

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, September 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. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and excused: None.

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

It was moved by Comm. Wallace, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on August 17, 2005 and the County Board of Commissioners Special Meeting held on August 26, 2005, be approved.

PROCLAMATIONS, PRESENTATIONS, AND AWARDS

Chairperson Corkin read and presented each member with the following resolution commending the Marquette County Unit 131 Rescue Technicians:

***A RESOLUTION COMMENDING MARQUETTE COUNTY
UNIT 131 RESCUE TECHNICIANS***

WHEREAS, Rescue Unit Volunteers have served the communities in Marquette County for many years by providing Technical Emergency Rescue Services to citizens living in and passing through the County; and

WHEREAS, these following individuals have done so at great personal sacrifice of their time both in response and in training to make a quality response;

- | | |
|--------------------------|------------------------|
| <i>Kevin Brouillette</i> | <i>Jeffrey Kontio</i> |
| <i>Richard Carlson</i> | <i>Dave Lemire</i> |
| <i>Edwin (Ned) Cory</i> | <i>Scott Mann</i> |
| <i>Dennis Dompierre</i> | <i>Kendell Milton</i> |
| <i>William Dupras</i> | <i>Lyn Nelson</i> |
| <i>Gerald Hebert</i> | <i>Joseph Perry</i> |
| <i>Chad Hewitt</i> | <i>Robert Pizziola</i> |
| <i>Thomas Kidd</i> | <i>David Varda</i> |
| | <i>and,</i> |

WHEREAS, these dedicated people have volunteered willingly to provide immediate Emergency Rescue Service to those in need;

NOW THEREFORE, BE IT HEREBY RESOLVED that the Marquette County Board of Commissioners hereby commends both present and past Rescue Unit Volunteers in Marquette County and extends to them their appreciation on behalf of all citizens of the County for their dedication and commitment and the invaluable service they provide.

*Adopted this 6th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

Chairperson Corkin read the following Proclamation proclaiming September 2005 as National Preparedness Month:

CERTIFICATE OF PROCLAMATION

On behalf of the citizens of Michigan, I, Governor Jennifer M. Granholm, hereby proclaim September 2005 as

National Preparedness Month

WHEREAS, September 2005 has been proclaimed as “National Preparedness Month”; and

WHEREAS, The State of Michigan is sponsoring a unique, statewide recognition and awareness program, “Family and Community Emergency Safety”, and a number of activities throughout the month; and,

WHEREAS, “National Preparedness Month” provides a welcome opportunity for the State of Michigan to work cooperatively with local jurisdictions to make citizen preparedness a priority for every person, family, and community in Michigan; and,

WHEREAS, It is essential that all citizens of the State of Michigan be aware of the importance of emergency preparedness and become more familiar with threats that may impact Michigan communities; and now there be it,

RESOLVED, That I, Jennifer M. Granholm, Governor of the State of Michigan, do hereby proclaim September 2005, as Preparedness Month in Michigan.

*Jennifer M. Granholm
Governor*

Chairperson Corkin opened the meeting for public comment.

Bill Hager, Vice President, Marquette County Fair Board, was present and thanked those County Commissioners who have shown their support both as individuals and as Commissioners for their positive comments and support of the Fair Board’s position regarding the barn issue. Mr. Hager stated that he is confident that the issue will be resolved and that the outcome will be the use of the building by 4-H Clubs and members for many years to come. Mr. Hager also commented regarding Civil Counsel and the Building Code Department.

John Bergdahl, 4-H member, Skandia, thanked Commissioners and explained that he appreciates being able to use the new barn.

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

It was moved by Comm. Pellow, seconded by Comm. Joseph, and unanimously carried by voice vote that Claims and Accounts for the period August 19, 2005 through August 31, 2005 in the amount of \$359,655.77; and bi-weekly payroll for the period ending August 27, 2005 in the amount of \$580,460.76 be approved.

It was moved by Comm. Cihak, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the Agenda be approved with the following additions: Item 8) Privileged Comment: Staff Comments regarding Hurricane Katrina; and Item 13a) Closed Session regarding Middleton v the County of Marquette.

PRIVILEGED COMMENT

Steve Powers, County Administrator, presented a response to Hurricane Katrina. He explained that Hurricane Katrina was a horrific event that struck our Nation. Marquette County is fortunate to be able to recognize our rescue unit and pass a proclamation regarding preparedness. Other parts of the country are not nearly as fortunate as we are.

Mr. Powers indicated that the State of Michigan is a member of an Emergency Management Compact and includes at least the State of Louisiana. He explained that the Governor is personally leading the efforts of the State of Michigan. What is of most need is information regarding housing. A number of evacuees are coming to Michigan, Fort Custer and possibly Camp Grayling in the Lower Peninsula. He explained that the plan is for the evacuees to remain there for 5 to 7 days and then in need of housing for up to 6 to 9 months. There is a potential for 10,000 evacuees to come to Michigan.

Theresa Schwalbach, Emergency Management Coordinator, presented Commissioners with more detail regarding the hurricane situation. She stated that the Governor has been working with 30 mayors in major cities. Marquette County has not at this point been asked for assistance regarding housing. Emergency Management has been providing the State information in case we are asked. Ms. Schwalbach explained that Sawyer was suggested and is working with Telkite to gather information. The State is looking for criteria such as cost, utilities, and pets.

Commissioners and staff engaged in a discussion regarding Hurricane Katrina. Commissioners support the efforts to do anything Marquette County can to assist with this tragedy.

INFORMATIONAL ITEMS

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

- a. Communication from State Senator Michael A. Prusi regarding Speed Limit in Champion Township.

ACTION ITEMS

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

10a) Committee of the Whole Recommendation to approve the FY2005 Homeland Security Grant Program Agreement.

10b) Committee of the Whole Recommendation to award the Runway Sweeper Purchase Bid to Industrial Marketing and Consulting, Gwinn, Michigan in the amount of \$196,800.

10c) Committee of the Whole Recommendation to approve the following Resolution Authorizing the Board Chair to sign the MDOT Contract Amendment – Airport Rescue and Fire Facility (ARFF).

RESOLUTION

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF THE AMENDED 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. 2003-0634 / A1.

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 development 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 6th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

10d) Committee of the Whole Recommendation to approve the following Resolution with the Michigan Department of Transportation for administration of FAA AIP 2005 Projects at Sawyer International Airport and Business Center.

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. 2005-0476

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 development 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 6th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

10f) Committee of the Whole Recommendation to support a Plan for the Jurisdictional Transfer of County Road 480 to the State of Michigan.

ACTION ITEMS CONTINUED

10e) The County Board considered a Committee of the Whole Recommendation to approve a Letter of Understanding between Marquette County and the Marquette County Road Commission. The Letter of Understanding will be a good guide for staff and boards, especially as persons involved with past cooperative efforts are no longer employed or serving.

Overall and long term, there should be a positive budget impact as the organizations work together to better serve the public. Comm. Heikkila stated that all areas should be involved including the City of Marquette, Chocolay Township, and Marquette Township. He stated this Letter of Understanding should be a community effort.

It was moved by Comm. Joseph, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation to approve the following Letter of Understanding between the County of Marquette and the Marquette County Road Commission

***LETTER OF UNDERSTANDING BETWEEN
THE COUNTY OF MARQUETTE
AND THE
MARQUETTE COUNTY ROAD COMMISSION***

This Letter of Understanding is entered into this 6th day of September, 2005, by and between the County of Marquette (hereinafter referred to as the "County") and the Marquette County Board of Road Commissioners (hereinafter referred to as the "Commission").

The Commission is a public entity that oversees, manages, maintains, and improves the county portion of the road system in Marquette County. The Commission is independent from the County, except that the Marquette County Board of Commissioners appoints the three-person Commission Board.

The Commission and the County desire that transactions be mutually beneficial and benefit the customers of each. Through cooperation, efficiencies can be realized and the cost of services reduced. The County and Commission believe in cooperative approaches to meeting goals and objectives.

When funding allows, the County has assisted the Commission with capital projects. The County has helped fund equipment and building improvements. The County has conveyed two buildings at K. I. Sawyer to the Commission at no cost.

The Commission and County provide services to support the mission and purpose of each organization. The Commission's maintenance and surveying services have been of interest and assistance to the County. The County's planning and financial management have assisted the Commission.

The Commission and County own a substantial amount of property. County surplus buildings and land have been of value to the Commission. The Commission's surplus property at the old county airport has been of value to the County.

The Commission and County intend for the County to provide assistance with planning, grant writing, and other services that the Commission and County determine are in the public's best interest, provided staff can be made available without compromising its own operations. The assistance shall be provided at no cost to the Commission.

The County and Commission intend for the Commission to provide assistance with road, property, and park maintenance; surveying, and other services that the Commission and County determine are in the public's best interest, provided staff can be made available without compromising its own operations. The assistance shall be provided at no cost to the County.

If the County and Commission determine that land, buildings, or equipment are surplus to their needs, the County and Commission will review and evaluate requests from the other party for surplus land, buildings, and equipment. If such evaluation indicates a public benefit will be gained by conveying the property to the other party, such conveyance will be made with terms and conditions, if any, that the Commission and County agree upon.

The County and Commission acknowledge each has no authority to enter into any agreements that would bind the other to any obligations or liabilities.

Annually, or upon request of the Commission or County Board, the Commission and the County shall prepare a summarized annual report of the cooperative activities and accomplishments, as well as anticipated activities for the coming year.

This Letter of Understanding shall be in place for one calendar year following the acceptance of both parties. This Letter of Understanding is renewable on an annual basis on written consent of both parties.

If this Letter of Understanding requires or permits that notice be given by either party to the other party, the notice must be in writing and must be given personally or mailed to the proper address:

For the County:

**County Administrator
234 W. Baraga
Marquette, MI 49855**

For the Commission:

**Engineer/Manager
1610 N. Second Street
Ishpeming, MI 49849**

Either the County or the Commission may cancel this Letter of Understanding by providing 60-day written notice to the other party.

This instrument contains the entire agreement between the parties, and no statements, promises or inducements made by either party that are not contained in this Letter of Understanding shall be valid or binding.

The parties have executed this Letter of Understanding on the date stated below and have affixed their signatures to this agreement.

Agreed and Accepted by:

***Robert L. Pecotte, Chairman
Marquette County Board of Road Commissioners***

***Gerald O. Corkin, Chairman
Marquette County Board of Commissioners***

10g) The County Board considered a Committee of the Whole Recommendation to Authorize Staff to Proceed with Negotiations with the Marquette County Fair Board to Resolve the Issue.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and carried by voice vote 8 Ayes to 1 Abstention (Comm. Bergdahl) that the County Board approve the Committee of the Whole Recommendation to Authorize Staff to Proceed with Negotiations with the Marquette County Fair Board to Resolve the Issue.

10h) The County Board considered a memo from Keith Kaspari, Airport Manager, regarding Contract Agreement and Resolution with MDOT. Mr. Kaspari explained that on Friday, August 26, 2005 Marquette County executed FAA Grant Agreement 3-26-0153-1705 for fiscal year 2005 MAP Projects. As a result, Marquette County will need to execute a contract agreement with the Michigan Department of Transportation.

Contract Amendment 2005-0489 includes the following projects, project cost, and breakdown of federal, state, and local funding sources:

- Interior installation and electrical service enhancements for Hangar 665 – Project Total: \$400,000.00/\$380,000.00/\$10,000.00/\$10,000.00
- Acquisition of two (2) tail stands for Hangar 664 – Project Total: *\$558,640.00/*\$530,708.00/*\$13,966.00/*\$13,966.00
- *Note: estimates pending final project statement provided by MDOT
- Water system study (design only services) – Project Total: \$50,000.00/\$47,500.00/\$1,250.00/\$1,250.00

The projects are part of Sawyer’s 3-year application for Military Airports Program Funding covering fiscal years 2004, 2005, and 2006. The financial impact to Marquette County for completion of the project will be with the use of the sale proceeds of the former Negaunee Airport.

It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve the Contract Agreement between the Michigan Department of Transportation

and Marquette County, and the following Resolutions approving the Agreements and authorizing the Board Chair to sign; and further, that the County Clerk be authorized to execute both copies of the Resolutions.

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. 2005-0489.

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 development 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 6th day of September, 2005
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners***

10i) The County Board considered a memo from Keith Kaspari, Airport Manager, regarding Notice of Bid Award (General Aviation Terminal Door). On Monday, August 29, 2005 bids were opened for building repairs associated with the roof/access door on Boreal Aviation's General Aviation Terminal. Approximately \$35,000.00 has been programmed for the repair of this building project.

Staff received two bids as follows: Premeau Construction Company of Marquette, Michigan at \$21,201.00 and Menze Construction Company, also of Marquette, Michigan at \$16,650.

In reviewing the bid documents, staff recommends the bid from Menze Construction Company of Marquette, Michigan in the amount of \$16,650. This project was bid and advertised in the Marquette *Mining Journal* and the *Michigan Contractor and Builders Magazine*. Other firms expressing interest in the work included Roy Ness Construction of Escanaba, Michigan and Closner Construction of Marquette, Michigan; however, no bids were received by these two firms.

Funding for this airport improvement project has already been approved by the Federal Aviation Administration, and recently approved FAA Grant number 3-26-0153-1805. This project is one of many identified in the FY2005 Annual AIP Entitlement Projects with a funding formula of 95% FAA, 2.5% MDOT, and 2.5% Marquette County. Marquette County's 2.5% sponsor match will be derived from the use of Sawyer's Passenger Facility Charges.

While no completion date was provided in the bidding documents, and no estimated number of days provided by Sawyer's engineering consulting firm, staff anticipates completion of the project by October 15, 2005.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve the Notice of Bid Award to Menze Construction Company of Marquette, Michigan for the general aviation terminal door and authorize the Board Chair to sign.

10j) The County Board considered a memo from Keith Kaspari, Airport Manager, regarding a Notice of Bid Award (Tail Docks). On Monday, August 29, 2005 bids were opened for equipment associated with hangar improvements for Hangar 664. The equipment is for the acquisition and installation of two (2) aircraft tail docks and two (2) engine slings for American Eagle's Regional Aircraft Maintenance Center, Inc. or RAMCI. Approximately \$600,000.00 has been programmed for the purchase of this equipment.

Staff received only one bid as follows: Advanced Ground Systems Engineering, Corp., of Santa Fee Springs, California at \$536,370. There was an error in the bid that included only one engine sling, rather than the two as originally requested by staff. Staff spoke with both FAA and MDOT program managers and received approval to include one additional engine sling priced individually at \$22,270.

Therefore, in reviewing the bid documents, and with the approval from both FAA and MDOT personnel, staff recommends the bid from Advanced Ground Systems Engineering, Corp., of Santa Fe Springs, California, in the amount of \$558,640.00 to include a second engine sling. This project was bid and advertised in the Marquette *Mining Journal*, the *Michigan Contractor and Builders Magazine*, and staff soliciting interest from businesses that manufacture this type of equipment.

Funding for this airport improvement project has already been approved by the Federal Aviation Administration, and recently approved FAA Grant No. 3-26-0153-1705. This project is one of many identified in the three-year FY2004, 2005, and 2006 Military Airports Program (MAP) application, with a funding formula of 95% FAA, 2.5% MDOT, and 2.5% Marquette County. Marquette County's 2.5% sponsor match will be from the sale proceeds of the former Marquette County Airport in Negaunee.

With a 24-week lead time, hopefully sooner, staff anticipates delivery and installation of the equipment prior to April 1, 2006.

It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve the Bid Award to Advanced Ground Systems Engineering, Corp., of Santa Fee Springs, California for two (2) tail docks and two (2) engine slings for Hangar 664 for American Eagle's Regional Aircraft Maintenance Center (RAMCI) in the amount \$558,640.00, and further the Board Chair be authorized to sign all copies of the Notice of Award.

Chairperson Corkin opened the meeting for public comment. None was forthcoming.

COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS

Comm. Pellow requested the K. I. Sawyer Water/Wastewater issue be added to a Committee of the Whole Agenda in the near future.

It was moved by Comm. Arsenault, seconded by Comm. Cihak and carried on a roll call vote 9 Ayes (Comm. Arsenault, Comm. Bergdahl, 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 pending litigation – Middleton v County of Marquette.

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. Bergdahl, seconded by Comm. Joseph, and unanimously carried by voice vote that the County Board approve the recommendation of Counsel with respect to the claim of A. Zaenglein.

There being no further business to become before the County Board the meeting adjourned at approximately 7:30 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk