
REGULAR MEETING – TUESDAY, JULY 2, 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 Regular Meeting held on June 18, 2019 as presented. Second by Comm. Adamini. Motion adopted (6-0)

3. PROCLAMATION, PRESENTATIONS AND AWARDS:

a. Resolution Honoring Susan Wilson on her Retirement

Comm. Nordeen read the following into the record:

WHEREAS, Government has an obligation to provide its citizens with services of the highest quality; and

WHEREAS, quality services can only be provided by employees of the highest caliber; and

WHEREAS, Sue began her career with the County of Marquette on September 6, 2000 and has worked within the 96th District Court the entire time.

WHEREAS, Sue served in many capacities within District Court; beginning as a Secretary II in the probation department; in April of 2001, she was awarded the position of Probation Assistant which Sue held until October 4, 2006, when she accepted a promotion to Magistrate; and

WHEREAS, as Magistrate, Sue issued many misdemeanor and felony arrest warrants, search warrants, conducted arraignments, set bonds, accepted guilty pleas and sentencing of misdemeanors. Other duties Sue performed included assisting the public with traffic violations as well as uniting many couples in marriage; and

WHEREAS, Sue received many accolades for her ability to work calmly in the often chaotic District Court; while assisting in medical emergencies and continuing to provide service to the community efficiently.

THEREFORE, BE IT RESOLVED, the County Board recognizes and thanks Sue for over eighteen years of dedicated service and work as a Marquette County employee. On behalf of all County Citizens, the County Board wishes Sue and her husband Tim, a long, healthy and happy retirement.

4. APPROVAL OF THE AGENDA:

Board action: Comm. Alholm moved to adopt the agenda with the following addition: 11a) 2020-2022 Multi-Year Plan to U.P. Older Adults Resolution. Second by Comm. DePetro. Motion adopted (6-0)

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

- **Steve Pelto**, 60 Oakhill Drive, Marquette: Spoke concerning the County Clerk's Office and obtaining a birth record.

- **Marquette County Prosecutor, Matt Wiese**, was present to report the following:

January 1, 2019 – June 30, 2019

- 181 Days - 314 Felony Cases & 550 Misdemeanor Cases
- June 2019 – 103 Criminal Cases Charged (43 Felony and 60 Misdemeanors)
 - *28 Home Invasion, Larceny/Retail Fraud Charges, 10 were Felonies
 - *26 Drug Charges, 16 involving Methamphetamines
 - *24 OWI Cases, 3 were felonies
 - *19 Police Officer Assaults
 - *14 Domestic Violence Cases, 4 were felony strangulation or assault
 - *10 Assaultive Crimes, 2 were felony assaults
 - *3 Criminal Sexual Assault Felonies
 - *2 Armed Robberies
- January 1, 2019 – June 30, 2019
 - *181 Drug Charges, 16 involving Methamphetamines
 - *160 OWI Cases, 3 were felonies

- *131 Home Invasion or Larceny/Retail Fraud Charges
- *85 Domestic Violence cases, 27 were felony strangulation or assault
- *59 Assaultive Crimes, 16 Felonies
- *52 Police Officer Assaults
- *29 Criminal Sexual Assaults
- *27 MDOC Felony Cases, 20 Assault on CO, 7 weapons cases
- *13 Child Abuse Cases, 9 were felonies
- *2 Armed Robberies

▪ **Sheriff Zybert** was present to report the following:

*302 Calls for Service; 99 citations written; 29 arrests including (6 drug, 7 OUIL, 11 retail fraud or larcenies, 1 weapon offense, 5 suspended licenses) 279 Civil Papers received and 241 served.

***Search and Rescue:**

- *Training: Firearms, SAR map & compass, DNR Hunter Safety Workshop, Weekend Field Training with SAR, Dive Training with a tow bar at Squaw Lake.*
- *Lost Hikers/Call for assistance: Missing person in Forsyth Twp., Injured Cliff Diver at the Dead River in Marquette Township, Body Recovery on County Road CMM and Vessel in Distress on Lake Superior.*
- *Public Safety classes, events and inspections: Boater Safety Class in Negaunee, Dead River Basin Fireworks, Iron Range Roll Bike Race and the Dead River Basin Fireworks.*

***Rescue 131:** NMU Confined Space Training, Rope Rescue Training at Marquette Township, Confined Space Training at Negaunee City.

***Calls for Assistance:** Structure Fire in Negaunee City, Personal Injury Accident in Negaunee City, Water Rescue in Michigamme Twp., Structure Fire in Ishpeming City, Personal Injury Accident in Negaunee Twp., EMS Stand-by at Post in Marquette County.

***Jail:** 174 People booked into Jail in June, Average Daily Population 126, and 1 Jail Assault on staff

6. REVIEW OF CLAIMS AND ACCOUNTS:

Board action: Comm. Derocha moved to approve of the total expenditures for the period June 14, 2019 through June 27, 2019 which was \$1,257,845.73; Bi-Weekly payroll for the period ending June 15, 2019 which was \$685,450.41; and Electronic Payments for the period totaling \$725,141.94. Second by Comm. Nordeen. Motion adopted (6-0)

7. PUBLIC HEARING: None

8. PRIVILEGED COMMENT:

a. Annual Report ~ Mike Farrell ~ Drain Commissioner

Mike Farrell, Drain Commissioner, gave an overview and answered questions of Commissioners. Topics being discussed were 29 permits countywide for storm water management and to date 14 this year, detention basins, spring flooding. 70% of time is spent on talking to homeowners concerning slopes, trenching, spring/fall maintenance, etc.

Full Report can be obtained in the County Clerk's Office

9. INFORMATIONAL ITEMS:

- a. DEQ – Storm water, Asset Management, Wastewater Grant No. 1057-01
- b. DEQ – Pending New Source Review Application Report
- c. DEQ – Site Specific Review

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

10. ACTION ITEMS:

a. UPACC Resolution for Regions 1A, 1B, 1C

Resolution in Support of the Eastern, Central and Western Upper Peninsula Regional Planning & Development Commissions Covering Prosperity Regions 1A, 1B, 1C

Whereas, the Michigan Legislature has annually appropriated funding to the Department of Management, Technology, and Budget for the Regional Prosperity Initiative; and,

Whereas, Prosperity Regions 1a, 1b, 1c, represent the entire Upper Peninsula of Michigan where Regional Prosperity Initiative projects have served the rural communities across the three regions both directly and indirectly;

Whereas, the Regional Prosperity Initiative has fostered collaboration and cooperation among the three regions in the Upper

Peninsula and strengthened their capacity to perform better planning and economic growth strategies at the local and Upper Peninsula scale;

Whereas, without the Regional Prosperity Initiative the three regions in the Upper Peninsula will be severely limited in their capacity to assist their communities and work collaboratively on Upper Peninsula challenges as other funding is very limited;

Whereas, a continuation of the Regional Prosperity Initiative will allow the collaborative synergy to grow further to meet the unique conditions in the Upper Peninsula of Michigan;

Now Therefore be it Resolved that the UP Association of County Commissioners (UPACC) hereby supports continued State funding for the Regional Prosperity Initiative.

Board action: Comm. Nordeen moved to adopt the UPACC Resolution for Regions 1a, 1b & 1c. Second by Comm. Alholm. A roll call vote was taken: Ayes: Comm. Nordeen, Comm. Alholm, Comm. DePetro, Comm. Derocha, Comm. Adamini & Chairperson Corkin. Nays: None. Motion adopted (6-0)

b. 2% Fund Allocations

Marquette County submitted requests to the Keweenaw Bay Indian Community to act as the pass-through agency for two-percent funds being requested on behalf of numerous agencies.

The amounts requested and the amounts received are indicated below:

<u>KEWEENAW BAY INDIAN COMMUNITY</u>	<u>Amount Requested</u>	<u>Amount Received</u>
Mqt Co Aging Services - RSVP	\$5,000	\$3,229.57
Superior Watershed Partnership – UP Disaster Response Corps	\$30,000	\$30,000

Board Action: Comm. Alholm moved to pass through the two-percent funds; the Keweenaw Bay Indian Community has allocated \$3,229.57 to Marquette County Aging Services RSVP; \$30,000 to Superior Watershed Partnership –U.P. Disaster Response Corps. Second by Comm. Adamini. Motion adopted (6-0)

c. Superior Extrusion Request for “Right of First Refusal”

Scott Erbsch, Administrator, was present to explain the following: on behalf of Superior Extrusion Incorporated (SEI), George Lablonde III, is requesting consideration for a “Right of First Refusal” for County airport land adjacent and South of its existing facility. As noted in the request letter and corresponding map, the company is looking at another potential expansion in the future. As the land to the North is listed in the Airport Layout Plan (ALP) for a crosswind runway, it is only the land south of the facility that can be considered.

Airport staff and the FAA have been advised of SEI’s interest in this possible expansion. Airport staff does not see any issue with the right of first refusal, especially as this will continue to support the growth of Superior Extrusion. This potential expansion was also presented to the FAA earlier this year. The FAA had no objection to the proposed expansion. The FAA advised the County that should a future long term land lease be entered into with SEI, the FAA would like to have the property removed from the ALP.

Board action: Comm. Adamini moved to proceed with preparation of the “Right of First Refusal” for land south of the current SEI facility along with terms, conditions and a timeline within the agreement; once the agreement is prepared bring back to the Board for final approval. Second by Comm. Alholm. Motion adopted (6-0)

d. Concept Budget Report (CBR) Air Carrier Terminal

Duane DuRay, Airport Manager, was present to explain the following: Sawyer has been experiencing passenger growth that has created overcrowding in the sterile area, which is beginning to stress supporting systems within the air carrier terminal. After exploring options dealing with the overcrowding, staff recommends that a comprehensive review of the terminal is needed to examine current and future growth challenges. Discussions with the Federal Aviation Administration (FAA) and Mead & Hunt conclude the need to pursue a Concept Budget Report (CBR) through Mead & Hunt. This report will provide specific deliverables necessary to develop a responsible plan:

- ❖ Stages of development needed
- ❖ Classification of the funding elements
- ❖ Estimated costs
- ❖ Next steps

The CBR will be a critical document when planning the necessary changes and schedules for the terminal reconfiguration. The FAA will need specific items from the CBR for planning and funding the air carrier terminal project. Staff, working closely with the FAA, has scheduled the terminal area reconfiguration project into the airport's CY 2020 Capital Improvement Plan (CIP). The FAA is in agreement with the timeline and the estimated cost for the project, which includes reimbursement of the CBR cost.

The CBR is eligible under the Airport Improvement Program (AIP) grant with an estimated cost of \$165,000, but will need to be pre funded during this calendar year. Staff has the CBR scheduled for reimbursement in the 2020 AIP grant cycle. Below is the funding breakdown under AIP.

Federal Share:	\$148,500
State Share:	\$ 8,250
Local Share:	<u>\$ 8,250</u>
Total:	\$165,000

This project is Passenger Facility Charge (PFC) eligible and the local share will be added to the next PFC application.

Board action: Comm. Alholm moved to approve the Concept Budget Report agreement and authorizing the Board Chairperson to sign the agreement between Marquette County and Mead & Hunt. Second by Comm. Adamini. Opposed ~ Com. Nordeen & Comm. Derocha. Motion adopted (4-2)

**Comm. DePetro congratulated Duane DuRay for having a TSA Pre-check is now available at the Airport.*

e. Engine Test Cell Land Lease Recommendation

Steve Schenden, Sawyer Operations Manager, US Turbine recently purchased the engine test cell and had planned to remove the structure from the site. After further consideration US Turbine decided to try operating the engine test cell at K.I. Sawyer. To do this they want to lease the 1560 sq ft pole barn next to the test cell and a 2 acre parcel.

The terms of the lease are documented on the attached Letter of Intent. The lease will be a one year lease with options for two five year extensions. The starting rate is \$1500 per month increasing 3% annually. US Turbine would receive a 5% discount if they pay the entire amount at the beginning of the lease year. If the operation of the test cell works out here, US turbine could have up to 30 employees working here.

The options for the five year extensions are subject to the cost share provisions of the Telkite Marketing Agreement.

Board action: Comm. Nordeen moved to approve the lease terms and authorize the County Board Chairperson to sign the Lease Agreement. Second by Comm. Adamini. Motion adopted (6-0)

f. Letter Opposing HB 4231 (MDOC)

Dear Representative Cambensy,

I am writing to you on behalf of the Marquette County Board of Commissioners with regard to the funding recommendations for the Michigan Department of Corrections (MDOC) HB 4231. Specifically, the suggested reduction of \$400,000 in Community Corrections Plans and Services for FY 2019-2020. It is our wish to see the funding for Community Corrections Plans and Services remain at the current funding level found in the FY 2018-2019 budget.

Monies provided through the Community Corrections Plans and Services funding allow 34 Community Corrections Advisory Boards (CCAB) to provide programming and services to thousands of eligible individuals throughout 43 different counties in Michigan. The variety of evidence-based services and programming options cover a wide spectrum with CCABs offering pretrial supervision, substance use disorder treatment, cognitive-behavioral treatment, domestic violence programming, educational and vocational opportunities, and sex offender treatment programming, to name a few. Due to an adherence by CCABs across Michigan to evidence-based practices, we know that those individuals enrolled in Community Corrections-funded programming are the very individuals that need and benefit from the services the most in terms of reducing recidivistic behavior for those that are enrolled in these services. In short, Community Corrections funding provides Circuit Court Judges with viable programming options in which to justify the diversion of prison-bound individuals to local sanctions.

The Marquette County Board of Commissioners requests that you do not support the reduction in the Community Corrections Plans and Services line for FY 2019-2020. The services provided with these funds will ultimately save Michigan a significant amount of money above and beyond this stated amount. Reducing the Community Corrections

Plans and Services line by \$400,000 in FY 2019-2020 sets up a significant barrier for the CCABs to continue providing the services and programming options that have been successful in helping reduce Michigan's prison commitment rate over the past several years.

Sincerely, Gerald O. Corkin - Chairman

Board action: Comm. DePetro moved to have staff send the letter above to Legislatures opposing HB 4231. Second by Comm. Derocha. Motion adopted (6-0)

g. Fixed Based Operator Recommendation

Sawyer International Airport has been conducting a search for future Fixed Base Operator (FBO) Services. The current Fixed Base Operator Limited Services Agreement ("FBO" Agreement) and associated building leases, between the County of Marquette and Boreal Aviation, Inc. will expire on August 31, 2019. Airport staff advertised a Request for Qualifications (RFQ) for the FBO Agreements to determine the best options for future FBO Services at Sawyer International Airport.

Boreal Aviation, Inc., of Gwinn Michigan and Kubick Aviation Services, of Iron Mountain, Michigan submitted Qualifications and Business Plans, expressing their interest in being the FBO provider at the Airport. A committee was established to review and evaluate the submittals. The review committee consisted of Steven Rodgers, Director Base and Contract Maintenance, Envoy Airlines; Ted Kilpatrick, Lake Superior Chapter 850 EAA President, General Aviation Pilot, T-hangar tenant, and Robert (Bob) Eslinger, Dean Technology and Occupational Services, Northern Michigan University, Duane DuRay, Sawyer International Airport Manager and Steven Schenden, Director of Sawyer Operations.

The committee individually reviewed and scored the qualifications, then met to discuss the submittals. The key comments from the meeting are attached. The review forms, filled out by the committee members, are available for review in the Administrators office. The scoring summary from the review forms is attached. Duane DuRay and Bob Eslinger scored Boreal higher, while Steve Rodgers, Ted Kilpatrick, and Steve Schenden scored Kubick higher.

The RFQ also required submission of confidential and proprietary financial information, for limited review. Susan Vercoe, Marquette County reviewed the information and found both companies were financially sound. She remarked the growth of Kubick Aviation in the last five years was notable.

The strong points for Kubick Aviation were they are a growing innovative business at Ford Airport, showing potential to do same at Sawyer. Future plans included a possible new General Aviation (GA) Terminal and demolition of the existing GA terminal (427) and Air Force fire station (600).

The weak points were that the plan and timeframe was vague, no increase in lease revenue from current revenue and drop in lease revenue if new terminal was constructed. Kubick would not lease the fuel truck storage (626) and two of the hangars (423, 424) currently leased by Boreal but would lease the fire hall, which is currently unleased, until it was demolished. Even though Kubick would not lease Hangars 423 and 424 they would hangar aircraft in those hangars and split the hanger storage charge 60/40. This could increase revenue over the existing lease rates, but the County would be responsible for maintenance and utilities.

Kubick was requesting a five year lease with an option to extend to 30 years when a new terminal was constructed. Kubick's submittal indicates a minimum of 6 employees at Sawyer.

The strong points for Boreal were that they would continue to lease all the buildings currently leased (427, 600, 423, 424, 425, 668) and at rates that would amount to increase of \$23,082.72/ year and also would agree \$25,000/year of capital improvements to Airport facilities. Boreal has also started an Advisory Board of local GA pilots and GA organizations to help address service needs and customer service. The weak points were continuing with the "same current service and facilities" and recent loss of experienced staff.

Boreal requested a ten year lease with two five year extensions. Boreal has 12 employees.

The review committee felt both qualifications lacked detail and wondered if the companies would commit to their ideas in a contract. There were also concerns on what services would actually be conducted at Sawyer and which would be conducted at other locations or by a third party. When discussed with the County Administrator he suggested the review committee interview both companies, as part of the negotiation process, to help clarify the qualifications.

On June 26, 2019 the review committee interviewed both companies. Steven Rodgers was not able to attend the interviews. The attached agenda questions were asked and committee members also asked questions or for clarifications or details.

Boreal Aviation would commit to their proposed changes and improvements, would contribute \$10,000/year marketing funds a year as a 50/50 match with the Airport to market the Airport. Boreal also said they would agree to take the lead and support events such as Discover Sawyer Days.

Kubick Aviation stated they would not commit to a lease beyond five years in an agreement, as they wanted to be here for a year or so to see how operations went and may not renew after the initial five year term. Kubick stated they would not do Minimum Annual Guarantee (MAG) to help offset the potential loss of lease revenue from their plan. They were willing to commit approximately \$25,000 for improvements to the GA Terminal for the first year but nothing beyond that. They also would not commit to marketing funds and would not take the lead for airport events, but they would help out with such events.

The interview committee found that Kubick showed enthusiasm and potential for Sawyer but, they would not commit to an agreement beyond five years with a \$25,000 improvement to the GA terminal in the first year.

Boreal was willing to commit to their plan and offers better financial stability for the Airport. The development of an advisory committee shows they are working to improve their services and image. Airport staff would like to note that we have learned more about the new staff at Boreal and they appear competent and doing a great job.

The decision of the four, review committee members was unanimous, if Kubick was unable to commit to their plans, the committee could not recommend to the Board that the County pursue future negotiations with them.

The Review Committee recommends the Board **authorize negotiation with Boreal Aviation to develop a new FBO and lease agreements, to be presented to the Board for final approval.**

***Chad Kubick, President of Kubick Aviation**, was present to state what was in the memorandum was mostly incorrect and asked the Board to be heard.

Chelsea Hennessy, Director of Business & Operations for Boreal Aviation, was present to answer any questions the board may have.

Greg Durand, President of the Flying Club at Sawyer, spoke in support of Boreal Aviation being the FBO at Sawyer.

Commissioners engaged in a short discussion

Board action: Comm. Alholm moved to authorize the County of Marquette go into further negotiations with (Boreal Aviation, Inc.) and (Kubick Aviation Services) each Company will submit their specific proposal/lease if awarded the FBO - both options will be evaluated by the lead negotiating team (the Administrator, Financial Manager and Civil Counsel), then the negotiating team will provide the Board a best option Fixed Based Operator Recommendation to consider for approval. Second by Comm. Derocha. Motion adopted (6-0)

11. LATE ADDITIONS:

a. FY 2020-2022 Multi-Year Plan for Services to the Elderly (Resolution)

WHEREAS UPCAP, which serves as the U.P. Area Agency on Aging, is required to develop a Multi-Year (FY 2020-2022) Area Plan that provides development and funding for programs to serve older adults in the Upper Peninsula; and

WHEREAS, during the Multi-Year Area Plan development process, UPCAP conducted needs surveys, four public forums, 2 public hearings, and received input from service providers, older adults, county officials, human services organizations, and other interested parties; and

WHEREAS, each U.P. county is represented by a county official on the UPCAP Board of Directors; and

WHEREAS, the UPCAP Board of Directors has unanimously approved the proposed Multi-Year Area Plan; and

WHEREAS, the AAA Multi-Year Plan also requires review by individual county boards;

THEREFORE, BE IT RESOLVED that the Marquette County Board of Commissioners has received and hereby supports the U.P. Area Agency on Aging 2020-2022 Multi-Year Plan.

BE IT FURTHER RESOLVED that this resolution be submitted to UPCAP and placed on file.

Board action: Comm. DePetro moved to adopt the 2020-2022 Multi-Year Plan to U.P. Elderly Adults. Second by Comm. Corkin. A roll call vote was taken: Ayes: Comm. DePetro, Comm. Derocha, Comm. Adamini, Comm. Nordeen, Comm. Alholm and Chairperson Corkin. Nays: None. Motion adopted (6-0)

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

Scott Schultz, former FBO Director, limiting factor has been a three year lease agreement, please consider a longer lease. With no further public comment to come before the board, this portion of the meeting was closed.

13. COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS:

Board action: Comm. Alholm moved to request staff send a thank you note to the committee members for all their hard work on this FBO. Second by Comm. Derocha. Motion adopted (6-0)

- **Comm. DePetro, Chairperson Corkin, Comm. Adamini and Comm. Alholm** all attended the Democratic Summer Sizzler on June 27th at Al Quaal with 100 plus attendees. Brian Kerrigan, Acting Chair for the Democratic Party in Marquette County, asked each Commissioner to give an update on current issues.
- **Comm. DePetro** congratulated Scott Erbisch, Administrator, for his appearance on the Don Ryan Report, held June 23rd, Mr. Erbisch addressed the economic changes with moving the airport to Sawyer.
- **Comm. DePetro** wished everyone a safe 4th of July!
- **Administrator Erbisch** stated it was a pleasure to have the opportunity to speak about the last 25 years of since the closing of K.I. Sawyer and 20 years of commercial air service at Sawyer. Tough decisions the board had to make over the years.
- **Chairperson Corkin** stated the Governor signed the \$2 million dollars for the evaluation of 5 sites in Michigan for the Spaceport Operations. A decision is expected by September and it would be great to have the Spaceport at Sawyer!
- **Comm. DePetro** congratulated Sheriff Zybert on his Governor Appointment to MCOLES Board for the State.
- **Chairperson Corkin** stated to Boreal Aviation and Kubick Aviation that the process in choosing the next FBO for Marquette County will be very fair!

14. CLOSED SESSION

15. ADJOURNMENT: There being no further business to come before the County Board, the meeting was adjourned at approximately 7:19 p.m.

Linda K. Talsma
Marquette County Clerk

Gerald O. Corkin, Chairperson
Marquette County Board of Commissioners