
REGULAR MEETING – TUESDAY, APRIL 16, 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. DePetro, Comm. Derocha, Comm. Adamini, Comm. Nordeen, Comm. Alholm & Chairperson Corkin

2. APPROVAL OF THE MINUTES:

Board action: Comm. DePetro moved to approve the minutes from the Equalization Meeting held on April 9, 2019 as presented. Second by Comm. Nordeen. Motion adopted (6-0)

3. PROCLAMATION, PRESENTATIONS AND AWARDS

4. APPROVAL OF THE AGENDA:

Board action: Comm. DePetro moved to adopt the agenda as presented. Second by Comm. Derocha. Motion adopted (6-0)

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

- Nancy Seminoff requested time to speak on agenda item 10e.

No other public comment was forthcoming and this part of the meeting was closed.

6. REVIEW OF CLAIMS AND ACCOUNTS:

Board action: Comm. Alholm moved to approve of the total expenditures for the period April 5, 2019 through April 11, 2019 which was \$2,244,121.48; (this amount does not include check payable to Alger-Delta Electric); and Bi-weekly payroll for the period ending April 6, 2019 which was \$663,506.47 Second by Comm. Nordeen. Motion adopted (6-0)

Board action: Comm. Adamini moved to approve check #190702, dated 4/12/19, \$144.31 ~ Payable to Alger-Delta Co-Op Electric. Second by Comm. DePetro. Motion adopted (5-0) Abstention: Comm. Alholm

7. PUBLIC HEARING

8. PRIVILEGED COMMENT

9. INFORMATIONAL ITEMS:

- a. Delta County – Resolution Supporting HB 4227
- b. DEQ Soil Erosion Status Change Notification

Board action: Comm. Adamini moved to accept informational items a – b for filing. Second by Comm. Nordeen. Motion adopted (6-0)

10. ACTION ITEMS:

- a. FY2018-2021 Operation Stonegarden Grant Application

Teresa Schwalbach, Emergency Management Coordinator, was present to discuss the following: two sets of original grant agreements of the September 1, 2018 through July 31, 2021. Operation Stonegarden Grant amount was \$160,000.00. These funds are used to support enhanced cooperation and coordination among local, tribal, territorial, state and federal law enforcement agencies in a joint commission to secure the borders along routes of ingress from international borders.

Tonight board approval is needed then the agreement will be forwarded to the Emergency Management Division.

*Ms. Schwalbach stated the funds will be used for the Sheriff Dept. overtime road patrol & the purchase of a Sheriff Dept. vehicle (Tahoe).

Board action: Comm. Alholm moved to approve the FY2018-2021 Operation Stonegarden Grant Agreement in the amount of \$160,000.00 as requested by the Emergency Management Coordinator for Marquette County. Second by Comm. Derocha. Motion adopted (6-0)

b. Corrections Body Camera Replacement Recommendation

Brian Steede, Sheriff Deputy, was present to explain: the Sheriff's Office recently opened sealed bids for 42 body cameras for the correctional division, with two docking stations and related software. The request for proposal was placed on the County's web site and two companies were provided a direct e-mail for the solicitation.

The body cameras are to provide a safety feature for both staff and inmates and may reduce liability for the County.

Five proposals were received:

- Watch Guard - \$67,146.26
- Digital Ally - \$41,328
- Rugged HQ - \$40,260.00
- Pro-Vision - \$10,500.00 (1yr) \$21,000 (2Yr) / (\$33,148 – After a Clarification Discussion)
- Axon - \$51,345.00 (25 cameras)

After reviewing the proposals, a follow-up contact was made with the low bidder, Pro-Vision, for a clarification of its bids. Pro-Vision's \$10,500 was for 42 cameras and one year warranty. During the supplemental inquiry with Pro-Vision it was recommended that the County proceed with the one year warranty and with two docking stations, heavy duty magnet mounts, securamax software, and required licensing with a total cost of \$33,148. Pro-vision is a Michigan Company located in Byron Center, Michigan. This purchase may be eligible for partial reimbursement through the Michigan Municipal Risk Management through its RAP grants.

Board action: Comm. Derocha moved to award Pro-Vision the Body Camera project with a total not to exceed \$33,148 for 42 cameras and related components and software as noted above. Second by Comm. Adamini. Motion adopted (6-0)

c. Jail Roof - Bid Results

Scott Erbisch, Administrator, was present to explain the Marquette County Jail was constructed between 1972 and 1974. A majority of the original aggregate ballasted EPMD roof is still in place. Over the lifespan of the existing roof there has been maintenance and repairs, but never a complete replacement. Over the years water has infiltrated the masonry sections causing deterioration. This project will replace all EPMD roofing material. The new EPMD roofing material will extend over the exterior walls making the masonry wall cavities watertight.

In June, 2018 a competitive bid was released to replace the roof. The replacement cost was significantly expensive with a low bid of \$276,000. This amount was over budget and the bids were rejected.

County staff re-evaluated the Scope of Work and scaled back the project for the next bid process which was advertised through the Builder's Exchange, Mining Journal, and County website in March, 2019. This project adds 1.5" of insulation to the entire roof surface increasing building efficiency. It also includes guardrails and roof anchors, establishing proper fall protection for maintenance personnel. The following two bids were received:

Bell Roofing Company: \$201,800.00

McGrath Inc.: \$264,000.00

Funding for the project comes from the Public Improvement Fund.

Board action: Comm. DePetro moved to award Bell Roofing Company the Jail Roof Replacement Project in an amount not to exceed \$201,800.00. The project will be completed before the 2019/2020 winter season. Second by Comm. Adamini. Motion adopted (6-0)

d. Solid Waste Millage Request

Randy Yelle, Chairman of the MCSWMA, along with Brad Austin, MCSWM Director, were both present to discuss the Marquette County Solid Waste Management Authority (Authority) is pursuing a millage request on the August 06, 2019 ballot for the residents of Marquette County to support a one-tenth of a mill for the period of ten years.

- **Wendy Leukema, Civil Counsel**, stated after researching the interlocal agreement the County has no ability to tax. Each municipality could take out their own mileages depending on what their Township/City Boards decide.

- **Chairperson Corkin** read the following resolution into the record:

**AMENDMENT TO THE ARTICLES OF INCORPORATION OF THE
MARQUETTE COUNTY SOLID WASTE MANAGEMENT AUTHORITY**

At a duly held meeting of the Marquette County Board of Commissioners on October 20, 2017, the named municipality, passed a resolution to amend the Articles of Incorporation of the Marquette County Solid Waste Authority to include

1) *The County of Marquette as a constituent member, subject to the following understandings:*

- The County's only duty is to appoint Authority Board members in accordance with the Articles of Incorporation of the Authority and the Intergovernmental Agreement;*
- The County has met all of its financial commitments, including the upgrade to County Road NP and the upgrade to the Carp River Bridge, and the County does not have any existing or future financial obligations or duties connected in anyway whatsoever with the operation of the Authority or the Marquette County Landfill; and*
- The County DOES NOT pledge its full faith and credit or provide any other guarantee as to the Authority or its operations.*

2) *To also include the following as Constituent Municipalities, pursuant to the requirements of an Intergovernmental Agreement previously executed by the municipalities:*

<i>City of Marquette</i>	<i>City of Negaunee</i>	<i>City of Ishpeming</i>
<i>Champion Township</i>	<i>Marquette Township</i>	<i>Sands Township</i>
<i>Chocolay Township</i>	<i>Michigamme Township</i>	<i>Skandia Township</i>
<i>Ely Township</i>	<i>Negaunee Township</i>	<i>Tilden Township</i>
<i>Ewing Township</i>	<i>Powell Township</i>	<i>Turin Township</i>
<i>Forsyth Township</i>	<i>Republic Township</i>	<i>Wells Township</i>
<i>Humboldt Township</i>	<i>Richmond Township</i>	<i>West Branch Township</i>
<i>Ishpeming Township</i>		

Board action: *Comm. DePetro moved to amend the Articles of Incorporation of the Marquette County Solid Waste Authority as stated above. Second by Comm. Adamini. A roll call vote was taken: Ayes: Comm. DePetro, Comm. Adamini, Comm. Alholm and Chairperson Corkin. Nays: None. Motion adopted (4-0) - Abstained: Comm. Nordeen Absent: Comm. Derocha*

Board action: *Comm. Derocha moved to accept civil counsels' recommendation; allowing each of the 22 municipalities a mileage option if their board agrees ~ following the wording of the Marquette County Solid Waste Interlocal Agreement that was signed by all municipalities. Second by Comm. Corkin. Motion adopted (5-0) ~ abstention: Com. Nordeen.*

e. Martin Lake Easement Request

Scott Erbisch, Administrator, along with Thyra Karlstrom, Planner, was present to explain the following: on October 4, 2016, the County Board of Commissioners reviewed a request from Nancy Seminoff for a permanent easement through County Forest Lands. After review of the materials, the County Board moved the request to the Planning Commission. An easement was not granted in this matter.

On October 15, 2018 Ms. Seminoff resubmitted her request for the development of an insurable access/easement through County Forest land. As detailed in the previous request, Ms. Seminoff, who is the owner of a cottage at 1543 Martin Lake Trail, would like to sell her property, but since there isn't an easement to the property, banks/lenders are not going to finance someone requiring a bank loan.

There are two ways to access Martin Lake Trail. One point of access is through privately owned land. Ms. Seminoff advised that the property owner is not interested in establishing a permanent easement. The 2nd access is through County forest lands on a dirt road off of Provost Lake Road. The dirt road from Provost Lake Road is approximately 1 mile in length and goes through Fee Simple owned County land and PA 217 Land. This dirt road does connect directly to Martin Lake Trail at Ms. Seminoff's property. It should be noted as part of the research for this memo staff could not verify that Martin Lake Trail is a dedicated County or Township road.

Staff has determined that the County holds the legal title to the property that the easement would go through. However, to the extent that the requested easement traverses property acquired from the State of Michigan under Act 217, the actual conveyance of that portion of the easement would have to come through the State. We are informed that the State of

Michigan would likely agree to the grant this easement if supported by the County. As in all County land conveyance requests the transfer of an interest in land owned by the County can only be accomplished if, in the opinion of the Board, the transfer would involve a public purpose. The ultimate responsibility for determining a public purpose is with you. The policy sets forth criteria to be utilized in your decision-making.

Michigan law, pursuant to *Grebner vs State*, defines a public purpose to be more than a "slight" benefit to the public. The determination of a public purpose is ultimately a Board decision.

In previous land conveyance requests, the County Board has discussed developing an internal process for easements for circumstances similar to Ms. Seminoff's. The State of Michigan process for seeking an easement was cited as one example. With that in mind, and as part of the preparation for this memo, County staff developed a Private Road Easement Application. The proposed Easement Application would formalize the process as part of the Land Conveyance Policy. Completing the application would not guarantee an approval. The County Board of Commissioners would still have to review the request and make a determination of Public Purpose. This application was developed from the State of Michigan's application process. The recommended fees are as follows:

1. \$300 Application Fee
2. Cost of a survey of the easement centerline
3. \$1.20/linear foot charge

Ms. Seminoff has been kept apprised of the process to develop a Private Road Easement Application. She further understands that the estimated cost to establish the easement using the proposed County Private Road Easement Application, a survey, and the State's process could cost in excess of \$14,000. If the County Board of Commissioners approves the concept of the easement, approves the proposed Private Road Easement Application, and amends the Land Conveyance Policy, Ms. Seminoff will seek financial support from property owners on the South side of Martin Lake to assist in paying the cost. Ms. Seminoff is supportive of the easement being developed for general use.

It should be further noted that the road in which the easement is being requested has never been a county maintained road. Granting of an easement should not create any responsibility of the County to maintain the easement. This should be clearly stated in the final easement.

*Commissioners stated since it was an existing roadway & an aerial photo of the property existed then the board would forego a county survey, in turn saving Ms. Seminoff time and money.

Board action: Comm. Nordeen moved to grant the easement request (as detailed above); approve the private road easement form; approve the amendment to the County's Land Conveyance Policy; and modify the fee schedule to allow aerial surveys and acknowledge existing roadways ~ caveat if there isn't an existing roadway a survey is needed. Second by Comm. DePetro. Motion adopted (6-0)

f. Lead for America Fellowship

Scott Erbisch, Administrator, was present to explain the following: as previously advised, Evan Bonsall, a Marquette native who will be graduating from Harvard University in May 2019, has been selected for a Lead for America (LFA) Fellowship. After meeting with me and several Department heads, Evan selected Marquette County for his placement.

When discussion first began with the Lead for America (LFA) program, there was a request that the host organization assist with funding. Initial discussions were for \$5,000 each year for the 24 month period. However, some of the grant funding LFA normally receives did not work out as anticipated. Therefore, LFA is seeking consideration for a \$10,000 annual contribution to the program.

Evan Bonsall will be working with the County in a full-time status. Evan will be working with the County Treasurers' office, Sawyer, Planning, and projects within the Administrator's office. Minimally, areas of focus include housing program(s), economic development, County Master Plan assistance, and various policy research & development.

The LFA program places the Fellow with a host organization for approximately 24 months. The Fellow receives funding to assist with housing and is paid for their time. A Fellow is not an employee of the host organization.

Board action: Comm. Alholm moved to authorize entering into the agreement with Lead for America with the commitment of \$10,000 for 2019 and \$10,000 for 2020 to the Lead for America Program. Second by Comm. Adamini. Motion adopted (6-0)

11. LATE ADDITIONS

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

- **Nancy Seminoff** thanked Scott Erbisich along with the all the Commissioners for being so approachable and understanding; their thoughtful consideration is important for the public to notice.
- **Don Snowden**, Marquette, spoke concerning the Mining Journal article regarding the Solid Waste Recycling proposed project. Also, he noted many questions still have to be answered by the Solid Waste Authority to better understand the full scope of the project.

No other public comment was forthcoming and this part of the meeting was closed.

13. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS:

- **Comm. DePetro** commended the girls' high school softball team throughout the U.P. that played in the "17th Annual Spring Swing" tournament, at the Superior Dome on April 12th – April 14th. Softball fans in attendance had a chance to see many competitive teams and players.
- **Comm. DePetro** commended Cecilia Brown, Mining Journal Staff Writer, on her coverage of the proposed recycling millage requested by the Marquette County Solid Waste. Ms. Brown was able to help educate the residents of Marquette County, a job well done.

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.

Linda K. Talsma
Marquette County Clerk

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners