

**The attached minutes are subject to correction and approval**

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, June 5, 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. Bergdahl, Comm. Cihak, Comm. Joseph, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent: None.

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

It was moved by Comm. Cihak, seconded by Comm. Wallace, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on Tuesday, May 15, 2007 and the Special Meeting held on May 22, 2007 be approved.

Chairperson Corkin opened the meeting for public comment.

Dan Mead, EDC Attorney, was present and requested the County Board delay the Public Hearing on the Project Plan of the Economic Development Corporation of the County of Marquette, Michigan for the benefit of Bell Memorial Hospital due to posting requirements. He requested that the Public Hearing be held only on the issuance of the EDC Limited Obligation Revenue Bonds.

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

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that Claims and Accounts for the period May 19, 2007 through June 1, 2007 in the amount of \$840,930.63, and bi-weekly payroll for the period ending May 19, 2007 in the amount of \$583,627.46 be approved.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the agenda be approved with the following change: The Public Hearing regarding the Project Plan of the EDC of the County of Marquette for the benefit of Bell Memorial Hospital be pulled and considered on June 12, 2007.

**PUBLIC HEARINGS**

Chairperson Corkin opened the Public Hearing regarding the issuance of EDC Limited Obligation Revenue Bonds, Series 2007A (Bell Memorial Hospital Project) as follows:

This hearing is being held in connection with the possible issuance by the Economic Development of the County of Marquette Michigan, of its Limited Obligation Revenue Bonds, Series 2007A (Bell Memorial Hospital Project) in a principal amount not to exceed \$2,300,000, pursuant to Act No. 338 of the Michigan Public Acts of 1974, as amended.

We are informed that if the issuance of the Bonds is authorized, the proceeds of the Bonds will be used to retire 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 101 South Fourth Street, Ishpeming, Michigan 49849.

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The Hospital is owner, operator or manager of the facility.

The purpose of this hearing is to hear comments regarding the issuance of the Bonds for the proposed refinancing. The hearing is not a forum for debate or a judicial hearing, but simply an opportunity for members of the public to present their views.

The Bonds that are proposed to be issued are limited obligation bonds. Neither the credit nor taxing power of the County of Marquette, State of Michigan or any political subdivision of this state is pledged.

Chairperson Corkin opened the hearing for anyone wishing to speak on this topic. None was forthcoming.

Chairperson Corkin closed the Public Hearing.

**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. Thank You from C. Fred Rydholm regarding Sugarloaf Sign Dedication Ceremony.  
*Chairperson Corkin thanked and commended Fred Rydholm for the work he has done on our local history and the Sugar Loaf Sign Dedication Ceremony.*
- b. Thank You from Bob Larson, U.P. RC&D Council Chairman, for the 2007 U.P. RC&D Dues.
- c. Thank You from Keith Moyle, Vice-President and General Manager, Upper Peninsula Power Company, for Support Concerning the Draft UPPCO Shoreline Management Plans for Boney Falls and Cataract.
- d. Information regarding Bell Hospital Ground Breaking Event to be held Monday, July 9, 2007.
- e. Communication from Michael A. Prusi, State Senator, regarding the State Budget and PA2 Funding.
- f. Communication from the Department of Environmental Quality regarding Approval of the Marquette County Solid Waste Management Plan Amendment.

**ACTION ITEMS**

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

10b) Committee of the Whole Recommendation to award the bid for the two (2) new all terrain vehicles for the Sheriff's Department to the low bidder, Adventure Center, in the amount of \$15,177.54.

10c) Committee of the Whole Recommendation to submit the Letter of Intent for UPCAP funding.

**ACTION ITEMS CONTINUED**

10a) The County Board considered a Committee of the Whole Recommendation to approve the 2006/2007 Emergency Management Performance Grant Agreement.

Comm. Wallace questioned the use of the Mercury Monitor device regarding future use by County agencies and the possibility of renting/leasing the equipment. He explained that his concern is a result of the two recent mercury spills, one at the high school and one at the university. He stated the Solid Waste Authority has ownership of the instrument. He would like to see the use of the Mercury Monitor device included in the Emergency Management Plan.

Steve Powers, County Administrator, explained the instrument was purchased by the Landfill Authority as a result of a consent degree with the Department of Environmental Quality. He explained that the County Board approves the Annual Work Plan. It has already been approved for 2007. He will report on the use of the Mercury Monitoring Device and the 2008 Work Plan.

It was moved by Comm. Pellow, seconded by Comm. Struck and unanimously carried by voice vote that the County Board approve the 2006/2007 Emergency Management Performance Grant Agreement.

10d) The County Board considered a Committee of the Whole Recommendation to approve the Improvement/Repair of the outfall/stormwater sewer area behind Red Fox Inn's parking lot.

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Comm. Wallace questioned the agreement with URS Engineering for engineering designs, bidding and field inspections for a cost not to exceed \$5,000, as well as approval to proceed with bids for the erosion repair with an estimate cost of \$25,000 to \$30,000 for the project construction. He thought the figures were high.

Scott Erbisch, Sawyer Operations Manager, was present and explained the costs.

It was moved by Comm. Arsenault, seconded by Comm. Struck and unanimously carried by voice vote that the County Board approve the improvement/repair of the outfall/stormwater sewer area behind Red Fox Inn's parking lot.

10e) The County Board considered a proposed lease agreement for the Sawyer Air Show. Scott Erbisch, Sawyer Operations Manager, explained that the County Board may have already noticed the publicity advertising the Sawyer Experience Air Show sponsored by the Sawyer Experience Committee, scheduled for June 23<sup>rd</sup> and 24<sup>th</sup>. He explained that the Sawyer Experience Committee is seeking a no cost license agreement to use portions of Building 600 and the General Aviation ramp space not already under lease to Boreal Aviation for a period of five days (June 21<sup>st</sup> through June 25<sup>th</sup>). The Sawyer Experience Committee will be responsible for costs of any utilities used in Building 600.

Civil Counsel is in the process of preparing a License Agreement that will incorporate provisions regarding liability, insurance requirements, responsibility for security and crowd control, compliance with applicable laws, provisions for portable toilet facilities, and notification to and cooperation with law enforcement for any needed traffic control and fire/emergency responders, and cleanup after the event.

Marquette County will provide extra garbage containers, ramp sweeping with the airport sweeper, some cones and barricades, and one additional staff person for emergency response purposes during the 23<sup>rd</sup> and 24<sup>th</sup>.

The agreement will prohibit the possession or consumption of alcoholic beverages on the licenses premises. No alcohol will be sold during this event.

Comm. Wallace questioned whether there will be food served at the event and if the Committee has been in contact with the Health Department.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board authorize the use of the requested property by the proposed licensees for the Air Show, and authorize the County Administrator to execute the Lease Agreement when it has been reviewed by Civil Counsel and is deemed satisfactory to protect the County's interest.

10f) The County Board considered a memo from Harley Andrews, Chief Civil Counsel, regarding Conveyance of Sawyer Property to the Marquette County Road Commission. Mr. Andrews explained and distributed a copy of an agreement entered into between the County and the Marquette County Road Commission (MCRC) effective July 2, 2002. He noted that the County agreed to convey the MCRC Building 530 and the Building 533 complex, both of which have been occupied and used by the MCRC for several years. Contemporaneously, the MCRC is to convey to the County the old County Road 553 right-of-way and an 80 acre parcel in Sec. 22, T46N, R25W.

In August, 2006, copies were set to MCRC of the documents by which the County would make its Conveyances, indicating that the County was ready to proceed. However, because of Staff workloads the MCRC was not then, and still is not, ready to proceed with its conveyances to the County, and it may be some time before it will be prepared to proceed.

As long as the County continues to own these buildings it faces potential liabilities for any personal injuries, property damage or environmental issues that may occur, even though the MCRC, and not the County, has the exclusive occupation, use, and possession of these buildings. In order to eliminate those liabilities, Mr. Andrews recommends that the County Board authorize the immediate conveyance of those properties to the MCRC, even though the MCRC is not yet ready to make its required conveyances to the County. By so doing the County Board would not be negating the obligations of the MCRC, but would simply be agreeing that its conveyances would not have to be contemporaneous with the conveyances from the County, and could be made

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at a later date. The risk of the MCRC failing to meet its conveyance obligations is small in comparison to the liability risks faced by the County in the current situation.

Comm. Heikkila stated that a deadline is needed for the MCRC to meet its conveyance obligations. He recommends a 12/31/07 deadline. He doesn't feel a contract should be open ended. Discussion followed.

It was moved by Comm. Wallace, seconded by Comm. Heikkila and unanimously carried by voice vote that the County Board authorize the immediate conveyance to the MCRC of Parcels B5-A (Building 530) and B5-B (Building 533 Complex), and further recommends the MCRC meet its conveyance obligation and deed the two parcels to the County no later than 12/31/07.

10g) The County Board considered a communication from Randolph E. Smith, MD, Chief Medical Examiner, regarding the appointment of Sgt. Ron Schultz as a Medical Examiner Investigator. Sgt. Schultz is an officer with the Ishpeming City Police Department. He has recently received additional training in death investigation.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board appoint Sgt. Ron Schultz, Officer with the Ishpeming City Police Department as a Medical Examiner Investigator.

Chairperson Corkin opened the meeting for public comment.

Michael McNeil, Director of the Sawyer Air Show, was present and thanked the County Board, Scott Erbisch, and Keith Kaspari, for their help and support of the Air Show. Mr. McNeil explained various events that will take place during the event scheduled for June 21<sup>st</sup> through June 25<sup>th</sup>.

Comm. Wallace thanked Mr. McNeil and the Committee for a Wonderful Family Event.

Comm. Cihak questioned charges for the event. It was explained that adults will be charged \$5, 12 and under \$3, and a family charge of \$15.

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

**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Comm. Corkin announced that the three cities and five townships have signed the documents setting up the Recreation Authority. He stated it is a positive step forward and appreciated the cooperation among the units of government.

Comm. Wallace announced he will be absent next week attending a public health meeting in Washington D.C.

Comm. Corkin updated the County Board regarding the State budget and their use of the tobacco funds.

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