
REGULAR MEETING – TUESDAY, MARCH 20, 2018 – 6:00 P.M. – COMMISSIONERS ROOM 231, HENRY A. SKEWIS ANNEX, MARQUETTE, MI 49855.

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

- Call to Order by Chairperson Gerald O. Corkin at 6:00 p.m. – Room 231 Henry A. Skewis Annex, Marquette. Salute to the Flag followed by the Pledge of Allegiance.
- Present: Comm. DePetro, Comm. Derocha, Comm. Adamini, Comm. Corkin, Comm. Nordeen and Comm. Alholm.

2. APPROVAL OF THE MINUTES:

Board Action: Comm. DePetro moved to approve the minutes from the Regular Meeting held on March 6, 2018. Second by Comm. Adamini. Motion adopted.

3. PROCLAMATION, PRESENTATIONS AND AWARDS:

a. Proclamation for National Service Recognition Day

Chairperson Corkin read the following Proclamation for National Service Recognition Day:

WHEREAS, service to others is a hallmark of the American character, and central to how we meet our challenges; and WHEREAS, the nation's Counties are increasingly turning to national service and volunteerism as a cost-effective strategy to meet their needs; and

WHEREAS, AmeriCorps and Senior Corps participants address the most pressing challenges facing our communities, from educating students for the jobs of the 21st century, to fighting the opioid epidemic, to responding to natural disasters, to supporting veterans and military families; and

WHEREAS, national service expands economic opportunity by creating more sustainable, resilient communities and providing education, career skills, and leadership abilities for those who serve; and

WHEREAS, AmeriCorps and Senior Corps participants serve in more than 50,000 locations across the country, bolstering the civic, neighborhood, and faith-based organizations that are so vital to our economic and social well-being; and

WHEREAS, national service participants increase the impact of the organizations they serve, both through their direct service and by managing millions of additional volunteers; and

WHEREAS, national service represents a unique public-private partnership that invests in community solutions and leverages non-federal resources to strengthen community impact and increase the return on taxpayer dollars; and

WHEREAS, national service participants demonstrate commitment, dedication, and patriotism by making an intensive commitment to service, a commitment that remains with them in their future endeavors; and

WHEREAS, the Corporation for National and Community Service shares a priority with local leaders nationwide to engage citizens, improve lives, and strengthen communities; and is joining with the National League of Cities, the National Association of Counties, Cities of Service, and local leaders across the country for National Service Recognition Day on April 3, 2018.

THEREFORE, BE IT RESOLVED that I, Gerald Corkin, County Official of Marquette, do hereby proclaim April 3, 2018, as National Service Recognition Day, and encourage residents to recognize the positive impact of national service in our community, to thank those who serve; and to find ways to give back to their communities.

4. APPROVAL OF THE AGENDA.

Board Action: Comm. Alholm moved to approve the agenda with the following addition: 14) Closed Session – 15.268(e) to consult with attorney re: pending litigation strategy. Second by Comm. Nordeen. Motion adopted.

5. PUBLIC COMMENT: Chairperson Corkin opened the meeting for public comment, none was forthcoming.

6. REVIEW OF CLAIMS AND ACCOUNTS:

Board action: Comm. Alholm moved to approve the total expenditures for the period March 2, 2018 through March 15, 2018 was \$2,282,173.96. (This amount does not include check payable to Alger-Delta Co-Op Electric); and Biweekly payroll for the period ending February 24, 2018 was \$637,863.42. Second by Comm. Nordeen. Motion adopted (6-0)

Board action: Comm. Adamini moved to approve check #181349, dated 3/9/18, for \$138.43 ~ Payable to Alger-Delta Co-Op Electric. Second by Comm. DePetro. Motion adopted (6-0) *Comm. Alholm's abstention is on file

7. PUBLIC HEARING:

a. Land & Water Conservation Fund Grant Application

Chairperson Corkin opened the Public Hearing after reading the following:

NOTICE OF PUBLIC HEARING

The Marquette County Board of Commissioners will conduct a public hearing at their regularly scheduled meeting on Tuesday, March 20, 2018 to hear input on a Land and Water Conservation Fund Grant application to assist with dock development and enhancements at Big Bay Harbor of Refuge. A copy of the draft grant application is available in the office of the Marquette County Resource Management and Development Department at 234 West Baraga Avenue, Marquette. The Big Bay Harbor of Refuge Expansion Project grant application proposes to add a floating dock system at the Harbor. The dock would add approximately 10-12 slips, nearly doubling the number of slips available.

The public hearing will be held at 6:00 PM in Room 231 of the Courthouse Annex Building, 234 West Baraga Avenue, Marquette. The public is invited to attend the meeting to comment on the draft grant application. Any questions regarding the or proposed development may be directed to the Marquette County Resource Management and Development Department, 234 W. Baraga Avenue, Marquette MI 49855 or phone at (906) 225-8198.

Thyra Karlstrom, Planner, was present to answer any questions relating to the Public Hearing.

Chairperson Corkin closed this portion of the meeting with no comment from the public.

8. PRIVILEGED COMMENT

9. INFORMATIONAL ITEMS:

- a. **UPPCO Notice of Hearing**
- b. **Anderson, Tackman & Company, PLC - Audit Report**

Board action: Comm. Alholm moved to accept informational items a - b for filing. Second by Comm. DePetro. Motion adopted.

10. ACTION ITEMS:

a. Resolution Land & Water Conservation Fund Grant/Big Bay Harbor

Thyra Karlstrom, Planner, was present to explain the following: The Marquette County Recreation Plan lists expanding the number of seasonal slips at the Big Bay Harbor of Refuge as an action item. Boating popularity has expanded greatly in the area and the need for additional slips has been documented through an increasing waiting list. Through the development of a floating dock system, RMD staff intends to add 10-12 slips to the BB Harbor, doubling its capacity while also leaving room for future pier expansion. RMD staff is applying for a MDNR Land and Water Conservation Fund grant to support this project.

There are currently fourteen people on the waiting list for a slip at the Big Bay Harbor of Refuge. County staff has received inquiries on slip availability from residents throughout Marquette County due to the lack of availability and cost of other area marinas. A substantial rise in tourism and the desire to recreate via boating has been recognized. Universal design of the pier and pathway thereto allows access by all users.

A floating dock system will be installed in the undeveloped part of the harbor. This location does not impact the slips located on the bulkhead and is carefully designed to allow for future dock expansion when warranted. A floating system is chosen in order to accommodate for the fluctuating level of the water. A concrete pathway extending from the existing bulkhead allows for universal access as does the floating dock system.

Projects are expected to be awarded in winter of 2019. The MDNR Land and Water Conservation Fund requires a 50% match. The estimated total project cost is \$242,400, with a 50% match of \$121,200. The Forest Recreation Fund can be used for the local match.

Board action: Comm. Derocha moved to approve the grant application to the Michigan Department of Natural Resources Land and Water Conservation Fund for \$121,200; and request the Chairperson sign the following resolution showing commitment to providing the matching fund requirement of \$121,200 giving a total project cost of \$242,400. Second by Comm. DePetro. A roll call vote was taken to pass the resolution: Ayes: Comm. Derocha, Comm. Adamini, Comm. Nordeen, Comm. Alholm and Chairperson Corkin. Nays: None.

Department of Natural Resources Land and Water Conservation Fund Grant for Big Bay Harbor Expansion Project

WHEREAS; the Marquette County Board of Commission understands the need and importance of providing recreational opportunities to Marquette County residents and visitors to Marquette County;

WHEREAS; the Marquette County Board of Commissioners makes provisions for recreation by owning and maintaining several recreation facilities, one of which is Big Bay Harbor of Refuge in Big Bay, Michigan;

WHEREAS; Marquette County has an adopted Recreation Plan that has specific goals for continued improvements to the County's Recreation facilities;

*WHEREAS; current improvements to Big Bay Harbor of Refuge plus engineering fees are estimated to cost **Two Hundred Forty Two Thousand Four Hundred dollars (\$242,400)** with matching funds from Marquette County that equal **50% of the total project cost or One Hundred Thousand Twenty One Thousand Two Hundred dollars (\$121,200);***

NOW THEREFORE BE IT RESOLVED THAT, the Marquette County Board of Commissioners approves the application for a DNR Land and Water Conservation Fund grant for \$121,200 and will provide \$121,200 in matching funds if the grant is approved.

b. Perkins Park and Big Bay Harbor Fees and Rules for 2018

PERKINS PARK CAMPGROUND & PICNIC AREA - RULES AND FEES

The following rules are in place to ensure all park visitors have an enjoyable experience at Perkins Park. Thank you for reading and adhering to these policies.

- 1) PETS MUST BE RESTRAINED AT ALL TIMES, KEPT QUIET, WASTE DISPOSED OF PROPERLY AND NOT LEFT UNATTENDED. PETS ARE NOT PERMITTED ON THE SWIMMING BEACH, PLAYGROUND AND IN BUILDINGS.
- 2) MOTORIZED VEHICLES ARE TO BE OPERATED ONLY ON ESTABLISHED PARK ROADS.
- 3) LIMIT OF TWO (2) VEHICLES PER CAMPSITE AND NO MORE THAN EIGHT (8) PEOPLE PER CAMPSITE UNLESS PART OF A BASIC FAMILY UNIT. ONE TRAILER AND ONE TENT OR TWO TENTS ARE PERMITTED AT EACH SITE.
- 4) CAMP PERMITS MUST BE PLACED IN THE PROPER NUMBERED HOLDER AT THE SITE.
- 5) DO NOT REMOVE PICNIC TABLE FROM THE CAMPSITE.
- 6) NO CUTTING OF STANDING TREES. USE OF NAILS AND WIRES ON TREES, PICNIC TABLES, OR OTHER CAMPGROUND STRUCTURES IS PROHIBITED.
- 7) QUIET HOURS ARE TO BE OBSERVED BETWEEN 11:00 PM AND 8:00 AM. VISITORS MUST LEAVE BY 10:30 PM.
- 8) DISCHARGE OF WASTEWATER ONTO THE GROUND IS PROHIBITED. WASTEWATER MUST BE DISPOSED OF AT THE DUMP STATION IN THE PARKING LOT OR THE SERVICE BUILDING.
- 9) OPEN FIRES ARE PERMITTED ONLY IN DESIGNATED FIRE CIRCLES AND MUST BE EXTINGUISHED IF LEFT UNATTENDED. THE MOVING OF FIRE CIRCLES IS PROHIBITED. THE BURNING OF GARBAGE IS STRICTLY PROHIBITED.
- 10) DIGGING OR TRENCHING OF THE CAMPSITES IS PROHIBITED.
- 11) CAMPSITES AND PICNIC SITES MUST BE KEPT FREE OF LITTER.
- 12) CAMPSITES MUST BE VACATED BY 1:00 PM ON THE DATE OF PERMIT EXPIRATION.
- 13) ALL GROUPS, CLUBS, AND ORGANIZATIONS OF EIGHT (8) OR MORE PEOPLE USING THE PICNIC AREA MUST REGISTER WITH THE PARK MANAGER TO ARRANGE FOR CLEANUP AND DESIGNATION OF RESPONSIBILITY FOR ANY DAMAGE CAUSED BY THE GROUP.
- 14) PARK STAFF HAS THE RIGHT TO TERMINATE YOUR STAY WITHOUT REFUND IF REGULATIONS ARE NOT FOLLOWED.
- 15) A MINIMUM THREE NIGHT STAY IS REQUIRED ON MEMORIAL DAY, LABOR DAY, AND FIRE ON THE BAY WEEKENDS.

Beach Rules:

- 1) PETS ARE NOT ALLOWED ON THE BEACH OR IN THE WATER.
- 2) NON-SWIMMERS ARE ADVISED TO STAY INSIDE THE SAFETY BUOY.
- 3) INFLATABLE TOYS, BUOYS, OR RAFTS OF ANY KIND ARE NOT PERMITTED BEYOND THE SAFETY BUOY.
- 4) PUSHING OR SHOVING FROM RAFT OR THROWING OF BEACH SAND IS NOT PERMITTED.
- 5) FIRES ARE NOT PERMITTED ON THE SWIMMING BEACH AT ANY TIME.
- 6) PLACE ALL DEBRIS IN TRASH CANS.
- 7) NO GLASS CONTAINERS IN BEACH AREA.

PERKINS PARK DAY RATE

PER DAY \$ 2.00 ---- PER SEASON \$ 20.00 ----SHOWER FEES .25/4 MIN. ----- RESERVATION FEE \$3.00

GROUP EVENTS: GROUPS REQUESTING USE OF THE PAVILION WILL BE CHARGED \$80.00, OR \$2.00 PER VEHICLE FOR THOSE VEHICLES IN THE PARK FOR THE EVENT WITH A MINIMUM FEE OF \$25.00 FOR UP TO 10 VEHICLES. GROUPS MAY RESERVE THE PAVILION, BUT THE RESTROOMS WILL STILL BE AVAILABLE TO THE PUBLIC DURING THE EVENT.

Type	Fee Per Night	Fee per 5 Nights	Fee per Month
No Hook Up	\$17	\$75	\$408
No Hook Up, Lakeside	\$20	\$90	\$540* - *5 night rate
Electric Only	\$23	\$105	\$552
Electric and Water	\$26	\$120	\$624
Full Hook-Up	\$30	\$140	\$720
Full Hook-up Pull-Thru	\$33	\$155	\$792
Rental Tent	\$22	\$100	\$528

BIG BAY HARBOR OF REFUGE - RULES AND FEES

- 1) MAXIMUM SPEED LIMIT - NO-WAKE SPEED - ENTRANCE CHANNEL & HARBOR.
- 2) SMALL BOATS SHALL BE PLACED IN AND REMOVED FROM THE HARBOR ONLY AT THE RAMPING FACILITY IN THE SOUTHWEST CORNER OF THE HARBOR.
- 3) CARS & BOAT TRAILERS SHALL BE PARKED AS DIRECTED BY THE HARBOR ATTENDANT.
- 4) ALL TRANSIENT BOATS WILL BE PERMITTED FREE USE OF THE HARBOR FACILITIES BETWEEN THE HOURS OF 8:00 A.M. AND 10:00 P.M., PROVIDED A MINIMUM OF 5 GALLONS OF GASOLINE IS PURCHASED. REGULAR DOCKING FEES SHALL APPLY IF BOATERS STAYING LATER THAN 10:00 P.M.
- 5) ALL BOATS USING THE DOCK FACILITIES SHALL BE REQUIRED TO REGISTER WITH THE HARBOR ATTENDANTS.
- 6) SMOKING AND ANY TYPE OF OPEN FLAMES SHALL NOT BE PERMITTED IN THE GASOLINE DISPENSING AREA.
- 7) ALL TRASH AND DEBRIS SHALL BE PLACED IN RECEPTACLES PROVIDED FOR THAT PURPOSE.
- 8) NO CAMPFIRE PERMITTED ON HARBOR GROUNDS.
- 9) NO OVERNIGHT CAMPING ON HARBOR GROUNDS.
- 10) QUIET HOURS ARE TO BE OBSERVED BETWEEN 11:00 PM – 8:00 AM.
- 11) REGISTERED BOATERS ONLY, ALLOWED ON HARBOR GROUNDS AFTER 10:00 P.M.
- 12) THE FOLLOWING FEES SHALL APPLY:

RAMP FEE - \$2 PER LAUNCH, \$20 PER BOAT FOR SEASON

SEASONAL MOORING FEES

FROM MAY 15 TO OCTOBER 1, SLIP RATES ARE AS FOLLOWS:

- A) AT THE CONSTRUCTED SEA WALL: \$31.50/FOOT OF BOAT LENGTH
- B) AT THE EMBANKMENT AREA EAST OF THE CONSTRUCTED SEA WALL, 75% OF THE RATE IN A) ABOVE.
- C) FOR COMMERCIAL BOATS (CHARTERS), THE RATE IS TWICE THE RATE ESTABLISHED ABOVE

PAYMENT MUST BE RECEIVED BY MARQUETTE COUNTY PRIOR TO BOAT INSERTION. FEES MAY BE PRO-RATED UPON SPECIAL APPROVAL.

MOORING FOR A 24-HOUR PERIOD (TRANSIENT RATE)

BOATS LESS THAN 25 FEET IN LENGTH: (FLAT RATE) \$30.00

BOAT SIZE	RATE	BOAT SIZE	RATE	BOAT SIZE	RATE	BOAT SIZE	RATE
25 ft	\$30.00	35 ft	\$43.00	45 ft	\$60.00	55 ft	\$75.00
26 ft	\$31.00	36 ft	\$45.00	46 ft	\$63.00	56 ft	\$76.00
27 ft	\$33.00	37 ft	\$49.00	47 ft	\$64.00	57 ft	\$78.00
28 ft	\$34.00	38 ft	\$47.00	48 ft	\$65.00	58 ft	\$79.00
29 ft	\$35.00	39 ft	\$51.00	49 ft	\$67.00	59 ft	\$80.00
30 ft	\$37.00	40 ft	\$53.00	50 ft	\$68.00	60 ft and over	\$1.46/ft.
31 ft	\$38.00	41 ft	\$54.00	51 ft	\$69.00		
32 ft	\$40.00	42 ft	\$55.00	52 ft	\$71.00		
33 ft	\$41.00	43 ft	\$57.00	53 ft	\$72.00		
34 ft	\$42.00	44 ft	\$58.00	54 ft	\$73.00		

Board action: Comm. DePetro moved to adopt the Perkins Park Fees and Regulations & Big Bay Harbor of Refuge Fees and Regulations as presented. Second by Comm. Alholm. Motion adopted (6-0)

c. CC VIII Operating, LLC – Amendment to Lease (Spectrum Tower)

Scott Erbisch, Administrator, explained the following: the County of Marquette has been leasing one (1) acre of land to CC VIII Operating, LLC for the purpose of the placement of the Spectrum Communications tower. The current five year lease will expire June 30, 2018, however, CC VII Operating, LLC is seeking to continue leasing the one (1) acre site for an additional five (5) years with an option to renew for five (5) more years.

The one (1) acre of land is located on County Forest land on North Southgate Drive. This location has not interfered with County Forest operations. This is also within the lands that have been leased to Trade Wind Energy for its potential Solar Farm.

Board action: Comm. DePetro moved to approve the amendment to the Spectrum Tower Lease effective July 1, 2018; Key Terms of the Lease:

- Lease would be extended commencing as of July 1, 2018 and continue through, and including, June 30, 2023.
- Renewal option. Lessee will have the option to renew the term of the lease for one additional term of five (5) years with a 3% annual increase to the rent.
- Effective July 1, 2018 the annual rent will be \$8,735.69 with 3% increases annually each subsequent year.
- Commercial General Liability insurance with an occurrence of not less than \$1 million and \$2 million aggregate.

Second by Comm. Nordeen. Motion adopted (6-0)

d. 2018 Remonumentation contract Exhibit for Consideration

Neil J. Lynch, County Representative for Marquette County Remonumentation, requested the Board to approve the revised contract exhibits that will allow the Remonumentation Survey Contractors to begin the 2018 Marquette county Remonumentation Project. The need for these revised contract exhibits to be approved by the Board is spelled out in Professional Services Agreements that was executed in 2016 for a three year term with AECOM and North Country Engineering to perform this work under the State Remonumentation Grant Program.

The contracts are available for viewing in the Clerk's Office

Board action: Comm. Adamini moved to revise the two contracts for 2018 Remonumentation. Second by Comm. Alholm. Motion adopted (6-0)

e. Resolution for Michigan Indigent Defense Act

WHEREAS, the Marquette County Board of Commissioners supports the Michigan Indigent Defense Act and its efforts to insist upon fair and equal justice for low-income and indigent defendants; and recognizes the need for indigent defense options within the State of Michigan; and

WHEREAS, Marquette County believes that individuals should not be denied equal access to justice based on financial ability and the State of Michigan (State) has failed to provide competent representation to indigent defendants, thus failing to meet the state and federal constitutional obligation of a right to an attorney to all individuals; and

WHEREAS, it is also recognized that while equal access to justice is a fundamental constitutional right, the expenses related to providing these vital services must not be unfairly shifted to county and local governments; and

WHEREAS, through the enactment of PA 93 of 2013, the Michigan Indigent Defense Act, local systems responsibility for the cost are equal to the system's average annual expenditure in the three fiscal years immediately preceding the creation of the Michigan Indigent Defense Commission (MIDC), less the money received from partially indigent reimbursements with the remaining costs to meet the MIDC-created standards being paid by the State; and

WHEREAS, submitted plans for compliance by the counties were significantly higher in cost than the State expected; the State is now trying to back out of its statutory obligation; and

WHEREAS, Governor Snyder's Fiscal 2019 budget includes financial provisions for indigent defense that would increase the burden on the counties and does not uphold the state's responsibilities in funding provisions; so

THEREFORE BE IT RESOLVED, that the County of Marquette is opposed to the Governor's proposed adjustments to the Indigent Defense Program within the fiscal year 2019 budget plan, and urges lawmakers to properly fund state standards from state resources, as per PA 93 of 2013.

Board action: Comm. Derocha moved to adopt the resolution in support of The Michigan Indigent Defense Act.

Second by Comm. Alholm. A roll call vote was taken: Ayes: Comm. Derocha, Comm. Adamini, Comm. Nordeen,

Comm. Aholm, Comm. DePetro and Chairperson Corkin. Nays: none. Motion adopted (6-0)

f. Pathways (Community Mental Health Board)

Linda Talsma, Clerk, stated the terms of Elizabeth Brotherton & Patricia Bureau expire 3-31-2018 – both individuals have reapplied for these positions.

There has also been a resignation from Dominic Dennis from this board which will need to be filled at a later meeting. No applicants have applied for this position.

A motion would be in order to appoint Elizabeth Brotherton & Patricia Bureau for another 3 year term. No other applications were received for these positions. All positions were advertised in the Mining Journal.

Board action: Comm. Adamini moved to re-appoint Elizabeth Brotherton & Patricia Bureau for another 3 year term to the Community Mental Health Board (Pathways). Second by Comm. Derocha. Motion adopted (6-0)

11. LATE ADDITIONS.

12. PUBLIC COMMENT: Chairperson Corkin opened the meeting for public comment, none was forthcoming.

13. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS:

Comm. DePetro thanked Chairperson Corkin and Comm. Derocha for joining him at the Marquette Westwood Mall on March 17th to attend and show Marquette County’s support “Disable the Label” community event. Each group had a table set up with their coordinators to educate the public on their & how productive they are in the community. This was a very educating experience.

Also, on March 20th spring officially began according to the National Weather Station in Negaunee. It is recommended not to put your shovels, snow blowers or snow scoops away till sometime in May.

Also, congratulations to Northern Michigan University Hockey Team for a great season of hockey!

Comm. Alholm thanked staff on the Strategic Plan Goal #2 Update provided to the Commissioners.

Comm. Derocha stated a member of “Disable the Label” liked to call themselves “**Handy-capable**” which really seemed fitting.

Also, St. Johns is having a presentation on March 22nd at 10:00 AM for their Continued Adult Education Program. The public is welcome to attend, St. Johns is seeking private funding to continue the program.

Also, Republic Township did not get funding for their Dam Project from the Rural Ag. Development Fund; is there ways to help this project?

Comm. Nordeen a possible call to Jason Allen?

Chairperson Corkin requested information on why Republic Township was denied the Project funding.

14. CLOSED SESSION: 15.268(e) to consult with attorney re: pending litigation strategy

Board action: Comm. Alholm moved to go into closed session re: pending litigation strategy. Second by Comm. Adamini. A roll call vote was taken: Ayes: Comm. Alholm, Comm. DePetro, Comm. Derocha, Comm. Adamini, Comm. Nordeen and Chairperson Corkin. Nays: none.

*****A short recess was taken to clear chambers *****

Commissioners came back into Open Session with the following motion:

Board action: Comm. Nordeen moved to approve the recommendation from Civil Counsel not to exceed \$4,000. Second by Comm. Alholm. Motion adopted.

15. ADJOURNMENT: There being no further business to come before the County Board, the meeting was adjourned at approximately 6:48 p.m.

Linda K. Talsma

Gerald O. Corkin, Chairperson