

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
March 19, 2014

The regular monthly meeting of the Keweenaw County Board of Commissioners held March 19, 2014, 6:30 p.m. at the Courthouse, Eagle River, MI, opened with the pledge of allegiance.

Commissioners present: Randy Eckloff, Frank Stubenrauch, Ray Chase, Don Piche, Del Rajala.

The meeting was posted in the Courthouse on the bulletin board and the agenda for the meeting was posted on the door of the Courthouse.

Motion by Chase supported by Rajala and unanimously carried to approve the agenda as presented.

Motion by Eckloff supported by Chase and unanimously carried to accept the minutes as presented from the February 19, 2014 regular monthly board meeting.

The Treasurer, Sheriff and Mine Inspector reports were received.

Gina Nicholas presented information from the Houghton Keweenaw Conservation District regarding the annual meeting, the annual tree sale and the Bete Grise Preserve dedication.

Time was allowed for public comment

Motion by Stubenrauch supported by Eckloff to pay the approved and audited bills in the following amounts; General Fund=\$124,664.59 Construction Codes Fund=\$492.25 911 Fund=\$1,835.27 Law Library=\$116.00 Child Care Fund=\$0 County Veterans Trust Fund=\$0 Register of Deeds Automation Fund=\$0. Board polled. Ayes: Eckloff, Stubenrauch, Chase, Piche, Rajala. Nays: None. Motion carried.

Motion by Chase supported by Rajala and unanimously carried to send a letter to SBA Corporation regarding the Brockway Mountain communication tower. The letter explains that Keweenaw County is willing to contract with SBA at the alternate site at the Keweenaw Mountain Lodge if SBA so chooses.

Motion by Chase supported by Eckloff to adopt the following zoning ordinance amendments:

Section 2.3 DEFINITIONS

Temporary Use or Building: A use, building or structure permitted by Section 7.15 of this Ordinance, to exist during a specified period of time. After the specified time has expired, the temporary use must be terminated and the temporary structure removed from the parcel or the temporary use must be changed to an allowable use.

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Section 7.15 TEMPORARY BUILDINGS AND STRUCTURES

7.15.1 General: Temporary buildings, structures, and uses are permitted in all districts only under the following conditions:

- A. Temporary Dwellings: ~~Habitation of Accessory Structures, Tents, Yurts and Travel Trailers as Temporary Dwellings:~~ Except for tents and recreational vehicles in bona fide campgrounds, no structure shall be used for dwelling purposes for more than ninety (90) days in one (1) year, that does not meet the minimum standards for a dwelling unit as defined in this Ordinance and the State Construction Code Act, Public Act 230 of 1972, with amendments. This means that no garage or other accessory building, cellar, basement, camp or partial structure, whether of a fixed or portable construction, nor any tent, yurts, travel trailer, recreational vehicle, trailer coach, mobile home, or other structure not in compliance with P.A. 230 of 1972, or the previous sentence, shall be erected or moved onto a lot and used for any temporary dwelling purpose for more than ninety (90) days in one year, unless authorized by the Zoning Administrator by the issuance of a Temporary Zoning Permit as provided for in Section 18.9, or by means of a Special Land Use Permit pursuant to Article X, or unless constructed as a year-around dwelling per the applicable requirements of this Ordinance.

1. A temporary yurt is only allowed on a minimum lot of 10 acres in the TR district.

PC minutes 10/29/13

1. ~~Hunting Camp:~~ A camp is permitted as an RC use in an AG or TR district, provided:
 - a. ~~The parcel on which the camp is located is at least ten acres in size.~~
 - b. ~~Potable water must be obtained from a WUPHD approved potable water supply.~~
 - c. ~~There is a waste disposal system that has been inspected and approved by the Western Upper Peninsula District Health Department.~~
 - d. ~~The building is no more than four hundred (400) square feet.~~ To Section 10.12.19
2. ~~Organized Camp:~~ Permitted as an RC use in AG, RR, RS-2 and TR, provided:
 - a. ~~The parcel on which the camp is located is at least ten acres in size.~~
 - b. ~~There is a pressurized water supply.~~

c. ~~There is a waste disposal system that has been inspected and approved by the District Health Department.~~

To Section 10.12.24

PC minutes 8/27/13

Section 10.12 STANDARDS FOR SPECIAL LAND USES AND CONDITIONAL USES

Section 10.12.19 Hunting Camps:

[moved from section 7.15.1]

A hunting camp is permitted as an RC use in an AG or TR district, provided:

- a. The parcel on which the camp is located is at least ten acres in size.
- b. Potable water must be obtained from a WUPHD approved potable water supply.
- c. There is a waste disposal system that has been inspected and approved by the Western Upper Peninsula District Health Department.
- d. ~~The building is no more than four hundred (400) square feet.~~

Section 10.12.24 Organized Camps:

[moved from section 7.15.1]

Organized Camps are permitted as an RC use in AG, RR, RS-2 and TR, provided:

- a. The parcel on which the camp is located is at least ten acres in size.
- b. There is a pressurized water supply.
- c. There is a waste disposal system that has been inspected and approved by the District Health Department.

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Section 10.12.28 RV's in Residential Districts

RV's are allowed by Special Use in CE, R-1, R-2, RR, RS-1, and RS-2 when in conformance with the following requirements:

- A. Residential lot size must be at least two (2) acres.
- B. Shall be harmonious with the character of adjacent properties and the surrounding area.
- C. Shall not change the essential character of the surrounding area.
- D. Must have Western Upper Peninsula Health Department approved potable water and sewer permit or other documentation proving compliance.

Special use permits granted by the County Board of Commissioners under this Section are exclusive to the approved applicant and the approved RV and are not transferable. This special use designation does not run with the land and is only valid for three (3) years. Violation of any portion of this ordinance shall automatically revoke this special use designation.

Conditions upon approval:

- A. The Recreational Vehicle (RV) is not a permanent or primary structure.
- B. The RV must be removed upon expiration of the special use permit or transfer of ownership of the property.
- C. The placement of the RV on the parcel must meet all setbacks required in Table 5-1.

PC min 2/25/14

Section 4.4.3

Table 4-1

Classes, Definitions & Examples of Uses Permitted

		"
Lodging/Accommodations A facility offering transient lodging accommodations to the general public and possibly providing additional services, such as restaurants, meeting rooms, entertainment, and recreational facilities as accessory uses.	Hotels, motels, auto courts, bed & breakfast operations, residence inns, tourist homes and other resident lodging facilities.	"R" in B-1, <u>RS-1, and RS-2</u> Bed & breakfast operations also "RC" in RR and AG
	Other establishments similar to and compatible with the above uses, as first determined by the zoning administrator.	
	Organized camps, <u>hunting lodges</u> and campgrounds for tents or recreational vehicles, as permitted in Section 7.15.4. <u>10.12.4 or section 10.12.24</u>	"RC" in AG, RR, RS-2 and TR
	<u>Hunting Camps, as permitted in Sec 10.12.19</u>	<u>"RC" in AG, TR</u>
	Resorts <u>(except ski resorts)</u>	

Section 7.13 RESERVED FOR FUTURE USE RECREATIONAL VEHICLES

[THIS PAGE IS ALL NEW SO THERE IS NO UNDERLINING OF NEW WORDING]

See Section 2.3 for the definition of Recreational Vehicles.

Except for Recreational Vehicles in bona vide campgrounds the following shall apply:

All recreational vehicles must obtain an approved Recreational Vehicle Permit, adhere to all the required setbacks and comply with all health department requirements regarding safe handling of potable water and sewage.

In Residential Districts, only one recreational vehicle is allowed on any parcel. A recreational vehicle is not allowed to occupy any parcel for more than 90 days in a calendar year without an "Intent to Build" permit. On parcels two (2) acres or larger a recreational vehicle may remain longer than 90 days with a valid special use permit. (See section 10.12.28)

In Agriculture, Extraction and Timber Resource Districts, only one (1) recreational vehicle is allowed to occupy parcels of five (5) acres, no more than two (2) recreational vehicles are allowed to occupy parcels larger than five (5) acres

PC min 1/7/14 , 2/25/14

Intent to Build: The Zoning Administrator may issue an Intent to Build Permit to a parcel owner who requests to use a recreational vehicle for temporary dwelling purposes, subject to conformance with the following ~~limitations and procedures~~ standards:

1. The purpose of the temporary housing is to provide on-site housing for residents of the lot while a new dwelling unit is being constructed.
2. The permit is for a period not longer than one (1) year based on evidence presented by the applicant that he/she has a construction plan including WUPDHD approved well, sewage and utilities. The construction plan shall include the foundation and complete building framing within a specified period of time. This permit is valid for one year and may be extended by the Zoning Administrator when the following standards are met:
 - a) A good faith effort has been shown;
 - b) The time extension is reasonably necessary considering the practical difficulties associated with actual construction;
 - c) Occupancy of the structure being rebuilt is reasonably possible within the time extension;
 - d) Granting of the time extension to the applicant and other similarly situated parties will not prohibit enforcement of any provisions of this Ordinance, unduly overburden administration and enforcement resources, or adversely affect general health, welfare and safety of adjacent properties or the general community.
3. The lot or parcel is located in any residential district;
4. A performance guarantee pursuant to Section 18.13 is collected and said RV is removed or placed in storage within fifteen (15) days after an occupancy permit is issued.
5. The following additional approvals are obtained:
 - a) Any applicable permits from the Building Inspector
 - b) Approval of a septic system and well from the District Health Department
 - c) A driveway permit from the County Road Commission or Michigan Department of Transportation, as applicable.

PC min 1/7/14

Section 7.9 ACCESSORY USES AND STRUCTURES

7.9.5 Open Storage:

A. ~~Storage of~~ Major recreational equipment such as utility trailers, boat trailers, boats, recreational vehicles and similar major recreational equipment may be stored in the open on any lot having a principle structure subject to the following:

1. Dead storage only is allowable and no connection to any permanent power, water or sewer facilities is allowed.
2. Such equipment shall not be used for human occupancy nor used as business, recreational or housekeeping purposes.
3. Such equipment must be in usable and in safe condition for use except for periods when necessary repairs or alterations are being conducted.
4. Said equipment shall be stored in the side or rear yard provided accessory building setbacks are met, unless it is stored in an existing garage or carport.
5. No such equipment shall be parked or stored in such manner or in such location in the lot or parcel as to create a dangerous or unsafe condition.

B. Major recreational equipment such as utility trailers, boat trailers, boats, recreational vehicles and similar major recreational equipment may be stored in the open on any lot in AG, ED and TR which does not have a principle structure subject to the following:

1. Only one (1) recreational vehicle may be stored on parcels up to five (5) acres. A maximum of four (4) recreational vehicles may be stored on parcels larger than five (5) acres.

PC min 1/28/14, 2/25/14

Board polled. Ayes: Eckloff, Stubenrauch, Chase, Rajala, Piche. Nays: None. Motion carried.

Motion by Chase supported by Eckloff and unanimously carried to adopt the following resolution to reinstate the County Advisory Tax Limitation Committee:

WHEREAS the separate tax limitation millage rates established for the County of Keweenaw and the Townships and Intermediate School District within the County, Approved by the electors of said County, expire in year 2014; and WHEREAS the Keweenaw County Board of Commissioners would like to alter or extend within an existing 15 mill limitation existing separate tax limitations of the County, the Townships and Intermediate School District within the County;

NOW THEREFORE BE IT RESOLVED, the members of the County Advisory Tax Limitation Committee meet to prepare separate tax limitations for the County and the Townships and Intermediate School District within the County. (#14-3)

Motion by Stubenrauch supported by Eckloff and unanimously carried to appoint Paul Lahti as the member at large to the County Advisory Tax Limitation Committee.

Motion by Chase supported by Stubenrauch to pay the \$100 membership fee to the Houghton/Keweenaw Recreation Authority. Board polled. Ayes: Eckloff, Stubenrauch, Chase, Rajala, Piche. Naves: None. Motion carried.

Motion by Rajala supported by Eckloff to appropriate \$500 from the General Fund to the Vietnam Moving Wall Fund that is coming to our area on July 10th through the 14th. Board polled. Ayes: Eckloff, Stubenrauch, Chase, Rajala, Piche. Naves: None. Motion carried.

Motion by Chase supported by Rajala and unanimously carried to approve the request from the Equalization Assistant to attend training from May 5-9 in Okemos which should cost no more than \$1,815.

Motion by Chase supported by Rajala and unanimously carried to approve the request from the Zoning Administrator to apply for classes for continuing education. The classes would cost a total of \$75 plus travel.

Motion by Eckloff supported by Chase and unanimously carried to approve two Professional Services Agreements for the 2014 Survey and Remonumentation Grant between Keweenaw County and the following two surveyors: Crampton Surveying, Inc and Hein Surveying.

Motion by Chase supported by Rajala and unanimously carried to approve the following budget transfers for 2013 prepared by Bob Mikesch:

Account Name	Account Number	Revenues Increase (Decrease)	Expenditures and Fund Balance Increase (Decrease)
GENERAL FUND-Expenditures			
Other General Government-Capital Outlay	101-290-901		(4,600)
District Court Magistrate-Medical Reimb.	101-137-714		800
Friend of the Court-Pro-rated Costs	101-141-810		300
Remonumentation Program-Travel	101-245-860		100
Cooperative Extension-Office Supplies	101-261-727		100
Jail-Equipment	101-351-977		2,000
Substance Abuse Agency-Approp.	101-631-965		2,500
WUPPDR-Contract Service	101-724-808		1,400
Co. Econ. Development Comm.	101-725-755		900
Brownfield Project-Travel	101-727-860		300
Capital Outlay-Patrol Car	101-970-978		4,600
Workers Compensation Insurance	101-871-721		(8,400)
GENERAL FUND-Totals		<u>0</u>	<u>0</u>

Motion by Stubenrauch supported by Eckloff and unanimously carried to approve the agreement between the Keweenaw County Board of Commissioners and the Keweenaw County Deputy Sheriff's Association represented by the Police Officers Association of Michigan as presented. The contract reflects a 1 ½ % increase in wages or a flat \$500 and made appropriate changes to employee health insurance.

Motion by Chase supported Rajala and unanimously carried to approve the annual Maintenance Agreement between Sayen's Business Equipment, Inc. and the Courthouse for the two copiers.

Motion by Chase supported by Stubenrauch and unanimously carried to retain Philippe Arend as the Keweenaw County Building Inspector.

Time was allowed for public comment.

There being no further business motion by Eckloff to adjourn at 7:48 p.m. Meeting adjourned sine die.

Donald Piche, Chairman

Julie A. Carlson, Clerk