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**REGULAR MEETING – WEDNESDAY, FEBRUARY 5, 2019 – 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.

- All Present: Comm. Derocha, Comm. DePetro, Comm. Adamini, Comm. Nordeen, Comm. Alholm, and Chairperson Corkin.

**2. APPROVAL OF THE MINUTES:**

**Board Action:** Comm. DePetro moved to approve the minutes from the Regular Meeting held on January 15, 2019. Second by Comm. Alholm. Motion adopted.

**3. PROCLAMATION, PRESENTATIONS AND AWARDS:**

**4. APPROVAL OF THE AGENDA:**

**Board Action:** Comm. Nordeen moved to approve the agenda with the following addition: 9c) Update on Courthouse Security; and 9d) UPPCO Power Issue. Second by Comm. DePetro. Motion adopted.

**5. PUBLIC COMMENT:** Chairperson Corkin opened the meeting for public comment

- **Patrick Crowley, Marquette County - Chief Public Defender**, began with a brief introduction and updated Commissioners on his new office location in Marquette County. The Public Defender's Office will be at 228 W. Washington Street, Suite #3, Marquette. Currently busy setting up the office and hiring staff. The office will be opening for business soon.

*\*Chairperson Corkin welcomed Mr. Crowley on behalf of the Board.*

With no further public comment, Chairperson Corkin closed this portion of the meeting.

**6. REVIEW OF CLAIMS AND ACCOUNTS:**

\***Comm. Derocha** wanted an explanation from the Marquette County Sheriff on a purchase of snowmobiles, questioned the bid process.

\***Sheriff Zybur**t explained he did not properly bid out the purchase of the snowmobiles and took full responsibility.

\***Comm. Derocha** requested since no bid process was completed - grant monies can't be used to pay this expense and the funds must come out of the Sheriff's Budget instead.

\*After discussion – Staff will examine the grant contract language in detail for clarification.

**Board action:** Comm. Derocha moved to approve the total expenditures for the period January 11, 2019 through January 31, 2019 which was \$742,770.80; and Biweekly payroll for the period ending January 12, 2019 which was \$740,484.10; and Biweekly payroll for the period ending January 26, 2019 in the amount of \$657,846.67. Second by Comm. Nordeen. Motion adopted (6-0)

**Board action:** Comm. Nordeen recommended check #188511, dated 1/11/19, \$147.25 ~ payable to Alger-Delta Co-Op Electric. Second by Comm. DePetro. Motion adopted – Abstained: Comm. Alholm

**7. PUBLIC HEARING: NONE**

**8. PRIVILEGED COMMENT:**

- **Sheriff Zybur**t Monthly Update:

**Road Patrol - Calls for Assistance:**

- 222 Calls for service, 3 Assault Cases, 1 CSC Case, 5 Larceny, 4 Retail Fraud, 7 Drug Cases, 6 OWI/OUID, 36 Traffic Accidents, 152 Citations written – Civil Process: 264 served and incoming civil papers 297.

**Special Operations/Search & Rescue- Calls for Assistance:**

- McFarland search for missing snowmobiler ~ found deceased in Delta County

- Lost snowmobiler – Sands Twp.
- Injured Cross Country Skier on the Noquemonen Trail
- Missing Hiker – Yellow Dog River and CR 510 – Found deceased

**Rescue 131:**

- Truck and equipment review, extrication training, Marquette Co. Medical Control review, 3 personal injury accidents, Humboldt Twp – Structure Fire, Assisted Search and Rescue with missing student near Yellow Dog.

**Jail:** Average Daily population for January was 143 not including 15 in Alger County; 1 suicide attempt, 4 inmate on inmate assaults; housed 16 federal inmates.

\*Comm. Nordeen stated due to the overcrowding issues at the Jail – it is time to reassess Jail space needs.

**9. INFORMATIONAL ITEMS:**

- a. Semco Energy Gas Company – Notice of Hearing**
- b. DEQ – Pending Applications**
- c. Update on Courthouse Security**

\*Comm. Nordeen – updated the Board on Courthouse Security: Panic buttons have been installed in all office throughout the Courthouse; procedures have been developed for handling courthouse threats, informed employees on the proper use of 9-1-1, creation of a uniform threat incident report. There have been discussions concerning entrances to the courthouse along with proper placement of all the courts. Courthouse Security committee members are constantly discussing options to make our Courthouse safer!

- d. UPPCO Power Issue**

Comm. Nordeen met with Forsyth Twp. Supervisor, Joe Boogren, regarding the Solar Project at Sawyer. Local Power was discussed due to Presque Isle Power Plant scheduled for closure, the closure was predicated on the Empire Mine closing. If the Empire Mine ever re-opened it could cause a shortage of power at peak times.

**Board action:** Comm. Alholm moved to accept informational items a - d for filing. Second by Comm. DePetro. Motion adopted. (6-0)

**10. ACTION ITEMS:**

- a. Boreal Aviation Rent Abatement Recommendation**

Duane DuRay, Airport Manager, was present to explain the following: Boreal Aviation, the current Fixed Base Operator (FBO), is pursuing security upgrades on building 427. The upgrades have become necessary so Boreal Aviation is able to comply with the airports level of security. The improvements will incorporate the installation of an electromagnetic door locking system on the public doors exiting the building onto the airport ramp. This improvement, when completed, will be integrated into the airport's security system. The improvement will provide a level of security to comply the federal regulations enforced by the Transportation Security Administration.

Boreal Aviation is requesting Marquette County Board of Commissioners allow a rent abatement to recover the expense of the door locks. This is an improvement to the building that enhances safety and security to the building and the airfield and will support any entity that may be leasing this facility in the future.

- *Current lease agreement is set to expire August 31, 2019.*
- *Rent abatement equal to 100% of the actual costs of the electromagnetic door locking system is estimated at 3,216.33.*
- *Rent reductions of \$1,072.11 per month until the actual cost, not to exceed \$3,216.33, has been reached.*

**Board action:** Comm. Alholm moved to approve a rent abatement to Boreal Aviation for a security upgrade, not to exceed \$3,216.33. Second by Comm. Nordeen. Motion adopted (6-0)

- b. FAA Grant – Snow Removal Equipment Bid Specification Agreement**

Duane DuRay, Airport Manager, was present to explain the following: Sawyer Int'l Airport submitted a Federal Aviation Administration (FAA) Airport Improvement Program (AIP) grant pre-application in December 2018. This grant, when awarded, will cover the CY 2019 grant cycle and will be used to purchase a new runway plow vehicle with sand spreader, liquid chemical spreader, and a bulk storage tank for the liquid runway deicing chemical. The estimated amount for the equipment is \$750,000 which includes the design and bid package preparation work. The design and bid package

is necessary to complete prior to the final application submission, this allows the airport to get accurate equipment costs prior to submitting the final application to the FAA.

As previously stated, design and bid package preparation is included in the grant, but the grant is likely not to be awarded until late August, 2019. Staff is requesting the Board of Commissioners approve pre funding for the Professional Engineering Service agreement with Mead & Hunt at the cost of **\$12,420.00**. This allows Mead & Hunt to begin developing the equipment specification and bid package for bid letting in April and have final costs for the final grant application to be submitted in June 2019.

Grant 3-26-0153-4319 amount:

**Snow Plow with Sand and Liquid Spreader**

➤ Federal Share	\$675,000
➤ State Share	\$ 37,500
➤ Local Share	\$ 37,500
➤ Total	<u>\$750,000</u>

The Michigan Department of Transportation, Office of Aeronautics has reviewed the Mead & Hunt Professional Services Agreement and found the costs to be reasonable and appropriate to be submitted for federal participation of the grant.

The local share for this project is \$37,500 and any pre funded amounts will be applied to the local share. This project is also eligible for Passenger Facility Charge (PFC) collection and is on the current application that is under FAA review.

Marquette County's share will be funded through Airport Capital Layout and will be refunded through the Passenger Facility Charges (PFC).

**Board action:** Comm. Adamini moved to approve of the Professional Services Agreement and authorize the County Board Chairman to sign both copies of the Agreement between Mead & Hunt, Inc. and Marquette County for \$12,420.00. Second by Comm. DePetro. Motion adopted (6-0)

**c. Request for Qualifications (Consultant Procurement)**

**Duane DuRay, Airport Manager**, was present to explain the following: The Federal Aviation Administration (FAA) and Michigan Department of Transportation (MDOT) recommend that an airport go through the process of consultant selection every five (5) years. The selection process is based on the consulting firm's qualifications; these qualifications are based on the airport's future projects on the 10 year plan.

Sawyer International Airport advertised on the Michigan Department of Transportation and Sawyer International Airport web sites requesting statements of qualifications from interested Engineering firms. The advertisement was posted on the Airport and the MDOT website starting on December 6, 2018.

All consultant qualifications proposals were due by January 17 at 3:00 pm EDT.

Sawyer International staff was contacted by two consulting firms, Preint & Newhof and Mead & Hunt, prior to the dead line. Only one firm provided a qualifications document.

**Consultant Proposals Received:**

- Mead & Hunt

**Board action:** Comm. Nordeen moved to continue with Mead & Hunt as the airport's consulting firm for a 5 year period beginning with the execution date of the next contractual agreement between Marquette County and Mead & Hunt and requests the approval of the Memo of Understanding. Second by Comm. Adamini. Motion adopted (6-0)

**d. Johnson Controls 3 Year Service Contract Agreement**

**Aaron Karlstrom, Facilities Manager**, explained the following: an updated Plan Service Agreement has been submitted by Johnson Controls, Inc. to manage the County's Building Automation System (BAS), boiler safety inspections, boiler efficiency analysis, and mechanical cooling system inspections.

The main purpose of a Building Automation System is to save energy through the usage of sensors and software logic. It also promotes building comfort, HVAC safety, equipment upkeep, and an advanced notification system when systems fail.

In the winter of 2018 the County integrated the Courthouse, Annex, County Jail, Detention Center, Negaunee Service Center, and Ishpeming Service Center into a server based management system providing a more reliable method of maintaining BAS's at individual buildings. This also provided unlimited data trending and remote access to authorized users. This upgrade created a solid foundation for adding new technology and equipment to BAS. The Board of Commissioners authorized the 2018 agreement for the amount of \$15,600.00.

The proposed 2019 cost is \$20,261.00. The increase is to upgrade and maintain the BAS software with the newest

revisions and software security. This additional cost is supported by the IT Manager.

Johnson Controls, Inc. is the manufacture of the BAS software, "Metasys", making their controls and software proprietary, not allowing other controls companies to integrate into their logic. In the future, this relationship can be untangled, making it easier to switch control companies. This initial phased work can be accomplished when upgrading equipment at County Facilities, allowing the cost to be spread out over time in an economical way. However, at this time a service contract with Johnson Controls is absolutely necessary to monitor and maintain HVAC systems.

**Board action:** Comm. Derocha moved to approve a 3 year term to be paid as follows: Year 1: \$20,261.00; Year 2: \$20,870.00; Year 3: \$21,497.00. Second by Comm. Adamini. Motion adopted (6-0)

**e. U.P. Malt Lease/Purchase Agreement Requested Change**

**Steve Schenden, Director of Operations** was present to explain the following: U.P. Malt has leased Building 824 since July 1, 2016 with an option to purchase the building. The lease rate was abated the first six months, was \$500.00/month for the next six months, \$750.00/month for the next 12 months then \$1000.00 until the building was paid off. The price for the building is \$108,000 which would have been paid in eight years.

U.P. Malt set up an auto payment plan for the payments. Recent review of leases by Sawyer Staff found that the payments had never increased to \$1000.00 July 1, 2017 meaning U.P. Malt was approximately \$4,750.00 in arrears.

Since this was missed by Sawyer Staff and U.P. Malt, Sawyer staff contacted U.P. Malt to discuss the issue. U.P. Malt said they are in production and had a good summer and fall but business has slowed down for the winter, so coming up with all the arrears at once would be difficult. They have requested the payments be reduced back to \$750.00/ month as the business continues to grow. This would add two more years for the building to be paid off.

U.P. Malt has done extensive renovation to the building including handicap bathroom, kitchen and office area, cleaned and repainted the interior, installed new siding and doors on the exterior so the building is worth more and the street view is much improved.

Since U.P. Malt has been a good tenant, the business is moving forward, and considering the renovations put into the building, Sawyer staff feels this request to reduce the payment is reasonable and will help keep the business operational.

**Board action:** Comm. Nordeen moved to approve lowering U.P. Malt's monthly lease payment from \$1,000.00/ month to \$750/month retroactive to July 1, 2017 for Building 824. Second by Comm. Alholm. Motion adopted (6-0)

**f. Semco Easement Recommendation**

**Scott Erbisch, Administrator**, was present to explain the following: Staff have been reviewing the proposed easement/routing of SEMCO's new pipeline. Overall the routing is acceptable. The County encouraged SEMCO to pursue a license or means other than a permanent easement with the Marquette County Road Commission. The purpose of this request was to try to limit some of the encroachment into County Forest lands adjacent to the Road Commission property. After further discussions with SEMCO, the County is accepting of the entire route.

SEMCO has accepted the County's proposed indemnity language and the proposed increase in value for the easement, and will provide funding to re-harvest trees in the temporary work areas.

As noted in a recent update to the County Board, staff was advised by the DNR representative that the proposed easement through PA 217 designated County Forest land will require State approval. Per the Municipal Forest Act, the County is not authorized to grant easements solely through these lands. The State noted that it would also collect the payment for the value of the easement. PA 217 lands were given to the County for forestry use. If the use changes, then the reverter clause kicks in. Rather than transferring land back and forth with the State of Michigan, the State proposed that the County approve the entire easement route. The State of Michigan would then approve the easement(s) within the PA 217 Lands. The county would retain the timber value of the trees harvested, the funds for replanting, and all easement payment for Fee Simple land. The State of Michigan will collect the payments for the easement(s) through PA 217 lands.

Staff, State of Michigan DNR representatives, and SEMCO's representatives are in discussions regarding the above changes for PA 217 lands. County staff and State DNR official are in agreement with the proposed route. The question is what values will be determined for the County and the State of Michigan. The State of Michigan has a standard fee structure for easements and timber value. Based on discussion with all three organizations, the plan is to submit to SEMCO a revised value for the easements and timber value.

**Board action:** Comm. Adamini moved to authorize the harvesting in the designated easement route. The final easement approval upon final determination of easement and timber values. Second by Comm. Alholm. Motion adopted (6-0)

**g. Alternative Solid Waste Authority Member - Discussion**

**Chairperson Corkin** stated the last appointment was rejected by the Chair of the Solid Waste Authority Randy Yelle, because Gary Johnson worked for the Township. With that said the recommendation to serve as an Alternate Solid Waste Authority Member is Paul Gravedoni.

**Board action:** Comm. Derocha moved to appoint Paul Gravedoni as an Alternate Member of the Solid Waste Authority. Second by Comm. Adamini. Motion adopted (5-0) Abstained: Comm. Nordeen.

**11. LATE ADDITIONS**

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

**13. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS:**

- **Chairperson Corkin** met with all 15 - U.P. Road Commissioners to discuss legislation concerning sustainable funding from the State of Michigan for road repair.
- **Comm. DePetro** commended Central Dispatch, EMS, Police Agencies, Fire Departments, Road Commission and Power Company Employees.
  - ❖ To commend the Marquette County Equipment Operators for removing water flooding on the roads from the heavy rains on earlier this week; the temperatures dropped 20 degrees within a couple of hours, road crews switched from flooding to plowing and ice control on highways and streets in communities assigned to them.
  - ❖ Also, to commend the Power Line Crews being dispatched throughout Marquette County for fallen trees on power lines, wherever the power companies were sent so was the Fire Department.
  - ❖ And to the Police Agencies responding to the hundred or so accidents throughout the county.

**A job well done by all!**

- **Comm. Adamini** made reference to the snowmobile purchase and felt that since the minimum bid requirements weren't completed by the Sheriff that it would be prudent to pay with County funds and not Grant funds.
- **Comm. Derocha** stated next time misuse of our County Policies occur an investigation should be launched by our Civil Counsel.
- **Comm. Nordeen** stated concerns regarding the requirements not being met on grant funding bid process by the Sheriff's Dept. Wanted to make sure the bids that were received after the purchase are not considered.

**14. CLOSED SESSION**

**15. ADJOURNMENT:** There being no further business to come before the County Board, the meeting was adjourned at approximately 7:16 p.m.

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**Linda K. Talsma**  
**Marquette County Clerk**

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**Gerald O. Corkin, Chairperson**  
**Marquette County Board of Commissioners**