

The Marquette County Board of Commissioners met in Regular Session on Tuesday, April 6, 2010, 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. Joseph, Comm. Pellow, Comm. Struck and Chairperson Corkin. Absent and Excused: Comm. Cihak, Comm. Heikkila and Comm. Wallace.

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

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on March 16, 2010, and the Special Meeting held on March 23, 2010, be approved.

It was moved by Comm. Bergdahl, 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. Jim Gallant, Skandia, spoke regarding suicide prevention. There being no further public comment, Chairperson Corkin closed this portion of the meeting.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and carried by voice vote 5 Ayes to 1 Abstention (Comm. Bergdahl), that Claims and Accounts for the period March 19, 2010 through April 1, 2010 in the amount of \$4,102,539.82, Bi-Weekly Payroll for the period ending March 20, 2010 in the amount of \$648,025.55, and Electronic Payments for the Period Totaling \$84,852.20, be approved. Comm. Bergdahl verbally disclosed financial interest in Expenditure Check #110092 in the amount of \$395.00 made payable to Bergdahl's Inc. (Comm. Bergdahl's Financial Disclosure follows):

*FINANCIAL DISCLOSURE
PURSUANT TO MCL 15.323(2)(a)(ii)*

Charles Bergdahl, a Marquette County Commissioner, hereby makes this financial disclosure at this April 2, 2010, public meeting of the Marquette County Board of Commissioners, pursuant to the provisions of MCL 15.323(2)(a)(ii):

- 1. The Final Disbursement List to be considered at this meeting includes Check No. 110092 dated April 2, 2010, payable to Bergdahl's, Inc., in the amount of \$395.00 in payment for WWTP equipment.*
- 2. I hereby disclose that I have personal financial interest in Bergdahl's, Inc., which is as follows: 51% Shareholder*
- 3. I hereby certify that any direct benefit I personally will receive from this payment to Bergdahl's, Inc., may be more than \$250.00 and may be more than 5% of the total payment of \$395.00.*

4. *I understand that having made this disclosure at this public meeting, a vote on approval of this payment may not be held until a subsequent public meeting of this body to be held not less than seven (7) days following today's date.*

Dated this 6th day of April, 2009

/S/ Charles Bergdahl

INFORMATIONAL ITEMS

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

- a. Thank you for support of the Iron Ore Heritage Recreation Authority.
- b. Thank you for continued support of the 2010 Census Awareness Activities.
- c. Thank you to Eric Anderson, Senior Planner, for providing assistance & cooperation with the 2010 Census New Construction Program.

ACTION ITEMS

10a) It was moved by Comm. Pellow, seconded by Comm. Struck and unanimously carried by voice vote that the County Board approve the following Resolution to Oppose the Reduction in Secondary Road Patrol Funds (PA 416).

**RESOLUTION TO
OPPOSE REDUCTION IN
SECONDARY ROAD PATROL FUNDS**

WHEREAS, Michigan Public Act 416 of 1978 allows for the distribution of Secondary Road Patrol (SRP) funds to Michigan's county sheriffs; and

WHEREAS, sheriffs have utilized these funds for the patrol and safety of secondary roads consistent with responsibilities outlined in the Act for over 30 years; and

WHEREAS, SRP is funded through a \$10 assessment on all moving violations; and

WHEREAS, the Michigan State Police (MSP) also receive a \$10 assessment allowed through other enabling legislation; and

WHEREAS, the Governor's FY10-11 budget recommendations include the \$2.6 million reduction in SRP to fund MSP positions and radios; and

WHEREAS, the proposed 23 percent reduction in SRP funds would result in deputy layoffs statewide; and

WHEREAS, Marquette County would be no exception to counties who would be significantly impacted by this proposal including the necessary layoffs of two deputies and a projected dollar reduction of \$23,547; and

WHEREAS, the Governor's proposal not only raids dollars from funds specifically allocated by law to sheriffs, it instantly initiates a significant reduction in an already shrinking local law enforcement workforce.

NOW, THEREFORE, BE IT RESOLVED, that the Marquette County Board of Commissioners oppose the proposed \$2.6 million reduction in Secondary Road Patrol funds for any purpose, including subsidizing the MSP Budget. The Board also calls upon the Michigan Legislature to support full funding for the SRP in the FY11 budget.

10b) It was moved by Comm. Struck, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the following Resolution to Support the Transfer of Fire Fighter Training Credentials. Comm. Pellow is pleased to see the cooperation between border counties.

*Resolution Supporting the Adoption of
Legislation requiring the State of Michigan and the
State of Wisconsin to allow transfer of Fire Fighter Training Credentials*

WHEREAS, the State of Michigan and Wisconsin are in Financial Distress; and

WHEREAS, the States are reducing Fire Fighter Training Funds but keep increasing and mandating training; and

WHEREAS, the bordering states allow emergency mutual aid, but do not allow recognition of Fire Fighting Training Credentials; and

WHEREAS, the contiguous states could transfer Fire Fighters Credentials and by having reciprocity, the States would save monies by not mandating that trained Fire Fighters in one state have to be retrained in the other state once they transfer Fire Departments;

THEREFORE BE IT RESOLVED, that the U.P. Association of County Commissioner hereby strongly recommends that state legislation be adopted requiring that the State of Michigan and the State of Wisconsin allow Transfer of Fire Fighter Training Credentials; and

BE IT FURTHER RESOLVED, that copies of this resolution are forwarded to Governor Jennifer Granholm, U.P. Legislators and U.P. County Boards.

10c) The County Board considered a Resolution regarding Rio Tinto Eagle Project. Comm. Arsenault distributed information received at a seminar regarding the Federal Land Management Act. The information was titled "How Coordination Plans Work." The information describes how the federal government works with local government in land use planning.

It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board approve the following Resolution Regarding the Rio Tinto Eagle Project. The County Board further directed Cheryl Hill, Civil Counsel, to look into the Federal Land Management Act to see whether the law does exist and is current. If the Act does require the federal government to work with local government in land use planning, then the County Board requests the federal government work with our local government on the Rio Tinto Eagle Project. Copies of the Resolution will be sent to our Legislators, and all Cities and Townships in Marquette County for their support. The County Board also requests that all units of government contact our Legislators encouraging them to help move this project forward!

*RESOLUTION REGARDING RIO TINTO
EAGLE PROJECT*

WHEREAS, elected boards and commissions represent the people of Marquette County and provide comment on issues, projects, and developments critical to the region's future;

WHEREAS, resource extraction is a legal, long-standing economic and community development activity in the Upper Peninsula;

WHEREAS, Michigan's Nonferrous Metallic Mineral Mining Rules are among the most stringent in the nation, drafted by a multi-stakeholder work group in response to concerns over potential environmental impacts from mining of metallic ores. The rules give the Michigan Department of Natural Resources and Environment appropriate measures to evaluate any mining proposal, issue permits for allowable extraction and development activities, and the authority to establish and enforce environmental and financial safeguards;

WHEREAS, the Michigan Department of Natural Resources and Environment has approved the permits required for the Kennecott Eagle Mineral Company to proceed with the Eagle Nickel Mine, including a modification to the underground water injection control system.

WHEREAS, the Woodland Road will be built in an existing corridor of unpaved roads, trails, and county roads to support the transportation needs of resource-based employers, recreational property owners, and others exploring north central Marquette County, and will reduce impacts of truck traffic on existing routes.

WHEREAS, the Woodland Road is subject to regulatory approval from the Michigan Department of Natural Resources and Environment and from the Marquette County Road Commission.

WHEREAS, coordination between federal, state, and local regulatory agencies is needed to protect the environment, minimize duplication of regulatory effort, and to provide timely responses to permit applicants.

NOW, THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners supports the Eagle Nickel Mine and Woodland Road and believes that unless new or additional credible information indicates a need for further review and evaluation, the projects should proceed.

10d) The County Board considered Proposed Perkins Park Rules & Rates for 2010. Kim Bourgeois, Park Manager/Harbormaster, and Jim Kippola, Senior Planner, explained that Staff is recommending the following change to the first bullet under Rule #2 in the current Perkins Park Rules regarding ATV use in Perkins Park:

- ATVs are permitted in the park by registered campers only.
- ATVs will not be allowed to be ridden in the park by campers Friday through Monday on the following holiday weekends: Memorial Day and Labor Day.
- ATVs will not be allowed to be ridden by campers in the park on the Independence Day holiday and the Fire on the Bay holiday.

Consistent ATV enforcement problems have occurred during the busy weekends listed above. Children too young to be riding are riding unsupervised, there is late night drinking and driving on ATV's, ATV's on the walking trails and in other areas of the park, and non campers riding into the park. Enforcement is difficult with the large crowds, and safety is a concern with so many pedestrians in the park on these weekends.

No other rule changes are proposed. Staff also proposes no camping rate changes for 2010. Rates were increased in 2009, bringing Perkins Park rates in line with other area campgrounds.

It was moved by Comm. Bergdahl, seconded by Comm. Struck, and unanimously carried by voice vote that the Proposed Perkins Park Rules and Rates for 2010 be approved as presented.

10e) The County Board considered a Notice of Bid Award. Keith Kaspari, Airport Manager, explained that on February 13, 2009, the American Recovery and Reinvestment Act was signed into law by the President. Marquette County and Sawyer International Airport was a fortunate recipient and received a FY-2009 grant of \$1,939,000 for Phase I of a two-phase project for the rehabilitation of Sawyer's airfield taxiway lighting system.

Phase I included the construction of a new on-airfield lighting vault, and like improvements such as those noted below for Taxiways Delta, Echo and Foxtrot.

The Michigan Department of Transportation opened bids on Friday, March 5, 2010 for a Phase II. Project elements include new lighting cans for proper draining, grounding rods to protect the system from airfield lightning strikes, the installation of energy efficient LED lighting fixtures for the north-half of Taxiway Alpha, and Taxiways Bravo and Charlie, and the final element includes the demolition of the old USAF and airfield lighting vault and underground fuel storage tank – a structure that is over 50 years old and has no future need or re-use by the airport.

In preparation of projects for FY-2010, Detroit FAA officials and Airport staff agreed to make Phase II as the high-priority project for AIP funding for this fiscal year. Engineer's estimate of the project: \$1,472,765.50. Staff had a significant response to a mandatory February 24, 2010 pre-bid meeting, with the bids received by MDOT as follows:

	<u>Contractor/Bidder</u>	<u>Total</u>	<u>Engineer's Estimate</u>
1.	Airport Lighting, LLC of Luther, MI	\$1,157,629.04	-21.4%
2.	J. Ranck Electric, of Mount Pleasant, MI	\$1,194,533.06	
3.	Van Ert, Electric of Wausau, WI	\$1,342,313.06	
4.	Rauhorn Electric of Macomb, MI	\$1,367,870.56	
5.	Allstate Electric of Jenison, MI	\$1,431,639.56	
6.	RMD Holdings of Chesterfield, MI	\$1,581,222.30	

Total for the project, as bid, including construction administration services of \$130,340: \$1,287,969.04. Airport staff has received concurrence of the award from FAA, MDOT-Aero and Mead & Hunt.

It was moved by Comm.Struck, seconded by Comm. Pellow, and unanimously carried by voice vote, that the County Board approve the bid as submitted for a Notice of Award, pending receipt of FAA Grant Agreement 3-26-0153-3310, and the related MDOT Contract Agreement, to Airport Lighting, LLC for improvements and the rehabilitation of the Airfield Taxiway Lighting Project – Phase II.

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

COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS

Chairperson Corkin reported on the 2010 MAC Legislative Conference. He discussed the talking points addressed at the Conference: State Mandates Commission Report Legislation; Revenue Sharing; County Jail Reimbursement; and Mandatory Consolidation of 911/Dispatch. He also distributed a memo from William Carlson, Supervisor, Negaunee Township, supporting Woodland Road.

Comm. Struck reported on a recent meeting of the Sawyer Community Alliance. Residents from Little Lake were also in attendance and are interested in the activities performed by the Sawyer Community Alliance for their community. Jim Iwanicki, Marquette County Road Commission Engineering Director, was also present at the Sawyer Community meeting and reported on road issues.

There being no further business to come before the County Board, the meeting adjourned at approximately 6:30 P.M.

Respectfully Submitted,

Connie M. Branam
Marquette County Clerk