

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
REGULAR MEETING
March 20, 2024

The regular meeting of the Keweenaw County Board of Commissioners was held on March 20, 2024, at 6:30 p.m. and began with the Pledge of Allegiance.

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

Commissioners present: Bob DeMarois, Randy Eckloff, Del Rajala, Don Piche, Jim Vivian.

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

Motion by Rajala supported by Eckloff and unanimously carried to approve the February 21, 2024, regular monthly meeting minutes as written.

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

Time was allowed for public comment.

Commissioners did report on committee meetings.

Motion by DeMarois supported by Eckloff to pay the approved and audited bills in the following amounts; General Fund=\$221,287.58 Construction Codes Fund=\$509.42 911 Fund=\$38,050.53 Veterans Affairs=\$3,620.04 FRF Fund=\$25,525.50 Probate Child Care Fund=\$741.95 Register of Deeds Automation Fund=\$335.00 Board polled. Ayes: DeMarois, Eckloff, Vivian, Rajala, Piche. Nays: None. Motion carried.

Motion by Eckloff supported by Rajala and unanimously carried to approve the Sheriff Department union contract as written.

Motion by Rajala supported by DeMarois (Eckloff abstained), motion carried to allow County Attorney Miller to write a letter to EGLE and other governmental officials regarding the need for EGLE to resolve ongoing odor concerns in a timely manner from the operation of Neuvokas (Gator Bar) in Ahmeek. This request for a letter to be written came from the Planning Commission. Present at the meeting were Erik Kiilunen (CEO of Neuvokas), numerous residents from Ahmeek, and Joseph Scanlan (Environmental Quality Analyst from the Michigan Department of Environment, Great Lakes, and Energy, Air Quality Division). There was a lot of discussion and both Kiilunen and Scanlan said that there are ongoing negotiations and that there is a nondisclosure agreement about those negotiations. There have been 189 complaints since January 2021 and EGLE has taken escalated enforcement action as of July 2023.

AJ Kern requested to be on the agenda to address a letter and email but was not present.

Motion by Rajala supported by DeMarois and unanimously carried to approve the resolution establishing a county approval agency, multi-county approach and designated planning agency for materials management planning under Part 115, Public Act 451 of 1994, as amended and as follows: WHEREAS, the State of Michigan, with the intent to modernize the Solid Waste Management statute, has enacted amendments to Part 115, Public Act 451 of 1994 ("Part 115"), which, among other components, will require development of county materials management plans ("MMP"); and WHEREAS, the Department of Environment, Great Lakes and Energy ("EGLE") issued a call for MMPs effective January 8, 2024; and WHEREAS, Part 115 requires that, within 180 days of the call for MMPs, each county board of commissioners ("county board") for a county with a population of less than 250,000 conduct several actions, the first of which is to submit to EGLE a notice of intent indicating whether the county board will prepare a MMP and act as county approval agency ("CAA"); and WHEREAS, if the county board opts to prepare a MMP and act as CAA, Part 115 requires that the county board consult with each of its adjacent counties regarding the option of preparing a multicounty MMP pursuant to the urban cooperation act, Public Act 7 of 1967, and that the county board provide to EGLE documentation of both this consultation and the outcome of the consultations; and WHEREAS, the Keweenaw County Board has consulted with adjacent counties through multiple mechanisms, including engagement with other counties' governing officials facilitated by the Western Upper Peninsula Planning and Development Region Commission ("WUPPDR"); and

WHEREAS, Part 115 requires that, if the county board opts to become part of a multicounty MMP, the county board provide to EGLE a copy of an interlocal agreement identifying the process for creating a multicounty MMP; and

WHEREAS, Part 115 requires that, if the county board opts to prepare a MMP and act as CAA, the county board designate a planning agency ("DPA") and an individual within the DPA who shall serve as the DPA's contact person for the purpose of Part 115; and

WHEREAS, Part 115 requires additional actions before preparation of a MMP can proceed, including but not limited to appointment of a planning committee, oversight of creation and implementation of the DPA's work program, and various submittals and public notices.

NOW, THEREFORE, BE IT RESOLVED that all of the following:

Keweenaw County's CAA is the Keweenaw County Board.

Keweenaw County intends to prepare a multicounty MMP in conjunction with Baraga, Gogebic, Houghton, Iron, and Ontonagon counties.

Keweenaw County's DPA is WUPPDR, with its executive director, currently Jerald Wuorenmaa, as the contact person.

Keweenaw County Board intends to enter into a multicounty interlocal agreement as soon as practicable.

Keweenaw County Board will meet other requirements of Part 115 as needed at appropriate times.

(#24-1)

Motion by Eckloff supported by DeMarois and unanimously carried to purchase a special phone for the elevator and to approve a new phone system for the Courthouse if the test phone works well. One phone will be ordered first to make sure that the system will work before switching everything over. If that goes well, the system will be ordered.

Motion by Rajala supported by Eckloff and unanimously carried to approve hazard pay at the rate of \$1 per hour for part time employees at the sheriff department for deputies with 5 or more years' experience.

Keweenaw County is sending two recruits to the police academy with grants from MCOLES. These positions are for a full-time 2-year temporary position and then for a part-time position at the sheriff department. Motion by DeMarois supported by Eckloff and unanimously carried to pay the recruits that attend the police academy as full-time employees but not to extend benefits as the academy must be completed before the recruits can be certified as police officers. Once the academy is complete, the recruits would become employees and would be benefits eligible.

Motion by Rajala supported by DeMarois and unanimously carried to move forward with getting bids for the sheriff department roof which would include capping the chimney below the roofline and repairing the area that has been leaking. The funding would come from the Courthouse Improvement Fund.

Motion by DeMarois supported by Eckloff and unanimously carried to appoint the following people to the Zoning Board of Appeals as recommended by the ZBA: Member-Thomas Bryant, Alternate #1-Lawrence Butala, Alternate #2-Michael DeLasha.

Motion by Rajala supported by Vivian and unanimously carried to approve the following resolution:
RESOLUTION FROM KEWEENAW COUNTY EXPRESSING SUPPORT FOR THE CITIZENS FOR LOCAL CHOICE BALLOT INITIATIVE WHICH SEEKS TO AMEND THE CLEAN AND RENEWABLE ENERGY AND ENERGY WASTE REDUCTION ACT TO REPEAL PART 8 AS ADDED BY PUBLIC ACT 233 OF 2023, IN AN EFFORT TO RESTORE LOCAL CONTROL FOR WIND AND SOLAR OPERATIONS

WHEREAS, the ability of local jurisdictions to determine for themselves which projects should and should not be in their local communities; what plans are best and reasonable for each neighborhood rather than these decisions be forced onto Counties without their best interest at hand; and

WHEREAS, the legislature of the State of Michigan has passed, and the Governor has signed House Bill 5120, now Public Act 233 of 2023, that strips away local community control on these issues and places the control with the Michigan Public Service Commission (MPSC), and

WHEREAS, Keweenaw County will protect our communities land from the MPSC and special interests trying to strip away local control within legal limits; and

WHEREAS, the Board of Keweenaw County feel strongly that our local government is best able to assess the needs of our community;

NOW, THEREFORE, the Keweenaw County Board resolves the following:

Section 1. Keweenaw County is opposed to the legislature of the State of Michigan's passage of legislation that takes away local control and places it within the authority of the MPSC.

Section 2. Keweenaw County is opposed to corporation-prioritized action such as building utility-scale wind and solar projects in our community.

Section 3. Keweenaw County supports the statewide ballot initiative, Citizens for Local Choice, a grassroots coalition of local officials and community organizers across Michigan working to amend the Clean and Renewable Energy and Energy Waste Reduction Act to, among other things, repeal Part 8 as added by Public Act 233 of 2023 which will restore local control of land use to ensure reasonable regulation in our widely diverse communities. **(#24-2)**

DeMarois gave the Board an update on the situation regarding SBA assistance for Keweenaw County businesses since the winter had little to no snow. DeMarois said that at his WUPPDR meeting, the chance of getting these loans did not sound promising. Ben Larson, Houghton County Administrator has contacted everyone possible to get this funding to be available for Houghton, Baraga and Keweenaw County businesses. Keweenaw County will continue to work with Ben from Houghton County to try to get funding for businesses that could use help from SBA.

Sheriff Pennala was present to inform the Board that Keweenaw Search and Rescue secured a grant for \$4,100 for emergency equipment from Copper Shores Foundation with an equal match coming from KORC for a total of \$8,200. Motion by Rajala supported by Eckloff and unanimously carried to allow the purchase of two ebikes and to amend the search and rescue budget by \$8,200.

Motion by Rajala supported by DeMarois and unanimously carried to approve the application and certificate for payment #2 for Wuebben Construction in the amount of \$24,475.50 for the elevator project.

Motion by DeMarois supported by Eckloff and unanimously carried to approve the request for payment from Dr Petio Kotov (UP Pathology Services PC) in the amount of \$2,000. Dr Kotov self-funded the Basic Death Investigation Course I for Keweenaw and Houghton County Law Enforcement and the Medical Examiner's Office that took place on 11/30/23. The total cost was \$4,000 which Dr Kotov asked to be split between Houghton and Keweenaw Counties.

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

Donald Piche, Chairman

Julie Carlson, Clerk