

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, October 4, 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. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and excused: Comm. Bergdahl.

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 September 20, 2005 be approved.

PROCLAMATIONS, PRESENTATIONS, AND AWARDS

Chairperson Corkin read the following Certificate of Proclamation declaring October 7, 2005 as RSVP Day:

CERTIFICATE OF PROCLAMATION

*On behalf of the citizens of Marquette County, I Gerald O. Corkin, Chairperson, Marquette County Board of Commissioners,
hereby proclaim October 7, 2005 as
RSVP DAY*

WHEREAS, The Retired and Senior Volunteer Programs (RSVP) of Michigan provide challenging and meaningful volunteer opportunities for adults 55 years and older; and,

WHEREAS, Volunteer service is a proven health prevention strategy for older adults; and,

WHEREAS, Michigan citizens benefit from 22 RSVP projects that serve 40 Michigan counties; and,

WHEREAS, RSVP volunteers partner with non-profit agencies to meet a variety of human and community needs, touching all generations; and,

WHEREAS, Statewide, there are approximately 10,000 RSVP volunteers at work throughout Michigan communities, making a positive difference in areas such as literacy, truancy, the environment, health care, and arts and culture; and,

WHEREAS, The significant service of RSVP volunteers has re-enforced the strength and future of the residents and local communities of the great State of Michigan and the County of Marquette;

NOW THEREFORE BE IT RESOLVED, that I, Gerald O. Corkin, Chairperson, Marquette County Board of Commissioners, do hereby proclaim October 7, 2005, as RSVP Day in Michigan.

*Adopted this 4th day of October, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

Chairperson Corkin opened the meeting for public comment.

Phyllis Loonsfoot, representing Harbor House, spoke on behalf of VAWA (Violence Against Women Act). Ms. Loonsfoot explained that she is seeking urgent action regarding the expiration of the VAWA funding. She also read a letter to the County Board directed to Governor Granholm regarding domestic violence. Ms. Loonsfoot further explained that October is Domestic Violence Awareness Month. She is requesting the County Board support the continued funding of VAWA.

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

It was moved by Comm. Joseph, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period September 23, 2005 through September 29, 2005 in the amount of \$111,554.94, and bi-weekly payroll for the period ending September 24, 2005 in the amount of \$581,517.61 be approved.

It was moved by Comm. Wallace, seconded by Comm. Cihak, and unanimously carried by voice vote that the Agenda be approved with the addition of Item 9b) March on Washington Street regarding Domestic Violence.

INFORMATIONAL ITEMS

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

- a. Marquette County Conservation District's 50th Anniversary Celebration, Annual Meeting, and Election of Officers.
- b. March on Washington Street regarding Domestic Violence.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve a resolution supporting the re-enactment of VAWA.

Comm. Arsenault explained that domestic violence issues are close to his heart. He encouraged everyone to support Domestic Violence Awareness.

ACTION ITEMS

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

10a) Committee of the Whole Recommendation to adopt the following Resolution Opposing House Bill 5124 "An act to facilitate the inspection and reproduction of the records and files in the offices of the Register of Deeds."

MARQUETTE COUNTY BOARD OF COMMISSIONERS

234 W. Baraga Ave.

Marquette, MI 49855

RESOLUTION OPPOSING HOUSE BILL 5124

WHEREAS, House Bill 5124 recently introduced into the Michigan legislature radically alters the intent of MCL 565 1 from facilitating methods of acquiring copies and researching records to mandating services, fees, contracts, special reports, payment dates, personal liability and legal consequences effectively removing any local governmental control, and

WHEREAS, Elected Officials have specific constitutional and statutory authority directing them to carry out the obligations of their offices requiring that public records be properly maintained and protected, and

WHEREAS, House Bill 5124 mandates access to all electronic records, regardless of sensitivity of information, and dictates fees of actual cost or not more than 4 cents per image for non- paper reproductions when the actual cost may exceed 4 cents an image, and

WHEREAS, House Bill 5124 will drastically reduce county revenue received in copy fees generated through the Register of Deeds Office by approximately 75%, and

WHEREAS, County records should not be available for private businesses to profit at public expense, and

WHEREAS, House Bill 5124 interferes with the statutory duty of elected officials to safeguard the actual records in the Register of Deeds Office by dictating the following requirements:

- Mandates that the county shall reproduce the records in the medium requested if it is available
- Requires that copies be provided within 3 business days of the date stamped on the instrument or the date of request, whichever is earlier, which means that if someone requests copies two weeks after it is recorded, the Register of Deeds Office must anticipate the request eleven days in advance and provide it to the requesting party on that date or the Register of Deeds will be in violation of the law and subject to civil action.
- Requires the electronic transfer of images on the day they are imaged.
- Prescribes how often the county can collect fees.
- Pits elected official against elected official and removes discretion of the courts for compliance and costs, and

WHEREAS, House Bill 5124 ignores national security concerns by making it mandatory to provide access to public records for any requesting party no matter where they reside or what organization they represent.

THEREFORE BE IT RESOLVED that the Marquette County Board of Commissioners expresses its strong opposition to House Bill 5124 and urges resistance against any attempts to restrict local control by mandating requirements on elected officials that result in private gain at the expense of the public, and

BE IT FURTHER RESOLVED that copies of this resolution be forwarded to Governor Jennifer Granholm, Senator Michael Prusi, Representatives Stephen F. Adamini and Rich Brown, the Michigan Association of Counties, and all other eighty-two (82) counties.

Passed by roll call vote of the Board of Commissioners at a regular meeting held on Tuesday, October 4, 2005, at the Courthouse, Marquette, MI

Gerald Corkin, Chair

Marquette County Board of Commissioners

10b) Committee of the Whole Recommendation to direct Staff to send a letter to the Road Commission requesting the Road Commission replace the bridge on Heritage Drive with an old bridge currently in their yard as a temporary solution until such time as the bridge can be replaced through the Critical Bridge Replacement List.

10c) Committee of the Whole Recommendation to oppose Senate Bill 528 – Telecommunications.

10d) Committee of the Whole Recommendation to approve two MDOT Airport Awareness Grants for Fiscal Year 2006, adopt the following Resolution, and authorize the Board Chair to sign the Agreements:

RESOLUTION

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF THE CONTRACT AGREEMENT BY THE MARQUETTE COUNTY BOARD OF COMMISSIONERS OF MARQUETTE, MICHIGAN, AND THE MICHIGAN DEPARTMENT OF TRANSPORTATION, FOR THE PURPOSE OF OBTAINING FEDERAL AND STATE AID FOR THE DEVELOPMENT OF SAWYER INTERNATIONAL AIRPORT, UNDER SPONSOR CONTRACT NO. 2005-0496.

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 Contract Agreement for the advertising and/or marketing of Sawyer International Airport, and that such Contract 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 Contract 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 Contract Agreement referred to herein shall be as attached.

*Adopted this 4th day of October, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

10e) Committee of the Whole Recommendation to oppose any changes to the DNR’s Draft ORV Plan.

10f) Committee of the Whole Recommendation to direct Staff to send a letter to all Upper Peninsula Legislators and Senator McManus expressing the County’s displeasure with the 4.5 percent reduction in PILT payments.

ACTION ITEMS CONTINUED:

10g) It was moved by Comm. Joseph, seconded by Comm. Arsenault and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Struck, Comm. Wallace and Corkin) to 1 Abstention (Comm. Pellow) to authorize the Board Chair to execute and deliver on behalf of the County the Quit Claim Deed conveying title to the 15.33 acre parcel to the Ishpeming Area Joint Wastewater Treatment Board.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Arsenault commended Administrator Steve Powers for his recent involvement at the International City/County Management Association Conference in Minneapolis, Minnesota. Mr. Powers’ presentation was called BRAC Boot Camp. He reviewed the County’s experience with redeveloping KI Sawyer, highlighting lessons learned. Comm. Arsenault stated that Administrator Powers did an excellent job.

Steve Powers, County Administrator, thanked the County Board. He also updated the Board regarding the Board of Health transition prompted by the Department’s financial condition.

Comm. Pellow questioned the status of the information requested on various County Boards and Commissions.

Chairperson Corkin opened the meeting for public comment. Phyllis Loonsfoot, representing Harbor House, thanked the County Board for support of VAWA. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Joseph, seconded by Comm. Cihak, and unanimously carried on a roll call vote 8 Ayes (Comm. Arsenault, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 0 Nays that the County Board go into Closed Session to discuss settlement and strategy in Pioneer Square Litigation.

Chairperson Corkin excused Administrator Steve Powers and Comm. Paul Arsenault. Mr. Powers and Comm. Arsenault then left the meeting.

Chairperson Corkin declared a 5 minute recess to clear Commission Chambers.

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

The County Board came back into open session.

It was moved by Comm. Wallace, seconded by Comm. Pellow to support Counsel's recommendation regarding Pioneer Square Litigation. A voice vote was recorded 3 Nays (Comm. Joseph, Comm. Struck, and Chairperson Corkin) to 4 Ayes (Comm. Cihak, Comm. Heikkila, Comm. Pellow, and Comm. Wallace). Chairperson Corkin ruled that 5 votes were needed for passage, therefore, motion failed.

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

There being no further business to become before the County Board the meeting adjourned at approximately 7:45 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk