

*Minutes are Subject to Correction and Approval*

---

The Marquette County Board of Commissioners met as a Committee of the Whole on Tuesday, September 13, 2005, at 6:30 P.M., in Room 231 of the Henry A. Skewis Annex, 234 W. Baraga Avenue, Marquette, Michigan.

Chairperson Corkin called the meeting to order. Present: Comm. Arsenault, Comm. Bergdahl, Comm. Cihak, Comm. Heikkila, Comm. Joseph, Comm. Pellow, Comm. Struck, Comm. Wallace and Chairperson Corkin. Absent: None.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that the minutes of the Committee of the Whole Meeting held on August 23, 2005 be approved.

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

It was moved by Comm. Joseph, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Agenda be approved with the following additions: Item 12) Youth Home - HVAC Replacement.

It was moved by Comm. Wallace, seconded by Comm. Pellow, and unanimously carried by voice vote that Claims and Accounts for the period September 1, 2005 through September 8, 2005 in the amount of \$2,699,638.63 be approved.

\* \* \* \* \*

The Committee considered FAA Lease Agreements with Marquette County. Steve Powers, County Administrator, explained that Chairperson Corkin received an email from the FAA regarding concerns with the use of the Sage Building. The FAA's radar is located on the roof, with monitoring equipment in the building.

In the Sale Agreement for the building between Marquette County and Telkite, the County retained the right to continue occupancy and use of space in the Sage Building, the space used by the FAA. The cost to the County is \$1. The County would then lease the space to the FAA for \$1.

There have been some issues and disagreements with lease language, some of the same types of issues that Marquette County has had with other federal agencies. For example, the FAA is requiring building maintenance and accessibility standards. These requirements would place financial responsibilities on the County. The County has never proposed that FAA pay rent. Staff does believe, however, that if the FAA is requiring the County to commit to certain building standards that there should be compensation to the County. The space can be rented for a \$1, but Marquette County should not be expected to repair the elevator, for example. The radar provides a benefit to the FAA and Department of Defense, and general flying public.

*Minutes are Subject to Correction and Approval*

---

Within a week, Harley Andrews, Chief Civil Counsel, will be sending proposed language in response to the FAA language provide by Mr. Kewitt. Staff is hopeful that the FAA will relax the requirement it has for rent-free space.

County staff has suggested to the FAA and Telkite that they attempt to agree on lease language and terms. That effort has been unsuccessful. Mr. Kewitt refers to concerns regarding the future of the Sage Building. In the draft leases that have been provided by the FAA and County, the FAA is responsible for utilities. The FAA may need an alternative heat and water source for its space if Telkite stops heating the entire building. At this time, Telkite has made no decisions regarding the future of the building.

Regarding storage, a T-hangar has been used by the FAA. At no time did staff tell the FAA they would be evicted, but an agreement for use of the T-hangars is needed. FAA returned the standard T-hangar rental agreement with significant changes. FAA would pay \$2,200 a year.

Commissioners and staff discussed the several proposals given to the FAA with no progress.

It was moved by Comm. Arsenault, seconded by Comm. Pellow, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board direct staff to work with Telkite and the FAA to find a solution.

\*\*\*\*\*

The Committee considered a Resolution adopting the National Incident Management System. Theresa Schwalbach, Emergency Management Coordinator, explained that on March 1, 2004, the Department of Homeland Security (DHS) introduced the National Incident Management System to provide a comprehensive, national approach to incident management, applicable at all jurisdictional levels and across functional disciplines. Lessons learned from previous large-scale disasters point to a need for a National Incident Management System.

To provide standards for domestic incidents response, President Bush signed Homeland Security Presidential Directive (HSPD)-5, which authorized the Secretary of Homeland Security to develop the National Incident Management System (NIMS). NIMS provides for interoperability and compatibility among all responders. Implementation of and compliance with NIMS is critical to ensure preparedness across our Nation. HSPD-5 established ambitious deadlines for NIMS adoption. NIMS compliance requirements will be phased in over time. Full NIMS compliance will not be required until the end of FY2006. However, given the urgency of moving forward, we are being encouraged to begin familiarizing ourselves with NIMS concepts and principles and initiate activities that will lead to system implementation as soon as possible.

Ms. Schwalbach further explained that local governments are being asked to establish a resolution or ordinance to adopt formally the National Incident Management System. In order to receive FY2006 preparedness funding, the minimum FY2005 compliance requirements must be met. Adopting this resolution is one of the initial requirements to becoming NIMS compliant.

The resolution has met administrative and legal review. Ms. Schwalbach recommends adopting the National Incident Management System Resolution.

*Minutes are Subject to Correction and Approval*

It was moved by Comm. Struck, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board adopt the National Incident Management System Resolution.

\* \* \* \* \*

The Committee of considered an Agreement with A. Voyageur to provide moving services. Scott Erbisch, Sawyer Operations Manager, explained that A. Voyageur, Inc., had a lease agreement with the County of Marquette to lease building 420, located at 505 Avenue H. In the fall of 2004, A. Voyageur vacated building 420 prior to the expiration of the lease, but has agreed that lease payments are due for October, November, and December of 2004, including late fees, for a total of \$5,764.16.

A. Voyageur, via Frank Malette, has advised that it will be difficult to pay the past due rent, but has proposed moving services for a period of one year, in an amount not to exceed \$5,764.16. If the County does not utilize the moving services in the amount owed, A. Voyageur will pay the remaining balance.

An agreement representing these conditions has been prepared by Civil Counsel, and it has been signed by Mr. Frank Malette. Staff believes this to be an appropriate method of recovering past due lease rent. Prior to the end of 2005, the Airport staff will be relocating to the Airport Service Center Building. A. Voyageur's moving services will be of great assistance with the move. Staff recommends the County Board authorize the Chair to sign the agreement.

Comm. Joseph questioned this agreement. He stated that providing services instead of collecting rent money is the wrong way to do business. He feels that the County Board would be setting precedent. Comm. Cihak and Comm. Pellow agreed.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and carried by voice vote 6 Ayes (Comm. Arsenault, Comm. Bergdahl, Comm. Heikkila, Comm. Struck, Comm. Wallace, and Comm. Corkin) to 3 Naves (Comm. Cihak, Comm. Joseph, and Comm. Pellow) that the Committee of the Whole recommend the County Board authorize the Chairperson to sign the Agreement with A. Voyageur to provide moving services.

\* \* \* \* \*

The Committee considered a CUPPAD Regional Commission 2005 Comprehensive Economic Development Strategy (CEDS) Report and Resolution. Each year the CUPPAD Regional Commission prepares a Comprehensive Economic Development Strategy (CEDS) document to maintain its designation as an "Economic Development District" with the U. S. Economic Development Administration (EDA). The CUPPAD Regional Commission recently adopted the 2005 Comprehensive Economic Development Strategy Report. The CEDS document identifies potential economic development projects within the six county area. These projects are solicited from local governmental units on a bi-annual basis. The list can be amended by the Commission as new projects become known.

CUPPAD is requesting the Marquette County Board of Commissioners concurrence with the preparation of the 2005 CEDS document. A resolution indicating the County Board's concurrence with the 2005 Comprehensive Economic Development Strategy is requested. To satisfy the planning

requirements of the EDA, resolutions of concurrence from the County Boards of Commissioners need to be transmitted to the EDA.

It was moved by Comm. Arsenault, seconded by Comm. Wallace, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board concur and adopt the Resolution indicating the County Board's concurrence with the 2005 Comprehensive Economic Development Strategy (CEDs) Report.

\* \* \* \* \*

The Committee considered the Marquette County Junk Ordinance. Steve Powers, County Administrator, explained that staff recommends repeal of the County Junk Ordinance. According to Harley Andrews, Chief Civil Counsel, the Ordinance is unenforceable, and it should be repealed.

There are several reasons for repealing the Ordinance. First, because it is unenforceable, there is no reason to keep it. Second, if it is repealed, no one can complain that we are not enforcing it. Third, if it is repealed, the Sheriff's Office will not have to take complaints about alleged violations of this Ordinance.

Ordinances are repealed by the same procedure by which they are adopted. Civil Counsel will draft a Repealer Ordinance if the direction is to repeal the Ordinance. The Repealer Ordinance would be voted on by the Board, and after the prescribed time limit, the Repealer would be effective.

Mr. Powers further explained that local units of government can (and some have) adopted regulatory measures to address accumulated debris and junk. The cities and townships may be the proper level at which to approach the issue.

It was moved by Comm. Joseph, seconded by Comm. Arsenault, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board support the staff recommendation to repeal the Marquette County Junk Ordinance.

\* \* \* \* \*

Steve Powers, County Administrator, gave an update regarding Hurricane Katrina. He explained Marquette County's response to the hurricane. Marquette County has combined efforts with the State of Michigan to acquire housing for evacuees in Louisiana and Mississippi. The demand and the number appears to be much less than Governor Granholm had offered to accept. As of Friday, September 9<sup>th</sup>, eight families and 11 individuals arrived in Lansing and Grand Rapids. On September 11<sup>th</sup>, Dan Brown, Response Operations Team Leader, FEMA Headquarters, notified the State of Michigan that FEMA is "currently in the processing of ramping down on the evacuation of evacuees. 'Since the numbers are dwindling, averaging less than 200 people a day, FEMA is trying to send them to sheltering states that are closer to Louisiana. FEMA has reduced flights from an average of eight a day to two a day.'" No flights were expected in Michigan during the next two days (9/12 and 9/13). Mr. Powers further explained that in response to the previous message, on September 12<sup>th</sup>, FEMA stated that there will be no more FEMA chartered flights bringing

*Minutes are Subject to Correction and Approval*

---

evacuees into Michigan. However, private organizations may continue to charter evacuees into Michigan separate from the federal and state government coordination.

The State of Michigan is using the directors of the Department of Human Services to gather information about available housing. Julia Hadas is the director for the Marquette County DHS Office. After further research with landlords who initially stated interest in housing evacuees, the USDA Rural Development Federally Subsidized Housing appears the most viable semi-permanent housing for Katrina Evacuees in Marquette County.

Theresa Schwalbach, Emergency Management Coordinator, was also present and explained the State's response to Hurricane Katrina. She explained that eleven troopers that were dispatched to the Mississippi, Louisiana, New Orleans area are on their way back. She explained that there were 2,314 evacuees in the State, most of them either had family members in other states, and friends in other states. Those being housed are in the Grand Rapids/Lansing area. There are six families in the U.P. The State has appreciated the information given and that Marquette County is willing to help.

It was moved by Comm. Wallace, seconded by Comm. Arsenault, and unanimously carried by voice vote that the memo regarding Hurricane Katrina be accepted and placed on file.

\* \* \* \* \*

The Committee considered the Youth Home - HVAC Replacement. Steve Powers, County Administrator, explained that bids were received for replacing two roof top combination heating and air conditioning units. The units were installed in 1987 and have become expensive to maintain. Outdoor units typically have an expected life of 15 years. One unit is 4 tons, and one unit is 5 tons.

The project includes replacement, gas piping changes, and removal of old units. Bid notices were direct mailed to contractors, advertised in the *Mining Journal*, and on the County website. Specifications required the new units to be at least comparable to the existing units and for contractors to verify sizing prior to bidding. Swick Plumbing and Heating responded with one 4 ton unit and one 5 ton unit; Swailes Plumbing and Heating responded with two 5 ton units; Industrial Piping responded with two 4 ton units; and Beauchamp Plumbing and Heating responded with one 4 ton unit and one 5 ton units. The bids were reviewed by staff, and, because of the range of units bid, a mechanical engineer. The mechanical engineer recommends two 5 ton units. The building size and layout require two 5 ton units to maintain heating and cooling temperatures and efficiency. Swailes Plumbing and Heating's low bid is for two 5 ton units in the amount of \$12,000.

Comm. Pellow questioned why the bid specs did not require all the same units. Larry Gould, Facilities Manager, explained that the burden was placed on the contractor to determine the need. A mechanical engineer recommended two 5 ton units. Commissioner consensus was that the mechanical engineer should have given his recommendation prior to accepting bids. Commissioners felt the project should be rebid. Steve Powers, County Administrator, stated that if Commissioners wish to rebid, the project should be rescheduled for the Spring of 2006 so current bids are not an issue.

It was moved by Comm. Arsenault, seconded by Comm. Cihak, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board rebid the Youth Home - HVAC Replacement in the Spring of 2006.

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

**COMMISSIONER COMMENTS, STAFF COMMENTS, AND ANNOUNCEMENTS**

The Committee of considered a request from Comm. Arsenault regarding an Animal Control Committee. Comm. Arsenault explained that he has met with the Humane Society Board by invitation. The Humane Society had questions regarding processes and procedures of the Board. The Humane Society would like to see an Animal Control Committee and questioned Comm. Arsenault on what approach the County Board would have. Comm. Arsenault would like to move forward with this request and would be willing to serve on an Animal Control Committee. He explained that several years ago, a similar committee was comprised of the Sheriff, or his representative, a Township representative, a couple of members from the Humane Society, etc.

Comm. Arsenault further explained that the Humane Society budget is very tight, and they have problems like we all do. An Animal Control Committee would look at some ideas to help with animal control throughout the county, get input from the townships, and the Sheriff's Department. The Animal Control Committee would come back with recommendations to the County Board regarding ways to improve operations and hopefully control costs.

It was moved by Comm. Wallace, seconded by Comm. Struck, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board participate in organizing an Animal Control Committee, and further, that Comm. Arsenault be appointed to such committee.

\* \* \* \* \*

Comm. Bergdahl commented regarding an informational memo from Rick Aho, Director, Marquette County Solid Waste Management Authority, regarding rates on medical waste changing as of October 1, 2005.

Comm. Struck also commented regarding the Solid Waste rates effective October 1, 2005.

Comm. Wallace questioned the repeal on the Junk Ordinance in terms of public health issues.

Comm. Wallace announced he will be involved in meetings with the National Association of County and City health officials in San Francisco and Dallas over the next two weeks.

Comm. Pellow questioned the Ishpeming District Court RFP's and the Humane Society issue. She requested they put on a Committee of the Whole Agenda in the near future.

The Committee discussed a recent tour of the Flambeau Mine in Ladysmith, Wisconsin. Comm. Pellow explained that the tour was very interesting and informative. The local units of government were very pleased with Kennecott, and the way they had conducted themselves when mining in that area. Comm. Pellow further explained that there were a lot of positive comments regarding Kennecott, but is questioning why a moratorium was passed on mining in Wisconsin.

It was moved by Comm. Pellow, seconded by Comm. Bergdahl, and unanimously carried by voice vote that the Committee of the Whole recommend the County Board direct staff to research why a moratorium on mining was passed in Wisconsin.

Comm. Joseph commented on the action taken regarding the A. Voyageur agreement to provide moving services.

Comm. Heikkila also commented regarding A. Voyager moving services.

There being no further business to come before the Committee of the Whole, the meeting adjourned at approximately 7:36 P.M.

Respectfully submitted,



Connie M. Branam  
Marquette County Clerk

MARQUETTE COUNTY BOARD OF COMMISSIONERS  
COMMITTEE OF THE WHOLE

*Tuesday, September 13, 2005, 6:30 P.M.*

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

*www.co.marquette.mi.us*

- ~~1.~~ ROLL CALL.
- ~~2.~~ APPROVAL OF THE MINUTES OF THE COMMITTEE OF THE WHOLE MEETING HELD ON AUGUST 23, 2005.
- ~~3.~~ PUBLIC COMMENT.
- ~~4.~~ APPROVAL OF THE AGENDA.
- ~~5.~~ Review of Claims and Accounts.
- ~~6.~~ FAA Lease Agreements with Marquette County.
- ~~7.~~ Resolution Adopting the National Incident Management System.
- ~~8.~~ A. Voyageur Agreement to Provide Moving Services.
- ~~9.~~ CUPPAD Regional Commission 2005 Comprehensive Economic Development Strategy (CEDs) Report and Resolution. (A complete copy of the Report available in Commission Chambers).
- ~~10.~~ Junk Ordinance.
- ~~11.~~ Update on Hurricane Katrina. (No Packet Materials).
- ~~12.~~ *Youth Home - HVAC Replacement.*
- 13.
- 14.
- ~~15.~~ PUBLIC COMMENT.
- ~~16.~~ COMMISSIONER COMMENTS, STAFF COMMENTS AND ANNOUNCEMENTS.
- ~~17.~~ ADJOURNMENT.