

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, June 17, 2003, at 7:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Arsenault, Comm. Cihak, Comm. Girard, Comm. Nordeen, Comm. Tuominen, Comm. Wallace and Comm. Corkin. Absent and Excused: Comm. Bergdahl, and Comm. Joseph.

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

It was moved by Comm. Tuominen, seconded by Comm. Cihak, and unanimously carried by voice vote that the minutes of the Regular Meeting held on June 3, 2003 be approved.

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

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that Claims and Accounts for the period June 6, 2003 through June 12, 2003 in the amount of \$354,757.60 and bi-weekly payroll for the period ending June 7, 2003 in the amount of \$610,719.26 be approved.

It was moved by Comm. Cihak, seconded by Comm. Girard, and unanimously carried by voice vote that the agenda be approved with the following addition: Communication from Steve Powers, County Administrator, regarding 10e) Airport Law Enforcement, and the addition of an Application for Mid-Year Appointments from Gary Revord for the Marquette County Road Commission.

INFORMATIONAL ITEMS

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

- a. Emergency Telephone Service Committee (ETSC).
- b. Communication from Berle LaPin, Supervisor Champion Township, regarding County-wide Non-smoking Ban.
- c. Communication from the Department of Treasury regarding the Equalization Survey.
- d. Communication from the Department of Corrections regarding County Jail Reimbursement Program Audit.
- e. Thank You Letter from State Rep. Rich Brown regarding the Computer Telephone and Digital Mapping System.
- f. Communication from District Judge Dennis Girard regarding Community Corrections Tether Program.
- g. Communication from the Marquette County Road Commission regarding County Road AAO Program Application.
- h. Communication from Mark Sisco, Deputy Director, Department of Consumer and Industry Services, regarding Recent Joint Application for Delegation of School Inspection Authority to a Local Unit of Government and Enforcing Agency.

ACTION ITEMS

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

10b) Committee of the Whole Recommendation to approve the Airport Union Retirement Change.

10d) Committee of the Whole Recommendation to adopt a resolution requesting local government participation in the State Prescription Drug Purchasing Program and further the County's request be provide to Governor Granholm, our Legislators and all Michigan Counties, resolution as follows:

RESOLUTION REQUESTING LOCAL GOVERNMENT PARTICIPATION IN THE STATE PURCHASING PROGRAM

WHEREAS, affordable health care is a national issue impacting state and local governments, non-profit organizations, and private business; and

WHEREAS, the pharmaceutical drug costs are increasing faster than the medical inflation rate;

WHEREAS, the pharmaceutical drug costs are projected to increase rapidly because of the aging population, drug treatments for medical conditions, and marketing and product development costs; and

WHEREAS, the State of Michigan has joined with other states in a purchasing program for pharmaceutical drugs; and

WHEREAS, Counties could assist with implementation at the local level.

NOW THEREFORE BE IT RESOLVED THAT, the Marquette County Board of Commissioners urges counties to request local government participation in the state purchasing program;

BE IT FURTHER RESOLVED THAT, the counties' request be provided to Governor Granholm, all U.P. Legislators, and all 83 counties.

BE IT FURTHER RESOLVED THAT, the Michigan Association of Counties adopt county inclusion in the drug-purchasing program as a priority.

Adopted this 17th day of June, 2003
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10f) Committee of the Whole Recommendation to approve the MAC Resolution regarding PILT with the recommendation of Gary Yoder, Marquette County Treasurer, resolution as follows:

MAC PILT RESOLUTION

WHEREAS, The State of Michigan executive budget recommendation on the payment in lieu of taxes (PILT) includes the recommendation that property purchased by the Department of Natural Resources (DNR) is to be treated the same as swampland for tax purposes, at the rate of \$2.00 per acre, and

WHEREAS, The DNR currently owns 66,889.19 acres in Marquette County with a total tax bill of \$174,648.98, and

WHEREAS, The change proposed by the D.N.R. continues the erosion of the local tax base, removing even more property from the ad valorem roll, and

WHEREAS, Local schools and ISD would lose, as their portion of the receipts would go to the County and Township. (Of the \$2.00 per acre, the County gets \$1.00 and the Township gets \$1.00) School Debt could really suffer in some areas, and

WHEREAS, The \$2.00 per acre is fixed. After a few years inflation would eat up the small amount that we "gain" and we would lose like everybody else, and

WHEREAS, The proposal for cuts in PILT payments will jeopardize public services provided to state owned lands and could also force higher tax rates on individual taxpayers, and

WHEREAS, Marquette County officially opposes the Administration's proposal for PILT funding and strongly urges the Legislature to maintain the current process of DNR PILT payments, and

THEREFORE, BE IT RESOLVED, that Marquette County supports funding the payments by utilizing any and all possible funding, including restricted funds and revenue from the sale of state lands.

BE IT FURTHER RESOLVED, that Marquette County also supports efforts to streamline tax bills so the DNR gets just one bill from each county and supports letting local governments get sign off whether the DNR can purchase land in its jurisdiction, and

BE IT FURTHER RESOLVED, that copies of this resolution be forwarded to Governor Jennifer Granholm, all Upper Peninsula Legislators, and the Michigan Association of Counties.

Adopted this 17th day of June, 2003
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10g) Committee of the Whole Recommendation to authorize the Grant Agreement on behalf of all County Board of Commissioners regarding the FY 2003 State Homeland Security Grant Program Agreement with the Michigan State Police Emergency Management Division.

10h) Committee of the Whole Recommendation to approve the Medical Care Facility operating transfer and require the Marquette County Medical Care Facility to provide quarterly financial reports and budget amendments to the County Administrator. The County Board will review the transfer of funds annually during the budget process when it considers renewing the millage. The millage expires in 2004.

10i) Committee of the Whole Recommendation to modify the CANUSA, Inc. IRP Loan to include payments of interest only for April, May, June, July and August, 2003.

10j) Committee of the Whole Recommendation to approve the resolution regarding the Family Independence Agency representation and increase the Family Independence Agency Board to a five member board, resolution as follows:

UPPER PENINSULA ASSOCIATION OF COUNTY COMMISSIONERS

RESOLUTION
FAMILY INDEPENDENCE AGENCY REPRESENTATION

WHEREAS, The state of Michigan's Family Independence Agency Board currently has a three (3) member board; and

WHEREAS, the board is made up of one Governor's appointment and two (2) county commissioner appointments; and

WHEREAS, the Upper Peninsula Association of County Commissioners has determined that more representation is needed to meet the needs of Upper Peninsula residents.

THEREFORE, BE IT RESOLVED that the Upper Peninsula Association of County Commissioners supports the expansion of the Family Independence Agency Board to a five (5) member Board.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to all Upper Peninsula State Legislators and the Michigan Association of Counties.

Adopted this 17th day of June, 2003
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10k) Recommendation from Harley Andrews, Chief Civil Counsel, to allow the Marquette Mountain Ski Patrol permission to utilize certain trails on the Honor Camp property for the 7th Annual Bike Race, Superior Bikefest, on June 22, 2003.

ACTION ITEMS CONTINUED

10a) It was moved by Comm. Wallace, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board adopt a resolution supporting Wellhead Protection, resolution as follows:

RESOLUTION
WELLHEAD PROTECTION PLANNING

WHEREAS, the County of Marquette aims to protect the health, safety, and well being of its residents; and

WHEREAS, the County of Marquette is in the process of creating a Wellhead Protection Plan for the K.I. Sawyer Community water supply; and

WHEREAS, the County of Marquette is applying for a Michigan Department of Environmental Quality Wellhead Protection Grant for 2004;

NOW THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners hereby supports the idea of Wellhead Protection and Wellhead Protection Planning for the K.I. Sawyer Community water supply.

Adopted this 17th day of June, 2003
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10c) The County Board considered a Committee of the Whole Recommendation regarding movement of caving ground fences. The Committee of the Whole recommended the County Board refer the matter to legal counsel for an opinion regarding possible liability to the County and the County Mine Inspector and how the County and/or Mine Inspector can proceed. Paul Bleukamp, a geologist with 30 years experience in Marquette County conducted a safety survey of the area.

Mr. Bleukamp was present to answer any questions the County Board may have. He explained he has prepared maps for the cities showing where, in his opinion, it is safe to occupy the property and outline the areas where fencing should remain forever as far as he is concerned. He explained there is a misconception concerning caving grounds by the public. Most property can be utilized.

Harley Andrews, Civil Counsel, explained to the County Board they have no role in making any determination as to whether or not there is or is not caving ground or whether there is danger or no danger. The questions the County Board is being asked to address by the Mine Inspector is the potential liability to the County and the Mine Inspector if the Mine Inspector makes an erroneous judgment or if he has the authority to make any judgment at all and secondly, how to mitigate that potential liability if there is any. Mr. Andrew further explained he is working on the opinion and he will have it for the County Board of Commissioners at their next Committee of the Whole meeting.

It was moved by Comm. Nordeen, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board refer the matter to legal counsel for an opinion regarding possible liability to the County and the Mine Inspector and how the County and/or Mine Inspector can proceed.

10e) The County Board considered a Committee of the Whole Recommendation regarding Airport Law Enforcement. The Transportation Security Administration has terminated the current Memorandum of Agreement with Marquette County. The agreement provided reimbursement for checkpoint law enforcement officer services. Funded has ended but the federal mandate continues. It is the Commissioners' understanding that the 20-minute requirement is an arbitrary standard TSA has carried forward from the Federal Aviation Administration. If the law enforcement officer can respond in 20 minutes, the mandate has been met. If the response exceeds 20 minutes, TSA will impose an \$11,000 fine and may suspend scheduled flights. Commissioners suggested that the TSA or Congress consider a waiver of the 20-minute requirement for Category IV airports.

The Committee of the Whole recommended the County Board send a letter to our Legislators advocating for a change in TSA's flexible stationing requirement. They further recommended to the County Board that the Marquette County Sheriff's Department continue with airport law enforcement at its current level with two officers per day, one working the a.m. shift – 5:00 a.m. to 1:00 p.m., the second officer – 1:00 p.m. to 8:00 p.m. through June 30, 2003.

Steve Powers, County Administrator, met with the Undersheriff, Road Patrol Captain, and the SIA Director to review the Committee of the Whole June 10th recommendation. The conclusion is the flexible response (20 minutes) can and should be implemented June 18th if the Board chooses to modify the Committee of the Whole recommendation. The Sawyer Deputies and Road Patrol will respond. The Sheriff's Department is committed to making the flexible response work. By labor contract, the County must provide deputies 14-days notice of layoff. If the Board chooses to terminate the Airport law enforcement effective June 18th, the two officers currently assigned to the terminal would be reassigned to other duties until the layoff took effect July 2nd. If the Board chooses to follow the Committee's recommendation, the Airport Deputies would continue at the terminal through June 30th.

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board modify the Committee of the Whole Recommendation and implement the flexible response time (20 minutes). Sawyer Deputies and Road Patrol will respond.

10l) The County Board considered acceptance of construction bid for Building 500 roof replacement at Sawyer International Airport and Business Center. The roof is leaking in numerous locations and needs to be replaced immediately to prevent additional water damage and mold growth. Funding is available in the Sawyer Business Center, Building Repair Fund to cover the cost of the replacement.

The project was advertised in the Mining Journal and sent to the Marquette and Delta County Builder's Exchanges. The lowest response was from Bell Roofing Company for \$19,883. Bell Roofing Company meets the requirements set forth in the RFP. The County has a current contract with Bell Roofing Company for Building 632 and 634 roof replacement. Steven Schenden, Project Manager, recommends Bell Roofing Company be awarded a change order to replace the roof on Building 500.

It was moved by Comm. Wallace, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board award the Construction Bid for Building 500 Roof Replacement to Bell Roofing Company for \$19,883.

10m) The County Board considered mid-year appointments to the Central Dispatch Policy Board, the Marquette County Solid Waste Authority, and the Marquette County Road Commission.

The Central Dispatch Policy Board has a vacancy for an unexpired term ending 12/31/03. This is a nomination from the MCLEAA.

Central Dispatch Policy Board (Unexpired Term Expiring 12/31/03)

It was moved by Comm. Girard, seconded by Comm. Arsenault, and unanimously carried by voice vote that Capt. Russ Kilgren, Marquette City Police, be appointed to the Central Dispatch Policy Board for the unexpired term ending 12/31/03

Marquette County Solid Waste Authority (Regular 3-Year Term Expiring July 1, 2006)

It was moved by Comm. Tuominen, seconded by Comm. Cihak, and unanimously carried by voice vote that James A. Hartwig, Gwinn, be appointed to the Marquette County Solid Waste Authority for a 3-year term ending July, 2006.

Marquette County Road Commission (Partial Term Expiring 12/31/04)

Bob Carpenter has resigned from the Marquette County Road Commission effective June 30, 2003 creating a vacancy for a partial term expiring December 31, 2004.

Darryl L. Sundberg was appointed by roll call balloting to the partial 3-year term ending 12/03/04

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Tuominen and Chairperson Corkin spoke briefly regarding the Marquette County Road Commission. The Road Commission has been working hard in the Silver Lake Area since the Dead River Flood. They explained that the various agencies are working well together and thanked everyone for their cooperation.

Chairperson Corkin announced there will be a Dead River Flood Public Forum, Thursday, June 26, 2003, 7:00 p.m. to 9:00 p.m., Negaunee Township, 42 M-35, Negaunee, MI. Discussion topics will include an update on recovery efforts underway or planned, what property owners can and cannot do, and questions from the audience. There may be questions concerning organizations and people may be asked to participate in a panel discussion prior to questions from the audience. The Upper Peninsula Power Company, the Michigan Department of Environmental Quality, the Michigan Department of Natural Resource, and the Central Lake Superior Watershed Partnership are panel participants.

Comm. Wallace announced there will likely be between \$200,000 and \$220,000 coming through the Federal Office of Emergency Preparedness. The State Department of Community Mental Health is working with MAC and the Michigan Association of Local Public Health Agencies (MALPH) helping to come up with a formulation on how to dispense the federal money that is coming to the State for emergency preparedness purposes.

There being no further business, the meeting was adjourned at 7:35 P.M.

Respectfully Submitted,



Connie M. Branam
Marquette County Clerk

MARQUETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, June 17, 2003, 7:00 P.M.
Room 231, Henry A. Skewis Annex, Marquette, Michigan 49855

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 JUNE 3, 2003.
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. Emergency Telephone Service Committee (ETSC).
 - b. Communication from Berle LaPin, Supervisor Champion Township, regarding County-wide Non-smoking Ban.
 - c. Communication from the Department of Treasury regarding the Equalization Survey.
 - d. Communication from the Department of Corrections regarding County Jail Reimbursement Program Audit.
 - e. Thank You Letter from State Rep. Rich Brown regarding the Computer Telephone and Digital Mapping System.
 - f. Communication from District Judge Dennis Girard regarding Community Corrections Tether Program.
 - g. Communication from the Marquette County Road Commission regarding County Road AAO Program Application.
 - h. Communication from Mark Sisco, Deputy Director, Department of Consumer and Industry Services, regarding Recent Joint Application for Delegation of School Inspection Authority to a Local Unit of Government and Enforcing Agency.
10. ACTION ITEMS: macro [action!]
 - a. Committee of the Whole Recommendation to Adopt a Resolution Supporting Wellhead Protection.
 - b. Committee of the Whole Recommendation to Approve the Airport Union Retirement Change.
 - c. Committee of the Whole Recommendation regarding Movement of Caving Ground Fences.
 - d. Committee of the Whole Recommendation to Adopt a Resolution regarding State Prescription Drug Purchasing Program.
 - e. Committee of the Whole Recommendation regarding Airport Law Enforcement.
 - f. Committee of the Whole Recommendation to Approve the MAC Resolution regarding PILT.
 - g. Committee of the Whole Recommendation to Authorize the FY 2003 State Homeland Security Grant Program Agreement.
 - h. Committee of the Whole Recommendation to Approve the Medical Care Facility Operating Transfer.
 - i. Committee of the Whole Recommendation to Modify the CANUSA, Inc. IRP Loan.
 - j. Committee of the Whole Recommendation to Approve a Resolution regarding the Family Independence Agency Board.
 - k. Marquette Mountain Ski Patrol Bike Race License Agreement. (Complete Copy of License Agreement Available for Inspection in County Clerk's Office).
 - l. Acceptance of Construction Bid for Building 500 Roof Replacement at Sawyer.
 - m. Mid-Year Appointments.
11. LATE ADDITIONS:
 - a.
 - b.
 - c.
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. ADJOURNMENT.