

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
March 17, 2021

The regular meeting of the Keweenaw County Board of Commissioners was held on March 17, 2021 beginning at 6:30 p.m. The meeting was held in person and via Zoom due to the COVID 19 pandemic.

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

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

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

Motion by Rajala supported by DeMarois and unanimously carried to approve the February 17, 2021 regular monthly meeting minutes and the March 1, 2021 special meeting minutes as written.

The following reports were available: Sheriff, Treasurer and Mine Inspector.

Motion by DeMarois supported by Eckloff to pay the approved and audited bills in the following amounts; General Fund=\$145,946.64 Construction Codes Fund=\$2,474.89 911 Fund=\$35,788.96 Veterans Affairs=\$79.98 Medical Care Fund=\$1,034.16 Board polled. Ayes: DeMarois, Eckloff, Vivian, Rajala, Piche. Nays: None. Motion carried.

Motion by Rajala supported by Vivian and unanimously carried to work amongst the Board of Commissioners on the steps to modify the zoning ordinance. Board polled and all members voted aye.

Motion by Rajala supported by Eckloff and unanimously carried to approve the following resolution regarding 911 fee diversion:

WHEREAS, The Federal Communications Commission ("FCC") is accepting comments in its plan to eliminate the diversion of 911 fees for items it deems not directly related to the 911 process; and WHEREAS, Michigan Public Act 32 of 1986 provides for each local 911 district to utilize 911 fees within certain limitations that are determined by the State and regularly audited for compliance with the limitations; and

WHEREAS, under Michigan Law, allowable uses include radio systems, paging systems, pagers, automatic vehicle location (AVL) systems, and mobile data computers (MDC's); and

WHEREAS, FCC proposed rules impinge upon Michigan's ability to determine the definition of allowable costs for 911 fees; and

WHEREAS, FCC proposed rules would eliminate the utilization of funds for radio infrastructure, mobile radios, portable radios, pagers, AVL systems and MDCs, critical to dispatching, the 911 response; and WHEREAS, the County of Keweenaw believes a broader use and interpretation of the phrase "directly related to the 911 process" should be adopted to include the entire 911 dispatching communication process; and

WHEREAS, the County of Keweenaw believe that local decision making and local control regarding the utilization of 911 fees is paramount.

NOW, THEREFORE BE IT RESOLVED, that the County of Keweenaw supports a broader use and interpretation of the phrase "directly related to the 911 process" and support local decision making and local control regarding the utilization of 911 fees. **(#21-1)**

Motion by DeMarois supported by Rajala and unanimously carried to approve the Upper Peninsula Reciprocal Law Enforcement Mutual Aid Agreement between Alger, Baraga, Chippewa, Delta, Dickinson, Gogebic, Houghton, Iron, Keweenaw, Luce, Mackinac, Marquette, Menominee, Ontonagon and Schoolcraft Counties.

Motion by Rajala supported by DeMarois and unanimously carried to approve the expenditure for a 2021 See Doo jet ski and trailer in the amount of \$17,920 from Houghton Powersports LLC. This will be covered 100% by grant funds.

Motion by DeMarois supported by Eckloff to adopt the following resolution regarding the release of the reversion option on the land near the Keweenaw Mountain Lodge;

RESOLVED BY: The members of the Keweenaw County Board of Commissioners

WHEREAS, Act 451 of P.A. 1994, as amended, provides for the conveyance of State-owned tax-reverted lands to municipal units for public purposes;

WHEREAS, the State of Michigan, Department of Natural Resources, on December 13, 1946, conveyed the following property by Public Use Deed and reserved a reversionary interest in the property:

Parcel No. 1 (Grant Township, Keweenaw County, Michigan)

The Southwest quarter of Section 31, Township 59 North, Range 28 West, subject to an easement for a highway right of way to Board of Commissioners of Keweenaw County and also subject to an easement for a highway right of way described as a strip of land 400 feet wide lying 200 feet each side of the adjacent to the center line of US Hwy 41, as now established, over the South half of the Southwest quarter,

Parcel No. 2 (Eagle Harbor Township, Keweenaw County, Michigan)

Southeast quarter of Section 36, Township 59 North, Range 29 West, subject to an easement for a highway right of way to Board of Commissioners of Keweenaw County.

WHEREAS, a portion of the property, namely, the S ½ of the S ½ of the S ½ of the Southwest Quarter of Section 31, was released from the reversionary interest in December 1960;

WHEREAS the remainder of the property remains subject to the reversionary interest;

WHEREAS, the reversionary interest is under the jurisdiction of the State of Michigan, Department of Natural Resources, and;

WHEREAS, the Keweenaw County Board desires to have the reversionary interest released on the remainder of the property so that it may be sold subject to the recording of a conservation easement and trails easement to be held by local community organizations.

NOW, THEREFORE BE IT RESOLVED that the Chairman of the Keweenaw County Board of Commissioners is authorized to make application to the State of Michigan, Department of Natural Resources, Real Estate Services of the release of said reversionary interest to said land for a nominal fee as set by the Department of Natural Resources, and

FURTHER BE IT RESOLVED that the Keweenaw County Board of Commissioners shall set up necessary procedures and controls to provide for the proper distribution for funds arising from the subsequent sale of the acquired property in conformity with the above-mentioned Acts.

Board polled. Ayes: DeMarois, Eckloff, Rajala, Vivian, Piche. Nays: None. Motion carried. **(#21-2)**

Attorney Miller updated the Board regarding the upcoming auction of the property at Mount Horace Greeley (MHG). The General Services Administration (GSA) has approved the final form for things to move forward. The Board had documents to review and to approve also at this meeting. One document was instructions for the Escrow Agent which references the background and instructions for the property. First, the County received property from the United States in April 2002 with a use restriction that stated the property had to be used as a correctional facility. If it were not used as a correctional facility, it would then revert to the U.S. In a meeting in November 2019 between the County and the United States, the following was agreed upon in lieu of reversion; the U.S. will amend the deed to the County to remove the use restriction, including reversionary interest on Parcels A-100-1, A-100-2 and A-100-3 which contain 35.62, 10.37 and 9.93 acres respectively as well as a 3.05 acre associated easement because the property is not being used as a correctional facility. The county will convey to the U.S. the 35.62 acre A-100-1 parcel which the Government will identify through the administration of an online public auction with the funds going to the U.S. Motion by DeMarois supported by Rajala and unanimously carried to approve the following documents: Escrow Instructions, Amendment to Deed between the U.S. and the County and a Warranty Deed between the County and the purchaser of the property to be auctioned by the United States.

Motion by Rajala supported by DeMarois and unanimously carried to allow the purchase of new blinds for the downstairs of the Courthouse with funding to come from the Courthouse Improvement Fund.

Motion by DeMarois supported by Vivian and unanimously carried to extend the State of Emergency for the county through April 30, 2021.

Motion by Rajala supported by DeMarois to continue with the current procedure of having the doors of the Courthouse locked unless you have an appointment during the pandemic. This will be revisited monthly.

Time was allowed for public comment.

There being no further business, motion by Rajala to adjourn at 7:19 p.m. Meeting adjourned.

Donald Piche, Chairman

Julie Carlson, Clerk