

The Marquette County Board of Commissioners held their Regular Meeting on Wednesday, July 21 2004, at 7:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 West Baraga Avenue, Marquette, Michigan.

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

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

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on July 6, 2004 be approved.

Chairperson Corkin opened the meeting for public comment.

Mike Quayle, 1700 Mildred Avenue, Marquette, stated that he has been asking for updates on the Lease of Ishpeming District Court and Pioneer Square LLC, and has received no response. He has requested documents regarding this issue under the Freedom of Information Act to clarify the matter and has not received a response as of yet.

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

It was moved by Comm. Joseph, seconded by Comm. Nordeen, and unanimously carried by voice vote that Claims and Accounts for the period July 9, 2004 through July 15, 2004 in the amount of \$220,700.37 be approved.

It was moved by Comm. Tuominen, seconded by Comm. Cihak, and unanimously carried by voice vote that the agenda be approved with the following changes: Delete Action Item 10f) Approval of Purchase Agreement and Related Documents with SEMCO Energy for Gas System at Sawyer; and add Late Addition 11a) Pellestar Sale.

INFORMATIONAL ITEMS

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

- a. Communication from Gov. Jennifer M. Granholm regarding the Closing of the Secretary of State Office in Ishpeming.
- b. Communication from Mark Sisco, Deputy Director, Department of Labor and Economic Growth, regarding School Inspection Authority.
- c. United States of American Federal Energy Regulatory Commission Order Approving Fish Stranding Plan Under Article 407.
- d. Communication from Edward B. Rebman, McCartney & Co. P.C., Certified Public Accountants, regarding Annual Accounting for the Marquette County 911 Service District (Complete Report in Commission Chambers).

ACTION ITEMS

It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that Action Items 10a, 10b, and 10c be approved as follows:

10a) Committee of the Whole Recommendation to direct Staff to solicit bids for the Heating System Conversion of Building 601 at Sawyer International Airport.

10b) Committee of the Whole Recommendation to approve the Contractual Service Agreement for the Marquette-Alger Regional Educational Service Agency Grant for tutors for the students at the Marquette County Youth Home in the amount of \$700.

10c) Committee of the Whole Recommendation to approve the following resolution regarding the U.P. Area Agency on Aging FY 2005 Annual Implementation Plan:

RESOLUTION
RE.
U.P. AREA AGENCY ON AGING

FY 2005 ANNUAL IMPLEMENTATION PLAN

WHEREAS, UPCAP, which serves at the U.P. Area Agency on Aging, has developed and is operating under a Multi-Year (FY 2004-2006) 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 the 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 2005 Annual Implementation Plan.

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

*Adopted this 21st day of July, 2004
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

ACTION ITEMS CONTINUED

10d) The County Board considered a communication from the Resource Management and Development Staff regarding selection of a contractor for Perkins Park Phase III. On December 18, 2003 Marquette County was awarded a Land and Water Conservation Fund Grant of \$263,250 for Phase III Development of Perkins Park. According to the Grant Agreement signed by the County Board, the County will provide a 50% match from the Forest and Recreation Fund. Phase III development includes enhancements with landscaping and design that will separate day use from camping through road reconfiguration, the addition of larger pull-through sites and rustic sites, shoreline stabilization, the relocation of the picnic area with landscaping and a boardwalk with observation decks. On March 4, 2004, North Country Engineers was hired for the architectural/engineering services for Phase III. The firm has successfully completed the engineering and design requirements of the contract in preparation for the contractor selection.

Contractor bids were opened on July 6, 2004. Response was good with three firms submitting bids at or below the architect's estimate. The lowest bid was Smith Paving, Inc. A Selection Committee consisting of the Manager of Planning, the Perkins Park Manager, and County Planning Staff determined all three bidders were responsive and responsible. It is Staff's recommendation that the Board award the Contract to Smith Paving, Inc.

It was moved by Comm. Cihak, seconded by Comm. Nordeen, and unanimously carried by voice vote that the County Board award the Perkins Park Phase III Development to Smith Paving, Inc. for \$195,000 and authorize the Board Chair to sign the necessary documents.

10e) The County Board considered B-3 Computers IRP loan subordination. The County Board approved a \$250,000 loan to B-3 Computers in March, as part of an overall \$700,000 funding package to assist B-3 in its relocation from San Diego, California, to Marquette County. The Marquette County EDC has since closed on its \$100,000 loan. The remaining \$350,000 was to come from the Michigan Economic Development Corporation. While the MEDC signed a Commitment Letter for the \$350,000 loan, their Corporate Council still has not approved the loan, and it is unclear whether or not they will.

B-3 had been working with the First National Bank of Negaunee for their local banking needs, and also to obtain a revolving line of credit as some point in the future for ongoing operating needs. B-3 has received a commitment from First of Negaunee for a \$150,000 revolving line of credit. This funding is now imminently necessary due to the time lag in receiving the MEDC funding, and furthermore, the possibility that the MEDC loan may not be approved. First of Negaunee requires a 1st position on all assets. Since the IRP currently holds 1st position, B-3 is asking the IRP to subordinate.

It was moved by Comm. Nordeen, seconded by Comm. Joseph, and unanimously carried by voice vote that the County Board approve signing a Subordination Agreement with First of Negaunee on the B-3 Computer Loan.

10g) The County Board considered the Vital Records software purchase. The County Clerk is currently using an in-house developed vital records indexing system that includes Assumed Names, marriage information, and a birth and death index. The current software does not have the capability to image documents and does not include notary bonds, military discharges and several other miscellaneous indexes.

In 2000 the County Clerk began searching for updated software for vital records. At that time, Fidlar Doubleday offered a basic vital records indexing system in the amount of \$15,000, however, Fidlar Doubleday rewrote the software in a windows environment and the price, at that time, jumped to \$60,000. Staff continued to investigate alternative solutions. During the course of software evaluations, the Clerk and IS Staff reviewed software from Eagle, Advantage, Cherry Lan Systems, and Fidlar Doubleday. The software from Eagle and Advantage, while excellent systems, are cost prohibitive. The Fidlar Doubleday system has come down in price since we have some of their equipment already installed in the Register of Deeds Office, but it is still in the \$30,000 range without installation, training, and data conversion.

Cherry Lan Systems, Inc. will include all installation, data conversion, and training in the stated price of \$15,000. It is a complete vital records indexing and imaging system for up to 10 years. The vital records software project was approved in the 2001 Public Improvement Fund in the amount of \$15,000. Annual software maintenance will commence in 2005 in the amount of \$4,800 and the annual depreciation charges to the Copy/Computer Fund will be \$1,200. Brent Nault, IS Manager, and Connie Branam, County Clerk, recommend that the County of Marquette purchase the Vital Records Imaging and Indexing System from Cherry Lan Systems in the amount of \$15,000.

It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve Cherry Lan Systems as a software provider for Vital Records Software in the County Clerk's Office in the amount of \$15,000.

LATE ADDITIONS

11a) The County Board considered the Pellestar Sale. Steve Powers, County Administrator, explained that in October, 2000 the County Board entered into a Purchase Agreement with Schneider Real Estate II, LLC, for the sale and purchase of the property formerly known as the Pellestar/Pelletech Property in Negaunee Township. Eight Acres of the 25 acre parcel were separated off and sold early to allow Mr. Schneider to begin his iron/scrap metal business. The remaining 17 acres have since been cleaned up by the Department of Environmental Quality and the Environmental Protection Agency. Schneider is now prepared to close on the remaining 17 acres, but within the last few days has requested that this parcel be further divided to separate off that portion of the property which has lagoons and settling ponds.

Harley Andrews, Chief Civil Counsel, was also present and provided further details. He explained that Schneider wishes to have the 17 acre parcel divided into two parcels, one of which would be approximately 5 acres and would contain the settling ponds and lagoons, and the other which would be approximately 12 acres. He also explained that Schneider wants a new entity (different from Schneider Real Estate II, LLC) to take title to the 5 acre parcel. This would require an amendment to the Purchase Agreement, by which Schneider Real Estate II, LLC, would consent to the creation of the two smaller parcels, and would consent to the conveyance of the 5 acre parcel to a new entity, and to make this new entity a party to the Purchase Agreement, and bound by its terms. Mr. Andrews also noted that Schneider Real Estate II, LLC, had requested the County to sign an Application to Negaunee Township for approval of the proposed split of the 17 acre parcel into the two smaller parcels.

It was moved by Comm. Cihak, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board 1) Authorize the Board Chair to sign the application on behalf of the County to Negaunee Township seeking authorization to make the split of this one parcel; 2) Authorize the Board Chair to sign an Amendment or Addendum to the Purchase Agreement that would reflect the changes. This amendment would also require the signature of the new buyer because he will now become a party to the Purchase Agreement; and 3) Authorize the Board Chair to ultimately sign all documents necessary to complete the Agreement (contingent upon Commissioners reviewing all documents before signature).

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Nordeen discussed the Sawyer sewer and water rate increases. He explained that Sawyer's sewer and water rates are the highest of any municipality in the State and something needs to be done.

It was moved by Comm. Nordeen, seconded by Comm. Cihak, to suspend the Water and Sewer Rate Increases at Sawyer until a committee is put together to review the Water and Sewer Operation.

A roll call vote was recorded 7 Nays (Comm. Arsenault, Comm. Cihak, Comm. Coyne, Comm. Joseph, Comm. Tuominen, Comm. Wallace, and Comm. Corkin) to 1 Aye (Comm. Nordeen). Motion failed.

A lengthy discussion followed. Scott Erbish, Sawyer Operations Manager, explained that Staff is continuing efforts to improve the efficiency of the sewer and water system and is open to any new ideas.

It was moved by Comm. Cihak, seconded by Comm. Wallace, and carried by voice vote 7 Ayes to 1 Nay (Comm. Tuominen) that the County Board direct Sawyer Operations Manager, Scott Erbish, to explore the possibility of hosting a public forum to discuss and educate residents regarding the water and sewer rates at Sawyer.

There being no further business to come before the County Board the meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk