

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

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The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, March 20, 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, Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and excused: Comm. Joseph.

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

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on Wednesday, March 7, 2007 be approved.

Chairperson Corkin presented and read the following Resolution recognizing the Honorable Michael J. Anderegg for his 30 years of dedicated service to the Marquette County Community:

***RESOLUTION RECOGNIZING  
THE HONORABLE MICHAEL J. ANDEREGG***

*WHEREAS, the Honorable Michael Anderegg is the presiding judge of the Family Division of the Marquette County Circuit Court; and,*

*WHEREAS, in 1977, the Honorable Michael Anderegg was elected Probate Judge for the County of Marquette at the young age of 30, and was fondly referred to by his parents as “boy judge”; and,*

*WHEREAS, during his term as Probate Judge, he has been involved in numerous professional associations, has served on a number of committees, and has participated in other job-related activities, too numerous to mention. He has also served as an educator and lecturer; and,*

*WHEREAS, under his judicial leadership and vision, the Honorable Michael Anderegg has been a constant source of inspiration through his term in the Marquette County court system; and,*

*WHEREAS, the Honorable Michael Anderegg’s emphasis on community spirit has been a great benefit not only to at-risk youth and their families but also to the future of our Upper Peninsula communities; and,*

*NOW THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners recognizes the Honorable Michael Anderegg for his 30 years of dedicated service to the Marquette County community.*

*Adopted this 20<sup>th</sup> day of March, 2007*

*Gerald O. Corkin, Chairman*

*Marquette County Board of Commissioners*

Judge Anderegg briefly addressed Commissioners. He stated that he is very proud to accept the award, is grateful for the Staff that he has and very grateful for the long standing support of the County Board.

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

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It was moved by Comm. Arsenault, seconded by Comm. Pellow, and carried by voice vote 7 Ayes to 1 Abstention (Comm. Bergdahl) that Claims and Accounts for the period March 3, 2007 through March 16, 2007 in the amount of \$458,393.74, including expenditure check No. 81302 in the amount of \$877.75 made payable to Bergdahl's (Affidavit of Disclosure follows), and bi-weekly payroll for the period ending March 10, 2007 in the amount of \$606,324.66 be approved.

AFFIDAVIT OF DISCLOSURE  
PURSUANT TO MCL 15.323(2)(a)

COUNTY OF MARQUETTE )  
 )SS  
STATE OF MICHIGAN )

Charles Bergdahl, 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 March 20, 2007 meeting of the County Board of Commissioners includes Check No. 081302, dated March 2, 2007, payable to Bergdahl's, Inc. in the amount of \$877.75, in payment for Community Correction supplies;
2. I hereby disclose that I have a personal financial interest in Bergdahl's, Inc., which is as follows:  
  
90% Shareholder
3. I hereby certify that any direct benefit I personally will receive from this payment to Bergdahl's Inc. will be less than \$250.00, and will be less than 5% of the total payment of \$877.75.

Dated this 20<sup>th</sup> day of March, 2007.

/S/

\_\_\_\_\_  
Charles Bergdahl

It was moved by Comm. Cihak, seconded by Comm. Heikkila, and unanimously carried by voice vote that the agenda be approved with the addition of Item 11a) Pathways Appointments.

**INFORMATIONAL ITEMS**

There were no informational items for approval.

**ACTION ITEMS**

10a) The County Board considered a memo from Carr Baldwin, Chair, Solid Waste Management Planning Committee, regarding an Amendment to the County of Marquette Solid Waste Management Plan. Al Feldhauser, Senior Planner, was present and explained that the Solid Waste Management Planning Committee (SWMPC), working in conjunction with the Marquette County Planning Commission, had created a text amendment to the Plan to facilitate a minor expansion at the Marquette County Landfill. The text was released for a 90-day public review/comment period which concluded with a public hearing held February 7, 2007. The amendment was released for an additional 30-day comment and subsequent hearing scheduled for Monday, March 19, 2007.

Mr. Feldhauser further stated that the SWMPC has approved the text. He explained that should the County Board concur, the proposed Amendment will be distributed to all municipalities within the County. It will require two-thirds local approval by the 22 member municipalities before subsequent submittal to the Department of Environmental Quality for final approval.

It is the recommendation of the Solid Waste Management Planning Committee that the Marquette County Board of Commissioners approve the proposed Amendment.

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It was moved by Comm. Bergdahl, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board approve the proposed Amendment to the County of Marquette Solid Waste Management Plan.

10b) The County Board considered a Loan Renewal Request from Robert C. Adams, Regnos, LLC. Scott Erbisch, Sawyer Operations Manager, was present and explained that the IRP Loan Committee met on March 12, 2007 to review the loan renewal request, and recommends that the County Board approve the terms as follows:

- Borrower: Robert C. Adams, Regnos, LLC.
- Purpose: Renewal of existing loan since alternative/traditional financing not approved.
- Amount: Approximately \$112,000.
- Purpose: Renewal of existing loan. Mr. Adams attempted to refinance the loan as per the existing loan conditions, but was subsequently denied funding.
- Rate: 10.5% (prime plus 2 points, plus Wells Fargo Fee). Loan based on seven years with a 2-year payback. Final payment to be a balloon payment.
- Terms: Monthly payments of principal and interest.
- Collateral: Same as current loan – personal guarantees of those owning 20% or more of the business and a position on equipment.

Mr. Erbisch further explained the project summary:

On December 14, 2001, Regnos, LLC, now Alta Surgery, closed on a 5-year \$200,000 IRP loan. A lump sum final payment was due December 14, 2006. Regnos, LLC, has kept their loan current.

In December, 2006, Regnos, LLC, requested a 60-day extension of their loan to seek alternative funding so that the lump sum payment could be made. The County Board granted the extension request with a requirement that Regnos, LLC, continue to make monthly payments on the loan.

Regnos, LLC, did seek alternative financing but was subsequently denied a loan. Since alternative financing has been denied, the IRP Loan Committee has reviewed the request for a renewal of the outstanding loan balance of approximately \$112,000. This renewal is not providing Regnos, LLC, with additional funding. Since Alta Surgical is not located at Sawyer, it would not be eligible for additional funding.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the renewal of the IRP Loan to Robert C. Adams, Regnos, LLC, according to the terms outlined above.

10c) The County Board considered a memo from Scott Erbisch, Sawyer Operations Manager, regarding an IRP Loan to Stop N’ Shop Convenience Store. Mr. Erbisch explained the IRP Loan Committee met on March 12, 2007, to discuss a \$50,000 loan request from Ted Finco, owner of ACA & Associates, Ltd, a/k/a Stop N’ Shop, and recommends that the County Board approve the terms as follows:

- Borrower: Ted Finco, Stop N’ Shop.
- Amount: \$50,000.
- Purpose: Expand inventory, safety, and security updates; update video rental equipment, repayment of current IRP loan, working capital.
- Rate: 8.50% (prime plus Wells Fargo fee) for seven years, with a five-year payback. The final payment will be a balloon payment. Monthly payment will be approximately \$792 per month.
- Terms: Monthly payments of principal and interest.
- Collateral: Personal guarantees of Ted and Amber Finco and first position on all business assets.

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Mr. Erbisch explained the Project Summary:

Stop N’ Shop Convenience Store has been leasing space in Building 1249, which is located at 120 Voodoo Avenue. It has been a full-service convenience store offering dry grocery, frozen, dairy goods, a deli, soft drinks, beer, cigarettes, etc. According to the Finco’s they have established a good customer base and have refined how they do business with distributors and hire employees, thus allowing them to be more effective with how they do business. Since opening their store in 2004, total sales have grown each year.

Mr. Erbisch further explained the \$50,000 requested would pay off the current IRP loan that has an approximate balance of \$15,000.00 but leave enough additional funding to allow them to make safety upgrades, upgrade/update the video rental system, expand inventory to qualify as a WIC retailer, and to create working capital. These listed uses are allowable under the IRP loan policy.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve the Stop N’ Shop \$50,000 IRP loan request according to the terms outlined above.

10d) The County Board considered the Canusa request. Chairperson Corkin explained that at the March 7, 2007 County Board meeting the Board voted 4 Ayes to 1 Nay to accept Alternative #2. Alternative #2 would reduce the monthly lease payment to \$2,158.83 and apply a portion of that payment toward the past due rent. For example, \$500.00 of each monthly lease payment could go towards the past due lease. In this scenario, the payback of the past due rent would be just over five (5) years. This would also reduce the same square foot cost to approximately \$1.54. Please note: Mr. Fournier is agreeable to this alternative. Chairperson Corkin explained that the issue was placed on tonight’s agenda because five votes are required for final approval.

Comm. Arsenault stated that the Loan Committee recommends Alternative #2, based on the fact that the County would get the rent back, the payment would reduce somewhat, the jobs would be there, and the building would be used. Comm. Arsenault stated this is not a perfect solution, but it is a solution.

Comm. Pellow stated that she wants a personal guarantee. She stated the Company knows they owe the money and are neglecting to pay it, she feels they are not even trying. She will again vote no unless there is a personal guarantee.

It was moved by Comm. Arsenault, seconded by Comm. Bergdahl, and carried by voice vote 7 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 1 Nay (Comm. Pellow) that the County Board accept Alternative #2 as stated, and further, if the Canusa defaults on the new agreement all past due rents would be immediately due and payable.

10e) The County Board considered 2% requests. Steve Powers, County Administrator, explained the following requests that have been received for 2% gaming monies, which will be submitted to the Sault Ste. Marie Tribe and/or the Keweenaw Bay Tribe:

<u>Project Agency</u>	<u>Project Name</u>	<u>Amount Requested</u>
Moose Wood Nature Center (Non-Profit)	Moose Wood Nature Center’s Into the Woods: Helping At-Risk and Delinquent Youth Interact Positively with their Environments through Nature and Art	\$ 4,000.00
Upper Peninsula Children’s Museum (NonProfit) (Sault Request Only)	Upper Peninsula Children’s Museum Youth Empowerment Programming	\$20,000.00
Marquette County Health Department	Marquette County Health Department	\$20,000.00

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	Dental Clinic	
Marquette County Prosecutor’s Office	Domestic Abuse Information Network for Marquette County	\$22,622.00
Marquette County Road Commission	Brusher	\$50,000.00
Retired and Senior Volunteer Program	R.S.V.P. Medical Transportation Program	\$ 7,500.00
Lake Superior Community Partnership	Iron Ore Heritage Trail	\$30,000.00
Marquette County (KBIC only)	Law Enforcement	\$60,000.00
Marquette County (KBIC only)	Youth Programming	\$17,500.00

Mr. Powers further explained that since the memo was prepared requests have also been received from the Hiawatha Amateur Radio Association - \$4,500.00 - for the purchase of emergency communications radios, and a \$16,000.00 request from the Liberty Children’s Art Museum Project for an Artist in Residence Program. Mr. Powers explained that each of these requests, including the two late additions, have been reviewed by Civil Counsel. He is recommending the County Board approve the request to the Sault Ste. Marie Tribe of Chippewa Indians and the request to the Keweenaw Bay Indian Community. He stated the Keweenaw Bay Indian Community request includes County programs. He also recommends that the letter be written to make it clear to the Tribal Council that the Keweenaw Bay Indian Community distribution, if they choose to make a distribution to the County, that the proceeds will be allocated by the County Board, certainly taking into account the Tribal Council’s request, but the decision would be that of the County Board.

It was moved by Comm. Wallace, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board approve the requests to the Sault Ste. Marie Tribe of Chippewa Indians and/or the Keweenaw Bay Indian Community.

**LATE ADDITIONS**

11a) The County Board considered appointments to Pathways. County Clerk, Connie Branam, explained that the terms of Don Curto, Marquette and Rudy Kemppainen, Ishpeming, expire on the Pathways (Community Mental Health) Board on March 31, 2007. Mr. Curto and Mr. Kemppainen have both submitted applications to be reappointed. They were the only applicants.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board appoint Don Curto, Marquette, and Rudy Kemppainen, Ishpeming, to the Pathways (Community Mental Health) Board for 3-year terms expiring March 31, 2010.

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

**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Chairperson Corkin announced a ceremony at the Peter White Public Library that was held from 4:00 to 6:00 this evening honoring Marquette County being chosen as one of the 100 Best Communities for Youth. He stated it was a very impressive ceremony and well attended by the public.

Comm. Heikkila suggests the IRP Loan Committee require personal guarantees so the County has more security.

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Comm. Struck announced he will be in Lansing at the end of the week. A meeting is scheduled for Thursday regarding road issues in the State. The House of Representatives Transportation Committee will be hearing testimony from various state-wide groups dealing with road issues and the possibility of increasing the fuel tax statewide. On Friday the Michigan Association of Counties Transportation Committee will meet to discuss the same issues.

Comm. Wallace announced that Governor Granholm's executive order will be released on March 21, 2007 and stated that hopefully we will have an idea whether there will be revenue enhancements or not. He also announced that a teleconference was held today with the Director of the Michigan Department of Community Health regarding public health issues and the loss of several programs that are related to prevention activities. He stated that last Friday Comm. Corkin, himself, and Administrator Powers attended a meeting in Escanaba at the UPCAP offices for a discussion with the three Central U.P. Health Departments, Marquette County, Dickinson/Iron, and Delta/Menominee regarding the sharing of resources and personnel.

Chairperson Corkin commended Comm. Wallace for his input at the meeting. It was very much appreciated by other counties.

Chairperson Corkin announced that on Thursday, March 22, 2007 a Regional Jail Meeting will be held in Escanaba for U.P. Counties. Comm. Corkin, Sheriff Lovelace, and Administrator Powers will attend. Chairperson Corkin invited anyone interested to attend.

There being no further business to come before the County Board of Commissioners, the meeting adjourned at approximately 6:30 P.M.

Respectfully Submitted,

Connie M. Branam  
Marquette County Clerk