

INFORMATIONAL ITEMS

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

- a. Condition of Federal Navigation Channel – Big Bay Harbor.

ACTION ITEMS

It was moved by Comm. Nordeen, seconded by Comm. Cihak, and unanimously carried by voice vote that Action Item 10a, 10b, 10c, 10d, 10e, and 10f be approved as follows:

10a) Committee of the Whole Recommendation to release for distribution and public comment a draft of the Forest Management Plan and adopt the following resolution which asserts the right of the County Board to approve or to reject the Plan. Resolution as follows:

RESOLUTION

Marquette County Board of Commissioners approves distribution of the County of Marquette Forest Management Plan and the Marquette County Board of Commissioners will act as the adopting authority when it is time to adopt the Marquette County Forest Management Plan for the County of Marquette, Michigan.

WHEREAS, recent amendments to Michigan Public Act 282 of 1945 (being the County Planning Act) require new procedures for County Plan adoption that lead to a well planned, coordinated and zoned county;

WHEREAS, based on the requirements of the act, the Marquette County Board of Commissioners must approve distribution of the draft County of Marquette Forest Management Plan for review by the required entities;

WHEREAS, entities receiving the County of Marquette Forest Management Plan have 65 days to review and comment on the plan;

NOW THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners hereby approve the distribution of the County of Marquette Forest Management Plan for review and comment. Furthermore, the Marquette County Board of Commissioners hereby agrees to be the adopting authority for the Marquette County Forest Management Plan when the plan has exceeded the 65 day period for review and comment required by the act.

Adopted this 21st day of September, 2004
Harvey Wallace, Vice-Chairperson
Marquette County Board of Commissioners

10b) Committee of the Whole Recommendation to approve the Upper Peninsula Inoperable Communications Consortium Resolution as follows:

RESOLUTION

UPPER PENINSULA INTEROPERABLE COMMUNICATIONS PROPOSAL

WHEREAS, the Marquette County Board of Commissioners recognizes the importance of providing Interoperable Communications between all Public Safety Agencies within the County for the safety and well being of its residents; and

WHEREAS, the Marquette County Board of Commissioners also recognizes the need to extend those Interoperable Communications capabilities between Marquette County and its neighboring counties; and

WHEREAS, the Upper Peninsula Interoperable Communications Consortium has been established to obtain grants, earmarks, or other funding opportunities towards the purchase of communications equipment.

THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners supports the purpose and intent of the Upper Peninsula Interoperable Communications Consortium; and

BE IT FURTHER RESOLVED that Marquette County shall be a Participating County in the Upper Peninsula Interoperable Communications Consortium; and

BE IT FURTHER RESOLVED that the Board Chairman shall be authorized to sign the Upper Peninsula Interoperable Communications Consortium Agreement; and

BE IT FURTHER RESOLVED that Joseph VanOosterhout, Central Dispatch Manager, shall be the County Representative to the Consortium's Oversight Committee.

*Adopted this 21st day of September, 2004
Harvey Wallace, Vice-Chairperson
Marquette County Board of Commissioners*

10c) Committee of the Whole Recommendation to authorize acceptance of the State Homeland Security Grant Agreement.

10d) Committee of the Whole Recommendation to approve the Central Dispatch Tower Co-location Agreement with the State of Michigan.

10e) Committee of the Whole Recommendation to support the request of Chocolay Township Supervisor Greg Seppanen to consider allowing a representative from Chocolay Township to participate in the review of any proposed development that includes the connection to Silver Creek Road.

10f) Committee of the Whole Recommendation to award the Photocopier Bid to U.P. Office Equipment Systems and authorize a 3-year contract.

ACTION ITEMS (cont.)

10g) The County Board considered a Committee of the Whole Recommendation regarding termination of the County/Telkite Agreement.

Comm. Nordeen stated that Telkite has informed the County Board they have the money and will be ready to close.

It was moved by Comm. Nordeen to table the Committee of the Whole Recommendation regarding terminating the Telkite Agreement to the next Regular Meeting.

Comm. Wallace explained that the motion to table at the last meeting (9/7/04) should have been a motion to postpone.

Comm. Nordeen requested clarification. Harley Andrews, Chief Civil Counsel, explained that on 9/7/04 a motion was made to table this issue. In researching in preparation for tonight's meeting, Mr. Andrews explained that a motion to table under Roberts Rules of Order cannot have a specific date assigned to it. If a motion with a definite date is made it is considered a motion to postpone.

It was then moved by Comm. Nordeen to table the Committee of the Whole Recommendation.

A discussion followed. Comm. Wallace further explained that a motion to table must require other urgent business to be taken under consideration at the time and there is none. Harley Andrews, Chief Civil Counsel, also explained that under Roberts Rules of Order a motion to postpone would not require the presence of other urgent business.

Vice-Chairperson Wallace ruled Comm. Nordeen's motion to table out of order.

Comm. Nordeen objected to the motion being ruled out of order. He stated that the term tabled has always been used.

It was moved by Comm. Nordeen, seconded by Comm. Bergdahl and carried on role call vote 7 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Coyne, Comm. Joseph, Comm. Nordeen, Comm. Tuominen, and Comm. Wallace) to 0 Nays that the Committee of the Whole Recommendation regarding termination of the County/Telkite Agreement be postponed until the next regular County Board meeting. (October 5, 2004).

LATE ADDITIONS

11a) The County Board considered a Federal Department of Transportation Small Community Air Service Grant Resolution. In Federal Fiscal Year 2002, the Department of Transportation allocated \$20 million to be used to allow airports throughout the United States to provide funds to enhance existing air service, provide startup cost to those airports that do not have airline service, marketing, Travel Bank, provide a subsidy and/ or revenue guaranteed to new or existing airlines, etc. Staff submitted an application in mid-May and was recently selected as one of the 40 recipients, among 108 applicants, to be approved in the program for Fiscal Year 2004.

It was moved by Comm. Coyne, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board approve the following resolution adopting and approving the execution of the Federal Department of Transportation Small Community Air Service Grant.

RESOLUTION

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF THE GRANT AGREEMENT BY THE MARQUETTE COUNTY BOARD OF COMMISSIONERS OF MARQUETTE, MICHIGAN, AND THE U.S. DEPARTMENT OF TRANSPORTATION, OFFICE OF THE SECRETARY OF TRANSPORTATION, FOR THE PURPOSE OF OBTAINING FEDERAL AID FOR THE DEVELOPMENT OF PASSENGER AIR SERVICE AT SAWYER INTERNATIONAL AIRPORT, UNDER FEDERAL PROJECT AND DOCKET OST NO: 2004-17343

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

Section I. That the Board of Commissioners of Marquette County, Michigan shall enter into a Grant Agreement for the development of passenger air service at Sawyer International Airport, and that such Grant Agreement shall be as set forth hereinafter;

Section II. That the Chairperson of Marquette County Board of Commissioners is hereby authorized and directed to execute said Grant Agreement on behalf of the County of Marquette, Michigan, and the County Clerk is hereby authorized and directed to attest said execution:

Section III. That the Grant Agreement referred to herein shall be attached.

*Adopted this 21st day of September, 2004
Harvey Wallace, Vice-Chairperson
Marquette County Board of Commissioners*

11b) The County Board considered the Marquette County/West Branch Township Fitness Center Loan and Full Faith and Credit issue. Commissioners discussed a memo from Bonnie L. Hoff, Attorney for West Branch Township, and a memo from Harley Andrews, Chief Civil Counsel, regarding the Marquette County/West Branch Township Fitness Center Loan and Full Faith and Credit issue. The memo from Ms. Hoff states that West Branch Township fully intends to repay its obligation to the County for the IRP loan. She explained the Township has already evidenced that intention through at least two unanimous motions. She is asking the County Board for consideration of a resolution as evidence of the Township's good faith intention to repay the loan.

Harley Andrews, Chief Civil Counsel, provided Commissioners background information and an explanation of the Full Faith and Credit issue and what they are requiring from the Township as a condition of the Loan. He explained that the County requires 1) An opinion from the Township Attorney that the Township in fact has the legal authority to borrow this money, and citations to the legal authorities upon which that opinion is based; 2) An opinion from the Township Attorney that the Township may pledge its full faith and credit, including its taxing authority, to the repayment of this loan, and citations to the legal authorities upon which that opinion is based; and 3) A certification signed by the Township Attorney and the Township Supervisor that the Township has in fact taken all necessary and required steps to pledge its full faith and credit, including its taxing authority, to the repayment of this loan, including copies of all motions, resolutions, or other actions taken by the Township Board in this regard. He explained that this requested documentation is similar to, but not as formal as that which would be required if the Township were borrowing money through the issuance of general obligation bonds.

Karen Anderson, Executive Director, Sawyer Operations Authority, is requesting the County Board waive this requirement and accept the resolution provided of the Township's good faith intention to repay the loan.

It was moved by Comm. Cihak, seconded by Comm. Tuominen, to postpone the Fitness Center Full Faith and Credit issue to give the Township time to provide the requirements as explained by Civil Counsel until the September 28, 2004 Committee of the Whole meeting.

Comm. Nordeen stated that the Township should be able to do what the County is asking. Commissioner consensus is to wait for West Branch Township to provide the required documents as recommended by Harley Andrews, Chief Civil Counsel. Motion withdrawn.

Vice-Chairperson Wallace opened the meeting for public comment.

Phyllis Loonsfoot, City of Marquette, addressed the County Board regarding the 2004 and 2005 budget. She spoke regarding public safety and road patrol. She also stated that our Township, City, County, and State Law Enforcement Departments are already stretched too thin.

Bob Struck, Executive Director, UP EMS Corp., invited all County Commissioners to attend the 23rd Annual EMS Conference. He stated there are many community safety activities and encouraged the County Board to attend. The conference is scheduled for Thursday, Friday, Saturday and Sunday, September 30th through October 3rd, 2004.

There being no further public comment, Vice-Chairperson Wallace closed this portion of the meeting.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Nordeen requested a Budget Work Session at the next meeting.

There being no further business to come before the County Board, the meeting adjourned at 7:55 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk