

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, December 6, 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. Bergdahl, Comm. Cihak, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and excused: Comm. Arsenault and Comm. Heikkala.

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

It was moved by Comm. Pellow, seconded by Comm. Joseph, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on November 15, 2005 be approved.

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

It was moved by Comm. Wallace, seconded by Comm. Cihak, and carried by voice vote 6 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 1 Abstention (Comm. Joseph) that Claims and Accounts for the period November 18, 2005 through November 30, 2005 in the amount of \$471,357.65 including Check No. 068507 in the amount of \$75.00 made payable to Josephs (Affidavit of Disclosure follows), and bi-weekly payroll for the period ending November 19, 2005 in the amount of \$310,117.02 be approved.

**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 December 6, 2005, meeting of the County Board of Commissioners includes Check No. 068507, dated November 30, 2005, payable to Joseph's in the amount of \$75.00, in payment for Veteran Theodore Bell.

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 \$75.00.

Dated this 6<sup>th</sup> day of December, 2005.

/S/

\_\_\_\_\_  
Nick Joseph

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

**INFORMATIONAL ITEMS**

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

- a. ABEC Energy and Environment News.
- b. Thank You Memo from the Office of the Governor regarding Collaborative Efforts of the Michigan State Police and the Department of Information and Technology.
- c. NMU/Midwest Skills Development Center Open House – December 15, 2005.
- d. Invitation to MCTA Annual Christmas Potluck.
- e. Thank You Memo from U.S. Senator Carl Levin regarding Domestic Violence.

**ACTION ITEMS**

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

10a) Committee of the Whole Recommendation to award a 5-year Engineering Services Agreement to Mead & Hunt, with an option of 5-year renewal, and authorize the Board Chairperson to sign the Agreement after review by Civil Counsel.

10b) Committee of the Whole Recommendation to send the following Resolution to our local legislators, with copies to local cities and townships and other U.P. Counties, to maintain local Emergency Medical Support Services via Upper Peninsula Emergency Medical Services (UP-EMS) as presently located in the County rather than centralize these services in Lansing.

**RESOLUTION  
IN SUPPORT OF UP-EMS**

*The Michigan Department of Community Health’s EMS Office will not renew the UP-EMS Contract effective February 28, 2006. MDCH in Lansing plans to hire 6-8 people to perform the duties currently being provided by UP-EMS and the Kalamazoo-based SWM Systems: (EMS exams, EMS vehicle/operations inspections, EMS education program review and approval.) MDCH states that these functions would be better handled through the Lansing Office.*

*WHEREAS, UP-EMS is a public non-profit organization established in 1976 for the purpose of developing, promoting, and coordinating emergency medical services in the Upper Peninsula of Michigan; and*

*Minutes are Subject to Correction and Approval*

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*WHEREAS, UP-EMS interacts with communities, EMS organizations, EMS personnel, hospitals, and related health care groups to maintain an informal support network for emergency medical services; and*

*WHEREAS, UP-EMS and SWM Systems have performed these functions for over 20 years, and have established a state-wide system of efficiently providing quality services, information and support. In recent years MDCH has severely reduced UP-EMS contract funding, which has impeded the ability to meet the needs of local EMS development; and*

*WHEREAS, UP-EMS would lose its ability to support EMS development in Michigan's rural areas, in addition to losing MDCH contract duties, other UP-EMS services would be jeopardized: Annual UP-EMS Conference, local EMS workshops, training loan center, support services, informational mailings, and other activities which have helped rural EMS for the past 25 year; and*

*WHEREAS, the decision to eliminate UP-EMS and SWM Systems would likely cause close of operations. This would have a serious impact on Michigan's EMS system, and would be a considerable setback for rural EMS providers; and*

*WHEREAS, the UP-EMS is a leading advocate for rural emergency medical care, and works cooperatively with Northern Michigan, Northern Wisconsin, and other rural areas to improve the EMS system;*

*NOW THEREFORE, BE IT FURTHER RESOLVED, that the Marquette County Board of Commissioners requests Governor Granholm and our Local Legislators to support the UP-EMS and SWM Systems maintaining local emergency support services as presently located in Marquette County rather than centralize these services in Lansing; and*

*BE IT FURTHER RESOLVED, that copies of this Resolution be sent to all local Cities, Townships and other U.P. Counties.*

*Adopted this 6<sup>th</sup> day of December, 2005  
Gerald O. Corkin, Chairperson  
Marquette County Board of Commissioners*

10c) Committee of the Whole Recommendation to support pending legislation to allow up to five elected or appointed members to Road Commission Boards, and encourage the Marquette County Road Commission Board to follow suit.

10d) Committee of the Whole Recommendation to adopt the Marquette County Social Security Number Privacy Act Policy.

**ACTION ITEMS CONTINUED**

10e) The County Board considered the Michigan Public Safety Communications System (MPSCS) Tower Co-Location Agreement. Steve Powers, County Administrator, explained that the MPSCS Tower Co-Location Agreement is a standard agreement being used by the Michigan Public Safety Communications System and allows local agencies to put certain radio equipment on the State towers. Marquette County has already moved its equipment to 5 state towers. This is part of the VHF Reconfiguration Project that has been

worked on for the past couple of years. He explained that the term of the Agreement is 10 years with no cost to Marquette County.

It was moved by Comm. Wallace, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve the MPSCS Tower Co-Location Agreement.

10f) The County Board considered a request to comment on Draft Rules on Non-Ferrous Metallic Mining. At the November 15, 2005 Board Meeting Commissioners requested Harley Andrews, Chief Civil Counsel, to review materials presented by Ms. Michelle Halley, an attorney representing the National Wildlife Federation regarding concerns of that organization relating to the proposed Non-Ferrous Metallic Mineral Mining Administrative Rules currently being developed by the MDEQ.

Mr. Andrews has reviewed the materials provided by Ms. Halley and presented an explanation to Commissioners.

James Sodergren, Retired County Treasurer, was present and explained that he attended the hearing on the proposed rules at Northern Michigan University and presented a Draft Resolution addressing various concerns. He stated that socio-economic, environmental and reclamation/redevelopment concerns need to be addressed; establishment of a local board consisting of representatives of local units of government, operators, and the MDEQ to monitor, administer, and enforce the rules and regulations, encourage open and constructive exchange of information; and impose fees on the metals extracted from Marquette County with the County Treasurer appointed custodian of the funds. Mr. Sodergren requests the County Board adopt a similar resolution to be sent to the DEQ before December 15, 2005; and further to request support from all U.P. County Board's.

Jim Kippola, Manager of Planning, was present and stated that he also attended the hearing at Northern. He supports some of the concerns raised by Mr. Sodergren and those listed by Ms. Halley. Mr. Kippola strongly supports a socio-economic impact study to determine County-wide impacts, especially those not regulated by the DEQ. He further explained that Planning Staff supports other concerns raised at the hearing.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board send the concerns listed by Ms. Halley and the comments by Mr. Kippola to the DEQ for consideration in drafting the Rules before the deadline of December 19, 2005.

It was moved by Comm. Joseph, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board direct Steve Powers, County Administrator, to draft a similar Resolution incorporating concerns raised by Mr. Sodergren and Mr. Kippola, to be presented to the Committee of the Whole Meeting for approval on December 13, 2005, and forwarded to the DEQ by December 19, 2005.

10g) It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board place into nomination the following applicants for various County Boards and Commissions and leave nominations open until December 13, 2005 with appointments being made at the County Board's December 20, 2005 meeting:

***2005 APPLICANTS TO VARIOUS BOARDS AND COMMISSIONS***

**(\*Incumbant)**

**BOARD OF HEALTH**

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

Colin D. Irish, D.O., Marquette Township

Carol Margriff, Chocoley Township

Dale A. Moilanen, Forsyth Township

\*Karlyn Rapport, Marquette City

**PLANNING COMMISSION**

***Two Vacancies – One 3-Year Term Ending 12-31-08 – One Unexpired 3-Year Term Ending 12-31-06***

- Carol E. Huempfer, Marquette Township
- Donald D. Kristola, West Branch Township
- Harold (Hal) Pawley, Chocolay Township
- \*Mike Touchinski, Marquette City

**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**

***7 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
- 2 Seniors
  - Carol E. Huempfer, Marquette Township
  - Jerry Irby, Marquette City
  - Karen R. Perttunen, Chocolay Township
  - Pauline A. Popko, Marquette
- 1 Expert/Interested Citizen
  - Mike Bennett, Marquette City
  - \*Lyle Trombley, Chocolay Township

**BUILDING CODE BOARD OF APPEALS**

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

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

**MARQUETTE COUNTY TRANSIT AUTHORITY**

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

- 1 Ishpeming City
  - John Korhonen, Ishpeming City
  - Allen F. Kutchie, Ishpeming City
- 1 Marquette City
  - Dan Dallas
  - Gordon Peterson
- 1 Township Association
  - Vincent E. Bevins, Powell Township
  - \*James Nankervis, Ishpeming 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
  - \*Steve Asplund, Negaunee City
- 1 Business
  - \*Ray Gregory, Marquette
- 1 Citizen at Large
  - Emily A. Coyne, Marquette City
  - Michael J. Crowley, Marquette City
  - Pete Mackin, Chocolay Township
- 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

**AIRPORT ZONING BOARD OF APPEALS**

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

Donald D. Kristola, West Branch Township  
\*Joe Pietro, Forsyth Township  
Les Thatcher, West Branch Township

**REMONUMENTATION PEER GROUP**

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

Licensed Surveyor - Private Sector

\*Michael Mileski, Marquette

Chairperson Corkin opened the meeting for public comment.

Jim Sodergren, Former Marquette County Treasurer, thanked the County Board for the support of his Draft Resolution.

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

Comm. Struck thanked the County Board for their support of the UP-EMS Resolution.

Chairperson Corkin commented regarding legislation on appointed members to Road Commission Boards.

It was moved by Comm. Bergdahl, seconded by Comm. Pellow and unanimously carried on a roll call vote 7 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 0 Nays that the County Board go into closed session to discuss Pioneer Square Litigation.

At 7:15 P.M. Chairperson Corkin declared a 5-minute recess to clear Commission Chambers.

.....CLOSED SESSION.....

The County Board came back into open session at 7:35 P.M.

It was moved by Comm. Wallace, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the County Board authorize Counsel Fosmire to proceed with preparation of Motions and prepare for litigation regarding Pioneer Square Litigation.

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

There being no further business to come before the County Board the meeting adjourned at approximately 7:40 P.M.

Respectfully Submitted,

Connie M. Branam  
Marquette County Clerk