The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, November 4, 2003, at 7:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 West Baraga Avenue, Marquette, Michigan.


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

It was moved by Comm. Tuominen, seconded by Comm. Nordeen, and unanimously carried by voice vote that the minutes of the Annual Meeting held on October 14, 2003 and the Regular Meeting held on October 21, 2003 be approved.

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

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period October 24, 2003 through October 30, 2003 in the amount of $174,682.96 and bi-weekly payroll for the period ending October 25, 2003 in the amount of $356,724.75 be approved.

It was moved by Comm. Joseph, seconded by Comm. Wallace, and unanimously carried by voice vote that the agenda be approved as follows: Delete Item 10d) Committee of the Whole Recommendation to Approve Depository Policy 230; and add Late Addition 11a) Airport Terminal Security.

**PRIVILEGED COMMENT**

**Continuation of Annual Meeting**

The County Board reconvened the Annual Meeting to certify the remaining millage levies for the various taxing units. Forsyth Township, Republic Township, Richmond Township, Turin Township, Wells Township, West Branch Township, Delta Schoolcraft ISD, and NICE Community Schools were the remaining millage rates to be levied.

It was moved by Comm. Tuominen, seconded by Comm. Nordeen and unanimously carried by voice vote that the County Board approve the remaining millage levies presented.

<table>
<thead>
<tr>
<th>Local Unit and Purpose of Millage</th>
<th>Prior Year Maximum</th>
<th>Current Year Headlee Authorized</th>
<th>Current Year Maximum Headlee Authorized</th>
<th>Prior Year Millage</th>
<th>Maximum Millage</th>
<th>Maximum Truth in Taxation Hearing</th>
<th>Maximum Millage With Hearing Requested</th>
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Extra voted-Operating 1.5000 1.5000 1.0000 1.5000 1.5000 1.5000 1.4955 1.5000 1.5000 1.5000 1.5000 1.5000
Extra voted-Road Main/Const. 3.0000 2.9892 1.0000 2.9892 2.9892 2.9892 2.9892 2.9892 2.9892 2.9892 2.9892 2.9892

West Branch Township
Fixed Millage-Operating 1.4000 1.1684 0.9925 1.1596 1.1680 0.9778 1.1547 1.1596 1.1596 1.1596 1.1596 1.1596
Extra voted-Library 1.0000 0.9882 0.9925 0.9600 0.9786 0.9778 0.9568 0.9609 0.9809 0.9609 0.9609

Delta-Schoolcraft I.S.D.
Fixed Millage-Operating-Delta Co. 0.1500 0.1396 0.9718 0.1356 0.1396 0.9575 0.1377 0.1377
Extra voted-Special Education 1.0000 0.9320 0.9718 0.9057 0.9320 0.9575 checked 0.9200 0.9200
Extra voted-Special Education 0.5000 0.4659 0.9718 0.4527 0.4659 0.9575 by Delta 0.4598 0.4598
Extra voted-
Vocational/Technical 1.0000 0.9320 0.9718 0.9057 0.9320 0.9575 County 0.9200 0.9200

NICE Community Schools
Extra voted-Non homestead 18.0000 18.0000 1.0000 17.9640 17.8700 0.9963 17.8038 17.9640 17.8722 17.8722
Extra voted-Debt Service unlimited N/A 1.0000 unlimited unlimited 1.0000 1.0000
Extra voted-Debt Service unlimited N/A 3.5000 unlimited unlimited 4.0000 4.0000

Chairperson Corkin declared the Annual Meeting adjourned.

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

a. Communication from Tom Nemacheck, Executive Director, UPTRA, regarding Opening for District Representative.
b. Memo from DEQ regarding Air Quality Division’s Pending New Source Review Application Report.
c. Resolution from St. Clair County regarding Revenue Sharing.
d. Communication from Pathways regarding Focus Group scheduled for Wednesday, November 19, 2003.
e. Communication to John Ort, Deputy State Director of Emergency Management, from Teresa Schwalbach, Marquette County Emergency Coordinator, for a Request to Apply for Section 19 Funds from the State of Michigan.

ACTION ITEMS
10a) The County Board considered a proposal from Telkite and AFCO Development. Vikki Kulju, SIABC Marketing Director, introduced Stewart Harrison and Subrat Patriak from Telkite and Richard Weidel from Aviation Facilities Co. (AFCO). Mr. Weidel spoke briefly regarding AFCO and the plans at Sawyer. He thanked the County Board and Sawyer Staff for their efforts on this project. Telkite and AFCO are proposing to purchase all available County property within the portion of Sawyer known as the Economic Development Conveyance Area. Telkite and AFCO are proposing to lease development property within the Airport. Telkite and AFCO will invest private resources to make Sawyer International Airport and Business Center the economic catalyst for the Upper Peninsula. The project will accomplish the goals of the Board’s exit strategy for KI Sawyer. The County will continue to own and operate the Airport, revenues will be generated to support the Airport, and properties will be sold. Through the private investment, economic activity and job creation will occur.

There are six steps in the proposed Telkite and AFCO Development Project:

1) Consideration of a Letter of Intent at the November 4, 2003 Board Meeting. (Telkite and AFCO have approved the Letter of Intent)
2) Telkite and AFCO will begin at up to 180-day due diligence period;
3) Telkite and AFCO close on SAGE Building within 30 days of Letter of Intent execution;
4) Agreement for Lease and purchase of property within 30 to 45 days of Letter of Intent execution;
5) At end of due diligence period, if Telkite and AFCO choose to proceed, close on full purchase and payment to County of $5 million;
6) Payment to County of $2 million year five.

AFCO and Telkite are proposing to lease and purchase property at Sawyer International Airport and Business Center for $7 million. In addition, the County would receive residuals from future projects within the Airport. AFCO and Telkite would assume responsibility for the majority of the remaining property, significantly reducing the County’s costs and liabilities for building maintenance and improvements. Telkite and AFCO investing resources, developing projects, and adding value to Sawyer International Airport and Business Center will increase other revenues for the County, such as fuel sales and landing fees. The $7 million, residual payments, increased aviation activity (fuel sales, landing fees), and substantial reduction in responsibility for buildings will ensure the airport is financially viable into the future.

Chairperson Corkin thanked Telkite and AFCO Development for their interest at Sawyer and stated this is a tremendous opportunity for Marquette County.

Comm. Wallace also publicly thanked Telkite and AFCO.

Chairperson Corkin read into the record Comm. Girard’s support of this project as follows:

"There is potential that I will not be in attendance at the Board Meeting this evening for the discussion of the AFCO/Telkite Letter of Intent. For the record, I fully support and recommend Board approval of the Letter of Intent as presented by Civil Counsel Harley Andrews. This proposal is a result of a long and sometimes difficult effort on the part of Sawyer Development Staff and the County Board to accomplish a long term strategy goal, and to achieve a successful County exit from management of Sawyer. If I am in attendance my vote will be YES, I wanted there to be no doubt regarding my position."

Randell E. Girard, Commissioner, District 3

Comm. Bergdahl also gave Comm. Jim Cihak’s support of this project.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board approve the Letter of Intent with Telkite and Aviation Facilities Company (AFCO) and Purchase Agreement for SAGE Building and authorize execution of all documents necessary to implement this action.

It was moved by Comm. Joseph, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board approve Action Items 10b, 10c, 10e, 10f, 10g, 10h, 10i, and 10j as follows:

10b) Committee of the Whole Recommendation to reappoint Larry Bussone as Marquette Remonumentation Representative for another 3-year contract expiring 12/31/06.

10c) Committee of the Whole Recommendation to approve the Agreements with Great Lakes Recovery Centers for Community Corrections Probation Residential Treatment Services and Cognitive Behavior Restructuring Program.

10e) Committee of the Whole Recommendation to authorize Staff to work with Superior Extrusion for submittal of the CDBG Pre-Application and Application and agree to contribute the 10% match not to exceed $45,000. Other engineering and consulting fees not to exceed $10,000. Project funding to come from the original Superior Extrusion CDBG funds.

10f) Committee of the Whole Recommendation to accept the donation of playground equipment from the Marquette Breakfast Rotary Club and execute a Release of Liability format which was prepared by Civil Counsel Harley Andrews.

10g) Committee of the Whole Recommendation to send a letter to Governor Granholm, our Legislature, and the Mining Journal asking to remove the local communities’ portion of the sales tax revenue from the appropriation process. The State budget should be balanced by reducing State expenditures or increasing State revenues.

October 22, 2003

The Honorable Jennifer Granholm
Governor
1 Michigan Avenue, Suite 805
Lansing, MI 48909

3
Dear Governor Granholm:

You will soon be preparing and presenting an Executive Order to eliminate the state’s $898 million budget shortfall.

In the past several years, state elected officials have consistently balanced the budget by cutting funding to their hometowns. Hundreds of millions of dollars have been taken away from counties, cities, and townships. As a result, the ability of local governments to provide public safety, roads, courts, health, and other core community services is in jeopardy. Please protect funding for local communities.

The Marquette County Board of Commissioners recently adopted a 2004 budget with significant reductions to law enforcement. Since 2001, Marquette County has had an ongoing effort to reduce costs in all departments. We will continue to strive to maintain services by reducing costs when possible, but every local step is offset by reductions in state revenue sharing.

Historically and statutorily, the state shares sales tax revenue with counties, cities, and townships to help fund community services and to compensate for the removal of local taxing authority or revenue sources. Unfortunately, legislators and governors have considered the local communities’ share of the sales tax revenue as state expenditure, and community services take a double hit. The first hit is the reduction resulting from lower sales tax revenues. The second hit is from the amount the state keeps to help balance its budget.

Less state funding means higher local taxes or a reduction in local services. When sales tax revenues are down, local governments should receive less, a fair and prudent fiscal approach. Local communities have shared in the burden of the economic downturn, reducing expenditures or raising local revenues to balance our budgets.

The state’s budget should not be balanced by taking money from local communities. Marquette County asks you and the legislature to remove local communities’ portion of the sales tax revenue from the appropriation process. The state’s budget should be balanced by reducing state expenditures or increasing state revenues.

Sincerely,
Gerald O. Corkin, Chairman
Marquette County Board of Commissioners

cc: County Commissioners
Michigan Association of Counties

10h) Committee of the Whole Recommendation to approve Perkins Park Phase III Development, designate Jim Kippola, Manager of Planning, as the County’s representative with the day to day authority for the project; authorize the Board Chair to execute the agreement and approve the resolution for terms of the Agreement between the Department of Natural Resources and Marquette County for Perkins Park Phase III. Resolution as follows:

Resolution for
Perkins Park Phase III Development

Upon motion made by Commissioner Joseph, and seconded by Commissioner Tuominen, the following Resolution was adopted:

“RESOLVED, that the County of Marquette, Michigan, does hereby accept the terms of the Agreement as received from the Michigan Department of Natural Resources, and that Marquette County does hereby specifically agree, but not by way of limitation, as follows:

1. To appropriate all funds necessary to complete the project during the project period and to provide One Hundred Thirty-One Thousand Six Hundred Twenty-Five ($131,625.00) dollars to match the grant authorized by the DEPARTMENT.

2. To maintain satisfactory financial accounts, documents, and records to make them available to the DEPARTMENT for auditing at reasonable times.

3. To construct the project and provide such funds, services, and materials as may be necessary to satisfy the terms of said Agreement.

4. To regulate the use of the facility constructed and reserved under this Agreement to assure the use thereof by the public on equal and reasonable terms.

5. To comply with any and all terms of said Agreement including all terms not specifically set forth in the foregoing portions of this Resolution.”

Connie M. Branam, Marquette County Clerk
November 4, 2003
10j) Committee of the Whole Recommendation to award the Contract for Caretaker funded Engineering Services for Roof Evaluation and Repair contingent upon approval of Civil Counsel and Risk Management.

**ACTION ITEMS CONTINUED**

10k) The County Board considered a Committee of the Whole Recommendation to direct County Staff and District Court Administration to investigate the options of District Court Services and formulate a recommendation to the Board regarding Ishpeming District Court operations; and consider a recommendation from Steve Powers, County Administrator, regarding lease terms for 2004.

The County Board first discussed the Lease with Pioneer Square which has renewed for 2004. The Committee of the Whole Recommendation requested information regarding District Court. While this information is being prepared, lease terms for 2004 need to be set. Pioneer Square has proposed the current terms remain in place for 2004. Administrator Powers recommend the current lease terms continue in 2004. It was moved by Comm. Wallace, seconded by Comm. Tuominen, that the County Board approve the Administrator’s recommendation that the current lease terms including the current rental rate continue in effect through 2004. A roll call vote was taken; 2 Nays (Comm. Bergdahl and Comm. Nordeen) to 4 Ayes (Comm. Joseph, Comm. Tuominen, Comm. Wallace, Comm. Corkin) and 1 Abstention (Comm. Arsenaault). Motion failed for lack of majority vote required for final action.

After announcement of the vote, Commissioners discussed confusion regarding the intent of the prior motion and as a result, it was moved by Comm. Bergdahl, seconded by Comm. Nordeen and unanimously carried by voice that that the County Board reconsider the prior motion.

It was moved by Comm. Wallace, seconded by Comm. Tuominen, and carried on a roll call vote 5 Ayes (Comm. Bergdahl, Comm. Joseph, Comm. Tuominen, Comm. Wallace, and Comm. Corkin) to 1 Nay (Comm. Nordeen) and 1 Abstention (Comm. Arsenaault) that the County Board approve the Administrator’s recommendation that the current lease terms including the current rental rate continue in effect through 2004.

Comm. Wallace stated he voted against the recommendation of the Committee of the Whole on the Study of the Ishpeming District Court for the reason that he believes there has been enough information on the issue. He explained that the County has had a space study and to do another is a waste of time, which costs money. This recommendation is going to pass, but he will again vote no on the Committee of the Whole Recommendation.

It was moved by Comm. Joseph, seconded by Comm. Nordeen and carried by voice vote 5 Ayes (Comm. Bergdahl, Comm. Joseph, Comm. Nordeen, Comm. Tuominen, and Comm. Corkin), 1 Nay (Comm. Wallace) and 1 Abstention (Comm. Arsenaault) that the County Board direct County Staff and District Court
Administration to investigate the options of District Court Services and formulate a recommendation to the Board regarding District Court operations.

**LATE ADDITIONS**

11a) The County Board considered Airport Terminal security. Steve Powers, County Administrator, explained that earlier this year, the Sheriff’s Department provided the federally-required security at the Sawyer International Airport Terminal. When the cost of the Sheriff’s Deputies exceeded Federal Airport Security Funds, Keith Kaspari, Airport Manager, met with officials from the TSA to discuss options. A request to extend the 20 minute response time to 30 minutes for a rural airport was denied. Funding for the full cost of the Sheriff’s Deputies was also denied.

The limited funding from TSA, the required 20-minute response time, and the uncertainty of law enforcement agencies’ ability to meet the TSA requirements, resulted in the need to consider using a private security company. TSA allows the airport sponsor to choose how to meet the federal requirements. There has been one incident at the terminal that exceeded the mandatory 20-minute response. The TSA holds the airport sponsor (county) responsible to meet the 20-minute response. The incident resulted in a letter of warning from the TSA, including notice that future incidents may result in a fine of up to $11,000.

After review of proposals, contract discussions, and reference checks, indicate that a private security company is a cost-effective method to provide passenger screening security. Staff recommends contracting with General Security Services Corp./Midwest Patrol. The armed security guards will be on-site to meet the 20-minute response limit. The required coverage is one person sixteen hours per day, 365 days a year. If a situation should elevate to require an arrest, the armed security personnel will act in a detain-only posture until a law enforcement officer arrives to effect the arrest.

To retain deputy positions and protect the airport, Sheriff Lovelace is recommending the Sheriff's Department provide the terminal security. TSA funding for 2004 is limited to $138,143. If the Sheriff's Department provides the terminal security, the estimated cost to the airport is $34,000. In addition, if the terminal deputies were not available, deputies would have to be re-assigned from the road patrol, court security, or other duties.

The services will be funded by the Federal Transportation Security Administration. The County’s agreement with TSA for funding took effect October 1, 2003. The TSA will provide funds to Sawyer International Airport for reimbursement of passenger security services. For FY 2004, TSA has allocated $138,143, and increases in fiscal years 2005, 2006, and 2007. The compensation to the contractor is within the amount allocated.

It was moved by Comm. Nordeen, seconded by Comm. Arsenaull, and unanimously carried by voice vote that the County Board approve the agreement with General Security Services Corporation/Midwest Patrol for Airport Terminal Security.

Chairperson Corkin opened the meeting for public comment.

Vikki Kulju, SIABC Marketing Director, thanked the County Board for Sawyer support for the past seven years and for their support of the Telkite/AFCO Development Project.

Mike Quayle, 1700 Mildred Avenue, Marquette, congratulated the County Board on the Telkite/AFCO Development Project and spoke regarding issues with the Ishpeming District Court and the Ishpeming District Court Lease.

Jim Loonsfoot, Marquette, Michigan, addressed the County Board regarding District Court issues and veterans.

Phyllis Loonsfoot, Marquette, Michigan, addressed the County Board regarding budget cuts.

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

**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Chairperson Corkin reported on the rally that was held a 10:00 this morning. He stated it was well attended. A tape will be given to Governor Jennifer Granholm.

Comm. Tuominen reported on funding for the County Road 480 project.

Marquette County (MCL 15.268(e)) and to consider material exempt from discussion or disclosure by State or Federal Statute (MCL 15.268(h)).

Chairperson Corkin declared a five minute recess to clear commission chambers.

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

The County Board came back into open session, no action was taken as a result of the closed session.

There being no further business to come before the County Board, the meeting adjourned at 8:30 P.M.

Respectfully Submitted,

Connie M. Brnam
Marquette County Clerk
MARRIETTE COUNTY BOARD OF COMMISSIONERS
Regular Meeting, Tuesday, November 4, 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 ANNUAL
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:
   *Continuation of Annual Meeting – Certification of Millage Levies – Recessed from October 14th.
9. INFORMATIONAL ITEMS:
   a. Communication from Tom Nemacheck, Executive Director, UPTRA, regarding Opening for District
      Representative.
   b. Memo from DEQ regarding Air Quality Division’s Pending New Source Review Application Report.
   c. Resolution from St. Clair County regarding Revenue Sharing.
   d. Communication from Pathways regarding Focus Group scheduled for Wednesday, November 19, 2003.
   e. Communication to John Ort, Deputy State Director of Emergency Management, from Teresa Schwalbach,
      Marquette County Emergency Coordinator, for a Request to Apply for Section 19 Funds from the State of
      Michigan.
10. ACTION ITEMS:
    a. Consideration of Proposal from Telkite/AFCO.
    b. Committee of the Whole Recommendation to Reappoint Larry Bussone as Marquette County
       Remonumentation Representative.
    c. Committee of the Whole Recommendation to Approve Agreements with Great Lakes Recovery Centers.
    d. Committee of the Whole Recommendation to Approve Depository Policy 230.
    e. Committee of the Whole Recommendation regarding Superior Extrusion Expansion.
    f. Committee of the Whole Recommendation to Accept the Donation of Playground Equipment from the
       Marquette Breakfast Rotary Club.
    g. Committee of the Whole Recommendation to Send a Letter to Governor Granholm regarding the State
       Budget Shortfall.
    h. Committee of the Whole Recommendation to Approve Perkins Park Phase III Development.
    i. Committee of the Whole Recommendation to Approve the MDOT Agreement Bureau of Aeronautics.
    j. Committee of the Whole Recommendation to Award the Contract for Caretaker Funded Engineering
       Services for Roof Evaluation and Repair.
    k. Committee of the Whole Recommendation regarding Ishpeming District Court and Memo from Steve
       Powers, County Administrator, regarding Lease Terms for 2004.
11. LATE ADDITIONS:
    a. [Handwritten note: Re: Airport Terminal Security]
    b. [Handwritten note: Additional item]
    c. [Handwritten note: Additional item]
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
14. CLOSED SESSION To Consult with Attorney regarding Trial or Settlement Strategy in Connection with
    Specific Pending Litigation, Middleton et al vs. Marquette County, (MCL15.268(e)) and to Consider
    Material Exempt from Discussion or Disclosure by State or Federal Statute (MCL15.268(h)).
15. ADJOURNMENT.
10a
Approve letter of intent w/ TerKite + Aviation Facilities Corp.
Purchase Agreement for SAGE Ads. & Authorize execution of all documents
necessary to implement this action.