

OFFICIAL PROCEEDINGS
KEWEENAW COUNTY BOARD OF COMMISSIONERS
MEETING CONDUCTED via ZOOM DUE TO CORONAVIRUS
November 18, 2020

The regular meeting of the Keweenaw County Board of Commissioners was held on November 18, 2020 beginning at 6:30 p.m. The meeting was held via Zoom due to the COVID 19 pandemic and the new guidelines that went into effect today from the Michigan Department of Health and Human Services.

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

Commissioners present: Sandy Gayk, Jim Vivian, Don Piche, Del Rajala all appearing by Zoom. Absent: Bob DeMarois

Motion by Gayk supported by Rajala and unanimously carried to accept the agenda as presented.

Motion by Vivian supported by Gayk and unanimously carried to approve the October 21, 2020 regular monthly meeting minutes and the November 9, 2020 budget meeting minutes as submitted.

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

Ben Ciavola and Nathan Miller from the Copper Harbor Trails Club (CHTC) were guests at the meeting. Nathan Miller spoke about the liability insurance that the CHTC has. CHTC has been working with the county attorney trying to understand the insurance protection for the trails that are on county property. Riders on the bike trails assume risk and the trailheads and the maps make riders aware of the dangers. The public is covered and if there were a lawsuit, the plaintiff would have to prove gross negligence or neglect according to Nathan Miller. CHTC also has event coverage where riders sign waivers. Everyday riders are not required to sign any waivers. There is a Michigan Recreational Use statute that helps to cover landowners if recreational users are not paying fees for usage. The county attorney and the CHTC have been working with each other to understand the coverages and are looking at options for agreements between the CHTC and the County to ensure that the County is not exposed if there is a lawsuit.

Ben Ciavola updated the board about adding a bike patrol to the Copper Harbor Trails. There have been challenges for 1st responders as the trails have been busier than ever and therefore there have been more injuries. The bike patrol will be launched next spring and the patrol will be trained and will assist to get the injured off the trails in hard to reach areas. The CHTC will be working with 1st responders, EMS and others that have role in treating the injured and together, they will come up with a comprehensive plan for what responsibilities belong to whom.

John Mueller, owner of the Keweenaw Mountain Lodge, was also a guest at the board meeting. John is working to revitalize winter sports at KML which includes cross country ski trails and a snow terrain park. John bought the Lodge so that it could be open for 12 months for people to enjoy not only the warmer months, but also to embrace what the Keweenaw has to offer in the winter. The snow terrain park that John is looking at would end on county property and that is where all the liability questions began. There has been talk of selling the county property where the bike trails exist and where the snow terrain park would end to Mr. Mueller as it is contiguous with KML property. There are two parcels involved and one of them has a public use restriction on it. This does cause some concern for Mr. Mueller, not because he would close it to public, but because of the reverter clause. Mr. Mueller is open to discussion. The county attorney will set up a meeting to discuss options of a conservation easement on the property and a trails easement or something that would be a workable agreement between all parties if the property were to be sold. Selling this property would benefit the county by getting in onto the tax roll and by eliminating any liability that the county could have from the trails as well as the snow terrain park.

Time was allowed for public comment.

Motion by Vivian supported by Gayk to pay the approved and audited bills in the following amounts; General Fund=\$241,791.72 Construction Codes Fund=\$5,425.69 911 Fund=\$120.03 Medical Care Fund=\$867.36 Veterans Affairs Fund=\$241.54 Board polled. Ayes: Gayk, Vivian, Piche, Rajala. Nays: None. Motion carried.

Motion by Gayk supported by Rajala and unanimously carried to approve WUPPDR as the county's designated planning agency for solid waste. At some point there could be state planning funds for Material Management Planning and for the most part, the regional planning agencies take responsibility for this.

Motion by Gayk supported by Vivian and unanimously carried (Rajala abstained) to approve the 911 Committee's recommendation to appoint Mike Defina to the 911 Committee.

Motion by Rajala supported by Gayk and unanimously carried to hold a public hearing for budget adoption on December 16, 2020 at 6:00 p.m.

The union agreement with AFSCME will be put on hold until the December board meeting.

Motion by Rajala supported by Gayk and unanimously carried to approve the MERS 457 Participation Agreement which allows employees to make contributions at no cost to the county.

Motion by Rajala supported by Vivian and unanimously carried to adopt the Resolution Establishing Authorized Signatories for MERS Contracts and Service Credit Purchase Approvals with the County Clerk as the authorized official to sign any MERS Adoption Agreements, Resolutions, Participation Agreements, Administrative Services Agreements, Withdrawal Agreements and any other contracts between MERS and the employer with respect to employer's participation in any MERS-administered product and any amendments and addendums thereto, and MERS Defined Benefit credit service purchase approvals. **(#20-10)**

Motion by Gayk supported by Rajala and unanimously carried to approve the Blue Cross Blue Shield, 44 North, Delta Dental and the County HRA without any changes for 2021.

Motion by Rajala supported by Gayk and unanimously carried to approve the purchase of a 2020 SkiDoo Renegade 850. The county received the snowmobile grant and as a part of that, there is \$10,000 for a new snowmobile with an 85/15 match. The county will be responsible for approximately \$2,000 which the board approved with the above motion.

Motion by Gayk supported by Vivian and unanimously carried to follow the recommendation of the Veterans Committee and to appoint Bill Hannon to that Committee. Mr. Hannon will fill the term of Joe Finch whose term was set to expire on 12/31/2021.

The Courthouse doors will remain locked with the public coming in by appointment only or by ringing the doorbell.

The committee meetings will continue to be on hold due to COVID 19.

There being no further business, motion by Rajala to adjourn at 7:56 p.m. Meeting adjourned.

Donald Piche, Chairman

Julie Carlson, Clerk