Conversion (EDC) for K.I. Sawyer. Steve Powers, County Administrator, distributed a resolution summarizing the steps that have led to tonight. He explained that after two years of Staff work and two years of leadership from the County Board we are pleased to have a Economic Development Conveyance Agreement.

Mr. Powers further explained that approval of the PBT and EDC is consistent with the board’s designation as the Local Reuse Agency and implements the recommendations of the K.I. Sawyer Reuse Plan. Transfer of the property will continue accomplishment of the County’s goals of converting K.I. Sawyer’s assets into economic, community, and transportation benefits. The PBT and EDC enable the County, and the community, to continue the conversion with financial confidence.

Over the past three years, the County Board, Staff, Federal Officials and Employees have spent countless hours working toward September 21. Assisting the County has been David Knisely, Consulting Attorney. Mr. Knisely’s base conversion expertise and experience working for communities ensured that the County was protected in negotiations with the Air Force.

David Knisely was present and gave a brief overview regarding the PBT and EDC and further steps in the process. He explained that the PBT and EDC essentially transfer the real and personal property to the County of Marquette. He stated that he has done a lot of base closure work and this has been a very rewarding project. Marquette County has made a great deal. He commended all the hard work of Staff, the dedication of the County Board and the Congressional Delegation.

Chairperson Corkin on behalf of all Commissioners thanked and congratulated Mr. Knisely for all his hard work and dedication. Chairperson Corkin also commended Tom Rumora, Jim Kippola, Harley Andrews, Administrator Powers, Comm. Arsenault, and all Commissioners.

It was moved by Comm. Roberts, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board adopt the following Resolution authorizing and approving the execution by the County Board Chair, on behalf of the County, of all agreements, deeds, bills of sale, lease terminations, long term leases in furtherance of conveyance, easements, schedules, and all other documents necessary and proper to implement the no cost Economic Development Conveyance requested by the County; and the execution by the County Board Chair, on behalf of the County, of such interim operating agreements regarding the utilities serving the area of the former Base as may be necessary to assure the continued operation and maintenance of said systems after the County acquires title thereto.

RESOLUTION

MARQUETTE COUNTY BOARD OF COMMISSIONERS

WHEREAS, Effective April 17, 1997, the County of Marquette, Michigan, became the Local Reuse Authority for the former K.I. Sawyer Air Force Base; and

WHEREAS, Pursuant to Office of Economic Adjustment (OEA) requirements, an OEA funded Base Reuse Plan and an Airport Feasibility Study were completed for the former K.I. Sawyer Air Force Base, which studies were accepted by the Marquette County Board of Commissioners on January 28, 1997; and,

WHEREAS, The County of Marquette has submitted to the Air Force Base Conversion Agency an Application to acquire, by means of a no cost Economic Development Conveyance, portions of the former K.I. Sawyer Air Force Base, the utility systems and related infrastructure now owned by the Air Force, and personal property, for use by the County for the economic redevelopment of the communities adversely affected by the closure of said Base; and,

WHEREAS, A record of Decision has been issued by the United States Air Force Base Conversion Agency confirming certain transfers of property, including a no cost Economic Development Conveyance to the County of Marquette;
NOW, THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners does hereby authorize and approve:

1. The execution by the County Board Chair, on behalf of the County, of all agreements, deeds, bills of sale, lease terminations, long term leases in furtherance of conveyance, easements, schedules, and all other documents necessary and proper to implement the no cost Economic Development Conveyance requested by the County; and,

2. The execution by the County Board Chair, on behalf of the County, of such interim operating agreements regarding the utilities serving the area of the former Base as may be necessary to assure the continued operation and maintenance of said systems after the County acquires title thereto.

Adopted this 21st day of September, 1999
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10b) The County Board considered the Display Advertising Concession Agreement for Sawyer International Airport. Two proposals were received, M. Tavernini & Associates and Cook Sign. Cook Sign’s proposal was based on the possibility of renting only 19 of the 22 display cases. The M. Tavernini proposal would rent the display cases to advertisers for a lesser amount than Cook Sign’s proposal, but would pay a larger percentage of the rental amount, which would result in payment of a larger amount to the Airport. Also, the Tavernini proposal guarantees a larger amount to be paid to the Airport than the Cook Sign proposal. Under the Tavernini proposal, payment would be received up front, while the Cook Sign proposal would pay at the end of the year.

Hal Pawley, Airport Manager, recommends acceptance of the proposal from M. Tavernini & Associates.

It was moved by Comm. Wallace, seconded by Comm. Rapport, and unanimously carried by voice vote that the County Board approve the Display Advertising Concession Agreement from M. Tavernini & Associates for three years, with the possibility of extension for additional time if it is in compliance with the terms and conditions of the agreement, and authorize execution by the Board Chair.

10c) The County Board considered the Agreement for FY 1999 MAP Projects with the Michigan Bureau of Aeronautics. The County has received $806,400 from the Federal Aviation Administration Military Airport Program and $33,500 from the State Bureau of Aeronautics for three projects. The estimated County share of $56,050 is available in the Sawyer Airport Budget. Source of funding is passenger facility charges.

The projects include: Construct instrument landing system access road; Pave instrument landing system critical area; and Rehabilitate crash/fire and maintenance building. Approving the resolution allows the Bureau to begin its contract approval process. Timing is critical because the paving work includes taxiways to the t-hangars. The t-hangars should be complete no later than mid-November. Bid opening for the pavement work is September 24th. The bid award will be brought to the September 28th Board meeting. If there are complications, the bid award will be scheduled for the October 5th Committee of the Whole meeting, and a special Board meeting will be requested for October 5th.

Administrator Powers recommends approval of the resolution authorizing execution of the agreement.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board approve the resolution authorizing execution of the FY 1999 MAP Projects Agreement with the Michigan Bureau of Aeronautics.

RESOLUTION


BE IT RESOLVED by the Board of Commissioners of Marquette County, Michigan:

Section 1. That the Board of Commissioners of Marquette County, Michigan shall enter into a Contract Agreement for the development of Sawyer International Airport, and that such Contract Agreement shall be as set forth hereinafter;

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Section II. That the Chairperson of the Marquette County Board of Commissioners is hereby authorized and directed to execute said Contract Agreement on behalf of the County of Marquette, and the County Clerk is hereby authorized and directed to attest said execution;

Section III. That the Contract Agreement referred to herein shall be as attached.

Adopted this 21st day of September, 1999

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10g) The County Board considered a Committee of the Whole recommendation regarding an application to the Michigan Economic Development Corporation for Renaissance Zones.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and carried on a roll call vote 8 ayes to 2 nays (Comm. Rapport and Comm. Roberts), that the County Board 1) Permit the Lake Superior Community Partnership to prepare a Renaissance Zone Application for sites in Marquette County, if local governments are interested in participating; and 2) Authorize County Staff to prepare application sites at K.I.Sawyer.

10k) The County Board considered a Committee of the Whole recommendation to negotiate with CUPPAD for a Marquette County Trails Master Plan.

Comm. Bergdahl reported that he has received several calls from hikers, snowmobilers, etc. requesting a meeting with the Planning Commission to try and work together to get the Trails Master Plan started.

It was moved by Comm. Seppanen, seconded by Comm. Rapport, and unanimously carried by voice vote that the County Board reject all proposals for the development of a Marquette County Recreation Trails Master Plan, but rather negotiate directly with CUPPAD for a Marquette County Trails Master Plan with the Marquette County Planning Commission to be a part of the negotiation and review process.

LATE ADDITIONS

11a) The County Board considered a Proposed Lease and Purchase Terms with Ace Refrigeration, Inc. for Building 408 at Sawyer. Comm. Arsenault explained that the K.I.Sawyer Development Committee has unanimously approved the lease. Sands Township was requested to re-assess Building 408 because the assessment done in 1998 was for $35,749. That assessment was based on use as a manufacturing facility and on data from the Air Force, which was incorrectly interpreted in valuing the building. Marquette County has also spent $11,000 in heat conversion funds from the Air Force on the building since the assessment. The reassessment from Sands Township of true cash value for Building 408 is $23,236. The new assessment includes heat conversion. The assessed true cash value of $14,769 done by Marquette County Equalization Director included the heat conversion and was based on use as a warehouse with office. The average of these two assessments is $19,002.50. John Soper, President of Act Refrigeration, Inc. has accepted the proposed figure.

Ace Refrigeration has also accepted a right of first refusal clause allowing Marquette County to purchase the building for the original purchase price ($19,002.50) plus 50% of the cost of any permanent real property improvements over $500.00 which may be done by Ace Refrigeration.

Lease terms will be for two years, $2.15 per square foot for year one and $2.40 per square foot for year two. Ace Refrigeration also agreed to a proposal that the purchase option cannot be exercised before the end of the two year lease, or receipt of deed, whichever is longer. Marquette County will receive $8,444.80 in lease revenue in addition to the $19,002.50 purchase price. Total revenue to Marquette County would be $27,447.30. The security deposit agreed to will be first and last month’s rent, $703.73.

It was moved by Comm. Arsenault, seconded by Comm. Rapport, and unanimously carried by voice vote that the County Board approve the lease terms and option to purchase terms as presented with Ace Refrigeration, Inc. for Building 408 at Sawyer.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.
COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin announced that Senator Levin will be at Sawyer on Saturday, September 25, 1999 at 2:15 p.m. in the K.I.Sawyer Development Department Conference Room and would like to meet with as many members of the County Board as possible to discuss legislative issues.

Comm. Rapport reminded Commissioners that September 25, 1999 is the official ribbon cutting ceremony at Sawyer International Airport and invited County residents to join in this great family celebration.

Comm. Arsenault announced that on October 1, 1999 there will be a Work Force Development Summit at the Island Resort in Escanaba.

Chairperson Corkin thanked Comm. Rapport for her work on the opening of the Sawyer International Airport.

Steve Powers, County Administrator, publicly thanked Jim Kippola, Hal Pawley, Tom Rumora, and Harley Andrews, for the many, many hours they have put into the PBT and EDC Agreements, in addition to the other ongoing responsibilities here at the County. County Staff took on a tremendous task and with help from David Knisely and certainly many others, have provided the Board with a good foundation to build upon.

There being no further business, the meeting was adjourned at 8:05 p.m.

Respectfully submitted,

Connie M. Branam
Deputy County Clerk
ROLL CALL.

SALUTE TO THE FLAG AND PLEDGE OF ALLEGIANCE.


PROCLAMATIONS, PRESENTATIONS AND AWARDS.


PUBLIC COMMENT. (time limit 20 minutes total)

APPROVAL OF THE AGENDA.

PUBLIC HEARINGS.

PRIVILEGED COMMENT:

a. Update from Lake Superior Community Partnership.

INFORMATIONAL ITEMS:


d. Congratulations from Joseph P. Swallow, Chief Judge, 26th Judicial Circuit, to Chairperson Corkin for Being Elected a MAC Director.

10. ACTION ITEMS:


b. Display Advertising Concession Agreement for Sawyer International Airport.


d. Committee of the Whole Recommendation to Approve the FY 2000 MAP Grant Application.

e. Committee of the Whole Recommendation to Approve an Amendment to the Terms of Purchase for Red Fox Property.

f. Committee of the Whole Recommendation to Approve a Contract for Concrete Block Repairs to Various Sawyer Buildings.

g. Committee of the Whole Recommendation Approving Preparation of Renaissance Zone Applications.

h. Committee of the Whole Recommendation to Support the Upper Peninsula Resource Conservation and Development District for Additional Federal Funding.

i. Committee of the Whole Recommendation to Adopt a Resolution Opposing Legislation Allowing Non-residents the right to vote in Michigan Jurisdictions.

j. Committee of the Whole Recommendation to Approve the FY 2000 Emergency Management Annual Work Agreement.

k. Committee of the Whole Recommendation to Negotiate with CUPPAD for a Marquette County Trails Master Plan.

11. LATE ADDITIONS:


b.

c.

12. PUBLIC COMMENT. (time limit 20 minutes total)

13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.

14. ADJOURNMENT.