

Minutes are Subject to Correction and Approval

The Marquette County Board of Commissioners held their Regular Meeting on Tuesday, August 3, 2010, 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. Bergdahl, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, and Chairperson. Corkin.

Absent and Excused: Comm. Cihak 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. Heikkila, and unanimously carried by voice vote that the minutes of the County Board of Commissioners Regular Meeting held on July 20, 2010, be approved.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the Agenda be approved with the following Late Addition: 11a) Early Retiree Reinsurance.

Chairperson Corkin opened the meeting for public comment. Jim Gallant, Skandia, addressed the Board 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. Bergdahl, and unanimously carried by voice vote that Claims and Accounts for the period July 23, 2010 through July 29, 2010 in the amount of \$165,721.95, and BiWeekly Payroll for the period ending July 30, 2010, in the amount of \$657,089.58, be approved.

PUBLIC HEARINGS

7a) Chairperson Corkin opened the Public Hearing and stated that the purpose of the Public Hearing is to consider Adoption of a Proposed Resolution Establishing a Brownfield Redevelopment Authority for the County of Marquette, within the municipal limits of which the Authority shall exercise its powers, all pursuant to and in accordance with the provision of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (MCL 125.2651). He also advised the public in attendance on the rules procedure set forth.

Chairperson Corkin opened the Hearing for members of the public to comment. None was forthcoming. Chairperson Corkin closed the Public Hearing.

INFORMATIONAL ITEMS

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

9a. Memo from Michigan State University Extension regarding Memorandum of Agreement.

ACTION ITEMS

10a) It was moved by Comm. Pellow, seconded by Comm. Heikkila, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation to award the bid for the Jail Camera System to Data Consultants in the amount of \$44,216, and further that the County Board authorize the Application of the Grant Agreement to the Michigan Municipal Risk Management Authority.

10b) It was moved by Comm. Struck, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation to approve the recommended Boreal Aviation – FBO Agreement and Lease Recommendations as explained and presented in a memo to the County Board by Scott Erbisch, Sawyer Operations Manager.

10c) It was moved by Comm. Bergdahl, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation approving the FY 2010 Emergency Management Performance Grant (EMPG) Agreement.

10d) It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the County Board approve the Committee of the Whole Recommendation approving the following Resolution delegating to the Airport Manager, the Sawyer Operations Manager, and the County Administrator, or any of them, the authority to execute T-Hangar leases on behalf of the County without further action or approval by the Board of Commissioners:

**RESOLUTION AUTHORIZING EXECUTION
OF
T-HANGAR LEASES**

WHEREAS, the County of Marquette (“the County”) leases T-Hangars at its Sawyer International Airport by means of lease documents which are essentially standard and uniform in format and content, including the provisions relating to use, insurance requirements and the rental rate which is established from time to time by the Marquette County Board of Commissioners (“the Board”); and

WHEREAS, in order to expedite the leasing process, the Board believes that the authority to execute such leases on behalf of the County should be extended to certain administrative staff, without the necessity of additional review and approval of each such lease by the Board:

NOW, THEREFORE, BE IT RESOLVED, that the Board does hereby extend to the Airport Manager, the Sawyer Operations Manager, and the County Administrator, or any one of them, the authority to execute such leases on behalf of the County without any further action, review or approval by the Board.

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners

ACTION ITEMS CONTINUED

10e) The County Board considered BWI North America, Inc. Lease (formerly Delphi). Harley Andrews, Chief Civil Counsel/Sawyer, reminded Commissioners that as a part of the Delphi bankruptcy proceedings its lease with the County was assigned to and assumed by BWI North America, Inc., effective November 1, 2009. That lease expires on July 31, 2010, but Staff is currently involved in negotiations with BWI on the terms of a new lease. The BWI Global Facilities Director visited Sawyer on July 27, 2010, to tour the Sawyer facility and to start the negotiation process. Obviously, those negotiations will not be concluded before the current Lease expires. Accordingly, both Staff and BWI representatives believe that the County should formally extend the current Lease for up to two additional months, or until not later than September 30, 2010, to allow sufficient time to reach agreement on new terms, to bring those terms to the Board for review and approval, and to secure execution of the appropriate documentation.

It was moved by Comm. Struck, seconded by Comm. Heikkila, and unanimously carried by voice vote, that the County Board approve an extension of the current Lease Agreement between the County and BWI North America, Inc., for a period not to exceed two months, or until not later than September 30, 2010, and authorize the Board Chair to execute an Extension Agreement to that effect.

10f) The County Board considered Creation of County-wide Brownfield Redevelopment Authority. Anne Giroux, County Treasurer, explained that on June 22, 2010 the County Board adopted a Notice of Intent to create a County-wide Brownfield Redevelopment Authority. The Notice of Intent provided for a public hearing, which was held tonight, to consider a Resolution to establish a County-wide Brownfield Redevelopment Authority, and to appoint members to the Authority. The Resolution establishes the Brownfield Redevelopment Authority and addresses how members to the authority are appointed.

Staff recommends a seven-member authority, with representation as follows: Marquette County Economic Development Corporation; Marquette County Planning Commission; Economic/Property Developer; Local Government Representative (The MCTA has expressed interest in nominating a member); Real Estate; Engineering/Construction; and County Treasurer.

Once created, the Brownfield Authority will need to elect officers, adopt bylaws, establish rules and procedures, etc. Per the Resolution, bylaws will subsequently be approved by the County Board. Per statute, the County Board must also approve all Brownfield Plans.

The impetus for creation of the Brownfield Authority is the Ishpeming Township school property which was foreclosed on by the County Treasurer and is currently owned by the Land Bank Authority. The building is very unstable and Greg Sicotte, Building Official, has directed that it cannot withstand another winter. The Brownfield Authority, along with the local unit of government as well as the County Board must approve a brownfield plan prior to demolition. This plan must be written, and these approvals must take place in August/-September in order for the building to be demolished prior to snow season. Discussion followed.

It was moved by Comm. Pellow, seconded by Comm. Struck, and unanimously carried by voice vote that the County Board adopt the following Resolution Establishing a Brownfield Redevelopment Authority for the County of Marquette, and appoint eight members to the Authority per staff's recommendation, with the addition of a County Commissioner.

**RESOLUTION ESTABLISHING A
BROWNFIELD REDEVELOPMENT AUTHORITY
FOR THE COUNTY OF MARQUETTE AND
APPOINTING BOARD MEMBERS PURSUANT TO AND IN ACCORDANCE WITH THE
PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF
THE STATE OF MICHIGAN OF 1996, AS AMENDED (MCL 125.2651 ET SEQ.)**

At a regular meeting of the Marquette County Board of Commissioners on the 3rd day of August, 2010;

WHEREAS, the Marquette County Board of Commissioners by Resolution adopted on June 22, 2010, the "Resolution of Intent" and determined that it is in the best interest of the public to facilitate the implementation of Brownfield Plans relating to the identification and treatment of environmentally distressed, functionally obsolete and/or blighted areas so as to promote revitalization within the municipal limits of Marquette County and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the County of Marquette (the "Authority") pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended (the "Act"); and

WHEREAS, on this date, pursuant to an in accordance with the Act and the Resolution of Intent, the Marquette County Board of Commissioners held a public hearing, notice of which was given as required by Section 4(2) of the Act on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the County of Marquette and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Marquette County Board of Commissioners desires to proceed with the establishment of the Authority for the County of Marquette within the municipal limits of which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

Now therefore, be it resolved that:

1. **Authority Created.** Pursuant to the authority vested in the Marquette County Board of Commissioners by the Act, the Authority is hereby established and shall be known as the Marquette County Brownfield Redevelopment Authority.
2. **Supervision of the Authority.** The Authority shall be under the supervision and control of a board (the "Board") appointed by the Marquette County Board of Commissioners in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Marquette County Board of Commissioners. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
3. **Jurisdiction of the Authority.** The Authority shall exercise its powers within the area of the County of Marquette.

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4. **Powers and Duties of the Authority.** The Authority shall have the powers and duties to the full extent as provided and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare a Brownfield Plan for eligible property pursuant to Section 13 of the Act and submit the plan to the Marquette County Board of Commissioners for consideration pursuant to Section 14 of the Act.
5. **Bylaws and Rules of the Authority.** The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the Marquette County Board of Commissioners in care of the Clerk of Marquette County (the "Clerk"). The Authority's bylaws and rules shall be subject to the approval of the Marquette County Board of Commissioners; provided, however, that if the Marquette County Board of Commissioners fails to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the Marquette County Board of Commissioners for all purposes.
6. **Publication.** The clerk is hereby directed to file a true and complete copy with the Michigan Department of State, Office of the Great Seal, promptly after adoption and to take all other actions incident upon such adoption pursuant to applicable charter or other provisions.

Adopted by the Marquette County Board of Commissioners this 3rd day of August, 2010

LATE ADDITIONS

11a) The County Board considered an Early Retiree Reinsurance. John Greenberg, Human Resources and Risk Manager, explained that the Patient Protection and Affordable Care Act provides a \$5 billion fund to help employers maintain health insurance coverage for early retirees age 55 and older who are not yet eligible for Medicare. Marquette County has 89 retirees who fall into this category.

This pool of money will be distributed on a first come first serve basis and will reimburse 80% of individual medical benefits between \$15,000 and \$90,000 that are paid within a certain time frame. Although the feeling is that \$5 billion won't go very far once the automakers and other large employer groups have submitted their applications, BCBSM has agreed to submit an application for Marquette County on a contingency basis. In other words, if there is no recovery there will be no cost to the County.

Other BCBSM participants with fewer than 100 retirees in this category are being charged a \$5,000 application fee due to the amount of time and effort involved in the application process, as well as a contingency fee if there is a recovery. BCBSM has agreed to waive the application fee for Marquette County since we are close to the minimum number of retirees and have a long history with BCBSM.

Based on claims history over the past two years, the potential recovery for Marquette County is in the range of \$150,000. Mr. Greenberg's recommendation is to engage BCBSM to submit the application documents on behalf of Marquette County.

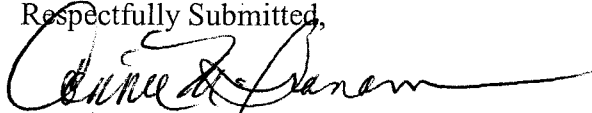
It was moved by Comm. Pellow, seconded by Comm. Arsenault, and unanimously carried by voice vote that the County Board authorize BCBSM to submit the application documents regarding the Early Retiree Reinsurance on behalf of Marquette County.

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

There being no further business to come before the County Board, the meeting adjourned at approximately 6:35 p.m.

Respectfully Submitted,



Connie M. Branam
Marquette County Clerk