The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, September 20, 2005, at 6:30 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. Pellow, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on September 6, 2005 be approved.

PROCLAMATIONS, PRESENTATIONS, AND AWARDS

Chairperson Corkin read and presented each member with the following resolution commending the Marquette County Search and Rescue Teams:

A RESOLUTION COMMENDING MARQUETTE COUNTY SEARCH AND RESCUE TEAMS

WHEREAS, Search and Rescue volunteers have served the communities in Marquette County for many years by providing search and rescue services to citizens living in and passing through the County; and,

WHEREAS, these following individuals have done so at great personal sacrifice of their time both in response and in training to make a quality response;

Carol Bertucci        Mike Harrington        Dan Rushford
Jackie Bird           Pam Henriksen          Rita Savola
Patricia Chevrette    Scott Koskey           Robert Savola
Bill Ellerbruch       Barbara Koski          Jeff Solka
Amber Farley          Lowell Larson          Waad Szepietowski
Dale Fredette         James Leaf             James Tuttle
Ardith Frisk          Adam Maynard           Amanda Wilcox
James Gray            Charles Nussbaumer       Bill Woods
Will Hamilton          Cliff Peterson

and,

WHEREAS, these dedicated people have volunteered willingly to provide immediate search and rescue service to those in need;

NOW THEREFORE, BE IT HEREBY RESOLVED that the Marquette County Board of Commissioners hereby commends both present and past Search and Rescue Team Leaders and Members in Marquette County and
extends to them their appreciation on behalf of all citizens of the County for their dedication and commitment and the invaluable service they provide.

Adopted this 20th day of September, 2005
Gerald O. Corkin, Chairperson
Board of Commissioners

Chairperson Corkin read the following resolution honoring Alan Lee Lampi on his retirement:

MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING ALAN LEE LAMPI
ON HIS RETIREMENT

WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and

WHEREAS, quality services can only be provided by employees of the highest caliber; and

WHEREAS, Alan L. Lampi was employed April 19, 1984 through October 19, 1985 as an irregular part-time Deputy Sheriff in the Jail; and

WHEREAS, Alan L. Lampi was hired on October 20, 1985 as a full-time Deputy Sheriff; and

WHEREAS, Alan L. Lampi was transferred in 1986 to Deputy Sheriff/Road Patrol; and

WHEREAS, Alan L. Lampi was promoted on May 7, 1993 to Corporal/Road Patrol and promoted again on January 21, 2001 to Sergeant/Road Patrol and Court Security;

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Alan L. Lampi for his 19 years 11 months of excellent service; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board wishes Alan and his wife, Cheryl, a long, healthy, and happy retirement.

Proclaimed this 20th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

Chairperson Corkin opened the meeting for public comment.

Vikki Kulju, Telkite Enterprises, was present and pleased to announce she delivered to Harley Andrews, Chief Civil Counsel, a faxed copy of the signed Unconditional and Irrevocable Letter of Credit. She stated this is the final step in completion of the Telkite purchase of the EDC properties. An original copy will be Fed Ex’d on Wednesday. She thanked the County Board and expressed appreciation for patience and support when working through all the issues that surround this transaction.

Leslie Hurst, Board Member of the Marquette County Humane Society, and resident of Republic Township, spoke in support of Humane Society Services. She explained that the Marquette County Humane
Society provides support to the people and domestic animals of Marquette County. She is asking the County Board to support the continued alliance between the County and the Humane Society. She explained that the Humane Society is a partnership of individuals, businesses, and local organizations, and local units of government to ensure responsible care and respectful treatment of domestic animals. Their mission is to decrease the number of abused and unwanted animals. This is done by providing a shelter where animals can be admitted without charge which reduces the health and safety risk to the public from stray and abandoned animals while ensuring the animals are being treated humanely. The Humane Society also provides adoption opportunities and pet lost and found services. The Marquette County Humane Society aims to increase the number of responsible pet owners by advocating spaying and neutering of all pets. County residents and law enforcement officers work day and night to resolve animal issues. She distributed information regarding Marquette County Humane Society animal statistics.

Jerry Garceau, President of the Board of Marquette County Humane Society, also addressed the Humane Society issue. He stated that there is an outstanding bill and the Humane Society needs to get paid. He hopes the County Board and the Humane Society can find an agreeable solution to this issue.

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

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that Claims and Accounts for the period September 9, 2005 through September 15, 2005 in the amount of $122,478.17; and bi-weekly payroll for the period ending September 10, 2005 in the amount of $565,201.09 be approved.

It was moved by Comm. Bergdahl, seconded by Comm. Pellow, and unanimously carried by voice vote that the Agenda be approved with the following additions: Item 11a) Board of Health Budget, and Item 14a) Closed session regarding Middleton v the County of Marquette – Consult with Attorney regarding Trial or Settlement in Pending Litigation. (MCL 15.268(e)).

**PRIVILEGED COMMENT**

The County Board considered a Resolution affirming Marquette County Support regarding the Wright Amendment. Keith Kaspari, C.M., Airport Manager, Sawyer International Airport, and Steve Rodgers, Managing Director, American Eagle, RAMC1, Marquette, were both present and explained that for many years the Wright Amendment, allowing Southwest Airlines to conduct flights from Dallas Love Field in Dallas, Texas, to communities within the State of Texas and to a limited number of communities in states adjacent to Texas, has been an ongoing discussion. The Amendment has recently received more interest in various legislative offices with discussions centered around either amending or repealing the amendment. If the Wright Amendment is amended or repealed, it is the belief that American Airlines and/or American Eagle Airlines would then be forced to relocate additional resources to Dallas Love Field – a cost that would be exorbitant. This possible reallocation of airline resources may reduce or eliminate the air service benefits that passenger located in Marquette County and throughout Michigan’s Upper Peninsula enjoy today.

They further explained that passenger traffic at Marquette and Sawyer has witnessed continued growth since American Eagle began scheduled passenger service in March of 2001 capturing a market share of approximately 20%. Mr. Kaspari and Mr. Rodgers are requesting that the County Board oppose any legislation that seeks to amend or repeal the Wright Amendment.

It was moved by Comm. Cihak, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board send letters to Senator Stabenow and Senator Levin, Representative Stupak, and
Representative Knollenberg opposing any legislation that seeks to amend or repeal the Wright amendment and further that the County Board adopt the following Resolution affirming their support for the continuation of the Wright Amendment:

RESOLUTION

A RESOLUTION BY THE MARQUETTE COUNTY BOARD OF COMMISSIONERS AFFIRMING THEIR SUPPORT FOR THE CONTINUATION OF THE WRIGHT AMENDMENT.

BE IT RESOLVED by the Board of Commissioners of Marquette County, Michigan:

WHEREAS, in 1968, the Cities of Dallas and Fort Worth agreed to build a regional airport to replace Dallas Love Field and Greater Southwest International Airport as directed by the Civil Aeronautics Board (CAB); and,

WHEREAS, the airlines serving the Dallas-Forth Worth Metroplex pledged and acted in good faith to move to the new Dallas – Fort Worth International Airport once completed; and,

WHEREAS, Southwest Airlines chose to remain at Love Field; and,

WHEREAS, then U.S. House Leader Jim Wright of Texas drafted an Amendment known as the "Wright Amendment" to the International Air Transportation Competition Act of 1979, and passed by the U.S. Congress, which permitted air carrier service between Love Field and Louisiana, Arkansas, Oklahoma and New Mexico, and subsequently amended by the Shelby Amendment to add Kansas, Alabama and Mississippi; and,

WHEREAS, the amendment or repeal of the Wright Amendment may adversely affect commercial air carrier and industrial aircraft maintenance operations at Marquette County's Sawyer International Airport through reduced air service opportunities and passenger growth; and,

WHEREAS, in March, 2001, taking advantage of recognizing the opportunity to be the only airline in Michigan's Upper Peninsula to provide jet service, did American Eagle provide this new service to the Chicago O'Hare International Airport, with an intermediate service stop at Madison, Wisconsin, for the benefit of all Upper Peninsula residents; and,

WHEREAS, during the calendar year of 2004, and recognizing additional market share and passenger growth opportunities at Sawyer International Airport, did American Eagle provide two additional jet flights to the Chicago O'Hare International Airport, providing service to Chicago with intermediate service stops to both the Traverse City, Michigan and Green Bay, Wisconsin, markets for the continued benefit of residents in Marquette County and throughout Michigan's Upper Peninsula; and,

WHEREAS, American Eagle provides employment to approximately 225 Upper Peninsula residents, resulting in an annual payroll of salary and benefits exceeding $9.65M; and,
WHEREAS, American Eagle Airlines has been an outstanding partner and community asset with the County of Marquette, Michigan, and residents throughout Marquette County look forward to many years of continued growth and prosperity for the airline; and,

WHEREAS, in the summer of 2005, American Eagle Airlines entered into a partnership with Northern Michigan University and the Lake Superior Community Partnership for the development of a seven-week aviation curriculum designed to train new hire employees and existing American Eagle mechanics with an Aviation Maintenance Academy to benefit mechanics throughout the American Eagle Airline system.

Section I. Mr. Gerald O. Corkin, acting as Chairman of the Marquette County Board of Commissioners, is authorized to execute this Resolution of Support to maintain the Wright Amendment in full force and effect as currently written until the Federal Aviation Administration terminates scheduled air carrier operations at Dallas Love Field, or until Southwest Airlines agrees to relocate its flight operations from Dallas Love Field to the Dallas-Fort Worth International Airport.

Section II. That Ms. Connie M. Branam, acting as Clerk of Marquette County, is hereby authorized to attest to the execution of said Resolution and is directed to make it known to appropriate public officials.

Adopted this 20th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

INFORMATIONAL ITEMS

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

a. Invitation to Attend First Ever Upper Peninsula Non-Profit Conference from Great Lakes Center for Youth Development.


e. Michigan Department of Natural Resources Long-Range Draft Plan regarding ORV Activity in Michigan.

ACTION ITEMS

It was moved by Comm. Arsenault, seconded by Comm. Heikkila, and unanimously carried by voice vote that Action Items 10a, 10b, 10c, 10d, 10g, and 10h, be approved as follows:

10a) Committee of the Whole Recommendation to adopt the following National Incident Management System Resolution:
RESOLUTION

ADOPTING THE NATIONAL INCIDENT MANAGEMENT SYSTEM IN MARQUETTE COUNTY, MICHIGAN

WHEREAS, the County Board of Commissioners of the County of Marquette, Michigan, does hereby find as follows:

WHEREAS, the President in Homeland Security Directive (HSPD)-5, directed the Secretary of the Department of Homeland Security to develop and administer a National Incident Management System (NIMS), which would provide a consistent nationwide approach for Federal, State, and local governments to work together more effectively and efficiently to prevent, prepare for, respond to and recover from domestic incidents, regardless of cause, size or complexity;

WHEREAS, the collective input and guidance from all Federal, State, and local homeland security partners has been, and will continue to be, vital to the development, effective implementation and utilization of a comprehensive NIMS;

WHEREAS, it is necessary and desirable that all Federal, State, and local emergency agencies and personnel coordinate their efforts to effectively and efficiently provide the highest levels of incident management;

WHEREAS, to facilitate the most efficient and effective incident management it is critical that Federal, State, and local organizations utilize standardized terminology, standardized organizational structures, interoperable communications, consolidated action plans, unified command structures, uniform personnel qualification standards, uniform standards for planning, training, and exercising, comprehensive resource management, and designated incident facilities during emergencies or disasters;

WHEREAS, the NIMS standardized procedures for managing personnel, communications, facilities and resources will improve the city’s/county’s ability to utilize federal funding to enhance local agency readiness, maintain first responder safety, and streamline incident management processes;

WHEREAS, the Incident Command System components of NIMS are already an integral part of various city/county incident management activities, including current emergency management training programs; and

WHEREAS, the National Commission on Terrorist Attacks (9-11 Commission) recommended adoption of a standardized Incident Command System;

NOW THEREFORE BE IT HEREBY PROCLAIMED by the County board of Commissioners of the County of Marquette, Michigan, that the National Incident Management System (NIMS) is established as the County standard for incident management.

Adopted this 20th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners
10b) Committee of the Whole Recommendation to concur and adopt the following Resolution indicating the County Board’s concurrence with the 2005 Comprehensive Economic Development Strategy (CEDS) Report:

RESOLUTION OF CONCURRENCE WITH THE
2005 COMPREHENSIVE ECONOMIC DEVELOPMENT STRATEGY
(CEDS) DOCUMENT

WHEREAS, the Central Upper Peninsula Planning and Development Regional Commission has prepared a Comprehensive Economic Development Strategy document for the six-county planning area; and

WHEREAS, the 2005 CEDS provides adequate coverage and represents the needs of Marquette County.

NOW THEREFORE BE IT RESOLVED, the Marquette County Board of Commissioners concur with the CEDS document as prepared by the CUPPAD Regional Commission.

Adopted this 20th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10c) Committee of the Whole Recommendation to re-bid the Youth Home – HVAC replacement in the Spring of 2006.

10d) Committee of the Whole Recommendation to direct Staff to work with Telkite and the FAA to find a solution regarding concerns with the use of the Sage Building.

10g) Committee of the Whole Recommendation to participate in organizing an Animal Control Committee, and further that Comm. Arsenault be appointed to such Committee.

10h) Committee of the Whole Recommendation to direct Staff to research why a moratorium on mining was passed in the State of Wisconsin.

ACTION ITEMS CONTINUED

10e) The County Board considered a Committee of the Whole Recommendation regarding an agreement with A. Voyageur to provide moving services.

It was moved by Comm. Arsenault, seconded by Comm. Bergdahl and carried on a roll call vote 5 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Heikkila, Comm. Struck, and Comm. Corkin) to 2 Nays (Comm. Cihak and Comm. Pellow) to authorize the Chairperson to sign the Agreement with A. Voyageur to provide moving services.

10f) The County Board considered a Committee of the Whole Recommendation regarding repeal of the Marquette County Junk Ordinance. Comm. Pellow requested that all Townships be notified by letter of the Repealer Ordinance.
It was moved by Comm. Bergdahl, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board approve the following Ordinance to Repeal the Marquette County Junk Ordinance, and further that a copy of the Repealer Ordinance be sent to all Townships in Marquette County.

MARQUETTE COUNTY, MICHIGAN
ORDINANCE NO. _____

This Repealer Ordinance is adopted by the Marquette County Board of Commissioners pursuant to MCL 46.11(j) as amended, for the purpose of repealing the “Marquette County Junk Yard and Junk Vehicle Ordinance,” and any and all amendments thereto.

THE COUNTY OF MARQUETTE ORDAINS:

Section I. Repealer

The Ordinance entitled the “Marquette County Junk Yard and Junk Vehicle Ordinance,” adopted on June 20, 1973, and any and all amendments thereto subsequently adopted by the Marquette County Board of Commissioners, including but not limited to that certain Amendment adopted on January 23, 1974, shall be, and the same hereby are, repealed in their entirety.

Section II. Effective Date

This Repealer ordinance shall become effective the day following publication of notice of its adoption in a newspaper of general circulation in the County.

This Repealer Ordinance is adopted by action of the Marquette County Board of Commissioners this 20th day of September, 2005.

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10i) The County Board considered appointment to the EDC. Due to the death of James Scullion, a vacancy exists on the EDC Board (Utilities and Transportation Category). Term ending 12/31/06.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that Edwin J. Puska, Marquette, be appointed to the Marquette County Economic Development Corporation (Utilities and Transportation Category) for an unexpired term ending 12/31/06.

LATE ADDITIONS

Comm. Cihak requested a summary on the Transition Plan regarding the Board of Health and their Budget.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.
COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin commented on the State Budget and the 4½ percent cut to PILT. He also commented regarding the remonumentation fund and sentencing guidelines.

Comm. Pellow questioned her request regarding a Board Authority Synopsis regarding the Commitison on Aging.

Comm. Heikkila was pleased to have an Agreement between Marquette County and Telkite. He explained that County Staff has saved the County approximately half a million dollars in sales commission by negotiating themselves rather than using a private company. He stated that Staff has done a great job. This has been a complicated issue. He thanked Steve Powers, County Administrator, Harley Andrews, Chief Civil Counsel, Scott Erbisch, Sawyer Operations Manager, Ann Kulju, Business Manager, and other Staff members. Their work to complete this agreement, their integrity, work ethic, knowledge, and skills are to be commended.

Comm. Struck stated a brochure was distributed regarding the U.P. EMS 24th Annual EMS Conference. He explained that this is the largest Emergency Medical Services Conference in the State. They are expecting 500 to 600 people. He also extended an invitation to Commissioners regarding a program on Friday afternoon regarding public health rules in weapons of mass destruction. He explained that this program is for those County Board Members/Staff that are involved in public policy. The person teaching the program is Don Hyatt, Atlanta, Georgia, who at the national level, helped develop the incident management scheme and is very involved with community response and community disaster preparedness.

Comm. Bergdahl expressed concern regarding U.S. Highway 41 South. He explained that on Monday afternoon a two car accident occurred during heavy rains resulting in one death and one injury. He stated this is the 8th or 9th fatality. Poor drainage exists. He recommends a letter be sent to MDOT to review what improvements can be made to that section of highway to reduce the number of accidents.

It was moved by Comm. Bergdahl, seconded by Comm. Pellow and unanimously carried by voice vote that the County Board direct Staff to send a letter to MDOT requesting a review of that section of highway to reduce the number of accidents.

It was moved by Comm. Arsenault, seconded by Comm. Cihak and carried on a roll call vote 7 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Pellow, Comm. Struck, and Comm. Corkin) to 0 Nays that the County Board go into Closed Session to discuss material exempt from disclosure or disclosure by State or Federal Statute (MCL 15.268(h)); a) Attorney/Client Privileged Material – Marquette County Humane Society Claim Resolution; and Middleton v County of Marquette – Consult with Attorney regarding Trial or Settlement in Pending Litigation (MCL 15.268(e)).

Chairperson Corkin declared a 5 minute recess to clear Commission Chambers.

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

The County Board came back into open session.
It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the recommendation of Counsel with respect to the Claim of Joan Duncan and Sheila Meyer.


Comm. Arsenault was excused from the Closed Session and left the meeting.

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

The County Board came back into open session. No action was taken as a result of the Closed Session.

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

There being no further business to become before the County Board the meeting adjourned at approximately 8:35 P.M.

Respectfully Submitted,

[Signature]

Connie M. Branam
Marquette County Clerk
MARQUETTE COUNTY BOARD OF COMMISSIONERS

Regular Meeting, Tuesday, September 20, 2005, 6:30 P.M.
Room 231, Henry A. Skewis Annex, Marquette, Michigan 49855
www.co.marquette.mi.us

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 SEPTEMBER 6, 2005.
3. PROCLAMATIONS, PRESENTATIONS AND AWARDS.
   a. Resolution Commending Marquette County Search and Rescue Teams.
   b. Resolution Honoring Alan Lee Lampi on his Retirement.
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:
   a. Resolution Affirming Marquette County Board Support.
9. INFORMATIONAL ITEMS:
   a. Invitation to Attend First Ever Upper Peninsula Non-Profit Conference from Great Lakes Center for Youth Development.
   e. Michigan Department of Natural Resources Long-Range Draft Plan regarding ORV Activity in Michigan.
10. ACTION ITEMS:
    a. Committee of the Whole Recommendation to Adopt the National Incident Management System Resolution.
    d. Committee of the Whole Recommendation to Direct Staff to Work with Telkite and the FAA.
    e. Committee of the Whole Recommendation to Sign the Agreement with A. Voyaguer to Provide Moving Services.
    f. Committee of the Whole Recommendation to Support the Repeal of the Junk Ordinance.
    g. Committee of the Whole Recommendation to Participate in Organizing an Animal Control Committee.
    h. Committee of the Whole Recommendation to Direct Staff to Research a Moratorium on Mining in Wisconsin.
11. LATE ADDITIONS:
    a. N/A
12. PUBLIC COMMENT. (time limit 20 minutes total)
13. CLOSED SESSION to Discuss Material Exempt from Discussion or Disclosure by State or Federal Statute MCL 15.268(b);
14. CLOSED SESSION regarding Strategy in Pioneer Square Litigation.
15. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
16. ADJOURNMENT.

5 Re: Middleton
V. Co & met /consult w/#
   re: trial or settlement in pending litigation
   MCL 15.268(e)