

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, August 5, 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. Heikkila, Comm. Pellow, Comm. Wallace, and Comm. Corkin. Absent and Excused: Comm. Bergdahl, Comm. Joseph, Comm. Struck.

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 voice vote that the minutes of the County Board of Commissioners Regular meeting held on July 16, 2008 be approved.

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

Chairperson Corkin opened the meeting for public comment. James Gallant, Skandia, spoke regarding prone immobilization restraint used by Pathways. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Pellow, seconded by Comm. Heikkila, and carried by voice vote that the Claims and Accounts for the period July 12, 2008 through July 31, 2008 in the amount of \$1,013,019.18, Bi-Weekly Payroll for the period ending July 12, 2008 in the amount of \$616,481.48, Bi-Weekly Payroll for the period ending July 26, 2008 in the amount of \$599,181.71, and Electronic Payments for the period totaled \$250,000.00, be approved.

INFORMATIONAL ITEMS

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

- 9a) Pathway's Board of Directors Invitation to meet Gail Hall, Pathways/NorthCare Network's Chief Executive Officer.
- 9b) Update from Judy Watson Olson, President, regarding activities at the Great Lakes Center for Youth Development.
- 9c) Communication from McCartney & Company, P.C. regarding the annual accounting for the Marquette County 9-1-1 Service District.
- 9d) Notification of Personnel Change in the Michigan Department of Transportation's Superior Region.
- 9e) Thank You from Keith E. Moyle, Vice President & General Manager, for support of resolutions regarding Upper Peninsula Power Company's Shoreline Management Plans.

ACTION ITEMS

10a) The County Board considered a proposed Lease for the Mangum Farm Dormitory. Larry Gould, Facilities Manager, was present and explained negotiations with the Michigan DMB and Department of Corrections have resulted in tentative agreement on the terms of a Lease for the Mangum Farm Dormitory, subject to County Board approval and the required State approvals. It has been reviewed and approved by Civil Counsel and Risk Management.

The proposed Lease will be for an original term of five (5) years, with the County having the option to renew for up to three additional terms of five (5) years each. Terms of the renewals could be modified, but rent

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for the original term and all renewal terms will be One (\$1.00) Dollar including responsibility for maintaining the water supply, the sewage lagoon and related facilities according to DEQ requirements. Renovations at the County's expense, and will require prior DOC approval. The County would also be responsible for any required asbestos or lead based paint abatement, and will be required to install a new electric meter so that the consumption of electricity at that building can be separately billed to the County. The County will also be required to provide appropriate public liability insurance coverage.

It is the present understanding that the County will not be permitted to commence renovations until the Lease has been approved by all parties, and that once the County has approved it could take anywhere from six (6) to twelve (12) weeks for the required State approvals. Accordingly, to meet the County's deadline for bidding, construction and occupancy by the end of 2008, there is a need to keep this process moving on our end. Mr. Gould recommends that the County Board approve the proposed Lease terms and authorize the Board Chair and County Clerk to execute the Lease and all other related required documents.

A lengthy discussion followed.

It was moved by Comm. Pellow, seconded by Comm. Cihak and unanimously carried by voice vote that the County Board approve the Lease for The Magnum Farm Dormitory, and authorize the Board Chair and County Clerk to execute the Lease and all other related required documents.

10b) The County Board considered the Conveyance of Former Road Right of Way Parcels (Sawyer). Harley Andrews, Chief Civil Counsel, was present and explained this is another of the many "clean up" projects relating to the property conveyances at Sawyer. In 2002 the County conveyed to Building 410 (Parcel E-16) to Avery Color Studios, Inc; Building 409 (Parcel E-17) to Tilden Valley Electric, Inc.; and Building 408 (Parcel E-18) to Magdaleno Custom Floor, Inc.

At the time of those conveyances, the eastern boundary of each of those parcels was the west right of way line of Avenue D. Subsequent to those conveyances, Avenue D and County Road 462 were realigned. As a result of this realignment new parcels, designated as:

- Parcel E-16(E), consisting of 0.14 acres; and
- Parcel L-18(E)D, consisting of 0.27 acres; and
- Parcel L-18(E)T, consisting of 13 square feet; and
- Parcel E-18(E) consisting of 2,609 square feet, or approximately 0.06 acres,

were created, and the parcels which had previously been conveyed no longer had road frontage. In order to remedy this situation, the County should convey these newly created parcels to the current owners of the adjoining originally conveyed parcels. This will somewhat enlarge their land area, but most importantly it will restore the required road frontage to their parcels. Further, payment of only One (\$1.00) Dollar should be required as consideration for these conveyances since they were not made necessary by any action or fault of the landowners.

Mr. Andrews recommends that the Board approve conveyances of the above referenced parcels to the adjoining landowners for One (\$1.00) Dollar each, and that it authorize the Board Chair to execute all documents necessary to implement these conveyances.

Discussion followed.

It was moved by Comm. Arsenault, seconded by Comm. Wallace and unanimously carried by voice vote that the County Board approve conveyances of the above referenced parcels to the adjoining landowners for One (\$1.00) Dollar each, and authorize the Board Chair to execute all documents necessary to implement these conveyances.

10c) The County Board considered a memo from the Marquette County Road Commission in response to concerns regarding the Landfill Bridge. Jim Iwanicki, Marquette County Road Commission, explained that the

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existing bridge is structurally in good shape although it needs some maintenance work to eliminate some long standing issues with the structure. As of now no weight limit needs to be placed on the structure.

The Road Commission will be addressing the failing back-wall on the North side of the bridge and drainage issue for the County Road NP Bridge leading to the landfill by the end of August. The Road Commission may have to close the bridge to perform some of this work and the Marquette County Road Commission will give the landfill one week notice prior to closing the structure. Their plan would be to close the structure on a Friday, Saturday and Sunday to make the repairs. The bridge is structurally in good shape and fixing the back-wall and drainage on the North side should eliminate the issues of holes appearing in the road after heavy rains.

Comm. Heikkila thanked the Marquette County Road Commission for responding so quickly and having a plan to take care of this issue by August.

It was moved by Comm. Wallace, seconded by Comm. Heikkila, and unanimously carried by voice vote that the County Board place the correspondence from Jim Iawnicki, Marquette County Road Commission, on file.

Chairperson Corkin opened the meeting for public comment. James Gallant, Skandia, spoke again regarding Pathways. There being on further public comment, Chairperson Corkin closed this portion of the meeting.

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Corkin responded to Jim Gallant's comments. He explained that the County Board appoints 5 of the 11 members on the Pathways Board. He feels very confident in the County Board's decision. Communications have been received regarding the physical intervention issue from the former C.E.O. of Pathways, Mr. Douglas Morton. The County Board has confidence in both the Pathway's staff as well as the Pathway's Board.

Comm. Wallace also commented regarding Jim Gallant's statements. He explained that a portion of the communication received from Pathways, stated that Pathways has decided to issue a blanket moratorium on all prone immobilization techniques effective October 1, 2008. Currently there is a survey being conducted by the Michigan Association of Community Health Boards to determine what crisis intervention techniques each one of the centers is using across the state. The initial response is that the Mental Health Centers want to discuss this issue in further detail as a group. There is still controversy, but there is a need for crisis intervention techniques. The prone immobilization technique is the last resort used anytime a patient or client is in need of restraint. No one has been harmed by it.

Comm. Corkin announced that on Friday, August 8, at 8:00 a.m. there will be a walk through at Mangum Farm for anyone who has not seen the facility. A meeting will follow at the Marquette County Jail at 10:30 a.m. concerning the Regional Jail issue. The consultant who is heading up the study will be in the area, and will meet with any Commissioners, Administration, Sheriff's Department, Prosecutors Office and Judges.

Comm. Wallace announced the Marquette County Board of Health met this morning with the Medical Care Access Coalition concerning an agreement for additional funds to help cover the cost for services.

Comm. Wallace also announced he has received an award from the National Association of Local Boards of Health which represents the work done by individuals working on local boards of health for National Leadership issues. Comm. Corkin congratulated Comm. Wallace on behalf of the Board and stated it was well deserved.

Steve Powers, County Administrator, announced the dredging has started at the Harbor in Big Bay. Mr. Powers also thanked the Board for allowing him the time and opportunity to continue his education. Comm. Pellow thanked Mr. Powers for taking the time away from his family to participate in instructional classes.

Comm. Cihak, questioned what happens to the sand when the dredging takes place? Mr. Powers will get back to the Board on this issue.

Comm. Corkin reminded the Board that the Budget Sessions are scheduled for September this year.

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

Respectfully Submitted,

Linda K. Talsma
Deputy County Clerk