

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
October 18, 2017

The regular monthly meeting of the Keweenaw County Board of Commissioners was held on October 18, 2017 beginning at 7:00 p.m. following the Keweenaw Mountain Lodge meeting, at the Courthouse, Eagle River, MI.

Commissioners present: Bob DeMarois, Sandy Gayk, Don Piche, Jim Vivian, 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 DeMarois supported by Gayk and unanimously carried to approve the agenda as presented.

Motion by Rajala supported by Gayk and unanimously carried to accept the minutes from the September 20, 2017 regular monthly board meeting as presented.

The Treasurer, Sheriff and Mine Inspector reports were received.

Dave Gemignani presented the Tri-County Public Defenders Office proposal which would serve Houghton, Baraga and Keweenaw Counties. In 2013, the Michigan Indigent Defense Commission Act became law because after a study, it was found that none of the counties in Michigan provided constitutionally adequate indigent defense. This commission created standards for all 83 counties to adhere to and a tri-county office seems to be the best alternative for the three counties involved. Counties are capped at what they need to provide financially using each counties' average indigent defense costs for the years 2010-2012. Keweenaw County's cap is \$8,351 per year. The State will provide grants to the counties to fund the rest of the expenses over the county caps. Currently, Houghton and Baraga contract with David M. Gemignani, P.C. to provide indigent defense and Keweenaw County appoints attorneys from a list at the rate of \$55 per hour. Currently it is not feasible for a public defense attorney to solely rely on public defense for an income, a private practice must also be added. With this proposal, that will no longer be true. With many standards being set, the office would be set up as a non-profit 503 (c) corporation that would be titled the Tri-County Public Defenders. The firm of David M. Gemignani, it's office and its staff would be the seat of the consortium and the office would accommodate three attorneys. The staff and attorneys will not be county employees and the attorneys doing public defense would need to be secure with their income, benefits, staff and office facilities without needing a private practice to supplement their income. Motion by Rajala supported by DeMarois and unanimously carried to approve the Tri-County Public Defenders proposal and to allow the Prosecutor and the Clerk to submit the actual application which is due on November 20th.

Charlie Hopper from Pasty.Net spoke about the recent Board decision to allow Shorewaves to use the same towers that Pasty is on. Mr. Hopper said that Pasty has many customers throughout the county that now have a risk of interference with two internet services using the same towers. Mr. Hopper said that it is a more complex problem than the Board understands. Commissioner Rajala said that both providers are unlicensed and need to work together and if there is a problem, there would be a suspension of services. If the two providers cannot work together, they will have to become licensed.

Time was allowed for public comment.

Chairman Piche read a resignation letter from Jon Soper. Mr. Soper will resign from the Planning Commission as of 12/31/17. Chairman Piche wanted to thank Jon for his years of leadership and service to the County in this capacity.

Motion by Gayk supported by Rajala to pay the approved and audited bills in the following amounts; General Fund=\$171,964.40 Construction Codes Fund=\$4,940.11 911 Fund=\$417.70 Law Library=\$239.00 Child Care Fund/Basic Grant=\$0 County Veterans Trust Fund=\$3,748.08 Medical Care Fund=\$1,809.78 Courthouse Improvement Fund=\$4,451.43 General Fund Transfer to Keweenaw Mountain Lodge=\$0. Board polled. Ayes: DeMarois, Gayk, Vivian, Rajala, Piche. Nays: None. Motion carried.

Keweenaw Mountain Lodge sale negotiations with Anthony Lane Partners (ALP) have stopped and ALP withdrew their letter of intent for various reasons with the biggest being that a historic preservation easement recently was brought to the County's attention and ALP did not want to deal with that easement. The County Board received another letter of intent from Clayton and Meta Adams on meeting day. Jim Henderson from Adoba who had gave a presentation at a prior meeting is also interested in negotiating with the County. Mr. and Mrs. Adams were present at the meeting and were willing to share their ideas and to answer questions regarding plans for KML. Here were some of the things they mentioned; wants to keep public access to KML and wants to keep it open for the future; would operate the restaurant and lodge next year in a similar way as this year; would entertain ideas to raise capital whether it be private parties owning some of the cabins and then renting them out which would help with necessary capital and some of the debt structure; would perhaps have a condo association as a governing organization: they would have a manager and catering and has already interviewed someone for this; they do have some hospitality experience with a FL beach home that was very successful and they will sell that and invest in KML; when asked about the 1.5 million, Mr. Adams said that without the due diligence, he wasn't sure what he could offer as he wanted to get some inspections and estimates for the infrastructure on the facility and cabins; they do have the resources to pay for KML. After all of this information was

received by the Board, motion by Vivian supported by Rajala and unanimously carried to proceed with negotiations with Adoba.

Motion by DeMarois supported by Gayk and unanimously carried to accept the 2017 Keweenaw County Apportionment report as presented.

Motion by Rajala supported by Gayk to approve payment request #4 for R.E. Johnson Contracting for the Sheriff Office renovations in the amount of \$4,451.43. Ayes: DeMarois, Gayk, Vivian, Rajala, Piche. Nays: None. Motion carried.

Motion by Gayk supported by DeMarois and unanimously carried to renew the intergovernmental contract between NorthCare Network and the County for three years beginning October 1, 2017.

Motion by Rajala supported by Gayk and unanimously carried to approve the annual Emergency Management Grant which helps to offset the cost for the Emergency Coordinator.

Motion by Rajala supported by Gayk and unanimously carried to set a budget meeting on Wednesday, November 1, 2017 at 6 p.m. at the Courthouse and also to hold a public hearing for 2018 budget adoption on Wednesday, November 15, 2017 at 6 p.m. at the Courthouse.

Motion by Rajala supported by Vivian to have R.E. Johnson Contracting to install painted plywood panels for five window openings and one basement door window with one window opening on the overhead door to be covered with ¼" polycarbonate plastic on the storage building at Mount Horace Greeley in the amount of \$1,900. Ayes: DeMarois, Gayk, Vivian, Rajala, Piche. Nays: None. Motion carried.

Time was allowed for public comment.

There being no further business motion by Rajala to adjourn at 8:21 p.m. Meeting adjourned sine die.

Donald Piche, Chairman

Julie A. Carlson, Clerk