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**REGULAR MEETING – TUESDAY MARCH 21, 2023 – 3:00 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 Vice-Chairperson Joe Derocha at 3:00 p.m. – Room 231 Henry A. Skewis Annex, Marquette. Salute to the Flag followed by the Pledge of Allegiance.
- Present: Comm. DePetro, Comm. Adamini, Comm. Nordeen, Comm. Alholm and Vice- Chair Derocha
- Absent & Excused: Chairperson Corkin

**2. PUBLIC ANNOUNCEMENT OF ELECTORNIC PARTICIPATION**

**3. APPROVAL OF THE MINUTES:**

**Board Action:** Comm. DePetro moved to approve the minutes from the Regular Meeting held on March 7, 2023 as presented. Second by Comm. Adamini. Motion adopted (5-0)

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

**a. Retirement Resolution for Stephen Kangas**

*Vice-Chair Derocha read the following:*

*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, Steve Kangas began working for the County of Marquette as a Special Operations Deputy in May of 1998. He was reassigned to the Corrections Division from December of 2003 until November of 2004, when he was reassigned to the Road Patrol. Steve was promoted to Corporal in November of 2005 and to Detective/Lieutenant in June of 2008. In May of 2017, Steve was promoted to Captain of Law Enforcement Services, where he stayed through the end of his career with the County, March 15, 2023; and*

*WHEREAS, in 2002 & 2003, Steve also served his country in the United States Coast Guard for the U.S. Department of Homeland Security. His commander described him as being a tremendous asset to the command at the Coast Guard station at Marquette, Michigan; and*

*WHEREAS, during his tenure with the Sheriff’s Office, Steve completed numerous trainings and certifications to better serve the citizens of Marquette County, including Response to Terrorist Bombings, Raid, Advanced Law Enforcement, Detective, and multiple Forensic and Technical trainings; and*

*WHEREAS, Steve was awarded Officer of the Year in 2009 by the Marquette County Law Enforcement Administrators’ Association. Other awards over the course of his career include the Exceptional Service Medal in 2005, 2009 and 2012, the John H. Cover Life Savings Medal for life saving through use of taser in 2006, and the Life Saving Medal in 2007. Over the course of his career, Captain Kangas has been described as being sincere, caring, professional, going above and beyond, willing to take charge and quick-thinking in life-threatening situations; and*

*THEREFORE, BE IT RESOLVED that the County of Marquette recognizes and appreciates over 24 years of outstanding service by Captain Stephen Kangas. On behalf of all County Citizens, the County Board Thanks Captain Stephen Kangas for his dedication and years of service to Marquette County. The County Board wishes Stephen and his wife Angela a happy and healthy retirement.*

*\*Lt. Derocher accepted the resolution on behalf of Captain Kangas, as Captain Kangas is downstate coaching the Ishpeming High School Boys Basketball Team.*

**5. APPROVAL OF THE AGENDA:**

**Board Action:** Comm. Alholm moved to approve the agenda as presented. Second by Comm. Nordeen. Motion adopted. (5-0)

**6. PUBLIC COMMENT:**

- **Undersheriff Dan Willey was present to give the February 2023 Stats:**

**Road Patrol:** 244 Calls for Service; 46 Crashes; 114 Citations; 165 Civil Actions Received; 130 Served

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**Search & Rescue:** Multiple Trainings for Search & Rescue, Dive Team, K-9 Unit, Marine – Calls: Distressed Snowmobiler with young child in Powell Twp.; Joint Training with Superior Search & Rescue.

**Rescue 131:** 3 Personal Injury Accidents (2 in Skandia and 1 in Sands); 1 Structure Fire in Forsyth and 1 EMS Standby.

**Jail:** Average Daily Population 79; had 15 days with 80 or more; averaged 2-3 Federal Inmates per day

- **Mark Hagan, Easy Ice, Marquette**, requested the County Board hold Boreal Aviation accountable for all their services that are to be provided to their customers. Mr. Hagan spoke as a customer of Boreal Aviation on Sawyer and was very unimpressed with the service from Boreal Aviation thus far.
- **Tom Klein, Boreal Aviation**, stated Boreal has been working with Duane DuRay the Operations Director at Sawyer to address any and all issues. Duane recently conducted an audit as well.

*With no other public comment to come before the board, this portion of the meeting was closed.*

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

**Board action:** Comm. Adamini moved to approve total expenditures paid via check for the period March 3, 2023 through March 16, 2023 was \$613,232.54 (this amount does not include check payable to Alger-Delta Co-Op Electric); and Biweekly Payroll for the period ending March 4, 2023 was \$796,052.81; and EFT Transfers for the period March 3, 2023 through March 16, 2023 were \$108,196.05. Second by Comm. Nordeen. Motion adopted (5-0)

**Board action:** Comm. Nordeen moved to approve check #218091, Dated 3/10/2023, for \$413.00 ~payable to Alger-Delta Co-Op Electric. Second by Comm. Adamini. Motion Adopted (4-0) Abstain: Comm. Alholm

**8. PUBLIC HEARING: None**

**9. PRIVILEGED COMMENT: None**

**10. INFORMATIONAL ITEMS:**

**a. Treasurers Annual Report – Jackie Solomon, Marquette County Treasurer**, was present to answer questions and explain the 2022 Annual Report Statistics.

**Board action:** Comm. Alholm moved to accept the Treasurers Report for filing. Second by Comm. DePetro. Motion adopted (5-0)

**b. Letter Re: Airport Rebranding**

**Board action:** Comm. Alholm moved to accept the Airport Rebranding letter for filing. Second by Comm. DePetro. Motion adopted (5-0)

**11. ACTION ITEMS:**

**a. 2022 Fourth Quarter Budget Amendments**

**Anne Giroux, Financial Manager**, explained the following:

#35- General Fund: There are several amendments being recommended to the General Fund, mostly minor adjustments within departments. Unless otherwise identified, increased expenses are offset by an increase to Investing Income. The interest rate environment has resulted in investing income exceeding budgeted amounts. No use of contingency or reserves was needed for this amendment. An explanation of the more significant adjustments follows:

- PROBATE COURT – This adjustment increases the amount budgeted for legal fees by \$25,000. There have been a few complicated abuse/neglect cases that have caused these expenses to further increase.
- PROSECUTING ATTORNEY – Several minor adjustments are requested within the Prosecutor’s office as well as adding the revenues and expenses related to the Domestic Violence Grant which began October 1<sup>st</sup>.
- HOMELAND SECURITY/STONEGARDEN – Revenues and expenses associated with this grant are largely unknown throughout the year. As such, they are requested in the final budget amendment of the year.
- COURTHOUSE COMPLEX – Natural gas prices have been much higher than anticipated which resulted in an increase of \$30,000 for that expense.
- DHHS CHILD CARE FUND APPROPRIATION – The original 2022 budget utilized fund balance within the DHHS Child Care Fund to cover expenses. I am suggesting an increase to the transfer from the General Fund in order to preserve the fund balance within the DHHS Child Care Fund.

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- EMPLOYEE BENEFITS – The County’s Retiree Health Prescription Drug plan is self- funded. As such, the costs fluctuate from one year to the next. Expenses were higher than expected. The increase is covered by deferred compensation plan forfeitures that were not budgeted.
- SPECIAL APPROPRIATIONS – This amendment is to properly record grant revenue for two ARPA projects in the General Fund instead of the Public Improvement Fund. A corresponding amendment in the Public Improvement Fund (#40) is also requested.

#36 Prosecuting Attorney Forfeiture Fund – Increases expenses for use of a forensic scientist for testimony for a trial.

#37-Community Corrections – Reallocates expenses based on actual program expenditures.

#38-Re monumentation – Adjusts for actual expenses.

#39-Public Defender – Adjusts for furniture purchased for new attorney.

#40-Public Improvement Fund – Accounts for ARPA revenue in the correct fund and reduced amount allocated for Plexiglas project.

#41-Parks – Adjusts for transfer from Forestry versus using fund equity

#42 – Foreclosure Fund – Increases expenses for Excess Proceeds claims paid. Offset by auction proceeds and use of fund equity.

#43 – Forestry – Uses fund equity to account for a transfer to the Parks Fund to cover the 2022 operating loss in that fund.

#44 -Airport – Increases several expense line items, covered by lease revenues and CARES funding. Also includes a transfer to the Sewer Fund for the PFOS project, utilizing CARES revenue.

#45 – Sewer – Includes multiple expense adjustments as well as the PFOS project capital outlay expense.

**Board action:** Comm. Adamini moved to approve the 2022 Fourth Quarter Budget Amendments as presented. Second by Comm. DePetro. Motion adopted (5-0)

### **b. Financial Policy 216 Disposal of Surplus County Personal Property**

**Anne Giroux, Financial Manager**, explained the following:

#### A. Surplus Property Defined:

Surplus property is any tangible asset except for land that the County Administrator determines is excess to the County's immediate and future needs. The Administrator will consider, at a minimum, remaining useful life of the asset, cost of maintaining or storing the personal property and potential needs of County departments before declaring personal property to be surplus.

Personal Computers that have been in service for five years or longer will be considered surplus. Servers, printers, and networking equipment in service for five years or longer will be considered surplus. Once these items are deemed surplus, they become subject to sale or disposal only. Generally, they will not be put back into service in County departments, unless reintegrated for non-critical purposes, such as remote work.

#### B. Disposal of Personal Property

Whenever possible, surplus personal property will be sold for its market value. When possible, an initial estimate of value will be made by the County Administrator, in consultation with the Department head by using appropriate methods, which may include qualified third party opinion, published price lists and recent experience in similar sales.

Personal property will be disposed of by using a surplus auction website.

The Administrator is authorized to execute appropriate ownership transfer documents upon receipt of sale proceeds. The Administrator may condition any sale upon requirements of applicable law, lease, contract, or County Board policy, which might pertain to a particular transaction.

#### C. Proceeds of Sale:

Whenever possible, all proceeds from the sale of surplus personal property will be deposited in the fund from which the property was expended, unless otherwise regulated by statute, contract, grant agreement, or federal, state, or County Board policy.

**Board action:** Comm. Alholm moved to adopt the revisions to Financial policy 216 – Disposal of surplus county personal property. Second by Comm. Nordeen. Motion adopted (5-0)

**c. Climate Resolution**

Northern Michigan University Student and intern, Anni Skillicorn, has been working with Emily Leach, Marquette County Senior Planner, in conjunction with the Marquette County Climate Adaptation Task Force (CATF), to assist municipalities in creating Climate Resolutions.

The County Climate Resolution is written in alignment with the *Marquette County 2040 Master Plan* and the *Marquette Area Climate and Health Adaptation Plans*. The resolution was drafted to best suit the goals and objectives of the County through identification of best available data. The Marquette County Planning Commission and CATF have reviewed and endorsed the resolution and believe the outcomes will strengthen existing policy and encourage projects that will aid Marquette County in providing a more sustainable community for future residents. The Planning Commission is submitting the attached resolution with a recommendation for adoption.

The passing of a Climate Resolution is an outcome of the County's Strategic Plan under Strategic Priority #4: Safe and Healthy Community.

**RESOLUTION SUPPORTING MEASURES TO RESPOND TO A CHANGING CLIMATE**

**WHEREAS**, in 2018, the Intergovernmental Panel on Climate Change warned that significant greenhouse gas emission reductions are critical by 2030 to avert irreversible damage; and,

**WHEREAS**, in September 2020, Michigan Governor Gretchen Whitmer signed Executive Order 2020-182, and Executive Directive 2020-10 to create the MI Healthy Climate Plan, putting Michigan on a path toward becoming fully carbon-neutral by 2050; and,

**WHEREAS**, Marquette County Board of Commissioners has stated pursuit of climate action by promoting a, "community resilient to climate change through mitigation, adaptation, and coordinated public policy" as a goal of the Marquette County 2040 Master Plan; and,

**WHEREAS**, Marquette County is a founding member of the Marquette County Climate Adaptation Task Force (CATF), whose mission is to prepare local leaders and Marquette County stakeholders to develop mitigation and adaptation strategies that will make the Upper Peninsula more resilient and effective when dealing with the consequences of climate change and extreme weather events; and,

**WHEREAS**, Lake Superior's surface temperature has risen 6.3°F over the last 100 years, three times faster than the global average, resulting in 79% decreased ice coverage since 1973 providing less protection from powerful storms which have damaged public infrastructure and private property, and raising infrastructure maintenance costs; and,

**WHEREAS**, a transition to a clean energy economy, if not carefully planned, may have a disruptive impact on the livelihoods of many in our community, while a well-planned transition may provide financial benefits and improved livability from expanded job opportunities for local residents while creating a more resilient energy portfolio; and,

**WHEREAS**, Marquette County is a prime location for climate migrants looking to relocate due to the impacts of climate change on their current home regions, and affordable and attainable housing and necessary community services should be available to prepare for a potential population increase; and,

**WHEREAS**, use of sustainable forestry practices in the Marquette County Forest has the potential to manage wildfire potential and thus maintain a high level of air quality, and protect the quality of the groundwater stored in the region; and,

**WHEREAS**, a baseline study, monitored and endorsed by the County, assessing the resource availability and quality of water available to county residents, would provide necessary data needed for sustainable planning; and,

**WHEREAS**, climate change has impacted the frequency and intensity of extreme weather events, and coordinated emergency response teams with updated mapping and 911 capabilities are necessary to preserve the wellbeing of residents from climate related disasters; and,

**Now, therefore, be it RESOLVED** that the Marquette County Board of Commissioners on this 21<sup>st</sup> day of March, 2022 supports policies that **will support infrastructure projects and human services that foster resiliency to a changing climate in the Central Upper Peninsula of Michigan based on the best available data:**

- Create a Climate Action Plan;
- Commit to an effort to eliminate the County's greenhouse gas emissions by 2050; and seek a facilities wide audit and implement projects to decrease carbon levels in the atmosphere to align with statewide goals;

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- Support updates to the State Building Code, as they relate to climate adaptation, and seek state incentives to fund new building requirements from an updated code, and will encourage residents to seek incentives that will assist funding to complete projects that comply with residential, and commercial weatherization and efficiency standards;
- Plan infrastructure development that will support climate adaptation and mitigation, with the understanding that the swift transition to electric vehicles is anticipated;
- Update ranking criteria for Capital Improvements Projects to better align with the Master Plan and Strategic Plan with a resiliency focus, and seek all available funding to subsidize the above efforts; and,

The Board understands the consequences of a changing climate and its impacts on vulnerable communities and demographic sectors and calls upon the municipalities, residents, businesses, and organizations within the County to join in the above stated efforts to mitigate and adapt to a changing climate; and be it further

**RESOLVED**, that the Marquette County Board of Commissioners strongly support collaborative efforts to achieve resiliency goals in a timely manner; and be it further

**RESOLVED**, that a copy of this Resolution be forwarded to the municipalities within its jurisdiction.

**Board action:** Comm. Alholm moved to adopt the Climate Resolution that supports infrastructure projects and human services that foster resiliency to a changing climate. Second by Comm. Nordeen. A roll call vote was taken: Ayes: Comm. Alholm, Comm. DePetro, Comm. Adamini, Comm. Nordeen and Vice-Chair Derocha. Nays: None. Absent: Chairperson Corkin. Motion adopted (5-0)

**d. Sheriff Dept. Vehicle Purchase Recommendation**

**Detective/Lieutenant Lowell Larson**, was present to explain the following: in January 2023, I began searching for vehicles to fulfill the Capital Projects of two patrol vehicles and one detective vehicle. I found a limited availability for police package vehicles. I spoke to two dealerships in lower Michigan and one in Marquette County. I was told by all three dealerships that vehicles now have to be ordered during a limited timeframe in April for the following year's models. The two dealerships that I found available vehicles at, pre-order a block of vehicles with hopes to sell them at a later date. The Marquette County dealership did not even have standard model Tahoes.

MiDEAL is the State of Michigan's extended purchasing program that allows Michigan cities, townships, villages, counties, school districts, universities, colleges and nonprofit hospitals to buy goods and services from state contracts. Marquette County is a member of this program which allows vehicles to be purchased with state contract pricing.

With the limited availability of police package vehicles and the ability of Marquette County to purchase vehicles from state contracts, I recommend the purchase of the following three vehicles:

**VEHICLE #1 and VEHICLE #2 (Capital Project #25-23 Patrol Vehicle Replacements (2):**

**2023 Dodge Charger AWD 3.6L V6 Police Patrol Vehicle**

**MiDeal Vendor: LaFontaine CDJR-Fleet** - 6131 S. Pennsylvania Ave., Lansing, MI 48911

**Total Bid Price: \$35,907.00** (MI #071B7700183)

Drop Ship to Fox-Negaunee: Free (still being manufactured) - **Vehicles #1 & #2 Total Cost: \$71,814.00**

*This total amount is less than the projected \$90,000 Capital Project amount. The difference will be utilized for graphics and outfitting the vehicles with items such as audio/video system, radio, lights, siren, computer, docking station, modem, cage, push bumper, antennas, Charge Guard and Stop Sticks.*

**VEHICLE #3 (Capital Project # (Capital Project #26-23 Detective Vehicle):**

**2023 Chevrolet Tahoe 4WD Special Service Package**

**MiDEAL Vendor: Berger Chevrolet, Inc.**, 2525 28<sup>th</sup> Street S.E., Grand Rapids, MI 49512

**Total Bid Amount: \$39,470.00** (MI #071B77001077)

Delivery: Free to meet at Mackinaw City (vehicle in stock)

*This total is less than the projected \$50,000 Capital Project amount. The difference will be utilized for outfitting the vehicle with such items as audio/video system, radio, lights, siren, computer, docking station, modem, antennas, equipment drawers, equipment cage, and Charge Guard.*

**Board action:** Comm. DePetro moved to award LaFontaine –two 2023 Chargers in an amount not to exceed \$71,814.00; and award Berger Chevrolet –one 2023 Tahoe in an amount not exceed \$39,470.00. Second by Comm. Adamini. Motion adopted (5-0)

**e. Jail Video Access Control Recommendation**

Captain Brian Steede and Craig Wilson, IT Dept. both were present to discuss the following bids that were received: On Friday February 24<sup>th</sup>, 2022 proposals were received from three (3) vendors for a new jail surveillance system, new electronic card access door controls, and a new intercom system. The following is a list of the vendors and the bids received for each component of the bid package:

VENDOR	VIDEO SURVEILLANCE	Electronic Card Access Control	INTERCOM SYSTEM
Total Fire and Security	<b>\$168,430.00</b>	<b>\$117,300.00</b>	
SGTS Inc.	\$384,902.17	\$169,649.73	<b>\$145,866.11</b>
Accurate Controls Inc.	\$260,300.00		\$191,900.00

1. **Total Fire and Security** - \$168,430.00 total for video surveillance, which includes installation and testing and POE switches. \$117,300.00 total for electronic card access door control, which includes installation and testing. Total Fire and Security did not bid on the Intercom System component.
2. **SGTS INC.** - \$384,902.17 total for video surveillance including the necessary materials and installation. \$169,649.73 total for electronic card access door control including the necessary materials and installation. \$145,866.11 total for the intercom system including the necessary materials and installation. Total for all three components \$700,418.01
3. **Accurate Controls, Inc.** - \$250,800.00 base bid total for video surveillance including testing and installation, plus \$9,500 for system integration. \$182,400.00 base bid total for the intercom system including testing and installation, plus \$9,500 for system integration. Accurate Controls did not bid on the Access Control component.

**Board action:** Comm. Nordeen moved to award Total Fire and Security for both video surveillance and the electronic card access door control system not to exceed \$285,730.00 and SGTS Inc. for installation of new intercom system in amount not to exceed \$145,866.11. Second by Comm. DePetro. Motion adopted (5-0)

**f. Sludge Press Project**

**Duane DuRay, Director of Operations at Sawyer**, explained the following: the K.I. Sawyer Wastewater Department has been working closely with the Michigan Department of Environment, Great Lakes, and Energy (EGLE) with the disposal of biosolids from land application to landfill disposal. Historically the biosolids have been land applied on designated sites, but with increased concerns of contamination associated with the biosolids, the best approach is to process the biosolids for landfill disposal. This project was developed as a partnership between Marquette County and EGLE with the project calling for PFOS testing, purchasing of a sludge press, and the construction of a facility to house the new sludge press and store biosolids while they dry further after pressing. Staff is looking for Commissioner consideration on the selection and award of a contractor to proceed into the construction phase of the project for the biosolids sludge press building.

The project was originally estimated at \$1,247,735 with State of Michigan grant funding of \$500,000 and a local share estimated at \$747,735. To date we have completed the PFOS testing, the selection of the sludge press and the next step is to proceed with the construction of the sludge press building and storage area.

While evaluating the site for the new facility, the decision was to repurpose the rotating biological contactor (RBC) building. The RBC process is no longer in operation at the treatment plant and the building was beginning to experience roof failure and would have needed considerable amount of funding to repair the roof or tear down the building if not repurposed.

GEI developed the building specification, bidding documents, and advertised the sludge press building RFP. At the pre-bid meeting there was seven contractors in attendance and at the bid opening on February 28, 2023, there were two contractors that submitted bids for review, see below:

	<b>Base bid</b>	<b>Alternate A</b>
• <b>Premeau Construction, Inc. Marquette MI</b>	<b>\$1,735,649</b>	<b>\$194,535</b>
• <b>August Winters and Son, Inc. Appleton WI</b>	<b>\$1,893,000</b>	<b>\$189,000</b>

The bidding documents provided for the base bid for the facility construction and an Alternate A for the removal of additional RBC structures at the treatment facility. Upon a complete review, GEI concluded Premeau was a responsible bidder, providing all of the required documents as per the bid specification.

The final costs for the construction of the building was over 70% of the Engineers estimate of \$1,016,045. As stated above, this entire project was estimated to cost \$1,247,735 but with increased cost associated with equipment and construction, the project exceeded the budget by \$978,097. This deficit is proposed to be accommodated through a \$1.5

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Mil Congressional spending ear mark that was previously requested by County Administrator Scott Erbisch through Senator Peters Office for PFOS disposal cost.

With the project currently over budget and the limited funding, Alternate A that included the removal of the additional RBC structures was removed from the project.

Furthermore, trying to limit the overall costs of the project, GEI worked close with Premeau Construction to see if there were any costs savings that could be implemented while preserving the integrity of the project scope. Several items were being considered with potential cost savings of approximately \$75,000, the final cost saving amounts will be determined and provided as a change order.

**Board action:** Comm. DePetro moved to award Premeau Construction, Inc.as the low bid for \$1,735,649 contingent on Premeau accepting the cost savings change order. Second by Alholm. Motion adopted (5-0)

**g. Airport Advisory Board Position**

**AIRPORT ADVISORY BOARD:** The Airport Advisory Board is established by the County Board to advise the Director of Operations and the County Board on policy and programs of the Airport. The committee shall consist of seven (7) members appointed to two year terms as follows: 1 County Commissioner, 1 Representative of the Sawyer Control Tower, 1 Representative of the Fixed Base Operator, 1 Representative of General Aviation, 1 Representative from the Airlines, and 2 Representative at Large.

\*Kathy Busby – Fixed Base Operator Position – has stepped down from this position.

\*I have received an application from Mike Kangas for consideration

Vacancy – Term Ending 12-31-2026

**Board action:** Comm. Alholm moved to appoint Mike Kangas to the Airport Advisory Board - Fixed Base Operator Position for the unexpired term ending 12-31-2026. Second by Comm. Nordeen. Motion adopted (5-0)

**h. Airport Rebranding Recommendation**

**Scott Erbisch, Administrator,** stated the following: at the last County Board of Commissioners meeting a Public Hearing was held for the purpose of receiving input on the two new airport names that were developed and suggested by the County’s consultant. The hearing received good feedback from the community.

Chairperson Corkin reviewed the consultant’s letter and took into consideration the various comments gathered through the Public Hearing process and is recommending the following airport name for the County Board’s consideration:

**“Marquette Sawyer Regional Airport”**

***The following letter was received as well***

Dear County Board:

The Sawyer Operations Authority, is a municipal authority created by West Branch Township and Forsyth Township and ratified by the Governor for the purpose of management, development, and promotion of the community located on the former KI Sawyer Air Force Base facility and situated in both townships.

The Sawyer Operations Authority has reviewed the County’s plan to rename the County Airport to either Upper Peninsula Michigan Regional Airport or Marquette Regional Airport. We have received numerous comments from citizens, local officials, business and personal users of the airport, and others. Those comments have unanimously objected to these two proposed names.

We strongly believe the County Airport needs to retain the word “Sawyer” in its name. To do otherwise would be to ignore the significant history of the area and disregard the desire of the Sawyer community, West Branch and Forsyth Townships, and others. We suggest a name such as “Sawyer Regional Airport” or “Marquette-Sawyer Regional Jetport.”  
***Respectfully submitted, Timothy D. Overmyer, SOA Chairperson***

**Board action:** Comm. Nordeen moved to Rebrand the Airport to the following name: Marquette Sawyer Regional Airport. Second by Comm. DePetro. Motion adopted (5-0)

**\*Vice-Chair Derocha Thanked the Public on behalf of the Board for all your ideas, history and letters – it was all very appreciated and noticed.**

**i. RESOLUTION AUTHORIZING ENTRY OF PARTICIPATION AGREEMENTS IN PARTIAL SETTLEMENT OF THE NATIONAL PRESCRIPTION OPIATE LITIGATION AND ENTRY OF STATE LOCAL GOVERNMENT INTRASTATE AGREEMENT CONCERNING ALLOCATION OF SETTLEMENT PROCEEDS**

WHEREAS, the COUNTY OF MARQUETTE, MICHIGAN filed a lawsuit to address the public nuisance that is the Opioid Epidemic, which named, among other companies, the following four Defendants (“Settling Defendants”):

1. Teva Pharmaceuticals Industries Ltd. (a prescription opioids manufacturer);
2. Allergan Finance, LLC (a prescription opioids manufacturer);
3. CVS Health Corp. and CVS Pharmacy, Inc. (a prescription opioids distributor); and
4. Walmart, Inc. (a prescription opioids distributor);

AND WHEREAS the Settling Defendants have negotiated proposed national settlement agreements (“Proposed Settlements”) with the State Attorneys General, and a Plaintiff Executive Committee-designated negotiating committee that represents approximately 4,000 local governments that have brought lawsuits similar to THE COUNTY OF MARQUETTE’s lawsuit;

AND WHEREAS the Proposed Settlements contain significant equitable and monetary relief, including:

1. An agreement to pay (a) up to \$3.34 billion over the next 13 years by Teva; (b) up to \$2.02 billion over 7 years by Allergan; (c) \$4.9 billion over the next ten years by CVS; and (d) \$2.74 billion within six years by Walmart. The bulk of each of these payments will be dedicated to funding abatement and prevention strategies associated with the opioids public nuisance;
2. An agreement by Teva and Allergan to abide by strict limitations on their marketing, promotion, sale, and distribution of opioids, including a ban on (a) promotion and lobbying; (b) rewarding or disciplining employees based on volume of opioid sales; and (c) funding or grants to third parties; and
3. An agreement by CVS and Walmart to implement changes in how they handle opioids, including requirements addressing: their compliance structures; pharmacist judgment; diversion prevention; suspicious order monitoring; and reporting on red-flag processes, as well as blocked and potentially problematic prescribers.

AND WHEREAS THE COUNTY OF MARQUETTE previously executed Participation Agreements for the Distributor and Janssen Settlements, which have conferred and continue to confer valuable benefits;

AND WHEREAS the Proposed Settlements each contain a “default” allocation method where settlement funds that are allocated to a particular state to resolve the claims asserted by state and local governments within that state are allocated as follows:

- 15% of settlement proceeds paid under the Proposed Settlements are allocable to the State;
- 15% of the settlement proceeds are allocable to local governments; and
- 70% of the settlement proceeds are allocable to an opioid abatement fund;

AND WHEREAS the Proposed Settlements enable the state and local governments within a State to negotiate alternative allocation methods to the “default” allocation method referenced above;

AND WHEREAS THE COUNTY OF MARQUETTE desires to enter into an alternative allocation method which allocates settlement funds on a 50/50 basis to:

1. Participating Local Governments who have elected to participate in the Proposed Settlements; and
2. the State of Michigan.

AND WHEREAS THE COUNTY OF MARQUETTE previously executed the Michigan State-Subdivision Agreement for Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, which allocated funds attributed to the State of Michigan in a streamlined and equitable manner;

NOW THEREFORE, THE COUNTY OF MARQUETTE authorizes the execution of Participation Agreements for: (1) the Master Settlement Agreement with Teva Pharmaceuticals Industries Ltd.; (2) the Master Settlement Agreement with Allergan Finance, LLC; (3) the Master Settlement Agreement with CVS Health Corp. and CVS



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Pharmacy, Inc.; and (4) the Master Settlement Agreement with Walmart, Inc., each of which are listed and available to the public at <https://nationalopioidsettlement.com/>. Specimen copies of the material terms of the participation agreements are attached as Exhibit A to this resolution.

THE COUNTY OF MARQUETTE also authorizes the execution of a new Michigan State-Subdivision Agreement for Allocation of Allergan, Teva, CVS, and Walmart Settlement Agreements substantially similar to the proposed agreement attached as Exhibit B to this resolution. THE COUNTY OF MARQUETTE also authorizes execution of a similar state-subdivision agreement to the extent that it provides a substantially similar allocation of settlement or bankruptcy proceeds obtained from opioids litigation with any other entity.

For the avoidance of doubt, THE COUNTY OF MARQUETTE also authorizes its continued participation in the Distributor Settlement Agreement, the Janssen Settlement Agreement, and the Michigan State-Subdivision Agreement for the Allocation of Distributor Settlement Agreement and Janssen Settlement Agreement, all previously executed.

**Board Action:** Comm. Nordeen moved to approve and adopt the Resolution Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation and Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds. Second by Comm. Adamini. A roll call vote was taken: Ayes: Comm. Nordeen, Comm. Alholm, Comm. DePetro, Comm. Adamini and Vice-Chair Derocha. Nays: None. Absent: Chairperson Corkin. Motion: Adopted March 21, 2023

**12. LATE ADDITIONS**

**13. PUBLIC COMMENT:**

- **Mark Hagan, Easy Ice, Marquette**, addressed some of the inadequacies his company has found being a customer of Boreal Aviation.
- **Tom Klein, Boreal Aviation**, responded with the updates that have taken place and requested a copy of the audit that was done as well.

*No public comment to come before the board.*

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

**Comm. DePetro** thanked Scott Erbisich for working with Senator Peters on the PFAS Issue; also thanked the public for their input on renaming the airport.

**Comm. Nordeen** wished Michigan Tech Huskies good luck playing against Pen State.

**15. CLOSED SESSION**

**16. ADJOURNMENT:** There being no further business to come before the County Board, the meeting was adjourned at approximately 4:29 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**