

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, April 1, 2008, 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. Pellow, Comm. Struck, and Comm. Corkin. Absent and Excused: Comm. Bergdahl, Comm. Heikkila, Comm. Joseph and Comm. Wallace.

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

It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on March 18, 2008 be approved.

Chairperson Corkin read the following resolution honoring service of Richard G. Juchemich:

*MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION
HONORING SERVICE OF RICHARD G. JUCHEMICH*

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, Richard G. Juchemich was hired on May 15, 1990 as a Service Worker in the Facilities Division of Resource Management/ Development Department; and

WHEREAS, Rich was Promoted on April 27, 1992 to Facilities Mechanic and later to Lead Facilities Mechanic; and

WHEREAS, as a working leader, Rich has shown dedication in performing a variety of mechanical repairs and maintenance of the heating, air conditioning, electrical, and plumbing systems in the county buildings. He has been a leader on construction and maintenance projects and has been responsible for the development and maintenance of a computerized maintenance management system;

WHEREAS, Rich retired on October 14, 2005 after 15 years of service and re-hired in the same capacity of Lead Facilities Mechanic on November 17, 2005;

THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Rich for his 18 years of excellent service to Marquette County; and

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

*Proclaimed this 1st day of April, 2008
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

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

Chairperson Corkin opened the meeting for public comment. Jim Bjorne, 1063 Cooper Lake Road Ishpeming, addressed the County Board announcing that he is a Democratic Candidate for Marquette County Sheriff. Mr. Bjorne explained a 4-point plan he would use as Marquette County Sheriff. Mr. Bjorne asked for County Board support as Candidate for Marquette County Sheriff.

Larry Linna and Max Engle, members of the Marquette County Labor Council, requested to speak to item 10c) Resolution to Oppose "Right-to-Work" Laws.

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

It was moved by Comm. Arsenault, seconded by Comm. Struck, and unanimously carried by voice vote that Claims and Accounts for the period March 15, 2008 through March 28, 2008 in the amount of \$715,122.54, and Bi-Weekly Payroll for the period ending March 22, 2008 in the amount of \$617,265.81 be approved.

INFORMATIONAL ITEMS

It was moved by Comm. Cihak, seconded by Comm. Struck, and unanimously carried by voice vote that the following Informational Items be accepted and placed on file:

- 9a) Notice of Public Hearing-FY2009 Annual Implementation Plan (Area Plan) for Services to the Elderly.
- 9b) City of Ishpeming Public Hearing Considering the Adoption of a Resolution to Establish a Neighborhood Enterprise Zone ("NEZ").
- 9c) Michigan State Housing Development Authority Closeout of Grant #MSC-2003-0743-HOA.
- 9d) Communication regarding a Hearing in Lansing - House Bill 4323.
- 9e) Upper Peninsula Power Company 2008 Electric Conference.
- 9f) Michigan Public Service Commission Notice of Hearing and Application of Everycall Communications, Inc.
- 9g) Michigan Public Service Commission Notice of Hearing and Application of Telrite Corporation.
- 9h) DEQ Air Quality Division's Pending New Source Review Application Report.

ACTION ITEMS

10a) The County Board considered a memo from John Greenberg, Human Resource and Risk Management Department, regarding Group Life and Long-term Disability Coverage. Mr. Greenberg was present and explained that the MAC Service Corporation, acting through Employee Benefits Agency, Inc., has presented the County with a group life and disability proposal for the new MAC/Mutual of Omaha program. The rates being offered through the MAC/MOO Program, as it is known, are lower than our current rates, as well as any of the rates received from other carriers for 2007, and are guaranteed for two years.

Mutual of Omaha is a large and A+ rated carrier that has partnered with MAC to provide these benefits to members at a reduced cost. If this proposal is accepted, the employees would not be required to complete any additional paper work and the benefit levels would mirror those currently in place. There would be a savings to Marquette County of approximately \$6,500/year.

Mr. Greenberg further explained that although the savings are not huge, the transfer would be relatively seamless and would be supporting MAC's efforts to provide cost saving alternatives for employee benefits. Mr. Greenberg recommends changing the group life and the long term disability provider to the MAC program as soon as possible.

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board approve changing the Group Life and Long-term Disability Coverage provider to the MAC Program as soon as possible.

10b) The County Board considered a Health Department Administrative Process Update. Steve Powers, County Administrator, announced that Dr. Johnson has submitted his retirement letter to the Board of Health. The Board of Health has accepted that letter and has begun a process to replace Dr. Johnson.

Mr. Powers explained that Dr. Johnson is one of the few combined Health Officer Medical Directors in the State of Michigan. The process that the Board of Health has started would be to separate those two responsibilities into two separate positions. Because of the talented individuals internally at the Health Department, as well as the financial challenges that the Health Department is facing, the Board of Health has chosen to limit the selection process to internal candidates. Mr. Powers also explained that Mr. Greenberg will be assisting the Board of Health. The Board of Health, per policy of the County Board, has the responsibility to conduct interviews, forwarding a recommendation to the County Board. The County Board would then make the appointment. The time line for doing so is fairly aggressive and the Board of Health would like to have the interviews in April, with the recommendation to the County Board by late April/early May.

Mr. Powers advised the Board of Health that the selection of the Medical Director and the Medical Officer should be one that makes sense for both the individual and the County.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board approve that the Health Department Administrative process for hiring a Health Officer and Medical Director.

10c) The County Board considered a Resolution to Oppose "Right to Work" Laws. Larry Linna, Member of the Marquette County Labor Council, explained there are many reasons for opposing the Right to Work, one of them being that it really isn't a right to work at all, it's actually a right to work for less. He stated that one of the primary tenants of Right to Work is disallowing members to pay union dues. This would greatly weaken the union and would make it less effective. He stated that the RTW issue isn't new, it's been going on for a number of years. Mr. Linna requests the County Board to pass the Resolution Opposing Right to Work in Michigan (House Bill 4454-4455 and State Bill 607-608) and encourage all U.P. Counties to do the same.

Max Engle, first Vice-President of the Marquette County Labor Council, also spoke in favor of the Resolution Opposing Right to Work. He explained that the unions as required by federal law represent every person in a bargaining unit, whether they are members or not. The union security clause requires that everyone in the bargaining unit pay union dues, or the equivalent if they are not a member of the union. He explained that states having Right to Work laws average \$5,900.00 less per year, poverty and infant mortality rates are higher, less is spent on education per student, a 41% higher death rate on job injuries, and 20% more of the population is without health care insurance. These are just a few of the statistics, there are a lot more. He urged the County Board to Oppose Right to Work Legislation.

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board adopt the Resolution Opposing House Bill 4454-4455 and Senate Bill 607-608 (referring to the misleading and deceptive name "Right to Work"), and further that copies be sent to our U.P. Association of County Commissioners, the Michigan Association of Counties, and our State Legislators.

It was moved by Comm. Cihak, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board Oppose any Legislation in the U.S. Congress or the Michigan Legislature that would make Michigan a Right to Work State.

10d) The County Board considered a Marquette County Road Commission LUST (Leaking Underground Storage Tank) Remediation Site at the Ishpeming District garage. Negaunee-Ishpeming Water Authority Board requested this item be placed on the agenda. The Negaunee-Ishpeming Water Authority is encouraging the

Marquette County Road Commission to implement an active approach to site cleanup that will effectively remove sources of the contamination to the North Carp River Aquifer.

Jim Iwanicki, Engineer, Marquette County Road Commission, was present and explained that the Road Commission met with the Water Authority regarding the status of the underground leaking storage tank at the Ishpeming site. He stated that the DEQ was also invited. The Negaunee-Ishpeming Water Authority has a different opinion than the Road Commission. The Road Commission will present their case to the DEQ in a written format over the next month or so, requesting that nature take care of the problem rather than actively going after, and remediating, what's in the ground. The Road Commission will abide by the DEQ's decision.

Comm. Pellow spoke to the Water Authority and was informed that there are three communities that could be affected by contaminated water. This is a huge liability and a huge concern. She questioned that, if in fact, the DEQ does approve the Marquette County Road Commission Plan, will the Water Authority be able to put forth comments to the DEQ. She also stated that the Water Authority Engineer does not concur with the Road Commission Engineer on the problem. Discussion followed.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board place the communication on file, but request the Road Commission, the Negaunee-Ishpeming Water Authority, and the DEQ to keep the County Board updated regarding the issue.

10e) The County Board considered Superior Extrusion Land and Building Leases. Scott Erbisch, Sawyer Operations Manager, explained that in early 2008, Superior Extrusion, Inc., (SEI) representatives requested consideration by the County Board for a commitment to enter into a long-term land lease with Airport ALP Property. The need and purpose for the early approval for a lease was for financing. Although the County Board did agree to a long-term lease for the land, the former lease has not yet been approved. This memo is requesting Board action for two leases. The first will be the land lease and the second is for Building 735 and 736 (also known as Parcel E-26W).

Mr. Erbisch further explained that in both leases, SEI is requesting them at no cost until such time that its investment into the relocation of the public water and sanitary sewer system is reimbursed. Initially, the County sought CDBG funding in the amount of \$132,100.00 for this purpose. All indications were that the CDBG funding was to be awarded, however, with very short notice, and due to other complications, the Michigan Economic Corporation (MEDC) did not act on that application. In order to keep the expansion project moving on its short construction schedule, SEI decided to cover the costs of the relocation with the hope that Marquette County could come up with the funding. Waiving the expense of either lease is acceptable to SEI.

Although the lease would be waived, it will only be until the total of the lease payments would equal \$132,100.00.

The land lease is for three small parcels that total 3.3 acres. The terms are as follows: 29 years beginning April 1, 2008; \$1,200.00 per acre, per year, to be waived as detailed. Annual total of \$3,960.00; SEI responsible for maintenance, including, but not limited to, mowing and snow removal; and SEI responsible for costs of improvements (no building to be constructed on parcels).

The Building 735 and 736 are on Parcel E-26W, which abuts to the East parcel line to the Superior Extrusion property. Building 735 is the former refuse transfer facility with 2,198 sf. Building 736 is a pole building with approximately 1,872 sf. SEI intends to use both buildings for storage. The terms of the lease are as follows: 10 year lease beginning April 1, 2008; \$2.00 per square feet, to be waived as detailed. Annual total of \$8,140.00; Lessee is responsible for general maintenance and care of buildings and properties; and Lessee is responsible for all utility costs.

Mr. Erbisch recommends the County Board approve both the Land lease and Building Leases.

It was moved by Comm. Cihak, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve a 29-year lease for the 3.3 acres as detailed and authorize the Board Chair to sign the

documents; and approve a 10-year lease (with a subject to termination clause) for Building 735 and 736 (Parcel E-26W) as detailed, and authorize the Board Chair to sign the lease documents.

10f) The County Board considered Additional UPCAP Allocation for 2008. Sue Vercoe, Finance Manager, explained that UPCAP has just approved additional funding for Homemaker Services. The initial award to Marquette County for 2008 was \$65,026.00. The additional funding amount is \$6,487.00, an increase of just under 10%. The additional funding is to be allocated to the four senior centers and will provide 432 additional units of service.

	<u>Original Contract</u>	<u>Amendment</u>
Forsyth	\$ 9,434	\$ 941
Ishpeming	\$ 19,808	\$ 1,976
Marquette	\$ 26,776	\$ 2,671
Negaunee	<u>\$ 9,008</u>	<u>\$ 899</u>
Totals	\$ 65,026	\$ 6,487

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the Additional UPCAP Allocation for 2008 as presented by Sue Vercoe, Finance Manager.

10g) The County Board considered the Marquette County 2007 Annual Report. Chairperson Corkin explained that the 2007 Annual Report summarizes some of the things Marquette County was involved in during the 2007 year. He stated that one that is certainly important to Commissioners is the following 2008 Board of Commissioners Priorities:

- 1. Airport Funding Stabilization Plan**
- 2. Jail Expansion**
- 3. Ishpeming Service Center-Full use and financial viability.**
- 4. Maintain a Balanced Budget.**
- 5. Continue Aging Services with more money dedicated to services.**
- 6. Promote and Implement Economic Development Projects.**
- 7. Work cooperatively with local units of government for efficiency and cost savings.**
- 8. Advocate for state to pay fair share for mandated services.**
- 9. Post Employment benefits funding plan.**
- 10. Iron Ore Taxation – gather facts concerning published price.**

Steve Powers, County Administrator, explained that the 2007 Annual Report has been an effort that has been undertaken for the past several years to make information more accessible and understandable to the public. The document was prepared with input from Department Directors and Elected Officials. It could be used by any service club, or community organization, that may be interested.

Comm. Struck commended Department Heads, Elected Officials and Staff for an excellent report.

Chairperson Corkin opened the meeting for Public Comment. Larry Linna, Marquette County Labor Council, thanked the Board on behalf of all working men and women of Marquette County, as well as the State of Michigan, for supporting the Resolution Opposing Right To Work.

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

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried on a roll call vote 5 ayes (Comm. Arsenault, Comm. Cihak, Comm. Pellow, Comm. Struck and Comm. Corkin) to 0 naves that the County Board go into Closed Session to discuss Confidential Attorney-Client Communications: USA Hunting and ACA & Associates.

Chairperson Corkin called a 2 minute recess to clear Commission Chambers.

Closed Session

The County Board came back into open session.

It was moved by Comm. Cihak, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board authorize Staff and Civil Council to initiate litigation against USA Hunting Supplies, LLC, for damages resulting from USA's breach of its lease with the County.

No action was taken as a result of the Closed Session discussion regarding ACA & Associates.

There being no further business to come before the County Board, the meeting adjourned at approximately 7:00 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk