

The attached minutes are subject to correction and approval

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, February 7, 2006, 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. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and excused: Comm. Heikkila.

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

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on January 17, 2006 be approved.

Chairperson Corkin opened the meeting for public comment.

Dick Huey, Save the Wild U.P., thanked Commissioners for their vote regarding the letter being sent to the Governor regarding the siting requirement and flora and fauna study.

Gene Champagne, Big Bay, requested to speak to Items 10a and 10b.

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

It was moved by Comm. Pellow, seconded by Comm. Bergdahl, and carried by voice vote 7 Ayes to 1 Abstention (Comm. Joseph) that Claims and Accounts for the period January 20, 2006 through January 27, 2006 in the amount of \$180,905.31, total expenditures for the period January 27, 2006 through February 3, 2006 in the amount of \$1,132,381.45, including expenditure Check #70105 in the amount of \$11.46 made payable to Joseph's (Affidavit of Disclosure follows), and bi-weekly payroll for the period ending February 3, 2006 in the amount of \$301,170.87 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 February 7, 2006, meeting of the County Board of Commissioners includes Check No. 070105, dated January 20, 2006, payable to Joseph's in the amount of \$11.46 in payment for Ishpeming District Court supplies;
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 \$11.46.

Dated this 7th day of February, 2006

/S/

Nick Joseph

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It was moved by Comm. Wallace, seconded by Comm. Arsenault and unanimously carried by voice vote that the agenda be approved with the following change: Delete Privileged Comment 8a) Introduction of 4-H Coordinator, Nicole Dewald.

PRIVILEGED COMMENT

Chairperson Corkin presented the United Way Recognition Award presented to County of Marquette Employees for Outstanding Service to the People of Our Community...the United Way.

There were no Informational items for approval.

ACTION ITEMS

10a) The County Board considered a Staff recommendation on the Eagle Project. Steve Powers, County Administrator, explained that there has been discussion and requests for the Marquette County Board of Commissioners to take actions regarding the Eagle Project. Mr. Powers advised caution regarding actions that may have consequences that are inconsistent with Board policy. He explained that the Board of Commissioners is in support of the Eagle Project, if the project follows the statute and rules pertaining to non-ferrous materials mining. He stated that the Board should follow the policy it has established. County action should be consistent with the policy. Once the Eagle Project is underway, the Board can return to the questions and issues involving oversight for future mining projects and the Eagle Project. He recommended the Board exercise caution in providing letters regarding rules for which the comment period has ended.

Comm. Pellow questioned whether passing the Staff recommendation would negate 10b) A Committee of the Whole Recommendation to send a letter to our Legislators requesting they reconsider the rules specifically addressing the siting requirement that would allow the DEQ to deny mining as well as reconsideration of the 2-year flora and fauna study. She explained that her intention with the Committee of the Whole Recommendation in sending the letter was not specific to the Eagle Project. She stated it is specific to non-ferrous metallic mining. Discussion followed.

Gene Champagne, Big Bay, questioned meetings being held without citizen input. He stated that citizens groups have followed this process all along and should be involved in discussions.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and carried by voice vote 7 Ayes to 1 Nay (Comm. Pellow) that the County Board approve the Staff recommendation to exercise caution in providing letters regarding rules for which the comment period has ended.

10b) The County Board considered a Committee of the Whole Recommendation to send a letter to our Legislators requesting they reconsider the Rules specifically addressing the siting requirement that would allow the DEQ to deny mining as well as reconsideration of the two year flora and fauna study.

Comm. Pellow stated that in the draft letter presented it specifically refers to Kennecott's Eagle Project. She explained that this was not the intent. She stated that the letter should read "non-ferrous metallic mining projects." She feels there is a need to look at the rules as a whole and indicate that the flora and fauna study was important to those rules along with the siting requirement.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation, but change the memo to state non-ferrous metallic mining projects rather than addressing the Eagle Project.

10c) It was moved by Comm. Bergdahl, seconded by Comm. Struck and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation and adopt the

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following Resolution approving execution of an Agreement for the Purpose of Participating in a Cost-Share Agreement of the Federal Contract Tower Program at Sawyer International Airport.

RESOLUTION

RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT BY THE MARQUETTE COUNTY BOARD OF COMMISSIONERS OF MARQUETTE, MICHIGAN, AND THE FEDERAL AVIATION ADMINISTRATION, FOR THE PURPOSE OF PARTICIPATING IN A COST-SHARE AGREEMENT OF THE FEDERAL CONTRACT TOWER PROGRAM AT SAWYER INTERNATIONAL AIRPORT.

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 for participating in the Cost-Share agreement of the Federal Contract Air Traffic Control Program at 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 7th day of February, 2006
Gerald O.Corkin, Chairperson
Marquette County Board of Commissioners

10d) It was moved by Comm. Pellow, seconded by Comm. Arsenault, and carried by voice vote 7 Ayes to 1 Abstention (Comm. Bergdahl) to approve the Committee of the Whole Recommendation to accept the EDC’s purchase offer of \$180,000 as presented for Parcel B3-1 and authorize Staff to complete the sale closing, with closing by April 1, 2006, and they pay the site review expense.

It was moved by Comm. Wallace, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve 10e, 10f, 10g, and 10h as follows:

10e) Committee of the Whole Recommendation to approve the Land Acquisition Proposal by the Forestry Commission for the purchase price of \$44,900.

10f) Committee of the Whole Recommendation to approve the Proposal to hire Rochelle Cotey as the third-party to review Commission on Aging issues.

10g) Committee of the Whole Recommendation to send a letter congratulating Arlene Hill as the Michigan Townships Association President and encourage her to have open discussions between associations.

10h) Letter of Support to endorse UPCAP’s efforts to be designated as a Single Point of Entry for the Upper Peninsula.

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

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COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Chairperson Corkin announced the next Committee of the Whole meeting will be held on Wednesday, February 15, 2006 due to attending the MAC Legislative Conference.

Chairperson Corkin updated Commissioners regarding the Commercial Forest Act.

Steve Powers, County Administrator, explained Staff cooperation with the Board regarding legislative issues.

Chairperson Corkin thanked Administrator Powers and his Staff for their work on legislative issues.

Comm. Struck thanked the County Clerk for the 2006 Directories and commended her and her Staff for their work in developing it.

It was moved by Comm. Bergdahl, seconded by Comm. Joseph and carried on a roll call vote 8 Ayes (Comm. Arsenault, 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 consult with attorney regarding trial or settlement strategy in pending litigation (MCL 15.268) *Middleton et al vs. County of Marquette*.

Chairperson Corkin declared a three minute recess to clear commission chambers.

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

The County Board came back into open session.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the settlement as presented regarding *Middleton et al vs. County of Marquette*.

There being no further business to come before the County Board, the meeting adjourned at approximately 7:15 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk