The Marquette County Board of Commissioners met in Regular Session on Tuesday, June 18, 2002, 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. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the minutes of the Regular Meeting held on June 4, 2002 be approved.

Chairperson Corkin read resolutions honoring the following Marquette County Employees on their retirements.

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING MARILYN J. HULT ON HER RETIREMENT

WHEREAS, Government has an obligation to provide its citizens the best services possible by hiring employees of the finest quality; and

WHEREAS, Marilyn J. Hult was hired on January 23, 1974 as a Clerk in the Marquette County Treasurer’s Office, and appointed Chief Deputy County Treasurer on January 1, 1976, and

WHEREAS, Marilyn J. Hult will retire on June 28, 2002 after 28 years and 5 months of service to Marquette County,

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation for the dedicated service of Marilyn J. Hult since January 23, 1974; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board of Commissioners wish Marilyn a long, healthy, and happy retirement.

Proclaimed this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING ROBERT J. O’BRIEN ON HIS RETIREMENT

WHEREAS, Government has an obligation to provide its citizens the best services possible by hiring employees of the finest quality; and

WHEREAS, Robert J. O’Brien was hired on November 1, 1971 as a Personal Property Examiner in the Marquette County Equalization Department, and promoted to Senior Property Appraiser on January 1, 1982; and

WHEREAS, Robert J. O’Brien will retire on June 28, 2002 after 30 years 8 months of service to Marquette County,

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation for the dedicated service of Robert J. O’Brien since November 1, 1971; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board of Commissioners wish Bob and his wife Dorothy a long, healthy, and happy retirement.

Proclaimed this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING SHARON M. PETRELLA ON HER RETIREMENT

WHEREAS, Government has an obligation to provide its citizens the best services possible by hiring employees of the finest quality; and

WHEREAS, Sharon M. Petrella was hired on September 9, 1976 as a part-time Account Clerk in the Marquette County Treasurer’s Office and was appointed a Deputy County Treasurer on September 18, 1982; and

WHEREAS Sharon M. Petrella will retire on June 28, 2002 after 25 years 10 months of service to Marquette County,
THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation for the dedicated service of Sharon M. Petrella since September of 1976; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board of Commissioners wishes Sharon and her husband Jim a long, healthy, and happy retirement.

Proclaimed this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

* * * * * *

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING JOHN FRANKLIN ROMBOUTS ON HIS RETIREMENT

WHEREAS, Government has an obligation to provide its citizens the best services possible by hiring employees of the finest quality; and

WHEREAS, John Franklin Rombouts was hired on April 16, 1979 as a Jail Deputy in the Marquette County Sheriff’s Department, and promoted to Deputy/Narcotics Division on July 31, 1980, then promoted to Deputy/ Road Patrol and Courthouse Security on June 30, 1982; and

WHEREAS, John Franklin Rombouts will retire on June 28, 2002 after 23 years 2 months of service to Marquette County,

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation for the dedicated service of John Franklin Rombouts since April of 1979; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board of Commissioners wish “Jack” and his wife Mary a long, healthy, and happy retirement.

Proclaimed this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

* * * * * *

Chairperson Corkin opened the meeting for public comment.

Earl Yelle, Sands Township Supervisor, contended in the State of Michigan there are two ways to parcel out property under 40 acres. One is by platting and the other is by using splits allowed by the Land Division Act. The County chose neither and the State informed Sands Township it would not accept an assessor’s plat on commercial or industrial properties. This has left Sands Township with two choices: 1) Take the County to court to get the County to comply with the Land Division Act laws, or 2) Just stop administering the Land Division Act at KI Sawyer.

Sands Township has decided to stop administering the Land Division Act on former Sawyer property. Their also attorney has advised them to stop administering zoning where there is no land division law. Sands Township had hoped Marquette County would pick up the Land Division Act so it would be zoned as usual. The unzoning of Sawyer should not be a problem. The land is or will be all owned by Marquette County and the area will still be covered by the Airport Zoning Ordinance.

Patty Stevens, 1350 N. Vandenboom, Marquette, spoke on behalf of her application to the Marquette County Planning Commission mid-year vacancy. She requested Commissioners’ support for her application and provided a resume noting she is an NMU graduate and has 12 years experience in the real estate business. She is familiar with the governmental units in Marquette County, land use, zoning, and Land Division Act issues.

Kristen Williamson, Bothwell Middle School, Stacey Eckdahl, Marquette Area Public School Graduate, and Jenny Moyle, Westwood High School Student, were present to speak about the Marquette County “Youth for Truth” campaign against second-hand smoke. The students presented two large body bags filled with smoking ads ripped out of magazines. Ms. Williamson noted Bothwell Middle School students received candy for each five ads. Ms. Eckdahl worked an Elks Fish Fry where half of the customers smoked. When she went home she smelled like an ashtray rather than fish. Ms. Moyle noted 18 of 20 businesses allowed the “Youth for Truth” group to place table tent ads in their establishment noting the detrimental health risks of second-hand smoke.

A survey noted the second-hand smoke media campaign by the Marquette County Youth for Truth, indicated nearly 96% of all respondents were aware of the second-hand smoke media campaign with 88% of respondents agreeing second-hand smoke is harmful. More than 80% of respondents believed local government has a responsibility to protect the public from the health risks of second-hand smoke in public places.
On behalf of the County Board Chairperson Corkin commended the Marquette County Youth for Truth Group Campaign.

It was moved by Comm. Moore, seconded by Comm. Girard, and unanimously carried by voice vote that Claims and Accounts for the period June 7, 2002 through June 13, 2002 in the amount of $439,393.57 be approved.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen, and unanimously carried by voice vote that the agenda be approved with the following late additions: Item 11a) Committee of the Whole Recommendation regarding a Closed Session on confidential attorney/client communication, and 11b) Ishpeming City Easement Request.

INFORMATIONAL ITEMS
It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by voice vote that the following Informational Items be accepted and placed on file:

a. Letter from Congressman Bart Stupak regarding Airport Security Funding.
d. FIA Audit Correction Report.
e. State Tax Commission List of Equalized Values of Michigan Counties.
f. UGLETI Notice of Intent for Region Wide Technology Planning Grant has been Approved by Michigan EDC.
g. Marquette County EDC Interlocal Agreement Amendment.
h. Marquette County Solid Waste Management Authority Meeting Changed to Tuesday, June 25, 2002,
   Room 41, Courthouse Annex, 5:00 P.M.
i. Marquette Township Tax Increment Financing Ordinance Amendments.

ACTION ITEMS
It was moved by Comm. Moore, seconded by Comm. Arsenault, and unanimously carried by voice vote that Action Items 10a, 10c, 10d, 10e, 10f, 10g, 10h, and 10i be approved as follows:

10a) Committee of the Whole Recommendation to purchase and IBM AS/400 Computer System from Delcomp/Softek Corporation from Escanaba in the amount of $46,000.

10c) Committee of the Whole Recommendation to transfer the Sawyer Ski Hill and two small adjacent parcels (approximately 16 acres total) to West Branch Township at no cost for recreational purposes.

10d) Committee of the Whole Recommendation to authorize staff to continue the fluoridation of the Sawyer water distribution system and proceed with the installation of the sampling taps in the four water wells as required by the Michigan DEQ, approximate cost - $10,525.

10e) Committee of the Whole Recommendation to approve the amended Red Fox Master Agreement which would waive the food exclusivity requirement and authorize the Chairperson to sign.

10f) Committee of the Whole Recommendation to approve an Agreement with the City of Marquette for the provision of Level IV Assessing Services and also amend the Employment Agreement with Dwight Sunday, Equalization Director. The City of Marquette will pay the County $20,000 annually for the Agreement of which $9,000 will be provided to Mr. Sunday for compensation for the additional responsibilities.

10g) Committee of the Whole Recommendation to approve of the Juvenile Services Budget Amendment of $5,000 from the Child Care Fund to the General Fund.
FISCAL YEAR 2002 AMENDMENT NO. 12

WHEREAS, budgets were adopted by the County Board on October 9, 2001, 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>GENERAL FUND</th>
<th>Expense Budget Account</th>
<th>Previous Amount</th>
<th>Amended Amount</th>
<th>Change + (-)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Juvenile Division</td>
<td>275000</td>
<td>280000</td>
<td>-5000</td>
</tr>
<tr>
<td></td>
<td>Regular Salary</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Court Appropriations</td>
<td>Appropriation to Probate Child Care Fund</td>
<td>837559</td>
<td>832559</td>
<td>5000</td>
</tr>
</tbody>
</table>

Totals: 1112559 1112559 0

Revenue Budget Account:

| Previous Amount | Amended Amount | Change + (-) |

Motion made by Comm Moore, supported by Comm. Arsenault, to adopt the foregoing resolutions. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th>AYE</th>
<th>NAY</th>
<th>AYE</th>
<th>NAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>P. Arsenault</td>
<td>Absent</td>
<td>B. Nordeen</td>
<td>Absent</td>
</tr>
<tr>
<td>C. Bergdahl</td>
<td>Absent</td>
<td>C.V. Moore</td>
<td>X</td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
<td>G. Seppanen</td>
<td>X</td>
</tr>
<tr>
<td>R. Girard</td>
<td>X</td>
<td>K. Tuominen</td>
<td>X</td>
</tr>
<tr>
<td>N. Joseph</td>
<td>X</td>
<td>H. Wallace</td>
<td>X</td>
</tr>
</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted this 18th day of June, 2002.

FISCAL YEAR 2002 AMENDMENT NO. 13

WHEREAS, budgets were adopted by the County Board on October 9, 2001, 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:

| PROBATE CHILD CARE FUND | Expense Budget Account | Previous Amount | Amended Amount | Change + (-) |

Totals: 
BOARD OF COMMISSIONERS  COUNTY OF MARQUETTE  JUNE 18, 2002

Revenue Budget Account

<table>
<thead>
<tr>
<th>Appropriation from General Fund Use of Fund Equity</th>
<th>Previous Amount</th>
<th>Amended Amount</th>
<th>Change + (-)</th>
</tr>
</thead>
<tbody>
<tr>
<td>837559 7236</td>
<td>832559 12236</td>
<td></td>
<td>-5000 5000</td>
</tr>
</tbody>
</table>

Totals: 844795 844795 0

Motion made by Comm Moore, supported by Comm. Arsenault, to adopt the foregoing resolutions. Upon roll call vote, the following vote was recorded:

<table>
<thead>
<tr>
<th>AYE</th>
<th>NAY</th>
</tr>
</thead>
<tbody>
<tr>
<td>P. Arsenault</td>
<td>X</td>
</tr>
<tr>
<td>C. Bergdahl</td>
<td>Absent</td>
</tr>
<tr>
<td>G. Corkin</td>
<td>X</td>
</tr>
<tr>
<td>R. Girard</td>
<td>X</td>
</tr>
<tr>
<td>N. Joseph</td>
<td>X</td>
</tr>
</tbody>
</table>

The Chairperson declared the motion carried and the resolution duly adopted this 18th day of June, 2002.

10h) Committee of the Whole Recommendation to approve of the U.P. Area Agency on Aging FY 2003 Annual Implementation Plan with the following resolution:

RESOLUTION RE: U.P. AREA AGENCY ON AGING FY 2003 ANNUAL IMPLEMENTATION PLAN

WHEREAS, UPCAP, which serves as the U.P. Area Agency on Aging, has developed and is operating under a Multi-Year (FY 2001-2003) Area Plan that provides funding for programs for services to older adults in the Upper Peninsula; and

WHEREAS, the Multi-year Area Plan has been approved by all 15 counties of the Upper Peninsula; and

WHEREAS, the U.P. Area Agency on Aging is required to submit an Annual Implementation Plan which updates the Multi-Year Area Plan; and

WHEREAS, the UPCAP Board of Directors has unanimously approved the proposed, updated Annual Implementation Plan; and

WHEREAS, each U.P. county is represented by a county official on the UPCAP Board of Directors; and

WHEREAS, the Annual Implementation Plan also requires review by individual county boards.

THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners has received and hereby supports the U.P. Area Agency on Aging FY 2003 Annual Implementation Plan.

BE IT FURTHER RESOLVED that this resolution be submitted to UPCAP and placed on file.

Adopted this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10i) Committee of the Whole Recommendation to adopt a resolution for changing the Marquette County MERS benefits, resolution as follows:

RESOLUTION FOR CHANGING MERS BENEFITS

In accordance with the MERS Plan Document of 1996, the County of Marquette 5202 adopts the following benefits for: BU 01 Marquette County AFSCME 2914.

EMPLOYEE CONTRIBUTION RATE

<table>
<thead>
<tr>
<th>New Rate</th>
<th>Effective Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>3%</td>
<td>01/01/02</td>
</tr>
</tbody>
</table>

Adopted this 18th day of June, 2002
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

5
ACTION ITEMS CONTINUED

10b) The County Board considered a Committee of the Whole Recommendation to forward a letter to Sands Township regarding its proposed unzoning of certain described areas within Sands Township formerly part of the KI Sawyer Air Force Base and to also accept the Planning Commission Comments.

Harley Andrews, Chief Civil Counsel, noted he has thoroughly researched the Land Division Act and has come to the following conclusion: Marquette County and the purchasers of the lands formerly owned by the Federal Government are not subject to the Land Division Act. Civil Counsel Andrews further noted the issue is so complex that he requested Attorney Dennis Girard, before he became a District Judge to research the matter. Mr. Girard came to the same conclusion.

Mr. Girard also spoke with an attorney from the Michigan Attorney General’s Office who indicated Marquette County’s findings are correct. Mr. Andrews has also met with State Sen. Koivisto and the Legislative Services Bureau in an effort to draft legislation to amend the Land Division Act. During this process an attorney from the Legislative Services Bureau noted the Land Division Act did not apply to the County of Marquette. The Forsyth Township Civil Counsel researched the same issue and came to the same conclusion.

Because of all these legal opinions Civil Counsel Andrews is confident if the matter ever went to court that common sense would prevail. Sawyer was built by the federal government and what is there is there. The Air Force did not follow any zoning requirements, it was a federal enclave. The County must now deal with what is left at KI Sawyer.

Mr. Andrews further noted once all the surveying is complete and the parcels are laid out the County may provide an assessor’s plat. The County is subject to zoning and follows such rules such as setback, lot size, etc., however County Staff has sought variances when found to be necessary.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board authorize the letter to Sands Township noted its proposal to offer the County the responsibility of administering zoning and the Land Division Act within certain described areas of Sands Township formerly within the Sawyer Air Force Base will not be considered at this time.

10J) The County Board considered Mid-Year Appointments to various Boards and Commissions.

It was moved by Comm. Arsenault, seconded by Comm. Girard, and unanimously carried by voice vote that Carr Baldwin be reappointed to a regular 3-year term on the Marquette County Solid Waste Management Authority, term expiring July 1, 2005.

Three applicants were considered for a vacancy on the County Planning Commission for a partial term expiring 12/31/03 with Mr. Louis Peters, Marquette being appointed on the first ballot.

LATE ADDITIONS

11a) It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that the County approve a Committee of the Whole Recommendation to concur with the recommendation made by Civil Counsel during the Closed Session regarding a confidential attorney/client communication.

11b) The County Board considered a request from the City of Ishpeming for an easement. Steve Powers, County Administrator, noted the City of Ishpeming is improving Washington Street near the Marquette County Medical Care Facility and has requested an easement from the County for road and utility purposes. The Medical Care Facility Administrator has reviewed the request and believes there will be no negative impact to the facility and recommends the County grant the easement. The County Board’s land conveyance policy requires a public purpose be served by granting an easement. The public purpose here is served by improving Washington Street within the Ishpeming City limits. The City will pay $1 for the easement. Civil Counsel has reviewed the matter.

It was moved by Comm. Joseph, seconded by Comm. Moore, and unanimously carried by voice vote that the County Board grant a permanent easement and license to the City of Ishpeming for $1 for County property near the Marquette County Medical Care Facility.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin noted last Wednesday Commissioners Arsenault, Bergdahl, Nordeen, and himself, along with Administrator Powers, Mike Gokey, EDC, Dave Holli, and Forsyth Township representatives met to discuss the lumber mill property at Sawyer and the Renaissance Zone. The window of opportunity is approximately six weeks and Mike Gokey and Steve Powers will be working
with Forsyth Township on the agreement. It can be done. It is important to continue the employment at the Sawyer Lumber Mill of 180 jobs.

Chairperson Corkin also noted Commissioners Joseph, Nordeen, Seppanen, Tuominen, and himself, along with Administrator Powers met with the Road Commission and have worked out a tentative agreement for building use at Sawyer which will come to next week’s Committee of the Whole meeting.

Comm. Girard reminded County Commissioners of the inaugural Sawyer Aviation Expo, Saturday, June 22, 2002. It will be an opportunity to take part in celebrating KI Sawyer’s history and see a diverse selection of aircraft displays along with entertainment at the Sawyer International Airport and Business Center.

Comm. Girard further noted that EAA will be providing young eagle flights with a briefing at 8:00 a.m. and flights beginning at approximately 10:00 a.m.

Comm. Wallace reported he attended a Health Resources Services Administration Community Access Program conference in Washington, D.C. last week. This is the group that gave the Marquette County Medical Care Coalition Access Program $450,000 last year for the development of its infrastructure to open their offices which now provides primary health care for those age 19 through 64 who have no health insurance. At the conference Comm. Wallace was informed Marquette County will receive a grant of approximately 70% funding or $310,000 to continue the program next year.

Comm. Wallace noted he will be missing the next three County Board meetings. Next week he is on vacation and the following two weeks he will be attending health conferences, one in Minneapolis and the other in New Orleans.

Comm. Moore noted the Customs Service vacancy at Sawyer International Airport has yet to be filled. This position is critical for SIA to attract international air traffic.

It was moved by Comm. Moore, seconded by Comm. Seppanen and unanimously carried by voice vote that the County Board send a letter to U.S. Customs to assist our Federal Legislators’ efforts to get this position filled.

There being no further business, the meeting was adjourned at 8:02 P.M.

Respectfully Submitted,

[Signature]
David J. Roberts
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, June 18, 2002, 7:00 P.M.
Room 231, Henry A. Skewis Annex, Marquette, Michigan 49855

1. CALL TO ORDER - SALUTE TO THE FLAG - PLEDGE OF ALLEGIANCE.
3. PROCLAMATIONS, PRESENTATIONS AND AWARDS
   a. Resolutions Honoring the following Marquette County Employees on Their Retirement:
      • Marilyn J. Hult
      • Robert J. O'Brien
      • Sharon M. Petrella
      • John Franklin Rombouts
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. Letter from Congressman Bart Stupak regarding Airport Security Funding.
   d. FIA Audit Correction Report.
   e. State Tax Commission List of Equalized Values of Michigan Counties.
   f. UGLETI Notice of Intent for Region Wide Technology Planning Grant has been Approved by Michigan EDC.
   g. Marquette County EDC Interlocal Agreement Amendment.
   h. Marquette County Solid Waste Management Authority Meeting Changed to Tuesday, June 25, 2002, Room 41, Courthouse Annex, 5:00 P.M.
   i. Marquette Township Tax Increment Financing Ordinance Amendments.
10. ACTION ITEMS:
    a. Committee of the Whole Recommendation to Purchase an IBM AS/400 Computer System from DelComp/Softek Corp. or Escanaba (May 14, 2002).
    b. Committee of the Whole Recommendation to Forward a Letter to Sands Township regarding their Proposed Unzoning of Certain Areas that were Formerly Part of KI Sawyer.
    c. Committee of the Whole Recommendation to Transfer the Sawyer Ski Hill to West Branch Township for Recreational Purposes at No Cost.
    d. Committee of the Whole Recommendation to Continue the Fluoridation of the Sawyer Water Distribution System.
    e. Committee of the Whole Recommendation to Approve of an Amended Red Fox Master Agreement at Sawyer.
    f. Committee of the Whole Recommendation to Approve an Agreement with the City of Marquette for Level IV Assessing Services.
    g. Committee of the Whole Recommendation to Approve a Juvenile Services Budget Amendment.
    h. Committee of the Whole Recommendation to Approve the UP Area Agency on Aging FY 2003 Annual Implementation Plan.
    i. Committee of the Whole Recommendation to Adopt a Resolution to Change the County MERS Benefits.
    j. Mid-Year Appointments.
11. LATE ADDITIONS:
    a. 
    b. 
    c. 
    d. 
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.