
The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, January 27, 2004, 6:00 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

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

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on January 13, 2004 be approved.

Chairperson Corkin opened the meeting for public comment. James Gallant, Skandia, addressed the Committee regarding the Friend of the Court Advisory Committee.

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

It was moved by Comm. Bergdahl, seconded by Comm. Nordeen, and unanimously carried by voice vote that the agenda be approved as presented.

It was moved by Comm. Joseph, seconded by Comm. Wallace, and unanimously carried by voice vote that Claims and Accounts for the period January 16, 2004 through January 22, 2004 in the amount of \$706,662.13 and biweekly payroll for the period ending January 17, 2004, in the amount of \$562,543.34 be approved.

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The Committee of the Whole considered the City of Negaunee Development and Tax Increment Financing Plan. Mr. William Taggart, board member from the Negaunee Downtown Development Authority, addressed the Committee regarding plans to improve Negaunee. The Negaunee Downtown Development Authority has submitted to the Negaunee City Council a Development and Tax Increment Financing Plan. The development area includes the Jackson Pit, the downtown district, Teal Lake Avenue, and the commercial area on U. S. 41 extending east and west through the city. The Authority's mission is to prevent further deterioration in the business district, create and implement development plans, promote economic growth, and devise a method using tax increment revenues to make needed public improvements in the area. The Negaunee City Council endorses the Development Authority's plans. Mr. Taggart is looking for support from the County Board for the Development Plan.

It was moved by Comm. Nordeen, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board send a letter of support of the Negaunee Downtown Development Authority's Development and Tax Increment Financing Plan to the City of Negaunee.

The Committee discussed various Pioneer Square Lease issues. Civil Counsel Harley Andrews provided a memo discussing assignment of the lease and lump sum payment of the lease. Commissioners had further questions regarding ownership of Pioneer Square L.C. and other questions which Civil Counsel Harley Andrews will research and respond to the Board.

It was moved by Comm. Wallace, seconded by Comm. Bergdahl, and carried by voice vote 8 Ayes to 1 Nay (Comm. Nordeen) that the information be accepted for filing.

The Committee considered appointments for the Friend of the Court Advisory Committee.

It was moved by Comm. Nordeen, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the appointments for the Friend of the Court Advisory Committee be handled at the next County Board meeting.

The Committee of the Whole considered the County Junk Yard and Junk Vehicle Ordinance. Civil Counsel Harley Andrews reviewed the ordinance. It is Counsel's opinion that there is no state statute specifically authorizing counties to adopt and enforce ordinance relating to junk yards and junk vehicles. The adoption and enforcement of any such County ordinance would interfere with the local affairs of the cities and townships within the County. Whether or not to adopt a junk or junk vehicle ordinance, and the content thereof,

are matters of local choice, to be exercised or not by the cities and townships themselves. Civil Counsel feels the ordinance exceeds the ordinance authority of the County and is invalid and unenforceable. Earl Robinson, Supervisor of Skandia Township, Cliff Jasper, Beautification Committee Member for Skandia Township, and Raymond Gregory, attorney for Skandia Township, all addressed the Committee. Skandia Township, who relies on the ordinance and on the Sheriff's Department for enforcement, do not want to see the ordinance repealed.

It was moved by Comm. Joseph, seconded by Comm. Cihak, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board bring the ordinance to the Marquette County Township Association's next meeting for their input before making a final decision on whether or not to repeal the ordinance.

The Committee of the Whole considered comments from Suzanne Curry, attorney for Pioneer Square, L.C. Ms. Curry addressed the Committee regarding the Pioneer Square Lease. She advised that the County is currently past due on the rent payment for January. As the County is currently occupying the building, payments should be made. Pioneer Square L. C., while not currently intending to do so, could pursue legal avenues to recover the rent payment. She would request that the County make the rent payment.

It was moved by Comm. Cihak, seconded by Comm. Nordeen, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board pay the January and February rent payments for Pioneer Square to Pioneer Square L.C.

Chairperson Corkin opened the meeting for public comment. Mike Quayle, Marquette, addressed the Committee of the Whole regarding the Sheriff's Department and their services, the lease with Pioneer Square L.C., and a Freedom of Information Request regarding the election of the County Board chair which was denied and which he is appealing.

James Gallant, Skandia, addressed the Committee regarding the Friend of the Court Advisory Committee.

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

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Corkin advised that he had attended a meeting with UPPCO which was very productive. A summary will be in the Commissioners mailboxes.

Comm. Cihak advised that he had attended a recent MAC Judicial and Public Safety Committee meeting where it was discussed that the Department of Corrections is running out of space to house prisoners. Other Michigan counties have done resolutions regarding overcrowding, and Marquette County may want to join in.

Comm. Joseph advised that Comm. Tuominen is feeling much better and may return to meetings in the next week or two.

There being no further business the meeting was adjourned at approximately 7:45 P.M.

Respectfully submitted,

Laurie A. Skytta
Marquette Deputy County Clerk