The Marquette County Board of Commissioners met in regular session on November 20, 2001, 7:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.


A Salute to the Flag was given followed by the Pledge of Allegiance.

It was moved by Comm. Wallace, seconded by Comm. Nordeen, and unanimously carried by voice vote that the minutes of Regular Meeting Held on November 6, 2001 be approved.

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

It was moved by Comm. Seppanen, seconded by Comm. Moore, and unanimously carried by voice vote that Claims and Accounts for the period November 9, 2001 through November 15, 2001, in the amount of $212,444.51 be approved.

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) Purchase Agreement for Tail Dock equipment with Advanced Ground Systems Engineering Corp. for American Eagle Airlines, Inc.

**INFORMATIONAL ITEMS**

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

a. Communication from the Emergency Telephone Service Committee (ETSC) regarding Distribution of Funds for Wireless E9-1-1 Service.


**ACTION ITEMS**

It was moved by Comm. Tuominen, seconded by Comm. Joseph, and unanimously carried by voice vote that Action Items 10d, 10e, 10f, 10g, 10h, 10i, 10j, 10k and 10l, be approved as follows:

10d) Committee of the Whole Recommendation to approve an Agreement with the Michigan Bureau of Aeronautics for the purchase and installation of weather equipment for the SIA Control Tower.

10e) Committee of the Whole Recommendation to approve a contract with Midwest ATC, Inc. for the installation of the SIA Control Tower Equipment.

10f) Committee of the Whole Recommendation to approve an Agreement with El-Com Services, Inc. for communication equipment maintenance for Central Dispatch.

10g) Committee of the Whole Recommendation to accept the Rural Health Initiative Grant for rescue vehicle trenching equipment and automated external defibrillators in the amount of $8,750, the balance of funding will come from $1,200 in donations specifically for AED equipment, and $7,550 from the Public Improvement Fund.

10h) Committee of the Whole Recommendation to approve Updated Central Dispatch Bylaws as recommended by the Central Dispatch Policy Board. (A complete copy of the bylaws is available for public inspection in the County Clerk’s Office).
10i) Committee of the Whole Recommendation to adopt a resolution to encourage the Michigan DEQ to allow Road Commission work on local streambank projects to be credited for wetland mitigation work, resolution as follows:

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
RE: CREDIT FOR WETLAND MITIGATION
FOR STREAMBANK RESTORATION & BUFFER PROJECTS
ON A CASE BY CASE BASIS

WHEREAS, one of the Michigan Resource Conservation and Development (RC&D) Councils mission is to improve and protect the quality of the state's natural resources, and

WHEREAS, Michigan RC&D Councils work with local, regional, state and federal organizations to develop partnerships to implement resource and community development projects, and

WHEREAS, Water Quality & Streambank improvement is an objective of the Michigan RC&D Councils, and

WHEREAS, Road Commissions throughout the state are required to mitigate adverse actions on small non-contiguous wetlands by replacing these wetlands at rates of 1 ½ to 2 acres to 1 acre disturbed, and

WHEREAS, the Road Commissions are often a partner in local stream or surface water quality projects, and

WHEREAS, the Road Commission has limited funds, staff and equipment to assist on natural resource improvement projects;

THEREFORE BE IT RESOLVED that the Michigan Department of Environmental Quality Land & Water & Surface Water Quality Staff develop a method that allows credit for Wetland Mitigation for stream restoration & buffer projects work on a case by case basis.

BE IT FURTHER RESOLVED that if the credit procedure is not within the Departments discretion that legislative authority be enacted.


Adopted this 29th day of November, 2001
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10j) Committee of the Whole Recommendation to approve a resolution encouraging our State Legislature to increase Payment in Lieu of Taxes (PILT) Payments for tax base protection for Michigan Townships:

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
RE: SUPPORT OF TAX BASE PROTECTION FOR TOWNSHIPS

WHEREAS, State and Federal ownership of property removes that property from the tax base, and

WHEREAS, Upper Peninsula local governments cannot afford the loss of additional tax revenue, and

WHEREAS, there is a concern that the State and Federal Government are acquiring additional property, and

WHEREAS, shrinking tax base is a great concern everywhere, but especially in our rural settings where we cannot afford to lose additional tax base to such non-taxable ownership.

BE IT RESOLVED that the Marquette County Board of Commissioners encourages the State and Federal Government to increase Payment in Lieu of Taxes (PILT) if additional property is acquired to limit such aggressive acquisition, and

BE IT FURTHER RESOLVED that this resolution be sent to the Michigan Association of Counties, Michigan Townships Association, and our Upper Peninsula Legislators.

Adopted this 29th day of November, 2001
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners
10k) Committee of the Whole Recommendation to approve a communication to Tricia Tucciaroni, Assistant Vice President, and John Czarnecki, Managing Director, Michigan Economic Development Corporation, requesting their consideration of a $30,000 Grant to Marquette County in support of the project “Creative Communities Sponsored by the Partners for Livable Communities.”

10l) Committee of the Whole Recommendation to approve the FY 2002 Emergency Management Annual Work Plan for Marquette County.

ACTION ITEMS CONTINUED

10a) The County Board considered a memo from James Kippola, Manager of Planning, regarding parcels C-14 and C-50 in the KI Sawyer housing area.

Mr. Kippola was present and explained that during the surveying of the housing area the surveyors brought two unexpected parcels to the County’s attention. The previous assumption was these parcels were under the ownership of the Gwinn Area Public School and the Sault Ste. Marie Tribe of Chippewa Indians.

Parcel C-14 is a narrow strip of land between the area described in the Tribe’s parcel and the former Base boundary of approximately .047 acres. Parcel C-50 exists because the school’s 1995 deed transfers a parcel in the East ¼ of the Northeast ¼ of Section 1 but the description includes a small area that actually lies in the West ¼ of that ¼ section. The parcel size is .43 acres.

Staff has requested that Civil Counsel prepare deeds to correct these errors with the lands being transferred to the School Board and the Tribe at no cost.

It was moved by Comm. Seppanen, seconded by Comm. Moore, and unanimously carried by voice vote that the County Board authorize the signing on the deeds on behalf of Marquette County after their preparation by Civil Counsel, the deeds would transfer parcels commonly referred to as C-14 and C-50 respectively to the Gwinn Area Public Schools and to the Sault Ste. Marie Tribe of Chippewa Indians at no cost.

10b) The County Board considered a Change Order with Premeau Enterprises, Inc. in the amount of $92,159.32. Hal Pawley, SIABC Director, was present and explained that Marquette County received a $1.7 million Michigan EDC Block Grant (EDA III) to renovate and improve facilities for AMR RAMCI. The renovation has been underway since 1998. Included in the grant was approximately $300,000 for a large paint booth. AMR RAMCI has decided not to proceed with the paint booth and the contract between Premeau and the County was reduced accordingly. AMR RAMCI and the County have been reviewing and deciding other uses for this grant money. This Change Order adds the following projects to the Contract: Emergency and exit lighting, mechanical humidity control, radiant heat, mechanical modifications to existing small paint booth, and miscellaneous roofing, wall cuts and patching projects.

The Michigan EDC has approved deleting the paint booth from the project and reallocating the funds. The Change Order will insure the grant funds are used to improve a publicly owned building and meet the AMR RAMCI’s facilities needs.

It was moved by Comm. Wallace, seconded by Comm. Moore, and unanimously carried by voice vote that the County Board approve the Change Order with Premeau Enterprises, Inc. for $92,159.32 from the Community Development Block Grant funding Agreement.

10c) The County Board considered a Change Order in the Contract with Premeau Construction for renovation of Hangars 423, 424, and 425. Hal Pawley, SIABC Director, was present to explain that the work primarily consists of replacement of the large aircraft doors, repair and replacement of roofing, and repairs of the exterior siding. Funding for this project is from the EDA III Grant. There has been cost savings from another project for renovation of the General Aviation Terminal which can be used to accomplish this additional desired work on the hangars. Project cost amounts to $45,503.14. No local match is required for this Change Order.

It was moved by Comm. Bergdahl, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board approve the Change Order with Premeau Construction for renovation of Hangars 423, 424, and 425 of $45,503.14 to come from EDA Grant funds, no local match required.

10m) The County Board considered a Lease Amendment with the Sawyer Service Center. Vikki Kulju, SIABC Marketing Director, was present and noted that approximately three weeks ago Sawyer Staff presented a recommendation to restructure the lease agreements between Brian Hutchens,
d/b/a Sawyer Service Center, with Marquette County for Building 826 (the original facility) and Building 824 (the new facility). The recommendation was pulled as a result of a request made by Ms. Liz Hutchens, who is not a party to the lease, but is a party to the IRP Loan, that no further draws on the IRP Loan payment be made to her or Brian.

The IRP Loan was intended to make improvements to the new facility and to purchase it. The amount on the loan totals $52,000 with $20,372 of the loan being released to the Hutchens and $31,628 not yet disbursed. Payments of $2,876.73 have been made and are current.

Brian Hutchens wishes to proceed with the purchase of the new facility. He currently employs five people including himself and has made substantial headway in renovations including getting the carwash operational. The IRP loan is current, however utilities and rent are owed on both the original and the new facilities. Staff is faced with making a recommendation to either evict the tenant or to workout a structure to allow for restitution of money owed to the County and an opportunity for the tenant to become economically viable.

Ms. Kulju noted Staff is recommending the lease be revised to allow the rental payments to be applied towards the purchase price and to recapture outstanding amounts due to the County according to the following terms:

1) Increase the existing purchase price of $25,936 to $31,876.95.
2) Waive the past rental payment of $993.70 occurred on building 826 (the original facility).
3) Rental payments will be applied to the purchase price at the rate of 6.5% with monthly payments of $404.45. Upon completion of the lease terms provided the tenant is in full compliance the property shall be transferred to the tenant.
4) Terminate immediately the lease on the original facility allowing 45 days for Brian Hutchens to remove existing equipment, etc.
5) Modify the IRP Loan to reduce the amount to $17,495.27. Terms to be modified to reflect a 5-year term with monthly payments of $342.32 (6.5%).

It was moved by Comm. Nordeen, seconded by Comm. Moore, and unanimously carried by voice vote that the County Board approve the Lease Amendment with the Sawyer Service Center as outlined by Staff.

**LATE ADDITIONS**

11a) The County Board considered approval of a Purchase Order for tail dock equipment from Advanced Ground System Engineering Corp. in the amount of $175,000. Hal Pawley, SIABC Director, was present and explained that American Eagle began flying their regional jet aircraft operating from their Chicago Hub to Sawyer for overnight maintenance work. This is minor work which can be completed in eight hours or less. Recently, American Eagle informed us there is a need on a reoccurring basis to perform work greater in scope, phase, and heavy maintenance on regional jets. They would like to do this work at Sawyer because of its relatively close proximity to Chicago, however specialized equipment called tail dock assembly is required to perform this larger scope of work. Their other aircraft maintenance facilities in Abilene, Texas has this specialized equipment but the distance from Chicago is much further.

American Eagle has decided their highest priority for use of the remaining EDA Grant funding is for the purchase and installation of this tail dock assembly in hangar 664. Hal Pawley feels this is a wise expenditure of these funds, as it will ensure the longevity of American Eagle Aircraft maintenance operations at Sawyer. It is also possible the expanded work will necessitate the recall of personnel laid off after the September 11th attacks.

It was moved by Comm. Wallace, seconded by Comm. Moore, and unanimously carried by voice vote that the County Board approve of the purchase order for the tail dock maintenance equipment from Advanced Ground System Engineering Corp. in the amount of $175,000, funding to come from the EDA III Grant for improvements to AMR’s Maintenance Facilities.

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

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

Chairperson Corkin reported a letter and testimony was presented at a Joint House and Senate Judicial Committee Hearing in Lansing at 1:00 today. Four Marquette County Judges, Judge Weber, Judge Solka, Judge Girard, and Judge Anderegg, along with Administrator Powers were at the House
Judicial Committee Hearing. The Michigan Association of Counties Staff reported that State Representative Adamini did an excellent job in presenting Marquette County's position. Legislation has not been drafted but a proposal to eliminate one Circuit Court Judge in Marquette County is being considered. This is definitely a political move. The State Court Administrator's Office and the Michigan Supreme Court do not recommend that a Judge be eliminated in Marquette County. A complete copy of the testimony will be available to County Commissioners in their next packet.

Hal Pawley, SIABC Director, gave a progress report on the SIA loading tunnels. Two loading tunnels are being installed. The American Eagle loading tunnel is in place and was used for the first time today. It will allow passengers to proceed from the terminal to the Airplane without walking outdoors in winter weather. The tunnel can be heated or cooled.

The Northwest Mesaba tunnel is 75% complete and it should be completed in another week.

It was moved by Comm. Nordeen, seconded by Comm. Moore, and unanimously carried on a roll call vote 9 Ayes (Comm. Nordeen, Bergdahl, Girard, Joseph, Moore, Seppanen, Tuominen, Wallace, and Corkin) to 0 Nays that the County Board go into closed session to discuss settlement of pending litigation: Marquette General Hospital vs. Kenneth Heikkinen and the County of Marquette. Chairperson Corkin declared a recess at 7:35 P.M. to clear commission chambers.

...............CLOSED SESSION..............................................................

The County Board came back into open session at 7:55 P.M.

It was moved by Comm. Nordeen, seconded by Comm. Girard, and carried by voice vote 8 Ayes to 1 Nay (Comm. Seppanen) that the County Board proceed with the Civil Counsel recommendation regarding the litigation between Marquette General Hospital vs. Kenneth Heikkinen and the County of Marquette.

There being no further business, the meeting was adjourned at 7:58 P.M.

Respectfully submitted,

[Signature]

David J. Roberts
Marquette County Clerk.
1. CALL TO ORDER - SALUTE TO THE FLAG - PLEDGE OF ALLEGIANCE.
2. APPROVAL OF THE MINUTES OF THE COUNTY BOARD OF COMMISSIONERS
   REGULAR MEETING HELD ON NOVEMBER 6, 2001.
3. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
4. PUBLIC COMMENT. (time limit 20 minutes total)
5. REVIEW OF CLAIMS AND ACCOUNTS.
6. APPROVAL OF THE AGENDA.
7. PUBLIC HEARINGS.
8. PRIVILEGED COMMENT:
9. INFORMATIONAL ITEMS:
   a. Communication from the Emergency Telephone Service Committee (ETSC) regarding
      Distribution of Funds for Wireless E9-1-1 Service.
   b. Communication from the Office of the Under Secretary of Defense regarding Acceptance of
      the Final Performance and Financial Status Report for Community Economic Adjustment
      Activities at KI Sawyer.
10. ACTION ITEMS:
    a. Memo from Jim Kippola, Manager of Planning, regarding Deeds for Parcels C-14 and C-50
       in the Housing Area at KI Sawyer.
    b. Change Order regarding AMR RAMCI Building Improvements.
    d. Committee of the Whole Recommendation to Approve the Purchase Agreement with the
       Bureau of Aeronautics for Purchase and Installation of Weather Equipment for the Control
       Tower at SIA.
    e. Committee of the Whole Recommendation to Approve the Contract with Midwest ATC,
       Inc. for the Purchase and Installation of Control Tower Equipment at SIA.
    f. Committee of the Whole Recommendation to Approve an Agreement with El-Com Services,
       Inc. for Communications Equipment Maintenance for Central Dispatch.
    g. Committee of the Whole Recommendation to Accept the Grant for Rescue Vehicle
       Trenching Equipment and Automated External Defibrillator.
    h. Committee of the Whole Recommendation to Approve the Central Dispatch Bylaws.
    i. Committee of the Whole Recommendation to Adopt a Resolution regarding Wetland
       Mitigation for Streambank Stabilization Projects.
    j. Committee of the Whole Recommendation to Adopt a Resolution Encouraging Our
       Legislators to Increase PILT Payments in Rural Areas.
    k. Committee of the Whole Recommendation in Support of a Grant for Livable Communities.
    l. Committee of the Whole Recommendation to Approve the FY 2002 Emergency
       Management Annual Work Plan.
    m. Lease Amendment with Sawyer Service Center.
11. LATE ADDITIONS:
    a. 
    b. 
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. CLOSED SESSION: Marquette General Hospital vs. Kenneth Heikkinen and County of
    Marquette.
15. ADJOURNMENT.