The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, April 11, 2000 at 6:00 P.M. in Room 231 of the Henry A. Skewis Annex, Marquette, Michigan.


It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the minutes of the Committee of the Whole meeting held on March 28, 2000 be approved.

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

It was moved by Comm. Roberts, seconded by Comm. Joseph and unanimously carried by voice vote that the agenda be approved with the following additions: Item 11) Water/Wastewater Rate Study for KI Sawyer, and Item 12) Disposal of Personal Property at KI Sawyer.

It was moved by Comm. Roberts, seconded by Comm. Curto, and unanimously carried by voice vote that Claims and Accounts for the period March 31, 2000 through April 6, 2000 in the amount of $191,299.77 be approved.

The Committee considered approval of a Contract Agreement with the Michigan Bureau of Aeronautics (BOA) for use of an airport rescue and fire fighting mobile trainer. Hal Pawley, Airport Manager, was present to discuss the agreement and answer questions.

To maintain FAA certification Sawyer International Airport Rescue and Fire Fighting Personnel must perform annual update training under live fire conditions. The Michigan BOA has a mobile trainer operated by Kellogg Community College, which travels around Michigan airports to provide this training. In addition, the BOA provides grant funding to assist with the cost of training. Marquette County funding is available for 90% of the training cost up to a maximum of $4,000. Total estimated cost of training is $4,500. Sawyer International Airport will invite fire departments from nearby townships to participate in the training as was done in the past at the other airport.

In addition, the FAA certification is contingent upon conducting a full-scale disaster exercise prior to September 2000. A disaster exercise is scheduled on May 16th using the fueled aircraft mockup trainer. Using the mobile trainer for the disaster exercise will provide a degree of realism which has not been done in past exercises and will cost an additional $750. Total estimated cost for training - $5,250, the BOA will pay $4,000 and the $1,250 balance will be paid with airport funds budgeted for FY 2000.

It was moved by Comm. Rapport, seconded by Comm. Wallace, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the execution of the Grant Contract between Marquette County and the Michigan Department of Transportation for the purpose of obtaining State aid for aircraft rescue and fire fighting training at Sawyer International Airport.

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The Committee considered the FY 2000 Emergency Management Performance Grant Agreement with the Emergency Management Division, Michigan State Police. Michael Zorza, County Emergency Manager, was present to discuss the annual agreement and answer questions.

The Emergency Management Performance Grant reimburses Marquette County for an amount up to 50% of the salary and fringe benefits for the County Emergency Manager. This will amount to $30,601 which is budgeted as part of the revenues received by the Marquette County Emergency Management Division.

Mr. Zorza further noted that in the initial grant application all expenditures for the County's Emergency Program are included, however each year the State Emergency Management Division only approves an amount up to 50% of the salary and fringe benefits for the County Emergency Manager. There may be times when not all of the state-wide grant funds are used and additional smaller grants may become available. Because Marquette County has listed all of its expenditures in the grant application it may be able to receive an additional small grant for several thousand dollars.

It was moved by Comm. Joseph, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the State of Michigan Emergency Management Performance Grant Agreement for FY 2000.

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The Committee considered a State of Michigan Hazardous Materials Emergency Planning Grant Agreement for FY 1999-2000 in the amount of $1,200. Michael Zorza, County Emergency Manger, was present to discuss the grant agreement and answer questions.

The $1,200 grant is being made available to the Marquette County Local Emergency Planning Committee for the purpose of enhancing hazardous material planning. The LEPC desires to utilize the funds to reimburse some of their emergency planning related expenses. The grant requires a 20% local in-kind match of $240 which is currently budgeted in the Printing and Binding Line Item for the LEPC.

It was moved by Comm. Tuominen, seconded by Comm. Arsenault, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve of the Grant Agreement for the State of Michigan Hazardous Materials Emergency Planning 1999-2000 Grant Agreement.

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The Committee considered the Perkins Park Architectural and Engineering Services Bid Award. Jim Kippola, Manger of Planning, was present to discuss the bids and answer questions.

Three bids were received for the Architectural/Engineering Services for Perkins Park II construction. A Staff Project Committee comprised of Perkins Park Manger Bourgeois, Construction Code Manager Uren, Senior Planner Feldhauser, and Mr. Kippola, reviewed the proposals and recommend the contract be offered to U.P. Engineering in the amount of $23,900. U. P. Engineering's quote was $1,700 higher than the low bidder Hoganson & Associates.

Several Commissioners questioned why the bid was not being recommended to Hoganson & Associates, the low bidder? Mr. Kippola explained that U.P. Engineers and Architects was unanimously recommended by the Staff Project Committee as the lowest responsible bidder based upon their past performance at Perkins Park, experience with a similar project, the capability of their 70 employees, and its ability to complete the job as shown by their understanding of the permitting process.

It was moved by Comm. Rapport, seconded by Comm. Curto, that the Committee of the Whole recommend the County Board award the contract to U.P. Engineers & Architects for Perkins Park II improvement for $23,900. Motion failed 5 Ayes (Comm. Rapport, Arsenault, Roberts, Seppanen, and Corkin) to 5 Nays (Comm. Bergdahl, Curto, Joseph, Tuominen, and Wallace).

It was moved by Comm. Joseph, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board award the contract for Perkins Park Phase II Architectural Engineering Services to Hoganson & Associates for a cost of $22,200.

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The Committee considered a recommendation from the County Administrator to approve membership in the Northern Michigan Public Service Academy. Steve Powers, County Administrator, overviewed the proposal and answered questions.

The annual membership dues in the Northern Michigan Public Service Academy are $2,500, with a $5 daily fee per attendee to offset setup, materials, and food expenses. The 2000 County Budget includes funds for such training. Similar training sessions downstate can easily cost $500.

Steve Powers further explained that the purpose of the Academy is to foster and encourage personal and professional development of its members so that they may better serve their communities. All cities, counties, townships, and villages located in the Upper Peninsula can participate. Also, non-profit organizations and the public can participate.

The academy will be located at the Lakeview Arena in Marquette and the computers will be provided by the City of Marquette. The training sessions will be organized and administered by the Michigan Municipal League. The membership dues will allow all County employees, elected officials, and board members to attend training sessions which may include but is not limited to such topics as: supervisory skills training, safety training, effective interviewing and hiring, computer training, the Freedom of Information Act, community development, elected official's training, etc.

Chairperson Corkin requested that Administrative Staff provide a report on the County's utilization of the Northern Michigan Public Service Academy for the first year.

It was moved by Comm. Curto, seconded by Comm. Tuominen, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve Marquette County's membership in the Northern Michigan Public Service Academy.

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The Committee considered a recommendation from the County Administrator to authorize an Agreement for a Water/Wastewater Rate Study for KI Sawyer in an amount not to exceed $6,000 with Toltz, King, Duvall, Anderson, & Associates, Inc. (TKDA) Engineers, Architects, and Planners from St. Paul, Minnesota. Steve Powers, County Administrator, explained the recommendation and answered questions.

Mr. Powers noted that the KI Sawyer Economic Development Committee received an update from Barry Bahrmann regarding the KI Processing Project. KI Processing will require approximately 400,000 gallons of water per day. Current water and sewer use at Sawyer is 200,000 gallons per day. Because of this extreme volume it is imperative to KI Processing that legitimate rate projections are provided. The current rates are Air Force rates based on an average of Upper Peninsula cities.

TKDA is under contract with the County to assist in the implementation of the industrial pre-treatment wastewater program. The industrial pre-treatment is also an important component of the KI Processing plan. TKDA is recommended because of their existing work and expertise with rate studies. TKDA was selected through a competitive bid process to prepare the industrial pre-treatment program.

The timing of the work is caused by KI Processing, however any prospect whose operation will require water at KI Sawyer will find the information useful. Implementation of the study’s findings will be a decision made by the County Board of Commissioners. Funds for the study are available within the KI Sawyer Development Fund.

It was moved by Comm. Joseph, seconded by Comm. Rapport, and unanimously carried by voice vote, that the Committee of the Whole recommend the County Board approve the agreement with Toltz, King, Duvall, Anderson, & Associates, Inc. to prepare a Water/Wastewater Rate Study for KI Sawyer for an amount not to exceed $6,000.

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The Committee considered a request for personal property from Mike Wills Excavating and Trucking, Inc. Comm. Arsenault, Chairperson KI SEDC, explained that originally Mike Wills Excavating and Trucking requesting that 70 dumpsters be attached to the lease in April of 1999, however Harley Andrews, Chief Civil Counsel, and John Greenberg, Management Analyst, recommended that the dumpsters be sold rather than attached to a lease due to the potentially high liability associated with this type of personal property. The request for the dumpsters was reviewed in accordance with the personal property policy at KI Sawyer which provides that personal property be sold to tenants and leaseholders at KI Sawyer.

It was moved by Comm. Arsenault, seconded by Comm. Wallace that the Committee of the Whole recommend that the County Board approve the sale of the 70 dumpsters to Mike Wills Excavating and Trucking for the sum of $1 with the condition that the lease between the County of Marquette and Mike Wills Excavating and Trucking for Building 438 be amended to include the following condition:

11.2 There shall be no outdoor storage of any kind unless approved by the Lessor and located in such a way as to be screened from view of other properties, and from the view of public areas and roadways. There shall be no storage of solid waste of any kind at any time.

Comm. Bergdahl contended that the dumpsters should be placed on bids. He needs a dumpster for his business to store scrap metal and found the cheapest price at $2,600 per dumpster for a used one. Even if a dumpster is not used scrap steel today is worth $40 at ton.

Comm. Arsenault further explained several years ago Peninsula Sanitation submitted a bid of $3,5000 to purchase the dumpsters. Mike Wills Excavating and Trucking will sort through the 70 dumpsters and paint and repair the useable ones and dispose of the unusable ones. The dumpsters will be used to diversify their services by competing in the solid waste disposal industry. They currently own and operate a successful and reputable excavating and environmental business headquartered at KI Sawyer. Mike Wills currently employs four employees based at Sawyer including himself and a secretary in his Gwinn Office. They will be making a significant investment in their Sawyer operation to diversify and operate a successful and profitable environmental and recycling company.

Harley Andrews, Chief Civil Counsel, noted that as a result of the conveyance of Sawyer to the County of Marquette by the Air Force the County is free to sell the personal property for use off the former base.
Comm. Arsenault further noted that the KISEDC is following the present County policy. If the County Board desires that the dumpsters be placed on bids then it should change its policy regarding personal property accordingly. Comm. Arsenault withdrew his motion.

Comm. Rapport suggested that the County Board invite Ed Bailey and Mike Wills to the County Board meeting to provide further information regarding the dumpsters.

It was moved by Comm. Seppanen, seconded by Comm. Bergdahl and unanimously carried by voice vote that the request for personal property from Mike Wills Excavating and Trucking, Inc. be sent to the County Board meeting without a recommendation from the Committee of the Whole.

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

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

Chairperson Corkin attended the retirement reception in honor of Dr. William Birch, retiring CEO from Pathways. The reception was well attended and he presented a plaque on behalf of the County Board to Dr. Birch.

Chairperson Corkin also reported that as a member of a State Court Advisory Committee he attended a meeting in Lansing. He brought up the issue of unsentenced felons. Marquette County reviewed the issue a year ago, however the percentage of unsentenced felons in the Marquette County Jail is higher now than it was a year ago. It appeared no other County in attendance at the meeting was aware of the problem of unsentenced felons. The State Court Administrator’s Office will check further into the matter.

There being no further business, the meeting was adjourned at 6:55 P.M.

Respectfully Submitted,

[Signature]

David J. Roberts  
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
Tuesday, April 11, 2000, 6:00 P.M.
Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE
MEETING HELD ON MARCH 28, 2000.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
9. Architectural and Engineering Bid Award for Perkins Park Phase II.
10. Update on AMU Public Service Academy.
12. Disposal of Personal Property from Mike Will's Excavating Inc.
13.
14. PUBLIC COMMENT.
15. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
16. ADJOURNMENT.
TAKE NOTICE, that the Land and Water Management Division of the Michigan Department of Environmental Quality will hold a public hearing on Tuesday, April 25, 2000 at 7:00 p.m. at the Tilden Township Hall, 3145 CR PG, Ishpeming, Michigan.

The purpose of this hearing is to secure the views of interested persons concerning the following application for permit:

Application for Permit 99-03-0163-P under Part 301, Inland Lakes and Streams, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, by Empire Iron Mining Partnership, PO Box 38, Palmer, Michigan 49871, to expand an existing mine pit and stockpile areas for use by an existing mining operation. Three rock stockpile areas will be expanded under this permit proposal a total of approximately 254.1 acres, and two pit areas that total approximately 208.2 acres will be developed and expanded. A total of approximately 11,187 feet of new perimeter road will also be constructed within this proposal. A total of approximately 87.3 acres of wetland area and approximately 8,288 lineal feet of streams will be impacted by this project. The project is located in T47N, R27W, Section 12 & 13, Tilden Township, and T47N, R26W, Sections 7, 8, 9,16,17,18,20 & 21, Richmond Township, Marquette County, Michigan.

The application may be reviewed in the Land and Water Management Division, DEQ, 184 U.S. 41 East, Negaunee MI, 49866, Negaunee, Michigan 49866, during normal office hours. The public hearing record will remain open for 15 days after the public hearing date. Any written comments to be submitted for the public hearing record must be received at this address on or before the close of the record.

The hearing will be held pursuant to Section 30105 of the cited statute. The hearing will not be a court-type proceeding; witnesses will not be sworn, and there will be no cross examination. Public hearings are primarily informational and are held to encourage the expression of views and presentation of facts.

The Michigan Department of Environmental Quality will, upon written request, provide a copy of the Department's decision on this application.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

By: [Signature]

Kimberly Rice
Permit Consolidation Unit
Land and Water Management Division

Date: March 20, 2000

NOTE: Persons with disabilities needing accommodations for effective participation in any of the meetings noted should communicate with meeting contacts, as listed, a week in advance to request mobility, visual, hearing, or other assistance.