

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, May 6, 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. Bergdahl, Comm. Heilkkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Comm. Corkin. Absent and Excused: Comm. Arsenault and Comm. Cihak.

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

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on April 15, 2008 and the Equalization Meeting Held on April 15, 2008 be approved.

PROCLAMATIONS, PRESENTATIONS AND AWARDS

3a) Chairperson Corkin read the following Resolution in Honor of National Police Officer Memorial Week.

*RESOLUTION IN HONOR OF
NATIONAL POLICE OFFICER MEMORIAL WEEK*

WHEREAS, in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day, and the calendar week in which May 15 falls as National Police Week, "in recognition of the service given by the men and women who, night and day, stand guard in our midst to protect us through enforcement of our laws;" and

WHEREAS, National Police Week is a collaborative effort, involving the NLEOMF, Concerns of Police Survivors (COPS), and the Grand Lodge Fraternal Order of Police (FOP) and the FOP Auxiliary; and

WHEREAS, 2008 marks the 27th Annual Peace Officers Memorial Service hosted by the Fraternal Order of Police Auxiliary and the Fraternal Order of Police; and

WHEREAS, In addition to the Memorial Service, National Police Week includes a number of events and activities in Washington, DC, and in communities across the country; and

WHEREAS, during National Police Officer Memorial Week, we are reminded of the importance of public safety services provided by our townships, cities, counties, and state law enforcement officers; and

WHEREAS, on May 15, 2008, Peace Officers Memorial Day, flags across the United States are to be flown at half staff in remembrance of the over 18,000 law enforcement officers killed in the line of duty in our nation's history; and

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners would like to commemorate past law enforcement officers and recognize present law enforcement officers and extend to them our appreciation for their dedication and commitment and the invaluable service they provide.

*Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

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

Chairperson Corkin opened the meeting for public comment. Earl Yelle, Supervisor Sands Township, 455 Yelle Road, Gwinn, read a statement concerning Kennecott’s plan to use the old Humboldt Mill to refine the rock from the Eagle Project. He is vigorously opposed.

Comm. Wallace invited the public to attend a Holocaust Memorial held at St. Peter’s Cathedral at 7:30 this evening.

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

It was moved by Comm. Pellow, seconded by Comm. Struck, and carried by voice vote 6 ayes and 1 abstention (Comm. Bergdahl) that Claims and Accounts for the period April 19, 2008 through May 2, 2008 in the amount of \$3,590,100.08, including check #92580 in the amount of \$7.63 made payable to Bergdahl’s (Affidavit of Disclosure follows), and Bi-Weekly Payroll for the period ending April 19, 2008 in the amount of \$658,355.80 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 May 6, 2008, meeting of the County Board of Commissioners includes Check No. 92580, dated May 2, 2008, payable to Bergdahl’s, Inc. in the amount of \$7.63, in payment for Courthouse equipment repair expenses;
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 \$7.63.

Dated this 6th day of May, 2008.

/S/

Charles Bergdahl

PRIVILEGED COMMENT

8a) Anne Giroux, Marquette County Treasurer, spoke regarding the Land Sale Proceeds Account Report and the Quarterly Report of Investments. Ms. Giroux stated that MCL211.78 m (8) (h) requires a written report to the County Board of Commissioners no later than June 30 of the second calendar year after foreclosure identifying any remaining balance in the land sale proceeds account. This report covers proceeds from the 2006 auction, which was for properties foreclosed for non-payment of 2003 property taxes. 2006 was

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the first auction held as an "Opt-in" county. The statute requires that costs associated with foreclosure properties be deducted from sales proceeds to arrive at a net balance. Costs include reimbursement of the delinquent tax fund for all taxes, interest and fees, costs associated with maintaining foreclosed properties, litigation costs, etc. The Board of Commissioners may transfer the net balance in the land sale proceeds account into the general fund. Ms. Giroux suggested that a \$100,000.00 balance be maintained in the fund to cover future potential liabilities.

Steve Powers, County Administrator, recommended the entire balance or any future amounts be kept in the fund.

It was moved by Comm. Pellow, seconded by Comm. Heikkila, and unanimously carried by voice vote that the Board accept the Quarterly Report of Investments and the Land Sale Proceeds Account Report for file, and keep all the funds for the sold properties in the Foreclosure Fund.

INFORMATIONAL ITEMS

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

- 9a) Memo from the Marquette County Solid Waste Authority Regarding Compact Fluorescent Bulbs.
- 9b) Thank You from the Office of the Governor regarding "Right-to-Work" Legislation.
- 9c) Communication from the Iron County Board of Commissioners Regarding Kennecott's Plan to use the Abandoned Humboldt Mill.
- 9d) Communication from the Iron County Board of Commissioners regarding "Right-to-Work" Legislation.
- 9e) Thank You from State Senator, Michael Prusi, regarding "Right-to-Work" Legislation.
- 9f) Communication from Phyllis Loonsfoot, Harbor House Domestic Violence Shelter, Commending Deputy Derocher.

Comm. Pellow appreciates the letter commending Deputy Sheriffs.

ACTION ITEMS

10a) It was moved by Comm. Struck, seconded by Comm. Heikkila, and unanimously carried by voice vote that the County Board approve a Committee of the Whole Recommendation to Approve the Final Michigan CDBG Program Progress Report.

10b) The County Board considered the Upper Peninsula Resource Conservation & Development Council Annual Plan of Work. Chairperson Corkin explained that this is an informational item to update Commissioners on what projects are being considered for the 2008 year in the Upper Peninsula.

It was moved by Comm. Wallace, seconded by Comm. Joseph, and unanimously carried by voice vote that the Upper Peninsula Resource Conservation & Development Council Annual Plan of Work for 2008 be accepted and placed on file.

10c) The County Board considered an Overview of Michigan's Road Needs. Comm. Struck announced that a 17-member Citizens Advisory Committee was appointed by the Governor to look at Michigan's transportation issues, needs, and the resources needed for transportation including railway, aviation and roads. Comm. Struck has been appointed Chair to the Roads, Highways, & Bridges Subcommittee. The Subcommittee, working with the Task Force, is charged with the task of developing a draft report by mid June (the final draft report due October) to be presented to the Legislature. The Subcommittee has sent letters to all county road commissions and other transportation individuals to get input. Comm. Struck explained that he and Jim Iwanicki, Marquette Road Commission, are working together to make sure that Marquette County and the entire Upper Peninsula will be included in the report. The Michigan's road budget is approximately 3.4 billion dollars and could easily be more due to costs of maintenance, construction, materials, etc.

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Comm. Pellow suggested the Marquette County Road Commission be invited to give an update to the Board regarding Marquette County's road needs compared to Michigan's road needs.

Chairperson Corkin commented on Act 51 and its importance to Marquette County.

It was moved by Comm. Pellow, seconded by Comm. Wallace, and unanimously carried by voice vote that the Overview of Michigan's Road Needs be accepted and placed on file.

10d) The Board considered a memo from Keith Kaspari, Airport Manager, regarding Notice of Bid Award for the construction improvements associated with the Parking Lot Expansion Project. Mr. Kaspari explained that on Friday, April 4, 2008, the Michigan Department of Transportation opened bids for the construction improvements associated with the parking lot expansion project. Three bids were received.

Note: Mead & Hunt, Sawyer's engineering firm, provided a project estimate at: \$1,174,145.95, resulting in the low bid being approximately 0.5% over the engineer's estimate which is within the bid allowances by MDOT.

Funding for this project has already been programmed by the FAA, with FAA Grant No: 3-26-0153-2407, with funding assistance at: 95% (FAA), 2.5 (MDOT), and 2.5% (Marquette County). Staff recommends support of the bid award as recommended by MDOT.

Mr. Kaspari presented a chart showing the improvements. Discussion followed.

It was moved by Comm. Bergdahl, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board award the bid to Bacco Construction Co., Iron Mountain, as recommended by MDOT in the amount of \$1,180,815.23, and further that Chairperson Corkin be authorized to sign all copies of the Notice of Award and provide authorization to staff to allow Bacco Construction personnel to begin construction operations on or about May 12, 2008.

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

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Pellow stated that the Humboldt Mine issues were discussed at the MCTA meeting and the general consensus of the MCTA was to have it addressed by the County Board.

Chairperson Corkin stated that before anything is done, there must be permits issued. It is the responsibility of the various agencies to determine whether they can meet Michigan law and are safe.

Comm. Wallace stated the Humboldt Mine issue is also a public health issue. He feels state and local Health Departments should also be involved.

Comm. Wallace distributed a copy of the Michigan Child Abuse & Neglect Act.

Chairperson Corkin announced the upcoming U.P. Commissioners Meeting to be held May 16, 2008, in Brimley.

There being no further business to come before the County Board, the meeting adjourned at approximately 6:45 P.M.

Respectfully Submitted,

Linda K. Talsma
Deputy County Clerk