

The Marquette County Board of Commissioners held their Regular Meeting on Wednesday, March 3, 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. Bergdahl, Comm. Coyne, Comm. Joseph, Comm. Nordeen, Comm. Tuominen, Comm. Wallace, and Comm. Corkin. Absent and excused: Comm. Cihak.

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

It was moved by Comm. Wallace, seconded by Comm. Nordeen, and unanimously carried by voice vote that the minutes of the Regular Board Meeting held on February 17, 2004 be approved with the following corrections: Page 1, under the Paragraph regarding Greg Franklin, Commando Contractors, the word received replaced with *submitted*; under Public Hearing it should say *County* rather than *Count*; On Page 4 regarding Item 11b, it should read Marquette County Task Force *Report*.

Chairperson Corkin opened the meeting for public comment. Carol Lamirand, Marquette, noted there was nothing on the Agenda regarding an investigation into Comm. Cihak's behavior which she requested.

Debbie Pellow, Tilden Township, requested Townships also receive a copy of the Marquette County Road Commission Task Force Report.

Jim Iwanicki, Marquette County Road Commission, read two press releases regarding the Marquette County Road Commission.

Bill LaBelle, AFSCME 2724 Union President, addressed Mr. Iwanicki's comments during public comment.

Bill Sanders, U.P. Engineers & Architects, spoke regarding the Design Services Bid for the Perkins Park Phase III Project.

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

Commissioners addressed Ms. Carol Lamirand's concerns regarding Comm. Cihak.

It was moved by Comm. Arsenault, seconded by Comm. Tuominen, and unanimously carried by voice vote that the County Board refer Ms. Lamirand's concerns to Civil Counsel to investigate whether there is a conflict regarding the County paying the claim to Comm. Cihak, as Private Investigator, and/or a conflict between Mr. Cihak as a County Commissioner and a Private Investigator. Also what jurisdiction the County Board may have.

Harley Andrews, Civil Counsel, explained there is no inherent conflict or prohibition on Comm. Cihak being a Private Investigator, only with respect to the bill submitted. With respect to the allegations of Comm. Cihak's conduct during the course of a particular investigation that Ms. Lamirand referred to, Mr. Andrews pointed out it is the Court who appoints the investigator or the court appointed attorney. The investigator works for the Court appointed attorney. Mr. Andrews suggests that if there are any complaints regarding the methods used by the investigator, those complaints be brought to the attorney he worked for or the Judge that appointed him. He doesn't feel the County Board has any jurisdiction to do anything with respect to the conduct of Comm. Cihak in the course of his investigator function which is different than his activity as Commissioner.

It was moved by Comm. Bergdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that Claims and Accounts for the period February 20, 2004 through February 26, 2004 in the amount of \$144,562.78 be approved.

The agenda was approved as presented.

### **INFORMATIONAL ITEMS**

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

- a. Communication from Gloria J. Jeff, Director, Michigan Department of Transportation regarding MI Travel Counts.
- b. Thank You from Gary and Liisa Niemela, Skandia Truss, regarding December 23, 2003 Fire.
- c. Memo from the Michigan Supreme Court, State Court Administrative Office, regarding Court Equity Fund.
- d. Memo to Governor Granholm from Aaron Hopper, President, Michigan Association of Counties, regarding Executive Budget Recommendation.

*The attached minutes are subject to correction and approval.*

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Chairperson Corkin read into the record a communication from Gloria J. Jeff, Director, Michigan Department of Transportation regarding MI Travel Counts:

*Dear Mr. Powers,*

*The purpose of this letter is to inform you that on March 15, 2004 the Michigan Department of Transportation (MDOT) will begin a data collection program called **MI Travel Counts**. MDOT wants you to be among the first to know about the MI travel Counts program and its objectives.*

*A high quality multi-modal transportation system is a key component for Michigan to become a “magnet” for jobs, growth, economic opportunity, and people. The **MI Travel Counts** data collection program will assist the transportation community to better understand why people travel and how they plan their daily travel activities. From this, future trends can be anticipated to meet Michigan’s growing travel needs, thus helping to boost Michigan’s quality of life while maintaining the economic health and viability of the state.*

*Prospective Michigan residents will be contacted and asked to participate in the program by filling out a travel diary detailing their travel activities for two days. It is our hope that Michigan residents will expect and welcome this call. To help make this happen, we are enlisting the communication skills of trusted community organizations like yours. You can help inform Michigan residents that this is an official study conducted by MDOT, and that the information provided is confidential and secure. The long-term benefits of participating in this program include easier, safer statewide and local travel, less traffic congestion, improved allocation of limited funding resources, and a better integrated multi-modal transportation system.*

*If you have any questions about **MI Travel Counts**, please contact MORPACE International at 1-800-566-6262, or call MDOT at 517-335-2956. You will also find the project web site, [www.michigan.gov/mitravelcounts](http://www.michigan.gov/mitravelcounts), to be a valuable source of information.*

*By working together we can make MI Travel Counts a valuable opportunity for your area to influence Michigan’s transportation decision process. Thank you in advance for helping to set the direction of transportation for Michigan in the 21<sup>st</sup> century.*

*Sincerely,*

*Gloria J. Jeff  
Director  
Michigan Department of Transportation*

Chairperson Corkin read into the record a memo to Governor Granholm from Aaron Hopper, President, Michigan Association of Counties, regarding her Executive Budget Recommendation:

*Dear Governor Granholm:*

*I am writing this letter in response to your Executive Budget Recommendation. Today, the MAC Board of Directors met to consider three basic proposals in the budget, which are as follows:*

- 1. Trading county revenue sharing for moving up the December property tax levy to July.*
- 2. Fund PILT with revenue sharing dollars.*
- 3. Changing sentencing guidelines to “lockout” some current prison-bound offenders, effectively pushing them to county jails.*

*While MAC understands the state is facing major fiscal issues in this budget cycle, and stands ready and willing to work with you to help fix them, we have some major concerns about the proposals. First, the proposal to trade **all** county revenue sharing dollars in exchange for moving up the property tax levy is unacceptable to MAC, unless there is some form of long term solution to county revenues. The loss of revenue sharing dollars without replacement money in the long term would be devastating to providing county services.*

*As such, we would like the opportunity to further discuss this proposal, and some of the technical concerns we have with it, in concert with discussing potential long-term fixes, such as proposals to constitutionally protect county revenue sharing or restructuring of the sales tax base. Additionally, there are likely a number of smaller statutory fixes on the expenditures side, which we feel are appropriate.*

The attached minutes are subject to correction and approval.

*In regards to the proposal to fund PILT with revenue sharing dollars, we would have to respectfully oppose. We believe that these are two very separate issues, and putting them together not only removes accountability from DNR in their purchasing of lands, but also penalizes local governments' receipt of revenue sharing in areas of the state which may receive little or no PILT payments.*

*As for the Sentencing Guidelines discussion, we remain at the table with the Michigan Department of Corrections to further discuss this proposal, but have concerns over jail bed space at county jails and whether we can handle the additional influx of prisoners.*

*As always, MAC appreciates the opportunity to discuss these proposals with you. We have always valued the working relationship that we have had with your administration and look forward to continuing it. As such, we look forward to working with you to identify solutions to this budget problem, which can also work for Michigan's 83 counties.*

*Sincerely,*

*Aaron Hopper, President  
Michigan Association of Counties*

**ACTION ITEMS**

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

10a) Committee of the Whole Recommendation to acknowledge the outstanding credentials of Oakland County Commissioner Eric Coleman and declare its support of his nomination for the office of Second Vice President of the National Association of Counties. Resolution as follows:

**RESOLUTION IN SUPPORT OF ERIC COLEMAN  
FOR HIS CANDIDACY FOR SECOND VICE PRESIDENT  
WITH THE NATIONAL ASSOCIATION OF COUNTIES**

WHEREAS, Oakland County Commissioner Eric Coleman has announced his candidacy for the Second Vice President position with the National Association of Counties (NACo) and, if elected by the NACo membership, he will serve as one of the 5 members of the Executive Committee of the Board of Directors; and

WHEREAS, NACo is a national organization that has given county officials from across the country an active role and strong voice in the nation's capital since 1935, with membership of over 50,000 elected and appointed officials, representing 2,054 counties and 80% of the nation's population; and

WHEREAS, the leadership of NACo serves as a liaison between the nation's counties and other levels of government by promoting the policies and platforms adopted by the membership and, through successful lobbying efforts, the collective county voice of NACo has made an enormous impact on legislation affecting our constituents and our communities; and

WHEREAS, Commissioner Eric Coleman has a long established track record as a person who recognizes the importance of building partnerships and is known as an elected official who as actively engaged in developing regional initiatives that embrace diversity and benefit multiple communities; and

WHEREAS, Commissioner Coleman, respected for his proactive approach to issues and government and his work with the National Organization of Black County Officials (NOBCO), received the prestigious 2003 NOBCO Commissioner of the Year Award and has also been recognized as an outstanding senior executive by Harvard University's John F. Kennedy School of Government; and

WHEREAS, Commissioner Coleman has been an active participant in both NACo and the Michigan Association of Counties (MAC) and has successfully promoted unifying regional efforts including: Tri-County Summit (with Wayne, Oakland and Macomb Counties and the City of Detroit) and Southeastern Michigan Council of Government (SEMCOG); and

WHEREAS, Commissioner Coleman has provide dynamic leadership and his extensive experience in strategic planning, finance and personnel makes him an outstanding candidate for Second Vice President; and

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WHEREAS, the Marquette County Board of Commissioners recognizes that the role of the members of the NACo Executive Committee is critically important and Michigan counties need to have a representative on that Committee like Commissioner Eric Coleman who has a record of dedication, distinction and leadership,

NOW THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners acknowledges the outstanding credentials of Oakland County Commissioner Eric Coleman and declares its support of his nomination for the office of Second Vice-President of the National Association of Counties at this year's 69<sup>th</sup> Annual Conference; and be it further

RESOLVED, that copies of this Resolution be forwarded to the National Association of Counties and the Michigan Association of Counties.

Adopted this 3<sup>rd</sup> day of March, 2004  
Gerald O. Corkin, Chairperson  
Marquette County Board of Commissioners

10b) Committee of the Whole Recommendation to approve the response prepared by Steve Powers, County Administrator, to the Sawyer Operations Authority regarding Payment in Lieu of Taxes (PILT) request.

10c) Committee of the Whole Recommendation to accept SEMCO Energy's \$250,000 purchase offer and proposed contingent payment plan and authorize Staff to finalize the sale.

10d) Committee of the Whole Recommendation to approve the FY 2003 State Homeland Security Grant Program Part II – Training Grant Agreement for Marquette County.

10e) Committee of the Whole Recommendation to approve the bid award Jail/Annex Water Heater System Replacement to Dressler Mechanical, Inc. for a not to exceed sum of \$43,800.

10f) Committee of the Whole Recommendation to send the response prepared by County Administrator Steve Powers to the Governor regarding the 2005 Budget.

10g) Committee of the Whole Recommendation to approve the Community Emergency Response Team (CERT) Grant Agreement.

**ACTION ITEMS CONTINUED**

10h) The County Board considered a Committee of the Whole Recommendation to award the Engineering and Design Services Bid for Perkins Park Phase III to the low bidder North Country in the amount of \$15,857.

Comm. Wallace explained that he understands Comm. Joseph's position but the County Board reserves the right to reject any and all bids in whole or part or negotiate with any bidder based on circumstances most advantageous to the County.

It was moved by Comm. Nordeen, seconded by Comm. Bergdahl and carried by voice vote 6 Ayes to 2 Nays (Comm. Coyne and Comm. Wallace) that the County Board award the Engineering and Design Services Bid for Perkins Park Phase III to the low bidder North Country in the amount of \$15,857.

10i) The County Board considered a Committee of the Whole Recommendation regarding the Marquette County Road Commission Task Force Report.

It was moved by Comm. Tuominen, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board request from the Marquette County Road Commission the AFSCME Local 2724 Union and the Townships a response to the report within 60 days including an Implementation Plan

**LATE ADDITIONS**

11a) The County Board discussed the Marquette County Road Commission. At the last Committee of the Whole meeting Commissioners requested an opinion from Civil Counsel regarding the requested removal of a County Road Commissioner. Harley Andrews, Civil Counsel, presented Commissioners with a memo explaining the process and suggested procedure.

It was moved by Comm. Nordeen to begin the procedure to remove the three Road Commission Members due to a difference in financial philosophy. The motion died for lack of support.

Commissioner consensus was to wait until the County Board receives the response from the Marquette County Road Commission, the Union, and the Townships before taking any further action.

*The attached minutes are subject to correction and approval.*

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Chairperson Corkin opened the meeting for public comment.

Carol Pelkola, Chocolay Township, Debbie Pellow, Tilden Township, Barry Paris, Road Commission Employee, Bob Menard, Chairperson, Marquette County Road Commission, Bill LaBelle, AFSCME 2724 Local Union President, and Marge Nielson, Sands Township, all spoke regarding the Marquette County Road Commission.

**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Chairperson Corkin announced that last week he was in Washington, D.C. attending the NACo Legislative Conference and met with two of our Senators, Staff and Congressman Stupak on a number of issues. He will provide a written report to be put in Commissioners Mailboxes.

Comm. Wallace announced he was also in Washington D.C. representing the Michigan Association for Local Public Health and the National Association for Local Boards of Health working with the National Association of Cities and Counties Officials to develop an operational definition for what the public can expect from their local public health agencies across the Country.

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

Respectfully Submitted,

Connie M. Branam  
Marquette County Clerk