

OFFICIAL PROCEEDINGS  
KEWEENAW COUNTY BOARD OF COMMISSIONERS  
SPECIAL MEETING  
March 1, 2021

A special meeting of the Keweenaw County Board of Commissioners was held on March 1, 2021 beginning at 6:30 p.m. The meeting was held in person and via Zoom due to the COVID 19 pandemic. The special meeting was held to review and approve documents that pertain to the trail's property near the Keweenaw Mountain Lodge.

The meeting was posted on the door of the Courthouse and on the County website.

Commissioners present: Bob DeMarois and Randy Eckloff in person, Jim Vivian/Central, Del Rajala/Mohawk, Don Piche/Lac La Belle.

Motion by Rajala supported by DeMarois and unanimously carried to accept the agenda as submitted.

In July of 2020, the County, Keweenaw Resort LLC (owner of KML and referred to as KML), began discussion of leasing a portion of county owned property near KML. This property was going to be used for a snow terrain park and it already had mountain bike trails on it. Eventually, the county became concerned about the liability of a snow terrain park and of the bike trails themselves. The County asked KML if they would be interested in acquiring this recreation property and they were willing to do so. The property is in both Eagle Harbor and Grant Townships and is comprised of approximately 385 acres. The property lies north of KML on the east and west side of US 41. There are four documents that are being discussed. There is a purchase agreement, a conservation easement agreement, a trails easement agreement and a DNR application for conveyance of state land for public purpose. The last document is required because there is a 1946 deed restriction on a portion of the land currently owned by the county that states that the land must be used "solely for public purposes" and it says that if the property is not used for such purposes, the property will revert to the State of Michigan. The application requests that the deed restriction be removed with the hopes that the conservation easement will be put in place to protect public access and to protect the property from excess development.

Chuck Miller, county attorney, gave a broad outline of the purchase agreement between Keweenaw County and Keweenaw Resort LLC. The Copper Harbor Trails Club and the Keweenaw Community Forest Company, d/b/a Keweenaw Outdoor Recreation Coalition are also parties to this agreement for acceptance of easement purposes only. Keweenaw Resort will own the entire property subject to a trail's easement and a conservation easement that have been negotiated. There are contingencies that must work out. The land will be appraised, and Keweenaw Resort must be willing to pay the appraisal price, Keweenaw Resort has to be able to get financing and the DNR has to remove the 1946 public use restriction that is on a portion of the property. The sale of this property would relinquish any liability for the county on the bike trails.

Molly Ombrello, attorney for Keweenaw Resort, spoke regarding the purchase. She and Mr. Mueller and the other parties have been in discussion and have spent a lot of time and resources working out the details of the easements. The agreements are extensive but are the work of all parties. The conservation easement allows for one division, no condo development and there is only an area in the east and west where building can occur. There are many restrictions.

John Mueller, owner of Keweenaw Resort (KML), spoke at the meeting. Of the 385 acres, about 70 acres can be developed according to the conservation easement. Mr. Mueller said development would look like a snow terrain park, a parking lot, an educational facility, a warming hut maybe with food and drink, a stable for horses and 3 to 5 off grid cabins and perhaps some more trails.

Gina Nicholas of the Keweenaw Community Forest Company, d/b/a KORC thanked everyone including county attorney Miller, Ms. Ombrello and Mr. Mueller for coming together and working things out. She said from the conservation standpoint, this is in a good place. Ms. Nicholas said that if the contingencies fail, KORC will be willing to assist the county to protect public access.

Nathan Miller, Executive Director of the Copper Harbor Trails Club, mirrored what Gina Nicholas had to say. He thanked everyone for their patience and said that they really appreciated being pushed to figure out the details of the trails easement as it is a good model moving forward.

Motion by Rajala supported by Vivian and unanimously carried to approve the following documents: Real Estate Purchase Agreement, Conservation Easement Agreement, Trails Easement Agreement, and the Application for Conveyance of State Land for Public Purposes to the DNR.

Time was allowed for public comment.

There being no further business, motion by Eckloff to adjourn at 7:30 p.m. Meeting adjourned.

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Donald Piche, Chairman

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Julie Carlson, Clerk