

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners met in Regular Session on Tuesday, May 5, 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. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace, and Chairperson Corkin. Absent and Excused: Comm. Arsenault.

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

It was moved by Comm. Cihak, seconded by Comm. Joseph, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Equalization Meeting held on April 14, 2009, and the County Board of Commissioners Regular Meeting held on April 21, 2009, be approved.

PROCLAMATIONS, PRESENTATIONS AND AWARDS

3a) Chairperson Corkin read the following Proclamation for Access to Health Care Awareness 2009:

**PROCLAMATION
ACCESS TO HEALTH CARE AWARENESS 2009**

WHEREAS, 47 MILLION Americans including 9 million children do not have health care coverage;
WHEREAS, 26,802 uninsured adults and 6,790 uninsured children reside in the Upper Peninsula;
WHEREAS, more than eight of 10 people who are uninsured are in working families;
WHEREAS, not having health insurance means minor illnesses can become major ones because health care is delayed;
WHEREAS, the lack of coverage can allow one serious ailment or accident to wipe out a family's bank account;
WHEREAS, every year more Americans join the ranks of the uninsured by losing their jobs and employer sponsored health care coverage and are then faced with the reality that uninsured people live sicker and die younger than those who are adequately covered;
WHEREAS, American families and businesses are struggling under the weight of rising health care costs;
WHEREAS, as the economy worsens and more Americans lose their jobs, more have to rely on volunteer run programs and clinics such as those run by our Medical Care Access Coalition to access health care, straining this safety net;
THEREFORE we recognize the urgency to take meaningful steps to solve one of America's greatest challenges and hereby ask residents of Marquette County to: Participate in the Access to Health Care Awareness Walk on Saturday, May 9th at 9:00 a.m. at the Marquette Commons at Third and Spring Streets. Discuss the present status of health care reform with our state and national representatives. Learn what resources are now available and in development and walk to show support for our uninsured neighbors.

*Adopted this 5th day of May, 2009
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

Karlyn Rapport, Vice President MCAC, and Melissa White, Executive Director MCAC were present. Both addressed Commissioners regarding programs for the uninsured in Marquette County and other programs that they provide.

Commissioners commended Ms. Rapport and Ms. White for their dedication to the program.

3b) Chairperson Corkin read the following Proclamation recognizing the Office of Municipal Clerks:

**PROCLAMATION
MUNICIPAL CLERKS WEEK
MAY 3 - MAY 9, 2009**

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, the Municipal Clerk serves as the information center on functions of local government and community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners do recognize the week of May 3rd through May 9th, 2009 as Municipal Clerks Week, and further extend appreciation to the City and Township Clerks of Marquette County, and to all Municipal Clerks for the vital services they perform and the exemplary dedication to the communities they represent.

*Adopted this 5th day of May, 2009
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners*

It was moved by Comm. Cihak, seconded by Comm. Pellow, and unanimously carried by voice vote that the Agenda be approved as follows: Remove 10e) from the Agenda – Avis/Budget Car Rental Lease Space Consolidation Request; Add Late Addition 11a) Application for Recovery Funds at Sawyer.

Chairperson Corkin opened the meeting for public comment. Joe Derocha, Humboldt Township Supervisor, was present to update Commissioners regarding their request to relocate the Upper Peninsula Crime Lab to the Elf Site. Mr. Derocha also announced that the State of Michigan Department of Management and

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Budget expressed an interest in the Elf Site on behalf of the Michigan State Police and the DNR. Discussion Followed.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board send a letter to our Legislators asking why they have expressed interest.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that Claims and Accounts for the period April 17, 2009 through April 30, 2009 in the amount of \$209,853.36; and Bi-Weekly Payroll for the period ending April 18, 2009 in the amount of \$624,040.90 be approved.

PRIVILEGED COMMENT

8a) John (Yogi) Carlson, Marquette County Mine Inspector, presented the 2008 Mine Inspector Annual Report. Mr. Carlson explained the report and spoke regarding various projects he participated in during 2008.

It was moved by Comm. Pellow, seconded by Comm. Joseph, and unanimously carried by voice vote that the 2008 Annual Report of the Marquette County Mine Inspector be accepted and placed on file.

INFORMATIONAL ITEMS

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

9a) Thank You from Senator Prusi Regarding Governor Granholm's Executive Budget Regarding the Iron Industry Museum and the U.P. State Fair.

9b) Thank You from Senator Prusi Regarding Support for Maintaining Revenue Sharing.

9c) Thank You from Senator Prusi Regarding Governor Granholm's Proposed Budget and the Need for Sufficient Transportation Funding.

9d) Thank You from American Red Cross for Attending Kickoff of the Heroes Campaign.

9e) Notice - City of Ishpeming Public Hearing to Consider the Adoption of a Resolution to Approve an Obsolete Property Rehabilitation Act Application for the Mather Inn.

9f) Notice of Closure of the Sara Lee Bakery Plant located at 855 W. Washington Street, Marquette.

Comm. Wallace spoke regarding the closing of the Sara Lee Bakery Plant located at 855 W. Washington Street. He stated that the aroma from the bakery has been part of Marquette County for decades.

9g) Communication Commending Danielle Brownell, Vital Records Clerk, County Clerk's Office.

ACTION ITEMS

It was moved by Comm. Cihak, seconded by Comm. Wallace, and unanimously carried by voice vote that the County Board approve 10a) the following Resolution to Support Economic Stimulus Monies for the State of Michigan Survey and Remonumentation Program for 2009; and 10b) the following Resolution Supporting Adequate State Funding to hold Counties Harmless from the Department of Human Services Lawsuit Settlement Agreement.

***RESOLUTION TO SUPPORT
ECONOMIC STIMULUS MONIES FOR THE STATE OF MICHIGAN
SURVEY AND REMONUMENTATION PROGRAM FOR 2009***

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WHEREAS, the State of Michigan is considering the various uses of proposed economic stimulus monies from the Federal Government; and

WHEREAS, in 2006, the State of Michigan Legislature removed \$15,000,000 from the State Survey and Remonumentation fund in an effort to balance the state budget for that year; and

WHEREAS, in Section 54.271 of Act 345 of 1990, the Legislature cited specific funding levels for the program which have not been met; and

WHEREAS, since the removal of these funds in 2006, statewide funding for the program has decreased from \$10,134,000 in 2006 to \$4,000,000 in 2009; and

WHEREAS, the removal of these funds has seriously impaired the effectiveness and progress of this program; and

WHEREAS, this program has been extremely beneficial to all residents of the State of Michigan, since original corner positions of the Public Land Survey control the boundaries of every parcel in Marquette County and the State of Michigan; and

WHEREAS, this program is designed to recover, monument, record and perpetuate these original corner positions; and

WHEREAS, the information provided by this program is also designed to be the basis of all municipal GIS within the State; and

WHEREAS, these additional funds will benefit the implementation of each County-wide GIS, which is intended to assist in 911 emergency responses.

THEREFORE BE IT RESOLVED, that the Marquette County Board of Commissioners is in support of the use of \$15,000,000 of the economic stimulus monies for the State of Michigan Survey and Remonumentation Program for 2009; and

BE IT FURTHER RESOLVED, that copies of this resolution be sent to the Governor and the Michigan Legislature.

Adopted this 5th day of May, 2009

Gerald O. Corkin, Chairperson

Marquette County Board of Commissioners

Patricia Manley, Register of Deeds, was present and explained that the State of Michigan removed \$15 million dollars in Remonumentation Funds in 2006. She stated that in these tough economic times we understand that Remonumentation may not be a top priority; however it sends a message to the state. All Counties in the State of Michigan are adopting the same Resolution.

RESOLUTION SUPPORTING ADEQUATE STATE FUNDING TO HOLD COUNTIES HARMLESS FROM THE DEPARTMENT OF HUMAN SERVICES LAWSUIT SETTLEMENT AGREEMENT

WHEREAS, the State of Michigan, Department of Human Services, was sued by Children's Rights regarding the care of children in foster care and juvenile justice; and,

WHEREAS, the Department of Human Services settled the case out of court without consent or consultation from Michigan's counties; and,

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WHEREAS, Michigan counties are the funding source for one half of the cost of foster care and juvenile justice services in the State of Michigan; and,

WHEREAS, the cost of the settlement agreement between the Department of Human Services and Children's Rights would require Michigan's counties to pay, without their consent, up to \$32,000,000 per year statewide in calculable costs, with additional county costs evident that are not able to be calculated; and,

WHEREAS, Michigan's counties face staggering cuts to services across the board due to declining property tax base, state funding cuts to support mandated services, increasing responsibilities eliminated from the state government being forced to counties, and increasing state regulation; and,

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners urges the legislators and the Governor to hold counties harmless from the increased County Child Care Fund expenses associated with the agreement reached between the Department of Human Services and Children's Rights; and

*Adopted this 5th day of May, 2009
Gerald O.Corkin, Chairperson
Marquette County Board of Commissioners*

10c) The County Board considered the Land Bank Authority. Anne Giroux, Marquette County Treasurer, was present to give a follow up to the April 21, 2009 meeting. Commissioners had asked for additional information at that meeting and Ms. Giroux also received several questions subsequent to the meeting. Ms. Giroux provided information and answers to those questions. Discussion followed.

Comm. Bergdahl and Comm. Joseph were not in favor of the Land Bank Authority. Both Commissioners had concerns and reservations.

It was moved by Comm. Pellow, seconded by Comm. Struck, and carried by voice vote 6 Ayes (Comm. Cihak, Comm. Heikkila, Comm. Pellow, Comm. Struck, Comm. Wallace and Comm. Corkin) to 2 Nays (Comm. Bergdahl and Comm. Joseph) that the County Board adopt the following resolution approving the Intergovernmental Agreement establishing the Marquette County Land Bank Authority:

**MARQUETTE COUNTY BOARD OF COMMISSIONERS
RESOLUTION APPROVING THE INTERGOVERNMENTAL AGREEMENT ESTABLISHING THE
MARQUETTE COUNTY LAND BANK AUTHORITY**

WHEREAS, the Michigan Land Bank Fast Track Authority ("Authority") was created as a public body corporate and politic within the Michigan Department of Labor and Economic Growth, a principal department of the executive branch of the state government, under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.751 to 124.774, and is authorized to enter into an intergovernmental agreement with a county foreclosing governmental unit providing for the creation of a county authority to exercise the powers, duties, functions, and responsibilities of an authority under that act; and,

WHEREAS, the Treasurer of the County of Marquette, Michigan is a foreclosing governmental unit under the Land Bank Fast Tract Act, 2003 PA 258, MCL 124.751 to 124.774, and Section 78 of The General Property Tax Act, 1893 PA 206, MCL 211.78; and,

WHEREAS, the Authority and the Treasurer and the Board of Commissioners of the County of Marquette, Michigan seek to establish a county authority for Marquette County as a separate legal entity and as

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a public body to exercise within Marquette County, Michigan the powers, duties, functions, and responsibilities of an authority under the Land Bank Fast Track Act, 2003 PA 258, MCL 124.774.

NOW, THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners approves the proposed Intergovernmental Agreement attached hereto as Exhibit 1 between the Michigan Land Bank Fast Track Authority and the Treasurer of the County of Marquette, Michigan creating the Marquette County Land Bank Authority, subject if necessary, to technical, typographical, or non-substantial modifications approved by the Executive Director of, or legal counsel for, the Michigan Land Bank Fast Track Authority before the effective date of the Intergovernmental Agreement.

Adopted this 5th day of May 2009
Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

10d) The County Board considered a memo from Jack Schneider, Undersheriff, regarding a Livescan Upgrade. Mr. Schneider explained that the federal Adam Walsh Child Protection and Safety Act requires palm prints of sex offenders be captured and retained. The Michigan Department of State Police has secured funding to reimburse approved agencies to purchase the necessary equipment to comply with the federal act. The current livescan system does not have the palm print capture feature.

Marquette County has been approved and will be reimbursed up to \$16,000 to purchase a new livescan device that includes a palm print capture system. The current system from ID Networks meets MSP's certification. The quote from ID Networks, that includes the palm print caption option, also meets MSP's certification.

Mr. Schneider is recommending that Marquette County purchase the new system from ID Networks to be reimbursed by the agreement from MSP. Mr. Schneider also recommends that so as not to be told at the end of the budget cycle that there is no money, he suggests the County make this purchase as soon as possible and submit the invoice to the MSP for reimbursement.

It was moved by Comm. Joseph, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board authorize the purchase of a new Livescan Device that includes a palm print capture system for the Marquette County Sheriff's Department from ID Networks.

10f) The County Board considered UPCAP Homemaker Funding for FY-2009. On March 17, 2009, UPCAP's Executive Director met and approved an additional allocation of \$6,874.00 to Marquette County for Homemaker Services. This is an increase of just over 10% from the initial allocation received for the current year. Funds will be provided to each senior based on Marquette County's funding formula: Forsyth - \$997.00; Ishpeming - \$2,094.00; Marquette - \$2,831.00; and Negaunee - \$952.00.

The additional funding will allow the four centers to provide 443 additional units of service at a reimbursement rate of \$15.50 per unit.

It was moved by Comm. Heikkila, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board authorize the Board Chair to sign the agreements with UPCAP and Senior Centers to provide additional Homemaker Services to senior citizens in Marquette County for FY-2009.

10g) The County Board considered an appointment to the Pathways (Community Mental Health) Board. County Clerk, Connie Branam, explained that due to the resignation of Karl Wideman, Negaunee, there is a

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vacancy for an unexpired term ending 3-31-2011. Patricia Mayer, Marquette Township, a former member on the Pathways Board, has applied for the unexpired term. Pat is the only applicant. The vacancy has been posted on the Marquette County website.

It was moved by Comm. Wallace, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board appoint Patricia Mayer, Marquette Township, to the unexpired term ending March 31, 2011 on the Pathways (Community Mental Health) Board.

LATE ADDITIONS

11a) Comm. Heikkila explained a grant application for funds provided by the Housing and Economic Recovery Act. He stated that the grant being applied for will be used for the demolition of buildings at Sawyer. Discussion followed.

Commissioners commended Comm. Heikkila, Dottie Lewis, Planner, and Scott Erbisch, Sawyer Operations Manager, on their initiative with this project.

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

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Comm. Corkin briefly addressed the Governor's Executive Order regarding the State budget.

Comm. Struck discussed briefly the third Sawyer development meeting.

Comm. Pellow requested staff prepare a document on what effect the Governor's Executive Order has on the County Budget.

Comm. Struck and Chairperson Corkin reported briefly on a Road Commission Meeting held today.

Comm. Cihak commended Dottie Lewis for her work with the Housing and Economic Recovery Act Project.

Comm. Wallace reported that plans are in place in Marquette County to deal with the Swine Flu.

Comm. Heikkila questioned when the next a strategic planning session will be held.

Comm. Cihak also discussed the Governor's Executive Order.

It was moved by Comm. Pellow, seconded by Comm. Heikkila, and unanimously carried on a roll call vote 8 Ayes (Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Comm. Corkin) to 0 Nays that the County Board go into Closed Session to consider: 13a) Consideration of the Collective Bargaining Agreement with the Airport Union; and 13b) Material Exempt from Discussion or Disclosure by State or Federal Statute to wit, Attorney/Client Privilege Material (MCL15.268(h)).

Chairperson Corkin declared a 5 minute recess to clear Commission Chambers.

CLOSED SESSION

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The County Board came back into Open Session.

It was moved by Comm. Joseph, seconded by Comm. Heikkila, and carried by voice vote 6 Ayes (Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin) to 2 Nays (Comm. Bergdahl and Comm. Cihak) to approve the Collective Bargaining Agreement with the Airport Union.

It was moved by Comm. Pellow, seconded by Comm. Cihak, and unanimously carried by voice vote that the County Board follow the recommendation of Civil Council regarding Material Exempt from Discussion or Disclosure by State or Federal Statute to wit, Attorney/Client Privilege Material (MCL15.268(h)).

ANNOUNCEMENTS

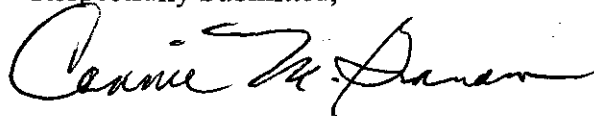
Gary Walker, Marquette County Prosecutor, was present and announced the Retirement of Harley Andrews, Chief Civil Council, effective May 15, 2009. Mr. Walker also explained that Cheryl Hill will be replacing Harley as Chief Civil Counsel. He does not plan to fill the position vacated by Cheryl. At some point he may want a part-time position to deal with the remaining issues at Sawyer.

Commissioners commended Mr. Andrews and wished him the Best of Luck!

They also congratulated and welcomed Cheryl Hill as Chief Civil Council.

There being no further business to come before the County Board, the meeting adjourned at approximately 8:00 P.M.

Respectfully Submitted,



Connie M. Branam
Marquette County Clerk