

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, October 19, 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. Bergdahl, Comm. Coyne, Comm. Joseph, Comm. Nordeen, Comm. Tuominen, and Comm. Corkin. Absent and excused: Comm. Arsenault, Comm. Cihak and Comm Wallace.

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

It was moved by Comm. Tuominen, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on October 5, 2004 be approved.

Chairperson Corkin read the following Proclamation in observance of November, 2004 as Alzheimer's Disease month:

***MARQUETTE COUNTY
HEREBY ISSUES THIS EXECUTIVE DECLARATION
IN OBSERVANCE OF***

***NOVEMBER 2004
AS***

ALZHEIMER'S DISEASE MONTH

WHEREAS, Alzheimer's disease is a progressive, degenerative disorder that attacks the brain and results in impaired memory, thinking and behavior, ultimately leaving its victims totally incapable of caring for themselves; and

WHEREAS, the eighth leading cause of death in adults, Alzheimer's disease claims more than 100,000 lives annually, affecting males and females, ethnic and socioeconomic groups equally; and

WHEREAS, currently, there are over 4.5 million adults in the United States with Alzheimer's disease, including over 167,000 people in Michigan alone; and

WHEREAS, many encouraging drug treatments have been introduced which significantly delay the onset of disease symptoms, improving the quality of life for those afflicted and reducing the strain on caregivers; and

WHEREAS, Marquette County in the State of Michigan is pleased to join with the Alzheimer's Association Michigan State Council in observing a month to address the need for information and assistance in dealing with and eventually eradicated this disease;

NOW, THEREFORE, Marquette County does hereby declare the month of November 2004 as ALZHEIMER'S DISEASE MONTH in Michigan.

***Adopted this 19th day of October, 2004
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners***

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

It was moved by Comm. Berdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that Claims and Accounts for the period October 8, 2004 through October 14, 2004 in the amount of \$689,980.98 minus check number 055972 in the amount of \$4.59 made payable to Josephs, and bi-weekly payroll for period ending October 17, 2004 in the amount of \$560,333.39 be approved.

It was moved by Comm. Tuominen, seconded by Comm. Bergdahl, and carried by voice vote 5 Ayes to 1 abstention (Comm. Joseph) that check number 55972 in the amount of \$4.59 made payable to Joseph's Inc., be approved. Affidavit of Disclosure follows:

AFFIDAVIT OF DISCLOSURE

PURSUANT TO MCL 15.323(2)(a)

COUNTY OF MARQUETTE)
)SS
STATE OF MICHIGAN)

Nick Joseph, a Marquette County Commissioner, being duly sworn, hereby submits this Affidavit pursuant to the provisions of MCL 15.323(2)(a):

1. The Final Disbursement List submitted for approval at this October 19, 2004, meeting of the County Board of Commissioners includes Check No. 055972, dated October 15, 2004, payable to Joseph's in the amount of \$4.59, in payment for District Court jury expense;
2. I hereby disclose that I have a personal financial interest in Joseph's Foodland Inc., d/b/a Joseph's Super Valu, which is as follows:

Sole Shareholder

3. I hereby certify that any direct benefit I personally will receive from this payment to Joseph's will be less than \$250.00, and will be less than 5% of the total payment of \$4.59.

Dated this 19th day of October, 2004.

/S/

Nick Joseph

It was moved by Comm. Bergdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that the agenda be approved with the addition of Item 11a) Subordination Agreement with B-3 Computers.

INFORMATIONAL ITEMS

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

- a. Thank You from Karen Anderson on behalf of the Sawyer Operations Authority and West Branch Community Center.
- b. American Transmission Company Zone 2 Meeting.
- c. Department of Natural Resources Public Workshops.
- d. Mid-West Skills Development Center Open House.
- e. Corrected Letter from Department of Labor and Economic Growth regarding Delegation of School Inspection Authority.

ACTION ITEMS

It was moved by Comm. Bergdahl, seconded by Comm. Joseph, and unanimously carried by voice vote that Action Item 10a, 10c, and 10d be approved as follows:

10a) Committee of the Whole Recommendation to direct Staff to meet with Resource Management/ Development Department Staff and schedule the request from the Upper Peninsula Builder's Association for the October 26, 2004 Committee of the Whole Meeting agenda.

10c) Committee of the Whole Recommendation to approve the Contract with the Marquette County Road Commission to provide financial management assistance to the Marquette County Road Commission.

10d) Committee of the Whole Recommendation to approve the Lease Agreement between Wisconsin Electric Power Company, WE Energies, and the County of Marquette, and authorize the Chairperson to sign the Agreement subject to final review by Civil Counsel and Risk Management.

ACTION ITEMS (cont.)

10b) The County Board considered a Committee of the Whole Recommendation to enter into a Snowplowing Agreement at Sawyer. Comm. Nordeen explained that he doesn't like the idea that the County is plowing roads that the Road Commission should be plowing. Comm. Nordeen stated that he thinks the Road Commission does an excellent job plowing roads and feels the same standard should be given for all citizens no matter where they live in this County. Comm. Nordeen feels this is not cost effective.

It was by Comm. Tuominen, seconded by Comm. Joseph and unanimously carried by voice vote that the County enter into the Snowplowing Agreement with the Road Commission for the winter of 2004/2005 and that the County Board authorize the Chair to sign the Agreement.

10e) The County Board considered the Army Corps of Engineers Dead River Reach A Project. Steve Powers, County Administrator, explained that the Corps is completing over \$2 million in projects along the Dead River. One project, a \$750,000 River Recovery Project, requires a local government sponsor to coordinate permits and provide maintenance after the project is complete. There is no local match. Consideration is recommended for Marquette County to be the local government sponsor. The Project consists of grading, excavation, construction of in-stream structures, vegetation stabilization and erosion control along 3,400 feet of the Dead River above the County Road AAO Bridge and the County Road AAO and County Road AAT intersection. The project design uses natural features to stabilize the river. The Army Corps of Engineers must work through a local government agency. The Marquette County Conservation District has secured the necessary permits and landowner permissions. The Marquette County Road Commission is interested in seeing the project completed. The project will protect the down-river County Road AAO Bridge by reducing sediment loads. Neither government agency is able to meet the Army Corps of Engineers schedule. The project funding is at risk if there is not a local government agency agreement soon.

Mr. Powers further explained that the Upper Peninsula Power Company has indicated a willingness to provide the necessary maintenance, if any is required for the project. He has also requested Mr. Gary Erickson, Vice-President Chief Operating Officer, for written confirmation of UPPCO's willingness. He explained that UPPCO has already paid for the project's design and engineering and for the permits.

Frank Povich, Project Manager, Army Corps of Engineers, was present to answer any questions. Mr. Povich thanked the citizens of Marquette County for their cooperation and assistance that has been offered. He stated that \$2 million worth of work was just finished and could not have been done without the local revenue of agencies and the people of Marquette County.

It was moved by Comm. Tuominen, seconded by Comm. Joseph, and unanimously carried by voice vote that the County Board act as the Corps of Engineers local sponsor for the Dead River Reach A Project contingent upon legal review and written confirmation of UPPCO's willingness to provide the necessary maintenance.

10f) The County Board considered appointment of one vacancy to the FIA Board. There are two applicants, Caroline Bridges, Negaunee City, and Steven Snowaert. After two roll call ballots and the lack of five votes needed to make the appointment, the FIA appointment will be considered again on November 2, 2004 when the full Board is present.

LATE ADDITIONS

11a) The County Board considered a Subordination Agreement for B-3 Computers. Harley Andrews, Chief Civil Counsel, explained that the County Board had previously approved the CDBG Grant and Loan to B-3 Computers in the amount of \$350,000. The loan documents have now been prepared by the attorney for the State. Mr. Andrews has reviewed the documents and explained there are two items not covered in prior County Board action: 1) A Subordination Agreement; and 2) An Indemnity Agreement. The County would agree to subordinate its interest in the collateral to the State of Michigan so that the State would have a first position. He feels this document is appropriate because of the fact that it is State funding and repayment of the loan is to be made directly to the State.

There are certain conditions of the Grant which if are not met by B-3 could result in the County and/or B-3 having to repay the loan early in its entirety. If the County is required to repay the money to the State, the Indemnity Agreement, which will be signed by B-3 Computers, would require B-3 Computers to reimburse the County. Mr. Andrews recommends the County Board approve the execution by the Chair of the Subordination Agreement and the Indemnification Agreement.

It was moved by Comm. Joseph, seconded by Comm. Nordeen, and unanimously carried by voice vote that the County Board approve the execution by the Board Chair of the Subordination Agreement and the Indemnification Agreement for B-3 Computers as explained by Harley Andrews, Chief Civil Counsel.

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Chairperson Corkin announced that PILT monies from the State were distributed to all local units of government for 2004. He expects the same for 2005.

Comm. Nordeen announced he was happy hear the Central Dispatch Tower Project was awarded to Anderson Communications, a local company. He stated the Central Dispatch Committee is a great Committee and he respects their recommendations. He wanted to clarify that in no way did he ever question the actions of the Central Dispatch Committee. He stated the Central Dispatch Committee is one of the best Committees in Marquette County.

Comm. Joseph announced that the Negaunee High School held a 25th Anniversary Celebration of Tanya Stanaway teaching the finish language in the Community School Program. He commended Ms. Stanaway for her 25 years of teaching and keeping the cultural language alive in this Country.

There being no further business to come before the County Board, the meeting adjourned at 7:25 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk