

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, December 20, 2005, at 6:30 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. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, 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. Pellow, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on December 6, 2005 be approved.

Chairperson Corkin read the following Resolutions honoring Patricia A. Frazier, Susan E. Gagnon, and Mary E. Spratto on their retirement from Marquette County:

*MARQUETTE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
HONORING PATRICIA A. FRAZIER  
ON HER RETIREMENT*

*WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and*

*WHEREAS, quality services can only be provided by employees of the highest caliber; and*

*WHEREAS, Patricia A. Frazier was hired on July 1, 1976 as a Court Recorder/Clerk in the Probate Court; and*

*WHEREAS, Patricia A. Frazier was promoted to the position of Deputy Register of Probate on March 26, 1982 and then to Probate Register on August 18, 1986; and*

*WHEREAS, Patricia A. Frazier will retire on December 30, 2005 after dedicating 29 years and six months of service to Marquette County,*

*THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Patricia A. Frazier for her 29 years and six months of excellent service; and*

*BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board wishes Patricia (Trish) and her husband Robert a long, healthy, and happy retirement.*

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**MARQUETTE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
HONORING SUSAN E. GAGNON  
ON HER RETIREMENT**

*WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and*

*WHEREAS, quality services can only be provided by employees of the highest caliber; and*

*WHEREAS, Susan E. Gagnon was hired on April 22, 1983 as an irregular part-time Deputy at the Marquette County Jail; and*

*WHEREAS, Susan E. Gagnon was hired as a part-time Jail Services Officer in addition to part-time Deputy on August 8, 1985 and was hired as a full-time Jail Services Officer on July 6, 1989; and*

*WHEREAS, Susan E. Gagnon will retire on December 30, 2005 after dedicating 22 years of service to Marquette County,*

*THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Susan E. Gagnon for her 22 years of excellent service; and*

*BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board wishes Susan and her husband Edward a long, healthy, and happy retirement.*

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**MARQUETTE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
HONORING MARY E. SPRATTO  
ON HER RETIREMENT**

*WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and*

*WHEREAS, quality services can only be provided by employees of the highest caliber; and*

*WHEREAS, Mary E. Spratto was hired on January 3, 1990 as an Account Clerk II in the Friend of the Court Office; and*

*WHEREAS, Mary E. Spratto was awarded the position of Accounts Payable – Finance in the Accounting/Finance Office on March 26, 1996; and*

*WHEREAS, Mary E. Spratto will retire on December 16, 2005 after dedicating 15 years and 11 ½ months of service to Marquette County,*

*THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Mary E. Spratto for her 15 years and 11 ½ months of excellent service; and*

*BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board wishes Mary and her husband Bart a long, healthy, and happy retirement.*

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Chairperson Corkin opened the meeting for public comment.

Richard Hendricksen, Marquette and Big Bay, Michigan, was present and addressed the County Board regarding Sulfide Mining. He offered a copy of his written comments. The comments included the record of written public opinion regarding Sulfide Mining Rules. He stated that his comments consist of two main components, essays and notes. Also included are his written comments regarding the Rules and a conclusion. He thanked the County Board for the opportunity to present these comments.

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

It was moved by Comm. Arsenault, seconded by Comm. Joseph and unanimously carried by voice vote that Claims and Accounts for the period December 10, 2005 through December 16, 2005 in the amount of \$332,338.25 be approved.

It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the Agenda be approved with the following additions: Item 8) Privileged Comment – Health Department Award, and Late Addition Item 11a) Sawyer Roads, Deed and Easement.

**PRIVILEGED COMMENT**

Comm. Wallace presented the County Board with an award received by the Marquette County Health Department last August during the Premier Michigan Public Health Conference in Grand Rapids, Michigan. Comm. Wallace explained that this award was from the Director of the Michigan Department of Community Health for Outstanding Projects in the Area of Community Health. The Marquette County Health Department was awarded the top prize for its efforts in reducing the rates of smoking by adults in this County. He explained that it has been documented by the Center for Disease Control in Atlanta, Georgia that Marquette County is the County with the lowest rate of adult smoking. The rate of adult smoking in Marquette County is down to 19 percent. Statewide it is between 20 and 25 percent. He further explained that this award was due to the work of the Tobacco Coalition headed by Jim Harrington. Mr. Harrington could not accept the award. The award was accepted on behalf of the County by Comm. Wallace, Dr. Johnson, and George Sedlacek, the Director of Health Education in this division. Also, along with the award is a traveling trophy which will reside at the Marquette County Health Department. The award presented to Marquette County will remain in the Courthouse.

**INFORMATIONAL ITEMS**

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

- a. Keweenaw Bay Indian Community 2% Funding Distribution.
- b. Sault Ste. Marie Tribe of Chippewa Indians 2% Funding Distribution.

Comm. Wallace, on behalf of the Board of Health, voiced his appreciation for the support of both the Keweenaw Bay Indian Community and the Sault Ste. Marie Tribe of Chippewa Indians. He stated that the Board of Health serves many members of the Tribe both children and adults.

**ACTION ITEMS**

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

10a) Committee of the Whole Recommendation to award the bid for the Police Administrative Detective Vehicle to Frei Chevrolet of Marquette for a total price of \$16,582.00.

10b) Committee of the Whole Recommendation to award the bid for the General Utility Vehicle to Town & Country Sales, Quinnesec, Michigan in the amount of \$28,167.00.

10c) Committee of the Whole Recommendation to award the bid for the two General Police Patrol Vehicles to Frei Chevrolet of Marquette in the amount of \$32,060.00.

10d) Committee of the Whole Recommendation to send a follow-up letter to our Legislators regarding the reduction in the rate of reimbursement of Child Support administrative expenses.

10e) Committee of the Whole Recommendation to send the following Resolution to the MDEQ and proceed with implementation discussions with the MDEQ, Operators, and affected Townships:

*RESOLUTION SUPPORTING  
MINING ADVANCEMENT AND RECLAMATION BOARD*

*WHEREAS, Marquette County is blessed with an exceptional natural environment and valuable and abundant mineral resources; and,*

*WHEREAS, the County of Marquette and its residents have the greatest stake in assuring that any extraction of those mineral resources is carried out with the utmost care and consideration for the protection of the natural environment, and in assuring that no irreparable harm results from such extraction activities; and,*

*WHEREAS, the legislature has enacted statutes to regulate mining, and the state Department of Environmental Quality (MDEQ) is in the process of promulgating administrative rules by which it will carry out its responsibility to implement and enforce those statutes; and,*

*WHEREAS, once extraction activities begin, constant monitoring and oversight will be required to ensure that air, water, and other public resources are protected as required by the statutes and administrative rules; and,*

*WHEREAS, because of severe budget constraints and staff reductions in all departments of the State of Michigan, including the MDEQ, the County of Marquette has significant concerns about the ability of the MDEQ to devote adequate personnel resources and time to the monitoring and oversight activities necessary to assure adequate environmental protection from the hazards inherent in mineral extraction activities; and,*

*WHEREAS, mine exploration planning has included community advisory groups, public forums, and other worthy methods to identify environmental and other issues, to examine and seek resolution of those issues, and to inform and educate; and,*

*Minutes are Subject to Correction and Approval*

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*WHEREAS, the Marquette County Board of Commissioners believes that the County and its citizens, as primary stakeholders in the protection of their environment, should have a continuing role in monitoring mineral extraction activities:*

*NOW, THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners intends to establish of a local Mining Advancement and Reclamation Board ("MARB"), to consist of representatives of local units of government, operators, and the MDEQ, with the activities of the MARB to be funded by fees imposed on the minerals extracted from Marquette County, and with the County to be the designated custodian of such funds;*

*BE IT FURTHER RESOLVED that the MARB shall have no authority to impose regulations or requirements on mineral extraction activities, but that the authority of the MARB shall include, but not necessarily be limited to, the following:*

- 1. Providing a forum for discussion of issues of concern from the operators, the local governments, the MDEQ, and the general public;*
- 2. Monitoring the enforcement of compliance with the statutes, rules and regulations applicable to mineral extraction activities, and advising the operators, the MDEQ, and the general public of its findings and concerns;*
- 3. Continuing and encouraging the open and constructive exchange of information between the operators, the MDEQ, and the general public regarding mineral extraction activities and impacts;*
- 4. Reviewing and commenting on plans for mine expansions, mitigation and reclamation and reviewing and commenting on rules, laws, and future modifications pertaining to expansion, mitigation and reclamation;*
- 5. Such other activities as may serve to enhance cooperation and information exchange between all parties and stakeholders having an interest in the protection of the environment from potential damage resulting from mineral extraction activities.*

*Adopted this 20th day of December, 2005  
Gerald O. Corkin, Chairman  
Marquette County Board of Commissioners*

**ACTION ITEMS CONTINUED**

**APPOINTMENTS TO VARIOUS COUNTY BOARDS AND COMMISSIONS:**

10f) It was moved by Comm. Joseph, seconded by Comm. Heikkila, and unanimously carried by voice vote that the application received from Gary Moe, Gwinn, Michigan, be accepted and included in the appointment process.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the following individuals be appointed to various County Boards and Commissions:

**CENTRAL DISPATCH POLICY BOARD**

*Six Vacancies – 3-Year Terms Ending 12-31-08*

- 2 Township Officials
  - Wayne Johnson, Negaunee Township
  - Rickey Wilson, Sands Township
- 1 Marquette City Designee
  - Susan Tillison
- 1 EMS Representative
  - \*Lyn Nelson
- 1 Fire Department Representative
  - \*Ron Demarse, Marquette Township
- 1 State Police (MCLEAA) Representative
  - \*Robert F. Pernaski

**COMMISSION ON AGING**

*4 Vacancies – 3-Year Terms Ending 12-31-08*

- 1 Ishpeming City Designee
  - \*John Korhonen
- 1 Marquette City Designee (*Marquette City requests a one month extension for their recommendation*)
- 1 Negaunee City Designee
  - \*Dave Johnson
- 1 Twp. Assoc. Designee
  - \*Dave Bleau, Ely Township

**BUILDING CODE BOARD OF APPEALS**

*Two Vacancies – 2-Year Terms Ending 12-31-07*

- \*Bryan Johnson, Ishpeming Township
- \*Walter Maki, Skandia Township

**COMMUNITY CORRECTIONS ADVISORY BOARD**

*12 Vacancies – 2-Year Terms Ending 12-31-07*

- 1 District Court Designee
  - Mary L. Mantyla
- 1 Sheriff's Designee
  - Capt. Gregg Gustafson
- 1 Probation/Parole
  - \*Robert DeCamp
- 1 Prosecuting Attorney
  - \*Gary L. Walker
- 1 Circuit Court Judge
  - John Weber
- 1 Probate Court Designee
  - Gary Dalton
- 1 Police Chief
  - \*Greg Zyburt, Marquette
- 1 Media

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\*Steve Asplund, Negaunee City

1 Business

\*Ray Gregory, Marquette

1 Criminal Defense Attorney

\*Timothy C. Quinnell

1 Community Alternative Program

\*Bruce Suardini

**ECONOMIC DEVELOPMENT CORPORATION OF MARQUETTE COUNTY**

*One Vacancy – 6-Year Term Ending 12-31-2011*

1 Manufacturing

\*Joe Pietro, Forsyth Township

**REMONUMENTATION PEER GROUP**

*One Vacancy – 3-Year Term Ending 12-31-08*

Licensed Surveyor - Private Sector

\*Michael Mileski, Marquette

**\*Incumbents**

The County Board, by roll call balloting, appointed the following individuals to various Boards and Commissions:

**BOARD OF HEALTH**

*Two Vacancies – 3-Year Terms Ending 12-31-08*

Dale A. Moilanen, Forsyth Township

\*Karlyn Rapport, Marquette City

**PLANNING COMMISSION**

*Two Vacancies –*

*One 3-Year Term Ending 12-31-08 –*

\*Mike Touchinski, Marquette City

*One Unexpired 3-Year Term Ending 12-31-06*

Donald D. Kristola, West Branch Township

**COMMISSION ON AGING**

*3 Vacancies – 3-Year Terms Ending 12-31-08*

2 Seniors

Jerry Irby, Marquette City

Karen R. Perttunen, Chocolay Township

1 Expert/Interested Citizen

\*Lyle Trombley, Chocolay Township

**MARQUETTE COUNTY TRANSIT AUTHORITY**

*Three Vacancies – 3-Year Terms Ending 12-31-08*

1 Ishpeming City

Allen F. Kutchie, Ishpeming City

1 Marquette City

Dan Dallas

1 Township Association

\*James Nankervis, Ishpeming Township

**COMMUNITY CORRECTIONS ADVISORY BOARD**

1 Citizen at Large  
Pete Mackin, Chocolay Township

**ECONOMIC DEVELOPMENT CORPORATION OF MARQUETTE COUNTY**

***One Vacancy – 6-Year Term Ending 12-31-2011***

1 Manufacturing  
John Marshall, Marquette Township

**AIRPORT ZONING BOARD OF APPEALS**

***Two Vacancies – 3-Year Terms Ending 12-31-08***

Gary Moe, Forsyth Township  
\*Joe Pietro, Forsyth Township

**\*Incumbents**

Comm. Heikkila on behalf of the County Board thanked all applicants. He explained that the process was tough because there were so many qualified individuals. He stated how great it is to see Marquette County citizens so interested.

It was moved by Comm. Heikkila, seconded by Comm. Pellow, and unanimously carried by voice vote that a letter be sent to applicants congratulating those appointed and thanking others for their interest in applying.

**LATE ADDITIONS**

11a) The County Board considered a communication from Harley Andrews, Chief Civil Counsel, regarding Sawyer Roads, Deed and Easement. Mr. Andrews explained that the County has acquired from the Air Force title to the EDC streets and roads at Sawyer, and is prepared to convey them to the Marquette County Road Commission. As a part of that conveyance, Mr. Andrews believes it is in the best interest of the County to retain formal easement rights for the County owned water and wastewater utility infrastructure, rather than relying solely upon the customary statutory authorization for use of the public roadways for that purpose.

Mr. Andrews further explained that allowing formal easement rights for public utilities within its road rights-of-way is something the Road Commission has never before done. However, in this case, the Road Commission has agreed to allow the County to retain formal easement rights, provided that the County agrees to the obligation that the County would have if it were relying solely upon the statutory right of use. Specifically, those obligations include the following: 1) If the County ever has to dig up or otherwise damage the improved roadway in the process of serving its water or wastewater infrastructure, it will be the responsibility of the County, at its own expense, to restore the damage to the then current standards of the Road Commission; and 2) If, because of some future (but currently unforeseen) road project of the Road Commission, it were to become necessary to relocate any of the water or wastewater infrastructure, the County and the Road Commission would share equally the cost of such relocation.

Mr. Andrews stated the County would have these obligations in any event if it did not retain the formal easement rights, so they represent no disadvantage to the County, especially since this will result in the County retaining formal easement rights.

It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve the conveyance of the EDC road rights-of-way to the Marquette County Road Commission subject to the retention of formal easement rights for the County owned water and

wastewater utility infrastructure, upon the terms and conditions outlined, and that the Board Chair be authorized to execute the necessary documents.

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

**COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS**

Commissioners and Staff wished all a Merry Christmas and a Happy New Year, Happy Hanukkah and Peace to All.

Comm. Heikkila announced he attended a planning course conducted by the Michigan State Extension Service. He explained it was a seven week course, a great seminar, and recommends it to all involved in planning.

There being no further business to come before the County Board the meeting adjourned at approximately 7:10 P.M.

Respectfully Submitted,

Connie M. Branam  
Marquette County Clerk