

*Minutes are Subject to Correction and Approval*

The Marquette County Board of Commissioners met in Regular Session on Tuesday, October 7, 2008, at 6:00 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. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent and Excused: None.

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

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by a voice vote that the minutes of the County Board of Commissioners Regular Meeting held on September 16, 2008 be approved.

**PROCLAMATIONS, PRESENTATIONS AND AWARDS**

Chairperson Corkin read the following Resolution Honoring Jennifer L. Bennon on her Retirement:

*MARQUETTE COUNTY BOARD OF COMMISSIONERS  
RESOLUTION  
HONORING SERVICE OF JENNIFER L. BENNON  
ON HER 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, Jennifer L. Bennon was hired as a Typist/Stenographer in the Internal Services of the Administrator's Office on May 19, 1980. In March of 1981 she transferred to the 96<sup>th</sup> District Court, and has held the positions of Deputy District Court Clerk, Accounts Leader and Court Recorder. Jennifer has been the District Court Administrator for the last 19 ½ years; and*

*WHEREAS, Jennifer has managed the administrative functions of the 96<sup>th</sup> District Court in Marquette and Ishpeming as District Court Administrator. In her capacity as Magistrate, she presided over many hearings and performed many weddings. She was instrumental in the development and implementation of the 96<sup>th</sup> District Court Sobriety Court; and*

*WHEREAS, Jennifer served as a faculty member for the Michigan Judicial Institute for several years and was an active member of the Michigan Association of District Court Magistrates. She was a member of the Association's Board of Directors for many years and was elected to the positions of Treasurer and Secretary. Jennifer received the Association's Distinguished Service Award in 2003; and*

*WHEREAS, Jennifer L. Bennon will retire on October 3, 2008 with over 28 years of service.*

*THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners gratefully expresses its appreciation to Jennifer L. Bennon for her excellent service to Marquette County; and*

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*BE IT FURTHER RESOLVED, on behalf of all Marquette County Citizens, the Marquette County Board wishes Jennifer and her husband Donald a long, healthy, and happy retirement.*

*Adopted this 7<sup>th</sup> day of October, 2008  
Gerald O. Corkin, Chairperson  
Marquette County Board of Commissioners*

Comm. Cihak commended Jennifer and wished her well on her retirement. He stated that she was a real credit to Marquette County.

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It was moved by Comm. Joseph, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Agenda be approved with the following Late Addition: 11a) IGT Authorizing Resolution.

Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, spoke regarding Pathways. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

Comm. Wallace responded to comments by Jim Gallant. He requested the County Board direct him to check the facts as stated by Mr. Gallant. He will report back to the County Board.

It was moved by Comm. Arsenault, seconded by Comm. Joseph, and unanimously carried by voice vote that Claims and Accounts for the period September 26, 2008 through October 2, 2008 in the amount of \$887,493.38, and Bi-Weekly Payroll for the period ending September 20, 2008 in the amount of \$596,173.09, be approved.

**PRIVILEGED COMMENT**

Carol Fulsher, Director of Recreational Development, Lake Superior Community Partnership and a member of the Iron Ore Heritage Recreation Authority, was present and spoke on behalf of the Partnership as well as the Iron Ore Heritage Recreation Authority. She introduced Jim Thomas, President of the Iron Ore Heritage Recreation Authority, and Don Britton, Vice-Chair. She presented the County Board with updates on what is happening with the Iron Ore Heritage Trail. She explained that there is an upcoming ballot initiative and wants the public to understand what they are trying to accomplish, and also cleanup any misconceptions or questions that citizens may have with regards to what the project is. Ms. Fulsher distributed information which states "Vote on November 4<sup>th</sup> Iron Ore Heritage Trail Information Flyer." The Flyer states that the Iron Ore Heritage Trail will be Providing Safe, Healthy, and Year Round Recreation Opportunities for All Ages; Preserving, Conserving and Promoting our Communities Iron Mining Legacy for Future Generations; Preserving a Much Needed East/West Trailway through Marquette County; Investing State and Federal Dollars into our Region; and Boosting Our Tourism Economy. She explained what the Iron Ore Heritage Trail is, what it will cost taxpayers, how the money will be used, who will get to use the trail, and who is responsible for the trail and the money.

Commissioners thanked the Iron Ore Heritage Recreation Authority, Ms. Fulsher, Mr. Thomas, and Don Britton for all their hard work. They congratulated them on a job well done. Dottie Lewis, Planning Staff, was also commended on a remarkable job in the preparation of various maps.

**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. A Thank You from Jonathan Mead, Executive Director, UPCAP, for all who attended the 40<sup>th</sup> Annual U.P. Senior Citizens' Convention and Expo.
- b. Announcement of Rural Transportation Planning Process: Annual Rural Elected Officials Meeting – Wednesday, October 15, 2008, 1:00 p.m., Heirman University Center, Bay College, Escanaba, MI.
- c. Open House and Compartment Review – Gwinn Forest Management Unit – Thursday, October 23, 2008, 3:00 p.m. – 7:00 p.m., Sands Township Hall, Gwinn, MI
- d. A Thank You from American Airlines for supporting the Joint Application for Antitrust Immunity with Transatlantic Oneworld Alliance Partners – British Airways, Iberia Airlines, Finnair and Royal Jordanian.

**ACTION ITEMS**

10a) Judge Thomas Solka, Chief Judge of the 25<sup>th</sup> Circuit Court, was present to explain his request for a Video Court Recording/Video Arraignment System purchase and answer questions. Judge Solka explained that in the Fall of 2003, Jefferson Audio Video Systems Inc. (JAVS) installed a Video Court Recording System in Circuit Court North. The installation has worked nearly flawlessly for the past five years and has been a valuable asset for Circuit Court.

The current Court Recorder for the South Circuit Courtroom is planning on retiring early in 2009. With the success of JAVS in the North Courtroom, it is an opportune time to enhance the technical capabilities of the South Courtroom with some enhancements. The Video Court Recording/Video Arraignment System will have the capability of capturing court proceedings on video. Video is an accepted method of capturing court proceedings for court records, replacing the traditional paper transcripts. This in essence, replaces the Court Recorder for the majority of the court cases.

The proposed Video Arraignment System will link with the Sheriff's Department to allow for arraignment of defendants within the County Jail. This will eliminate the transportation of defendants between Circuit Court and the Jail. As an added enhancement, the Video Arraignment System will have the capability of establishing video links with other outside facilities for arraignments or for video conferencing. The immediate use would be to arraign defendants housed at the Marquette Branch Prison.

Finally, the proposed system will enhance the evidence display capabilities when in the courtroom. Various display equipment, such as laptops, LCD projectors, and document projectors, would be connected to the various display T.V.'s located in the courtroom.

The Video Court Recording System will be charged to the Copy/Computer Fund in an amount not to exceed \$115,000. Circuit court will be charged depreciation annually in an amount not to exceed \$11,500. The County will also enter a maintenance agreement with JAVS in the amount of \$4,500 annually to begin in 2010. Judge Solka, Brent Nault, IS Manager, and Larry Gould, Facilities Manager, recommend the purchase of this system.

Comm. Joseph questioned why this project was not put out for bids. Brent Nault explained.

Judge Solka stated that there are standards which have to be met in purchasing such a system. He also explained that JAVS is currently the only vendor in the State of Michigan with a digital system. He explained that the system now in place in the North Courtroom has more than paid for itself.

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It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board waive the bid process requirement and purchase the Video Court Recording/Video Arraignment System from Jefferson Audio Video Systems Inc. (JAVS) in an amount not to exceed \$115,000; the Copy/Computer Fund will purchase the system, and annual depreciation charge not to exceed \$11,500 will be paid by Circuit Court; the County of Marquette will also enter into an annual maintenance contract with JAVS in the amount of \$4,500 beginning in 2010.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve Action Items 10b), 10c), 10e), 10f), 10g), and 10h) as follows:

10b) Committee of the Whole Recommendation to approve the Emergency Action Guidelines.

10c) Committee of the Whole Recommendation to authorize the Argonics Lease Payment Extension Request from Michael Pond, on behalf of Bob Flood, President of Argonics, to change the lease payment start date from October 1, 2008 to May 1, 2009; and further, this change will also adjust all other corresponding dates to reflect this modification.

10e) Committee of the Whole Recommendation to reschedule the November 11, 2008, Committee of the Whole Meeting to November 12, 2008, and hold the ORV Public Hearing.

10f) Committee of the Whole Recommendation to approve the 2% Requests including the Superior Watershed Partnership Youth Conservation Program and the Marquette County YMCA, subject to review by Civil Counsel.

10g) Committee of the Whole Recommendation to amend the Aging Services Agreement between the City of Negaunee and the County of Marquette to provide a one-time payment of \$5,824.72, and also amend the Aging Services Agreement between the City of Ishpeming and the County of Marquette to provide a one-time payment of \$3,269.

10h) Committee of the Whole Recommendation to purchase the Michigan Court Connect Software from CherryLAN Systems Inc. for the stated implemented price of \$32,000.00 and enter into a maintenance agreement with CherryLAN Systems Inc. in the amount of \$7,800.00 annually.

**ACTION ITEMS CON'T**

10d) The County Board considered a Committee of the Whole Recommendation to approve the Memorandum of Understanding with Michigan State Police for October 1, 2008 to September 30, 2009 for \$23,302; including language regarding ownership of work station and supervision of dispatchers. And further, if necessary, a document signed prior to September 30, 2008.

Comm. Joseph questioned whether the document was signed prior to September 30, 2008.

It was moved by Comm. Joseph, seconded by Comm. Heikkila, and unanimously carried by voice vote that the County Board approve the Memorandum of Understanding with the Michigan State Police for October

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1, 2008 to September 30, 2009 for \$23,302; including language regarding ownership of work stations and supervision of dispatchers.

**LATE ADDITIONS**

11a) The County Board considered an IGT (Intergovernmental Transfer) Authorizing Resolution. Steve Powers, County Administrator, explained that Marquette County has been assisting in the process of bringing in needed revenue to provide medical services to the uninsured and underinsured through the Intergovernmental Transfer Process. Mr. Powers explained the process. He stated that staff is anxious to submit the first quarter (October, November, and December) request to the State of Michigan.

Comm. Wallace explained that the County Board has passed this Resolution annually for the past three or four years. He stated that it is the only way that the Medical Care Access Coalition can continue providing services to the underinsured and uninsured and the medical indigent in Marquette County.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve 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 \$328,033.83 annually, 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

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*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.*

*Adopted this 7<sup>th</sup> day of October, 2008  
Gerald O. Corkin, Chairman  
Marquette County Board of Commissioners*

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Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, spoke regarding Pathways. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Chairperson Corkin reminded Commissioners of the Upper Peninsula County Commissioners Conference beginning on Friday in Harris, Michigan.

Comm. Pellow questioned whether the ORV Draft Ordinance could be published on the County website.

Comm. Cihak announced good news at Sawyer with the opening of Global Response. Global Response will hire 200+ employees.

Comm. Cihak, Comm. Heikkila, and Comm. Wallace commented briefly regarding the moose issue in the City of Ishpeming.

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