

**MINUTES OF REGULAR MEETING – WEDNESDAY, SEPTEMBER 21, 2011 – 6:00 P.M. –
ROOM 231, HENRY A. SKEWIS ANNEX, MARQUETTE, MI 49855.**

1. CALL TO ORDER – SALUTE TO THE FLAG – PLEDGE OF ALLEGIANCE.

- Call to Order by Chair at 6:00 p.m. – Room 231 Henry A. Skewis Annex, Marquette.
- Roll Call: Present: Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault, Commissioner Pellow, Commissioner Nordeen and Chairperson Bergdahl. Absent. None.

**2. APPROVAL OF THE MINUTES OF THE COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING HELD ON SEPTEMBER 6, 2011.**

Board Action: Commissioner Corkin moved to approve the minutes of the Regular Meeting of the County Board of Commissioners held on September 6, 2011. Second by Commissioner Arsenault. Motion adopted.

3. PROCLAMATION, PRESENTATIONS AND AWARDS. None.

4. APPROVAL OF THE AGENDA.

Board Action: Commissioner Nordeen moved to approve the Agenda with the following Late Additions: 11a) Commissioner Budget Concerns and Comments; 11b) Detention Center Letter; and 11c) Reapportionment Bill. Second by Commissioner Corkin. Motion adopted.

5. PUBLIC COMMENT.

Chairperson Bergdahl opened the meeting for public comment.

- Steve Lawry, Chocolay Township Manager, reserved time to speak to Agenda Item 10c) City of Negaunee/Chocolay Township Request for Assistance.
- Mike VanStraten, Negaunee City Council, reserved time to speak to Agenda Item 10c) City of Negaunee/Chocolay Township Request for Assistance.
- Mike Tebo, Marquette County Labor Council, reserved time to speak to Agenda Item 10c) City of Negaunee/Chocolay Township Request for Assistance.

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

6. REVIEW OF CLAIMS AND ACCOUNTS.

Board Action: Commissioner Heikkila moved to approve Claims and Accounts for the period September 9, 2011 through September 15, 2011, in the amount of \$497,203.99. Second by Commissioner Arsenault. Motion adopted.

7. PUBLIC HEARINGS. None.
8. PRIVILEGED COMMENT. None.
9. INFORMATIONAL ITEMS. None.
10. ACTION ITEMS.

- a. Committee of the Whole Recommendation re: Appointments.

Board Action: Commissioner Corkin moved to approve the Committee of the Whole Recommendation to appoint Bob Struck to the Marquette County Planning Commission for the unexpired term ending 12-31-2012; Ken Kaiser as the Planning Commission Member to the Brownfield Redevelopment Authority; and Bill Carlson to the 3-year term ending 7-31-2014 to the Brownfield Redevelopment Authority. Second by Commissioner Arsenault. Motion adopted. (Commissioner Cihak and Commissioner Quayle voted Nay).

- b. County Option to Purchase Properties for Land Bank Authority (LBA).

Anne Giroux, Marquette County Treasurer explained the following:

The County Board, previously in 2011 approved exercising its option under MCL211.78m to purchase 12 tax foreclosed properties to be transferred to the LBA. Subsequent to the County Treasurer's tax foreclosure sale and analyzing what sold and did not sell, the LBA has identified one additional property that it is interested in acquiring. Additional information regarding the property is listed below.

Forsyth Township 481 N. Sorenson Drive. This is an older one story home that has been neglected for quite some time. This property was included in the County Treasurer's tax sale in August, but did not sell. The daughter of the previous owner has offered to pay the minimum bid (delinquent tax) amount for the property. She currently lives in Kansas and would like to use the property as a summer home. She has an emotional attachment to the home and would like to keep it in the family. Total minimum bid for 1 parcel: \$3,450.

Recommendation: Exercise county option under MCL 211.78m to purchase the property located at 481 N. Sorenson Drive for a total minimum bid amount of \$3,450, to be paid by the purchaser.

Board Action: Commissioner Nordeen moved to exercise the county option under MCL 211.78m to purchase the property located at 481 N. Sorenson Drive for a total minimum bid amount of \$3,450, to be paid by the purchaser. Second by Commissioner Arsenault. Motion adopted.

c. City of Negaunee/Chocolay Township Request for Assistance.

Scott Erbisch, Interim County Administrator, explained the following:

As was noted in the cover memo dated September 9, 2011 to Commissioners with the request for financial assistance from Chocolay Township and the City of Negaunee, staff was requested to review and comment back to the Board. More specifically, whether there were any legal limitations for participating financially with the appeal(s) filed with the Michigan State Tax Tribunal.

Civil Counsel has reviewed the request and determined that there are no local restrictions. Refer to the attached memo from Cheryl Hill.

Currently, the County received \$7,912 in general fund dollars from the property in Chocolay and \$5,068 on the property in Negaunee. If the appeal(s) are successful as proposed by Moyle, the loss of taxes to Marquette County would be \$7,439 from Chocolay and \$3,026 from Negaunee.

As the County Board considers this request it should be noted that there are also appeals under way with some large valued properties in Marquette Township. There are at least four (4) other pending appeals that our Equalization/Tax Department is aware of. If the County were to contribute to the defense of the appeals it could be setting a precedent. If the County Board does contribute, staff would recommend setting a specific dollar amount.

Board Action: After discussion and debate, Commissioner Corkin moved to approve a one time payment of \$1,000 to Chocolay Township and a one time payment of \$1,000 to Negaunee City for financial assistance with the appeal(s) filed with the Michigan State Tax Tribunal. The \$2,000 is to come from the miscellaneous expense line item. Second by Commissioner Pellow. (Commissioner Heikkila voted nay - Commissioner Nordeen abstained). Motion adopted.

d. Change in Grant Administrator for the Survey and Remonumentation Program.

In a memo from Nancy K. Johnston, Analyst, Office of Land Survey and Remonumentation, a change to the point of contact for Marquette County from Steven D. Powers to Susan Vercoe, Finance Manager, was requested.

Board Action: Commissioner Pellow moved to change the Grant Administrator for the Survey and Remonumentation Program for Marquette County from Steven D. Powers to Susan Vercoe, Finance Manager. Second by Commissioner Joseph. Motion adopted.

e. Memo from Judge Anderegg regarding the use of Mangum Farm to house Juveniles.

Board Action: Commissioner Corkin moved to accept the Memo from Judge Anderegg regarding the use of Mangum Farm to house Juveniles for file. Second by Commissioner Nordeen. Motion adopted.

f. Prosecution Fees.

Cheryl Hill, Civil Counsel, explained the following:

The Chair and Vice Chair asked that I review a plan by Muskegon County to put forth a proposed ordinance to reimburse prosecution fees. Attached you will find a newspaper article that outlines the plan of Muskegon County.

State law provides that courts may order for the recovery of costs associated with the prosecution of certain offenses. A complete copy of the statute is attached for your review. I have also attached the Ottawa County ordinance that was enacted to allow Ottawa County to collect costs and expenses in certain cases.

Marquette County does not have such an ordinance. If the Board of Commissioners is interested in pursuing this matter further, I strongly urge that there be a committee set up to explore the same. As this involves all parts of law enforcement and the courts, it would be very important to have the views of all of law enforcement represented in any ordinance discussion (i.e. police, prosecutor and courts).

Board Action: Commissioner Cihak moved to direct staff, the Judges and the Prosecutor, to discuss a potential ordinance to reimburse prosecution fees in Marquette County and report back to the County Board with the pros and cons of such an ordinance in 60 days. Second by Commissioner Pellow. Motion adopted. (Commissioner Nordeen voted nay).

g. Negotiating Team.

Scott Erbisch, Interim County Administrator, explained that the Prosecutor has requested direction from the Board regarding negotiations.

Board Action: After discussion and debate, Commissioner Pellow moved that the following individuals make up the Negotiating Team: The Interim Administrator (Scott Erbisch or Sue Vercoe), Human Resources Director (John Greenberg), Prosecuting Attorney (Gary Walker), One County Commissioner (Mike Quayle), and one alternate County Commissioner (Bruce Heikkila). The Commissioner will maintain a gag order for the remainder of the 2011 negotiation sessions for the 2012 Contracts. Second by Commissioner Nordeen. A roll call vote was recorded. Ayes: Commissioner Cihak, Commissioner Quayle, Commissioner Heikkila, Commissioner Pellow and Commissioner Nordeen. Nays: Commissioner Corkin, Commissioner Joseph, Commissioner Arsenault and Chairperson Bergdahl. Motion Adopted 5 Ayes to 4 Nays.

11. LATE ADDITIONS.

a. Discussion regarding Commissioner Budget Concerns and Comments.

No action was taken as a result of the discussion.

b. Detention Center Letter.

Board Action: Commissioner Cihak moved to direct the Sheriff and Staff to address the lack of federal inmates in the Detention Center. Second by Commissioner Corkin. Motion adopted.

c. Discussion regarding the Reapportionment Bill.

Cheryl Hill, Civil Counsel, updated the Board on the status of the Reapportionment Bill. She also explained that a letter has been drafted to the Attorney General requesting an opinion as to the ability of the County to pay the bill from the Kendricks, Bordeau, Adamini, Chilman & Greenlee Law Firm. Commissioners requested a copy of the draft letter. No action was taken as a result of the discussion.

12. PUBLIC COMMENT.

Chairperson Bergdahl opened the meeting for public comment.

- Gary Walker, Marquette County Prosecutor, spoke regarding the Reapportionment Bill.
- Steve Lawry, Chocolay Township Manager, thanked the Board for the action taken on 10c) City of Negaunee/Chocolay Township Request for Assistance.
- Mike VanStraten, Negaunee City Council, also thanked the Board for the action taken on Item 10c) City of Negaunee/Chocolay Township Request for Assistance.

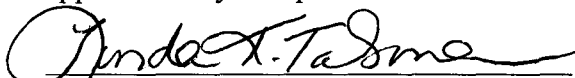
There being no further comments, Chairperson Bergdahl closed this portion of the meeting.

13. COMMISSIONERS COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.

- Commissioner Nordeen emphasized that Independent Civil Counsel is necessary.
- Commissioner Quayle announced that the letter be sent to the Attorney General.
- Commissioner Corkin updated the Board regarding the MAC Conference.
- Commissioner Cihak commended Commissioner Corkin. He does a great job representing Marquette County.

14. ADJOURNMENT.

There being no further business to come before the County Board, the meeting adjourned at approximately 7:40p.m.



Linda K. Talsma
Deputy County Clerk

Charles Bergdahl, Chairperson
Marquette County Board of Commissioners

Minutes Proposed for Approval on October 4, 2011.