

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, June 27, 2006, at 6:30 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Joseph, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent: None.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on June 13, 2006 be approved.

Chairperson Corkin opened the meeting for public comment.

Ray Adamini, Marquette Township Supervisor, John Olson, Michigamme Township Supervisor, and Arnold Sirtola, Ewing Township Supervisor, requested to speak to Item 7 – The Road Commission Report regarding a County-wide Millage.

Pete Mackin, RR 1 Box 80B, Watton, Michigan, announced his resignation from the Community Corrections Advisory Board. He is moving to Baraga County.

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

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

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by voice vote that Claims and Accounts for the period June 17, 2006 through June 23, 2006, in the amount of \$236,467.41, and bi-weekly payroll for the period ending June 17, 2006 in the amount of \$284,764.03 be approved.

The Committee considered a memo from Al Feldhauser, Senior Planner, regarding a land conveyance. Mr. Feldhauser explained that a request was received by Resource Management regarding acquisition of County Forest Land by Kenneth Schmidt. Prompting the request was a survey contracted by Mr. Schmidt that revealed he had inadvertently trespassed on County land and his garage was constructed on County property. It was his desire to remedy the trespass through purchase of the property. The parcel is located along Southgate Road in Forsyth Township and is just under 1½ acres in size.

Resource Management referred the request to the County Administrator per the Land Conveyance Policy (Policy 425) and provided support to the process. The potential sale was considered by the Planning Commission for consistency with the County Comprehensive Plan and approved. The proposal was considered by the Forestry Commission for consistency with the Forest Management Plan and found not to be contrary to the management scheme.

Staff requested an appraisal, which was performed at Mr. Schmidt's expense. The appraisal valued the parcel at \$6,500. Mr. Schmidt offered \$5,000. Staff proposed sale for \$6,500 and this offer was countered by Mr. Schmidt with an offer of \$5,750. Halfway between the appraisal and his initial offer.

Mr. Schmidt reported the trespass based on a survey he paid for, contracted for an appraisal, and paid the surveyor to prepare a description suitable for inclusion in a deed. That, combined with his offer of \$5,750, constitutes a “good faith effort” at resolution of the trespass problem.

It was moved by Comm. Struck, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the sale of the parcel for \$5,750.

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The Committee met on Tuesday, June 27, 2006. Jim Iwancki, Road Commission Engineering Director, presented a report to Commissioners regarding a Road Commission Millage Proposal. Mr. Iwanicki distributed a chart which shows the results of presentations that the Marquette County Road Commission Townships Relations Committee presented to each jurisdiction in Marquette County. He also distributed a chart showing the financial impact of a County-wide millage, both the Current Township/Local Road Program, and the Proposed Township/Local Road Program. Mr. Iwanicki explained that a Resolution was sent to all units of government. He is requesting direction from the County Board whether the Road Commission should work towards putting the issue on the November ballot. He explained that the voters need to decide where to spend the money. They are seeking 1 mill for 5 years for County Road Maintenance.

Mr. Iwanicki introduced Ray Adamini, Marquette Township Supervisor, John Olson, Michigamme Township Supervisor, and Arnold Sirtola, Ewing Township Supervisor, and members of the Marquette County Road Commission Townships Relations Committee.

Both John Olson, Michigamme Township Supervisor, and President of the MCTA, along with Ray Adamini, Marquette Township Supervisor, spoke in support of a County-wide millage.

Arnold Sirtola, Ewing Township Supervisor, is not in favor of a County-wide millage. He stated that Ewing Township is the poorest Township in the Upper Peninsula.

Anne Giroux, Director of Finance and Human Services, Marquette County Road Commission, was present to explain both the current Township/Local Road Program and the Proposed Township/Local Road Program and the financial impact of the County-wide millage.

Comm. Joseph, County Board Liaison, Marquette County Road Commission, explained that he is not comfortable supporting a County-wide millage if all units of government are not in favor. He stated that there are only 13 units in favor of a County-wide millage out of 22 units of government. He commended the Marquette County Road Commission for the work they have done, but a lot more work needs to be done. He stated that the Committee needs to sell the issue to voters, not just elected officials.

Commissioners engaged in discussion regarding the request for a County-wide millage. Comm. Arsenault, Comm. Bergdahl, Comm. Heikkila, Comm. Struck, Comm. Wallace, and Comm. Corkin agreed with Comm. Joseph. The public needs to be educated. The Road Commission Relations Committee should make presentations to organizations such as service groups, church groups, and various other clubs and organizations to make the public more aware. Commissioners felt the need to have all jurisdictions in favor of a County-wide millage.

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Comm. Pellow supports a County-wide millage. She feels it is positive for Marquette County. She believes the public can be educated in time for the November election.

Comm. Cihak felt the longer this issue is delayed the worse and more expensive to fix the road problems in Marquette County. He believes the County Board should give the constituents a chance to decide. He also believes the issue should go on the November ballot.

It was moved by Comm. Bergdahl, seconded by Comm. Wallace, and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Heikkila, Comm. Joseph, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 2 Nays (Comm. Cihak and Comm. Pellow) that the Committee of the Whole recommend the County Board direct the Marquette County Road Commission to continue to educate the public regarding a Road Commission Millage by giving presentations not only to elected officials but to service clubs, churches, and other organizations, and bring the issue back to the County Board in one year.

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The Committee considered a Professional Service Agreement presented by Keith Kaspari, Airport Manager. Mr. Kaspari explained that the Agreement is between Marquette County and Mead & Hunt for professional engineering, consulting and planning services at Sawyer. The agreement for services, totaling \$89,282.00 provides for the following capital improvements:

- Materials (Sand/Salt) Storage Building – Phase 1, (Design Services Only) – Payment for services under this project has been determined to be approximately \$29,862.00.
- Pavement (Runway Slab) Replacement Project – Phase 1, (Design Services Only, Area 1 of 3) – Payment for services under this project has been determined to be approximately \$52,420.00.
- Airport Fire Fighting Vehicle – Phase 1, (Drafting Equipment Specifications) – Payment for services under this Project has been determined to be approximately \$7,000.

MDOT’s Project Manager supports approval of the three projects listed above.

It was moved by Comm. Joseph, seconded by Comm. Pellow, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board approve the Agreements for Services by Mead & Hunt, at a total of \$89,282.00 and authorize Chairperson Corkin to sign all copies of the Agreements.

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The Committee considered a Resolution regarding U.P. Area Agency on Aging Multi-Year (FY 2007–2009) Area Plan/Annual Implementation Plan. UPCAP, which serves as the U.P. Area Agency on Aging, is required to develop a Multi-Year (FY 2007-2009) Area Plan/Annual Implementation Plan for service to the aging in the Upper Peninsula.

During the Multi-Year Area Plan and Annual Implementation Plan development process, UPCAP conducted need surveys, two input sessions, two public hearings, and received input from service providers, senior citizens, county officials, human services organizations, and other interested parties.

Each U.P. county is represented by a county official on the UPCAP Board of Directors.

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The UPCAP Board of Directors unanimously approved the proposed Multi-Year Area Plan/Annual Implementation Plan on June 16, 2006.

It was moved by Comm. Arsenault, seconded by Comm. Struck, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board support the U.P. Area Agency on Aging Multi-Year (FY 2007–2009) Area Plan/Annual Implementation Plan, by adopting the Resolution, and further that the Resolution be submitted to UPCAP.

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The Committee considered a WWTP – Blower Bid Recommendation. Scott Erbisch, Sawyer Operations Manager, explained that several weeks ago, one of three blower units for the digester air stopped working. Upon inspection by Staff, it was determined that the Blower could not be repaired. Requests for Proposals to remove and replace the Blower was advertised in the Mining Journal. One bid was received by Jamar with a total bid of \$19,307.00

The blowers for the digester air are set up so that one is working 24 hours a day, 7 days a week, with a second blower on standby should the demands on the first blower increase. The third blower will sit idle and receive maintenance and be ready to operate should one of the other blowers stop working. It is recommended that three blowers stay functional for this operation.

Because this is an unplanned, higher-cost repair, a budget amendment will be made with the upcoming quarterly adjustments. Staff recommends approval.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board award the bid to Jamar with a total bid of \$19,307.00 for the WWTP – Blower.

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The Committee considered a memo from Harley Andrews, Chief Civil Counsel, regarding the Status of IRP Loan to SpaceCS. Mr. Andrews explained the outstanding issue is whether Mr. Tandra used the loan proceeds of \$78,614.00 to purchase computer equipment for use at a proposed Sawyer Operation, as he represented he would when that funding was provided to him.

Mr. Andrews explained that since April 6, 2006, he has been requesting from Mr. Tandra documentation to prove that SpaceCS in fact used all or any part of the \$78,614.00 to purchase computer equipment from any vendor. Although this should not have been difficult or time consuming to do so, no such proof has been provided, and some of the assertions made by Mr. Tandra have proven to be untrue.

In the meantime, SpaceCS has remained current in the repayment schedule for the \$78,614.00 provided to it, making payments of \$2,604.17 per month. Following the payment on June 7, 2006, the remaining principal balance was \$62,988.98. He is advised that if the current repayment schedule continues on a timely basis, the entire balance will be repaid in 2008.

Mr. Andrews believes that SpaceCS, LLC, is in default of the terms of the loan because it has failed to comply with the provisions of the loan documents. More specifically, it has apparently failed to purchase computer equipment which it represented it would purchase; it has failed to have such equipment, if purchased, delivered to the Sawyer location; and, it has failed to use such equipment, if purchased, in a Sawyer operation.

Mr. Andrews recommends the County Board direct him to issue a formal Notice of Default, but not proceed immediately to collect the entire remaining balance on the loan. He explained this would trigger the increase in the interest rate from 8% to 12%, thereby providing a better return for the County while still enabling SpaceCS to make the loan repayment on a monthly schedule, while preserving the possibility, however remote, that SpaceCS may yet locate at Sawyer. He explained this would not preclude the County from seeking to immediately collect the full remaining balance if, at some time in the future, SpaceCS should fail to follow the repayment schedule in a timely manner.

It was moved by Comm. Arsenault, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board direct Harley Andrews, Civil Counsel, to issue a formal Notice of Default, but not proceed immediately to collect the entire remaining balance on the loan.

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The Committee considered an Agreement to Purchase Property for Ishpeming District Court. Steve Powers, County Administrator, explained that in August, 2005, Marquette County received six responses to a Request for Proposals to house the Ishpeming Court of the 96th District Court. The proposals were reviewed by County Staff, the Judges of the 96th District Court, a Commissioner Work Group, and an Architect. The proposal from the Ishpeming Community Federal Credit Union was rated the highest of the proposals.

On May 16, 2006, the Board of Commissioners approved a Right of First Refusal to Purchase the Ishpeming Community Federal Credit Union at 215 W. Hematite for up to \$195,000.00.

On June 6, 2006, the Board of Commissioners approved purchasing a building as a Service Center to house the Ishpeming Court of the 96th District Court and use by other County Departments. Commissioners discussed a minimum of 20 years for the Court to be in Ishpeming. Owning a building is more cost-effective than leasing over the timeframe.

The ICFCU proposed selling the building for \$195,000.00. The appraised value, not including the personal property, is \$170,000.00. Through negotiations, the ICFCU Board of Directors has approved the sale of the building and personal property for \$175,000.00.

The 5,200 sq. ft. building, located across the street from the Ishpeming Police Department was built in 1989. It has 19 parking spaces, a public entrance, a secure entrance, and a drive-thru window.

The Building exceeds specifications in the Request for Proposals. The requested space was 3,000 sq. ft. The additional square footage at the ICFCU can be used by other County departments.

Funds are available in the Land Acquisition Fund for the purchase. The renovation costs, estimated at \$293,000.00, can be funded through the Public Improvement Fund's Space Needs Project.

Comm. Heikkila explained he will not support the motion because it is not cost effective, nor does Marquette County need two Courts.

Comm. Cihak explained he will not support the motion because the services are non-mandated.

It was moved by Comm. Joseph, seconded by Comm. Wallace, and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 2 Nays (Comm. Cihak and Comm. Heikkila) that the Committee of the Whole

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recommend the County Board 1) Authorize Agreement with the Ishpeming Community Federal Credit Union to purchase real and personal property at 215 W. Hematite Drive for \$175,000.00; and 2) Request review of the purchase by the Marquette County Planning Commission as required by MCL, for use as a Service Center to house the Ishpeming District Court and use by other County Departments.

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Chairperson Corkin opened the meeting for public comment.

Pete Mackin, Watton, Michigan, explained that Baraga County has a County-wide Road Millage. He further explained that as Candidate for the Senate, he will campaign regarding the issue of roads in Michigan.

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

COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Chairperson Corkin thanked Pete Mackin for his service on the Marquette County Community Corrections Advisory Board.

Comm. Heikkila announced a Commission on Aging meeting today. Motion was made for the Commission on Aging to present to the By-Laws Committee a change whereby the Commission on Aging would be acting in an advisory capacity, not a management capacity. He further stated that there has been total cooperation by all regarding the aging issue.

Chairperson Corkin announced that on Saturday, July 1, 2006, Senator Levin will be present for the dedication of the new Sawyer Service Center Building. He stated that a thank you also goes to Congressman Stupak and Senator Stabenow. All Commissioners are invited to attend. He stated the new Service Center Building will serve Marquette County for the next 100 years.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 7:50 P.M.

Respectfully submitted,

Connie M. Branam
Marquette County Clerk