

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, February 27, 1990 at 5:00 p.m. in Room 231 of the Henry A. Skewis Annex, Marquette, MI.

Chairperson Corkin called the meeting to order. Present: Comm. Arsenault, Comm. Bays, Comm. Seppanen and Comm. Corkin. Absent and Excused: Comm. DeFant.

It was moved by Comm. Arsenault, seconded by Comm. Bays and unanimously carried that the minutes of the Finance/Personnel Committee and the Executive/IGR Committee meetings held on February 13, 1990 be approved.

Chairperson Corkin opened the meeting for public comment. Ken Quinnell, Sr., Ely Township, addressed the County Board. Mr. Quinnell is charged with a zoning violation and scheduled for trial in District Court on March 7th. He feels he is being discriminated against, and charged with something that other Ely Township residents are also doing, but getting away with. Ely Township will be adopting their own zoning ordinance in 1991, so Mr. Quinnell feels that the matter should be dropped. Mr. Quinnell reviewed a letter that he sent to Comm. Corkin on February 14th, but was referred by Comm. Corkin to the Prosecutor. Mr. Quinnell claimed that his case is the first ever to go to court on such a violation.

Prosecutor, Gary Walker, was present and informed the Committee that the complainant for the zoning violation is the Resource Management Dept., and further that a public meeting is not an appropriate place to discuss a court matter. The Prosecutor's Office receives numerous zoning and building code complaints. It is true that the vast majority of them never go into court, because the Prosecutor's Office is interested more in compliance than it is with fines and penalties. The parties charged with a violation usually work out a solution. The Prosecutor's Office does not pick and choose complaints, but acts on all complaints.

Ron Koshorek, Director, Resource Management/Development Dept., added that the procedure for their Department is to investigate any oral or written complaint referred to them. The Resource Management Dept. then documents the complaint, and if it is determined that there is a violation, the owner is put on notice. This particular case with Mr. Quinnell started in October of 1987, and Mr. Quinnell's claims of other violations are unfounded.

Chairperson Corkin pointed out that it is up to each township whether they want to establish their own zoning ordinance, or fall under the County Zoning Ordinance. In this case, Ely Township is under the County Zoning Ordinance and the residents there must follow it.

Discussion of the matter will continue when the Board reaches that agenda item.

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

It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried that the agenda be approved as presented.

It was moved by Comm. Arsenault, seconded by Comm. Bays and unanimously carried that Claims and Accounts for the period February 9, 1990 thru February 23, 1990 in the amount of \$794,687.91 be approved.

The Committee then continued the discussion on item 6, a letter from Ely Township regarding the Kenneth Quinnell zoning complaint.

Ken Tuominen, Ely Township Supervisor, was present and explained that the Ely Township Board is sympathetic to Mr. Quinnell's efforts to earn a living. Ely Township residents have decided to establish their own zoning ordinance, but it will not be in place until the Fall of 1991. The Township Board recently learned that there is not a signed complaint against Mr. Quinnell, but irregardless, the matter is out of the Ely Township Board hands.

Ron Koshorek pointed out that there is a signed complaint filed by the Resource Management/Development Dept.

Comm. Arsenault asked if there is anything that the County Board can do in this matter?

Prosecutor Gary Walker reported, "No", unless the County Board desires to revoke the zoning ordinance. The Board has no legal authority to ask the Prosecutor or Resource Management not to enforce or litigate, or to suspend charges on zoning violations. Mr. Walker added that there is another way, and that is for Mr. Quinnell to convince the Judge to drop the case. If there was compliance, Mr. Walker is confident the case would be dropped.

No action was forthcoming from the Committee of the Whole.

The Committee considered a request from Marquette Township for joint bonding for the construction of sanitary sewers in the Trowbridge Park area. Kevin Hamann, Marquette Township Manager, was present and explained that the total estimated cost for the project is to be \$5.85 million dollars. Marquette Township has accepted a U.S. EPA Grant in the amount of \$3 million dollars, to assist in the financing and construction of sanitary sewers in Trowbridge Park. Marquette Township is requesting the remaining cost of \$2.5 million dollars be financed through the issuance of County bonds. The County has a higher bonding rate, and a lower interest rate which will save money for Marquette Township taxpayers.

John Beerling, Supt./Engr., County Public Works Dept., has reviewed the sewer project plans, feels it is a viable and well-engineered designed project, and recommended it for bonding.

Dennis Aloia, County Administrator, in his memo to the Committee pointed out that during the calendar 1990 the County Board will undertake approximately \$10 million dollars in new tax exempt bonding issues. A financial analysis of Marquette County by W. Robert Studt, Stauder, Barch & Assoc. Inc., shows Marquette County to be well under the debt limit allowed by state law. The legal debt limit is 10% of SEV or \$67.7 million dollars. Marquette County's existing debt totals approximately \$11.5 million dollars, and with the additional proposed bonding issues in 1990, Marquette County's debt would total \$20.7 million dollars. This leaves a debt margin of nearly \$47 million dollars.

It was moved by Comm. Bays, seconded by Comm. Arsenault and unanimously carried that the Committee of the Whole recommend to the County Board that Marquette County assist Marquette Township in the bonding of the sanitary sewer construction project for the Trowbridge Park area. And further, that Stauder, Barch and Assoc. be hired as the financial consultant for the project; and that the County hire Miller, Canfield, Paddock & Stone, of Detroit, MI, as bond counsel.

The Committee considered a communication from James R. Alderton, Chairperson, Marquette County Road Commission. The County Road Commission is pursuing the possibility of establishing a seasonal road system, according to statute, in an effort to restrict the establishment of homes for year-round living beyond the existing, plowed road system. Comm. Arsenault pointed out he was at the recent meetings of Humboldt, Ishpeming, and Republic Township. All of them support the plan. The County Planning Commission is reviewing the plan at its first meeting in March, and will make further recommendations.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried to place the communication on file.

The Committee considered communications from George Wright, Facilities Manager, regarding the Circuit Court Sound System Analysis Proposals. Ron Koshorek pointed out that this matter is coming to the Committee without Staff recommendations. It was initiated by a citizen's complaint, someone who attended a court hearing and had difficulty hearing the court proceedings. Comm. Bays added that the circuit court room is sometimes used for public hearings, and similar complaints have surfaced before.

It was moved by Comm. Arsenault, seconded by Comm. Seppanen and unanimously carried that the Committee refer the matter back to Judge

Quinnell and request that he propose the Sound System Analysis project through the capital improvement budget process; or come back to the Finance/Personnel Committee sooner should Judge Quinnell determine the proposal cannot wait.

The Committee considered a draft resolution expressing the Six-County Consortium Administrative Board's concerns regarding a Title III State Contract with Action Management Corp, and their subsequent subcontract with Newstart, Inc. in the Upper Peninsula service delivery area.

It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried that the Committee of the Whole recommend the County Board adopt the draft resolution opposing action by the Governor's Office for Job Training to award state contracts to organizations such as Action Management, Inc. without review or comment opportunity by the local substate grantees.

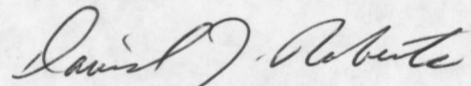
It was moved by Comm. Seppanen, seconded by Comm. Arsenault and unanimously carried that the Committee place on file two letters supporting the proposed tobacco vending machine ordinance: One from the Marquette Area Public School Board, and the other from George M.R. Franz, of Marquette.

Chairperson Corkin opened the meeting for public comment, none was forthcoming.

Chairperson Corkin announced that he will be in Lansing on March 11, 12, and 13, for discussions with State Legislators regarding the specific ore tax, and invited other Commissioners who are interested.

There being no further business the meeting was adjourned.

Respectfully submitted,



David J. Roberts
Marquette County Clerk

MARQUETTE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE

Tuesday, February 27, 1990, 5:00 p.m.

Room 231, Henry A. Skewis Annex, Marquette, MI 49855

1. ROLL CALL.
2. APPROVAL OF THE MINUTES OF THE FINANCE/PERSONNEL COMMITTEE MEETING and the EXECUTIVE/IGR COMMITTEE MEETING HELD ON FEBRUARY 13, 1990.
3. PUBLIC COMMENT.
4. APPROVAL OF THE AGENDA.
5. Review of Claims and Accounts.
6. Letter from Ely Township regarding Kenneth Quinnell zoning complaint.
7. Request from Marquette Township for joint bonding for sewer construction project.
8. Seasonal road system proposal from County Road Commission.
9. Circuit Court sound system analysis.
10. Draft resolution from the Six-County Consortium Administrative Board opposing subcontract by Action Management to Newstart for dislocated worker services in the Central Upper Peninsula.
11. Two informational items: A resolution from Marquette Area Public School Board; and a letter from George M.R. Franz, Marquette MI, supporting the proposed tobacco vending machine ordinance.
- 12.
- 13.
14. PUBLIC COMMENT.
15. ANNOUNCEMENTS.
16. ADJOURNMENT.