

The attached minutes are subject to correction and approval

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, June 19, 2007, at 6:00 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. Joseph, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent: Comm. Bergdahl.

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

It was moved by Comm. Cihak, seconded by Comm. Joseph, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on Tuesday, June 5, 2007 be approved.

PROCLAMATIONS, PRESENTATIONS, AND AWARDS

Chairperson Corkin read the following resolution honoring Marquette County Treasurer Gary R. Yoder on his retirement:

*MARQUETTE COUNTY BOARD OF COMMISSIONERS RESOLUTION
HONORING MARQUETTE COUNTY TREASURER GARY R. YODER
ON HIS RETIREMENT*

WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and

WHEREAS, quality services can only be provided by employees of the highest caliber; and

WHEREAS, Gary R. Yoder was hired on January 2, 1974 as the Assistant Marquette County Controller, and on January 22, 1975 the Board of Commissioners appointed Gary to the position of Marquette County Controller. Notable County accomplishments under Gary's tenure were the Courthouse Renovation Project, secured finance funding for the Central Dispatch System, construction of the new Jail, the County Courthouse Annex, and the Juvenile Detention Home; and

WHEREAS, on January 1, 1978 Gary was awarded the position of Chief Accountant/Purchasing Agent/Accounting Supervisor, with the title ultimately changed to Finance Manager, and held this position until January 20, 2000; and

WHEREAS, on January 21, 2000 Gary was appointed as Marquette County Treasurer, and was subsequently elected to that position on November 8, 2000 and re-elected to a second term on November 2, 2004; and

WHEREAS, Gary R. Yoder will retire on July 1, 2007 after 33 1/2 years of dedicated service to Marquette County.

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Gary R. Yoder for his thirty-three and a half years of excellent service to Marquette County; and

BE IT FURTHER RESOLVED, on behalf of all County Citizens, the Marquette County Board wishes Gary and his wife Janet a long, healthy, and happy retirement.

*Proclaimed this 19th day of June, 2007
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

Chairperson Corkin thanked Gary for the great work he has done for the County Board while Finance Manager and County Treasurer. He has been an outstanding member of the County.

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Mr. Yoder stated that his 33 ½ years with Marquette County has been as rewarding as it has been for the County Board. He has the opportunity to go fishing and become a kept man while his wife continues to work.

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

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that Claims and Accounts for the period June 9, 2007 through June 15, 2007 in the amount of \$231,579.97 be approved.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the agenda be approved with the following Late Addition: Item 11a) House Bill 4780 and Resolution.

PRIVILEGED COMMENT

The County Board was presented with the 2006 Audit by Mike Greutz, Anderson, Tackman & Co. Commissioners were provided a complete copy of the Audit Report. Mr. Greutz provided information in the form of grafts and tables to use in conjunction with the Audit Report Presentation.

Mr. Greutz noted two reportable conditions. He explained that the County ended in a favorable position for the year and did a great job for a County this size.

Chairperson thanked Mr. Greutz, Steve Powers, Sue Vercoe, Staff and the County Board. It takes a great team to accomplish fiscal discipline.

Commissioners congratulated Staff for an excellent report and a job well done. They also appreciated receiving the Audit Report early giving them time to review it before coming to the County Board.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote that the County Board accept the Audit for 2006 and carry out any recommendations by the Auditor.

INFORMATIONAL ITEMS

None.

ACTION ITEMS

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

10a) Committee of the Whole Recommendation to adopt the following Resolution Supporting Maintaining the Existing Number of Judgeships in the County of Marquette:

RESOLUTION
ADOPTED THIS 19TH DAY OF JUNE, 2007

The Marquette County Board of Commissioners, having been informed that the courts of Marquette have been selected for a secondary analysis of judicial need by the State Court Administrator’s Office;

And the Board of Commissioners finding and concluding that a reduction of judges available to serve the people of Marquette County may result in a decrease of services to the people of the county, and possible increase in costs to the county;

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners supports maintaining the existing number of judgeships in the County of Marquette.

Gerald O. Corkin, Chairperson

Marquette County Board of Commissioners

10c) Committee of the Whole Recommendation to initiate the sale of property to Salke for \$1,000 and further direct Civil Counsel to draft the necessary Purchase Agreement and Quit Claim Deed.

10d) Committee of the Whole Recommendation to adopt the following IGT Authorizing Resolution:

IGT AUTHORIZING RESOLUTION

WHEREAS, Marquette County is committed to supporting programs that provide access to appropriate health care services for low-income residents of all fifteen (15) Upper Peninsula Counties;

WHEREAS, the Federal government has approved Michigan’s Medicaid State Plan Amendment TN No. 05-13, effective June 1, 2006, which creates an “Indigent Care Agreements Pool” for hospitals qualifying for Medicaid Disproportionate Share (“DSH”) payments to receive DSH payments under the Indigent Care Agreements Pool so long as: (a) the hospital has an Indigent Care Agreement with a local health care entity, such as Medical Care Access Coalition; and (b) the Indigent Care Agreement stipulates that direct or indirect health care services be provided to low-income patients with special needs who are not covered under other public or private health care programs;

WHEREAS, Medical Care Access Coalition purposes include promoting, organizing, managing and administering programs to create a system for providing or arranging and paying for health care services in a cost effective manner for persons unable to pay for such health care services;

WHEREAS, Medical Care Access Coalition has entered into an Indigent Care Agreement with Keweenaw Memorial Medical Center, Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital, requiring Medical Care Access Coalition to directly or indirectly operate a program of arranging and paying for health care to low-income individuals with special needs who are not covered under other public or private health care programs and who are unable to pay for such services;

WHEREAS, both the Federal government and the State of Michigan participate in the financing of the Indigent Care Agreements Pool, with the Federal government matching the State’s portion pursuant to the Federal medical assistance percentage formula;

WHEREAS, certain intergovernmental transfers of public funds from Marquette County may be made to the State of Michigan to be used as the State’s share in claiming the Federal match.

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners hereby authorizes intergovernmental transfers in an amount of \$380,422.00 to the State of Michigan for the purpose of participating in the financing of the non-federal share of DSH payments made under the Indigent Care Agreements Pool to Keweenaw Memorial Medical Center, Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital, so long as Medical Care Access Coalition maintains a current Indigent Care Agreement with Keweenaw Memorial Medical Center, Portage Health, Grandview Hospital, Bell Hospital, Marquette General Health System, and Chippewa War Memorial Hospital.

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BE IT FURTHER RESOLVED, that this Resolution shall be effective commencing October 1, 2006, and ending September 30, 2007.

Adopted this 19th day of June, 2007
 Gerald O. Corkin, Chairperson
 Marquette County Board of Commissioners

10e) Committee of the Whole Recommendation to approve the Project Budget and Project Change in the amount of \$26,795.00 and also approve the following budget amendments for the Ishpeming Service Center:

Fiscal Year 2007 Amendment No. 9

WHEREAS, budgets were adopted by the County Board on October 10, 2006, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

BUILDING AUTHORITY FUND

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Transfer to Public Improvement Fund	59,050.00	85,845.00	(26,795.00)
Totals:	59,050.00	85,845.00	(26,795.00)
<u>Revenue Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Use of Fund Equity	59,050.00	85,845.00	26,795.00
Totals:	59,050.00	85,845.00	26,795.00

Fiscal Year 2007 Amendment No. 10

WHEREAS, budgets were adopted by the County Board on October 10, 2006, to govern the receipts and expenditures of the various County funds for the next fiscal year of the County; and

WHEREAS, as a result of unanticipated changes in revenues and/or needed expenditures, it is necessary to modify the aforesaid budget; and

WHEREAS, such modification will still maintain a balanced budget between revenues and expenditures as required by P.A. 621 of 1978.

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NOW THEREFORE, BE IT RESOLVED that the aforesaid budget be hereby modified as follows:

PUBLIC IMPROVEMENT FUND

<u>Expense Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Space Needs (Ishpeming Service Center)	342,347.19	369,142.19	(26,795.00)
Totals:	342,347.19	369,142.19	(26,795.00)
<u>Revenue Budget Account</u>	<u>Previous Amount</u>	<u>Amended Amount</u>	<u>Change + (-)</u>
Transfer In - Building Authority Fund	59,050.00	85,845.00	26,795.00
Totals:	59,050.00	85,845.00	26,795.00

Motion was made by Wallace, supported by Cihak, to adopt the foregoing resolutions. Upon roll call vote, the following vote was recorded:

	A YE	N AY		A YE	N AY
P. Arsenault	<u>X</u>	_____	N. Joseph	<u>X</u>	_____
C. Bergdahl	<u>ABSENT</u>	_____	D. Pellow	<u>X</u>	_____
J. Cihak	<u>X</u>	_____	R. Struck	<u>X</u>	_____
G. Corkin	<u>X</u>	_____	H. Wallace	<u>X</u>	_____
B. Heikkila	<u>X</u>	_____			

Chairperson Corkin declared the motion carried and the resolutions duly adopted this 19th day of June, 2007.

10f) Committee of the Whole Recommendation to approve the bid award for a Sand Storage Agreement pending official receipt of the FAA Grant Offer, to Johnson Brothers Construction, of Munising, Michigan in the amount of \$199,660.00 and authorize signature by the Board Chair.

10g) Committee of the Whole Recommendation to approve the Agreements for the Construction Administration and Inspection Services by Mead & Hunt for the Sand Storage Building Project at a total of \$28,257.00 and authorize the Board Chair to sign the Agreements.

10h) Committee of the Whole Recommendation to approve the Agreement for the Airport Pavement Project between Marquette County and MDOT (recommending the award to Associated Constructors in the amount of \$447,798.51); 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 attached minutes are subject to correction and approval

THE PURPOSE OF OBTAINING FEDERAL AND STATE AID FOR THE DEVELOPMENT OF SAWYER INTERNATIONAL AIRPORT, UNDER SPONSOR CONTRACT NO. 2007-0601

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 19th day of June, 2007
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

ACTION ITEMS CONTINUED

10b) It was moved by Comm. Arsenault, seconded by Comm. Pellow, and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Cihak, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 1 Abstention (Comm. Joseph) to approve the Committee of the Whole Recommendation to adopt the following resolution regarding the Project Plan (Bell Memorial Hospital Project):

RESOLUTION NO. __

RESOLUTION DETERMINING THAT A PROJECT PLAN (BELL MEMORIAL HOSPITAL PROJECT) CONSTITUTES A PUBLIC PURPOSE, GRANTING APPROVAL OF THE PROJECT PLAN AND GRANTING APPLICABLE ELECTED REPRESENTATIVE APPROVAL IN CONNECTION WITH THE ISSUANCE OF THE ECONOMIC DEVELOPMENT CORPORATION OF THE COUNTY OF MARQUETTE, MICHIGAN ADJUSTABLE RATE DEMAND LIMITED OBLIGATION REVENUE REFUNDING BONDS, SERIES 2007B (BELL MEMORIAL HOSPITAL PROJECT).

WHEREAS, the Economic Development Corporation of the County of Marquette, Michigan (the "EDC") is a public body corporate organized and existing under and pursuant to the Constitution and the laws of the State of Michigan and is authorized by Act No. 338 of the Michigan Public Acts of 1974, as amended (the "act") to make loans to finance or refinance projects (as that term is defined in the Act) to any person, firm or corporation, in order to assist and retain local industries and commercial enterprises and to strengthen and revitalize the economy of the County of Marquette (the "County") and the State of Michigan;

WHEREAS, the EDC is authorized under the Act to issue its revenue bonds to finance or refinance projects in order to accomplish its purposes set forth in the Act;

WHEREAS, Bell Memorial Hospital, a Michigan nonprofit corporation (the "Hospital"), is an acute care, critical access hospital located in Marquette County, Michigan;

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WHEREAS, the Hospital desires to refinance all of the outstanding balances of both: (i) a Michigan State Hospital Finance Authority (MSHFA) HELP loan to the Hospital, dated May 1, 1997, in the initial amount of \$3,485,486 that was incurred to finance the initial acquisition, construction, equipping and furnishing of the Teal Lake Medical Center located at 100 Malton Road, Negaunee, Michigan 49866, which is a mixed use medical office building, and (ii) a MSHFA HELP loan to the Hospital, dated September 16, 1999, in the initial amount of \$1,631,160 that was incurred to finance (a) the construction, equipping and furnishing of the expansion of the employed physician offices at the Teal Lake Medical Center, (b) shelled space build-out, including the equipping and furnishing of employed internal medicine physician offices, at the Teal Lake Medical Center, and (c) capital equipment purchases for use at the Teal Lake Medical Center, office and physical therapy department renovations at the Teal Lake Medical Center, and capital equipment purchases for use at the Bell Memorial Hospital located at 1001 South Fourth Street, Ishpeming, Michigan 49849 (collectively, the "Project");

WHEREAS, the Hospital desires that the EDC make a loan to the Hospital not to exceed \$2,300,000, the funds for which will be provided by the issuance and sale of the EDC's Adjustable Rate Demand Limited Obligation Revenue Refunding Bonds, Series 2007B (Bell Memorial Hospital Project) (the "Bonds"), and the Hospital desires to use the proceeds of the Bonds to refinance the Project;

WHEREAS, debt service on the Bonds will be paid from payments received by the EDC under a loan agreement between the EDC and the Hospital and shall never constitute a general obligation of the EDC or the County within the meaning of any constitutional, statutory or charter provision or limitation;

WHEREAS, in connection with the Project, the Hospital has submitted to the EDC a "project plan" as described in the Act (the "Project Plan"), which is currently on file with this Board of Commissioners, and prior to issuing the Bonds, the EDC desires the County's approval of the Project Plan as required by the Act;

WHEREAS, this Board of Commissioners has this day conducted a public hearing with respect to the Project Plan after publication of notice in *The Mining Journal* on or before May 22, 2007, and after posting in 10 conspicuous places in the "project district area," as defined by the Act;

WHEREAS, Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code") requires that prior to their issuance, the Bonds must be approved by the "applicable elected representative" as defined therein, which approval must be given by this Board of Commissioners; and

WHEREAS, this Board of Commissioners has on the 12th day of June, 2007, conducted a public hearing with respect to the approval by this Board of Commissioners of the issuance of the Bonds after publication of notice in *The Mining Journal* on or before May 22, 2007;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the County of Marquette, Michigan:

SECTION 1. That this Board of Commissioners determines that the Project Plan constitutes a "public purpose" as provided in the Act.

SECTION 2. That this Board of Commissioners approves the Project Plan; and further finds that (i) the Project Plan meets the requirements of Section 8 of the Act, (ii) the persons who will be active in the management of the Project for no less than 1 year after the approval of the Project Plan have sufficient ability and experience to manage the Project Plan properly, (iii) the proposed method of refinancing the Project is

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feasible and the EDC has the ability to arrange the financing, and (iv) refinancing of the Project is reasonable and necessary to carry out the purposes of the Act.

SECTION 3. That this Board of Commissioners, as the “applicable elected representative” of the County for purposes of Section 147(f) of the Internal Revenue Code of 1986, as amended, hereby approves the issuance of the Bonds by the EDC in the maximum principal amount not to exceed \$2,300,000. It is anticipated, based on information provided by the Hospital, that the proceeds of the Bonds will be made available to the Hospital for the purposes of refinancing the costs of the Project and paying the costs of issuance of the Bonds.

SECTION 4. That the County Commissioners, the County Administrator, County Treasurer, County Finance Manager and the Clerk of the Board of County Commissioners are each separately authorized to take any and all actions and to execute such financing statements, assignments, certificates and other instruments that may be necessary or appropriate, in the opinion of Daniel Mead, Esq., as counsel to the EDC, and Peck, Shaffer & Williams LLP, as bond counsel, in order to effect the issuance of the Bonds, the financing of the Project and the intent of this Resolution.

SECTION 5. It is found and determined that all formal actions of this Board of Commissioners concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Board of Commissioners, and that all deliberations of this Board of Commissioners and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with the law and the rules of this Board of Commissioners in accordance therewith.

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

LATE ADDITIONS

11a) The County Board considered House Bill 4780 and Resolution opposing the Bill. The proposed House Bill would:

- Shift all tax collection, election functions and assessing from Township control to County control.
- Requires Townships to reimburse County for services that have been shifted.
- Does not impact cities or villages.
- Does not impact townships with a population over 20,000 and a select group of townships with a population between 10,000 and 20,000.
- Goes into effect on December 31, 2008, **upon approval**.

Chairperson Corkin announced that the MAC Board has supported a Resolution opposing House Bill 4780. There is no way the County can perform these services in a more cost effective way in the rural areas than we do now.

It was moved by Comm. Pellow, seconded by Comm. Joseph, and unanimously carried by voice vote that the County Board adopt the following Resolution in Opposition to House Bill 4780:

*MARQUETTE COUNTY
RESOLUTION
IN OPPOSITION TO
HOUSE BILL 4780*

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WHEREAS, House Bill 4780 requires that in certain townships, the Clerk, Treasurer, and Assessor shall no longer run elections, collect taxes, or assess properties and that these services will be provided by the County; and

WHEREAS, all of the 19 Townships in Marquette County are affected by this requirement; and

WHEREAS, reimbursement to the Counties for providing these services is subject to negotiation between the County and Township, and ultimately may require a determination by the State; and

WHEREAS, there is no statistical evidence that the County can perform each of these services in a more economical manner than is currently done,

NOW, THEREFORE, BE IT HEREBY RESOLVED, that while the Marquette County Board of Commissioners supports efforts to facilitate the provision of local governmental services in the most efficient manner possible, and intends to continue to work cooperatively with Townships towards this end, it does hereby go on record as OPPOSING House Bill 4780; and

BE IT FURTHER RESOLVED, that, rather than mandating the consolidation of services, the Board of Commissioners of Marquette County urges the Legislature to identify and eliminate the legal barriers to local units of government working more closely together.

*Adopted this 19th day of June, 2007
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

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

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Pellow announced she attended her first Rodeo and had a great time!

Comm. Struck announced that Saturday, June 23rd and Sunday June 24th is the Sawyer Air Show. He invited all citizens to attend.

Chairperson Corkin announced Lloyd Mathais as the new Administrator for the CUPPAD Board.

There being no further business to come before the County Board of Commissioners, the meeting adjourned at approximately 6:40 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk