

The Marquette County Board of Commissioners met in Regular Session on Tuesday, December 15, 2009, 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. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent and Excused: Comm. Joseph.

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

It was moved by Comm. Cihak, seconded by Comm. Heikkila, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular meeting held on December 1, 2009 be approved with the following correction: Page 1 under Privileged Comment – include the letter from John Olson, Michigamme Township Supervisor, which was read by Josepn Derocha, Humboldt Township Supervisor, at the MAC Economic Development Committee to Oppose the MiWater Ballot Initiative.

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

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

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and carried by voice vote 7 Ayes to 1 Abstention (Comm. Bergdahl) that Claims and Accounts for the period December 4, 2009 through December 10, 2009 in the amount of \$278,246.44, including expenditure check #107102 in the amount of \$3,409.10 made payable to Bergdahl's Inc., be approved.

**INFORMATIONAL ITEMS**

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

- a. Public Notice of Metallic Mineral Leasing Nomination 2010-1.
- b. Communication from Jim Sodergren regarding Public Hearing on the Humboldt Mine.
- c. Communication announcing approval of State Reimbursement for Child Care Fund Expenditures.

**ACTION ITEMS**

10a) The County Board considered Court Technology. Steve Powers, County Administrator, explained that during the Committee of the Whole Budget Work Session, Commissioners requested an update on court technology. The Honorable Thomas Solka conducted a demonstration of the video court recording/reporting for Commissioners prior to this meeting at 5 p.m. in the Circuit Courtroom.

Video arraignment is used by the District Court in Marquette and the Sheriff's Department. This is a hard-wired system so there is no dial-up or internet issues. According to Jack Schneider, Undersheriff, the process has been refined over the years and is efficient and has other positive impacts.

The process is more time efficient due to less movement of the inmate. The process prevents officers from taking inmates outside the facility, which reduces the risk to the officers, judge, other court officials, the inmate, and the public. Video arraignment avoids the requirement of a coat and boots for the inmate during inclement weather. The two court security officers can spend more time in other courts as requested. If there is a need for an arraignment after hours, on a holiday, or on a weekend when the court security officers are off duty, the video arraignment is a big help.

According to Undersheriff Schneider, the process does put an extra burden on the corrections staff who are responsible for the video arraignment. During some busy shifts at the jail, extra corrections staff are scheduled or called in to accommodate the court schedule and docket. The Sheriff's Department prefers video arraignment over shuffling inmates to our court security officers.

Commissioners were very impressed with the court technology. They commended and thanked Judge Solka, Connie Branam, County Clerk, Brent Nault, IS Manager, and others, for their efforts in reducing expenditures, creating a more efficient court, and working together to accomplish this process.

No action was forthcoming.

10b) The County Board considered a Committee of the Whole recommendation to send the information regarding the Building Code Permits for Richmond Township Water Meter Installation, including the section on exemptions, to State Legislators, Sen. Mike Prusi, Rep. Steve Lindberg, and Rep. Mike Lahti, for clarification regarding duplication of regulatory and permitting requirements for municipal water systems. Discussion followed.

Comm. Cihak suggests the Board table the issue or suspend the fee until final word is received from our Legislators. Steve Powers, County Administrator, explained that the County Board can certainly suspend the fee, but would recommend against tabling the issue. Chairperson Corkin reminded Commissioners that they already took action to wait until there is experience with the Palmer project before establishing a fee schedule for municipal public works projects that involve numerous installations. Administrator Powers explained that Rep. Lindberg has reviewed the information and believes that it is a local issue to be resolved locally. Comm. Pellow announced that installation of the water meters started this week. She suggested that if in fact our Legislators feel that this is a local issue, the Board direct Steve Powers, County Administrator, to draft a letter requesting that they pursue a legislative change.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve the Committee of the Whole recommendation and send the information regarding the Building Code Permits for Richmond Township Water Meter Installation, including the section on exemptions, to State Legislators, Sen. Mike Prusi, Rep. Steve Lindberg, and Rep. Mike Lahti, for clarification regarding duplication of regulatory and permitting requirements for municipal water systems, and further that Staff be directed to draft a letter to our Legislators requesting that they pursue a legislative change if in fact they find that there is duplication of regulatory and permitting requirements.

10c) The County Board considered a Committee of the Whole recommendation to approve the Airport Snack Bar Concessionaire Agreement. Comm. Heikkila thanked Scott Erbsch, Sawyer Operations Manager, for his response regarding the surcharges.

It was moved by Comm. Heikkila, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the Airport Snack Bar Concessionaire Agreement and authorize the Board Chair to sign the agreement based upon the following terms:

- Two-year lease term;
- A January 1, 2010 lease rate of \$466.97 followed by a 3% increase in year two, beginning January 1, 2011;
- Double E & M, Inc. will continue to impose surcharges at a rate of 10% on all non-taxable items and 4% on taxable items;
- Authorization to adjust monthly rent up or down with the addition or deletion of appliances (based on actual electric consumption).

10d) The County Board considered a Proposed Assignment of Lease. Harley Andrews, Chief Civil Counsel/Sawyer, explained that since December 1, 2000, Mike Wills Excavating & Trucking, Inc. has leased Building 112 from the County for use in the performance of Wills contracts with Delphi. Since December 1, 2008, the term of this lease has been a month to month tenancy, in part because of the uncertainty over Delphi's continuing presence at Sawyer. Building 112 is approximately 3,762 square feet, and the current rental rate is \$9,091.50 per year (\$909.15 per month), based on a rental rate of \$2.90 psf per annum.

Mr. Wills has now assigned his Delphi (now BWI) contract to M.J. VanDamme, Inc., and wishes to similarly assign his company's lease of Building 112 to the VanDamme Company. Section 20 of the Lease allows assignment, subject to the prior written consent of the County.

Mr. Andrews is advised by County staff that M.J. VanDamme, Inc. is a reputable company, and has in fact performed some work for the County wastewater treatment plant in a vary satisfactory manner. He sees very little risk in consenting to this requested assignment, especially since this is a month to month tenancy and can be terminated on relatively short notice if deemed necessary. Depending on VanDamme's relationship with BWI, it may be possible that this could at some point be converted to a longer term lease.

Mr. Andrews and the Sawyer staff recommend approval.

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board approve the proposed assignment of the Wills lease of Building 112 to M.J. VanDamme, Inc., and further that the Board Chair be authorized to execute the necessary documentation.

10e) The County Board considered appointments to various Boards and Commissions. Steve Powers, County Administrator, explained that Dr. John D. Weiss has reapplied as Marquette County Medical Examiner for a four year term, however Dr. Weiss has agreed to maintain his fees for two years, but is requesting consideration of a 2% increase in fees effective January 1, 2012 and another increase of 2% effective January 1, 2013. Mr. Powers explained the Medical Examiner rates have not changed during Dr. Weiss's service as Medical Examiner. Discussion followed. Comm. Pellow questioned the cost per autopsy and what the projection would be for a 2% increase? Comm. Cihak suggested that the Board approve the appointment of Dr. Weiss with the caveat that the fee increase be reviewed by the County Board in two years.

It was moved by Comm. Cihak, seconded by Comm. Wallace, and unanimously carried by voice vote that John D. Weiss, Marquette, be appointed as County Medical Examiner for a 4-year term ending 12/31/13, with the caveat that the fee increase request of 2% effective January 1, 2012 and another 2% effective January 1, 2013 be reviewed in 2011.

*Minutes are Subject to Correction and Approval*

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Connie M. Branam, Marquette County Clerk, explained that there are a number of vacancies for which there is only one applicant. Clerk Branam recommends a motion be made appointing those individuals.

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that the following applicants be appointed to various Boards and Commissions:

CENTRAL DISPATCH (Five Vacancies - 3 Year Terms & 1 Vacancy - Unexpired Term)

1 Marquette City Fire Department

\*John Koshorek

1 Marquette Police (MCLEAA)

\*Russ Kilgren, Marquette Police (MCLEAA)

1 Ishpeming City Designee

\*John Stone

1 MCTA Rep

\*Bill Luetzow, Richmond Township

1 Marquette County EMS

2 Applicants - Ballot Worksheet

1 Unexpired term ending 12/31/11 replacing John Halpin, State Police Post Commander

Robert Pernaski

MARQUETTE COUNTY TRANSIT AUTHORITY (Five Vacancies - 3Year Terms)

1 Ishpeming City Representative

\*Angelo Bosio, Ishpeming City

2 Marquette City Representatives

\*David R. Boyd, Ph.D., Marquette City

\*E. Richard Schwemin, Marquette City

2 MCTA Representatives

James Nankervis, Ishpeming Township

\*Marline A. Worth, Humboldt Township

COMMUNITY CORRECTIONS ADVISORY BOARD (Six Vacancies – 2 Year Terms)

1 Police Chief

\*Gregory S. Zyburt

1 Media

John Pepin

1 Community Alternative Program

\*Greg Toutant

1 Business

\*Raymond G. Gregory

1Criminal Defense Attorney

\*Timothy C. Quinnell

1 Citizen at Large

David L. Guizzetti, Marquette

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AIRPORT ZONING BOARD OF APPEALS (One Vacancy - 3 Year Term)

\*Robert Moore, Marquette

AIRPORT ADVISORY BOARD (Three Vacancies- 2 Year Terms)

MDOT Representative

\*Andrew Sikkema

Sawyer Fixed Base Operator Representative

\*Scott Schultz

Sawyer Airlines Representative

\*Steve Rodgers

REMONUMENTATION PEER GROUP (Three Vacancies – 3 Year Terms)

1 Public Surveyor, Government Agency/Public

\*Paul R. Bressette

1 Public Surveyor

\*Larry J. Bussone, P.S.

1 Public Surveyor, Private Sector

\*Gerald W. Carlson

The following applicants were appointed to various Board and Commissions by roll call ballot:

BOARD OF HEALTH (Two Vacancies – 3 Year Terms)

\*James Alderson, Forsyth Township -

\*Arthur F. Saari, M.D., Marquette

PLANNING COMMISSION (Two Vacancies - 3 Year Terms)

\*Norman Holmes, Ely Township

Michelle E. Jarvie, Ph.D., P.E., Negaunee

CENTRAL DISPATCH (3 Year Term)

1 Marquette County EMS

\*Alyson M. Sundberg, Ishpeming

AGING SERV. ADVISORY COMM. (One Unexpired 3Year Term Ending 12-31-10)

Professional from Field of Geriatrics

Patricia K. Cianciolo, Ph.D., Marquette

BUILDING CODE BOARD OF APPEALS (Two Vacancies- 2 Year Terms)

\*Bryan Johnson, Ishpeming Township

\*Walter Maki, Skandia Township

Chairperson Corkin thanked all applicants who applied to various Boards and Commissions.

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

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**COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS**

Chairperson Corkin announced that on Friday, December 11, 2009, the MAC Board of Directors met, and as part of that meeting held a phone conference to discuss the ballot initiative. The vote was unanimous to oppose it. All 83 counties have opposed the ballot initiative. Press releases will be forthcoming to all parts of the State, and a presentation will be held at a Legislation Meeting in March on the importance of the opposition to this issue.

Comm. Bergdahl announced that the Marquette City Commission has also opposed the ballot initiative. Also speaking in opposition at that meeting was Jack LaSalle, Amy Clickner, Tony Retaskie and Don Ryan.

Comm. Cihak announced that Marquette County is fortunate to have had another successful year as a County. A highlight for Comm. Cihak was the opening of the Detention Center, and also the presentation by Judge Solka showing the efficiency of our courts and court system. In tough economic times, Marquette County continues to move forward.

Comm. Wallace announced that the h1n1 influenza pandemic has not been as severe as some had thought. The availability of the vaccine is widespread, and at a point where anyone of any age or any risk factor who wishes to get the h1n1 vaccine will be able to do so.

Comm. Struck reported on the last meeting of the Sawyer Community Development Group. In spite of the Christmas holidays and the snow, it was a very good meeting and well attended. The Group is very satisfied with what they have been able to accomplish.

Chairperson Corkin announced that Argonics has settled in at Sawyer and is in full operation. He encouraged an open house to allow the public a chance to see their operation.

Comm. Bergdahl reported on a recent Kennecott Advisory Board meeting. The Board reviewed what has happened so far. Construction has started on the Humboldt Mine site. Approximately \$8 million will be invested and approximately 200 construction workers will be employed making it the largest employer in Humboldt and Michigamme Townships.

Comm. Heikkila thanked all those who applied to various boards and commissions.

Steve Powers, County Administrator, reported that 262 immunizations were given at the Health Dept. Clinic at the Superior Dome; Staff is reviewing the information that was requested by the Commissioners regarding the Humboldt Mill; the next meeting of the County Board will be Tuesday, January 5, 2010; the actuarial fee proposal has been received on the impact of the rehire program on Marquette County's unfunded liabilities and MERS. Discussion followed.

The County Board wished all of Marquette County a Very Merry Christmas, Happy Hanukkah, and a Safe Holiday Season!

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