

"Menominee – Where the best of Michigan Begins"

MENOMINEE COUNTY BOARD OF COMMISSIONERS

*Menominee County Courthouse
839 10th Avenue
Menominee, MI 49858*

*Brian R. Bousley – County Administrator
Sherry Smith – Administrative Assistant
Telephone: (906) 863-7779 or 863-9648
Fax: (906) 863-8839*

The Menominee County
Parks and Recreation Committee
Will meet on **Tuesday ~March 1, 2011**
at **6:30 p.m. C.D.T. at the Stephenson High School Library**
~A QURAUUM OF THE BOARD MAY BE PRESENT~

AGENDA

- A. Call Meeting to Order
- B. Roll Call
- C. Approval of Agenda
- D. Approval of Previous Meeting Minutes
- E. Public Comment
- F. Business
 - a. John Nelio ~ Stoney Point Boat Launch Project
 - b. 5 Year Recreational Plan 2011-2015 Draft
 - c. Bylaws Review
 - d. Park Rules Review
 - e. Budget Review
 - f. Lease Program and Rates
 - g. Shakey Lakes Bathhouse Project Update
 - h. Concession Stand Contract at Shakey Lakes
 - i. Any other matters
- G. Correspondence
- H. Any Other Items Members Wish to Present
- I. Public Comment
- J. Adjournment

James Furlong – Chairperson

Bernie Lang – Vice Chairperson

Jim Pearson

Mark Jasper

Charlie Meintz

Menominee County Parks and Recreation Committee

Meeting Minutes

February 1, 2011

The meeting was called to order at 6:00 pm by Chair Bob Desjarlais in the Stephenson High School library on February 1, 2011.

Reporting for roll call were: Ruby Ivens, Gail Jerzyk, Bob Desjarlais, Vola Bleile, Glenn Cody, County Administrator Brian Bousley, and County Commissioners Charlie Meintz and Mark Jasper. There was a quorum present to conduct the meeting.

Approval of agenda:

Minutes:

Public Comment: Commissioner Jim Pearson thanked the members of the committee for volunteering to serve.

Business:

- a. **Review of Bylaws:** Brian recommended that a time limit for submitting mileage reports for all committee members be added to the bylaws; there is currently no such stipulation. He also suggested that the committee consider offering members a season pass to the county parks in lieu of payment for mileage. Ruby expressed a concern that the bylaws (including member compensation) seem to vary greatly from committee to committee. She suggested that they be standardized. Suggestions for amendments to this committee's bylaws will be discussed at the next meeting.
- b. **Park Rule Review:** Charlie made a motion to discuss the use of fireworks in the parks. Bob seconded the motion. It was agreed that all fireworks must be in compliance with Michigan state law. It was recognized that the enforcement of fireworks regulations would be a challenge. Pavilion rental and storage rates were also discussed; the current fee schedule was approved. Charlie motioned that the above changes to the rules be adopted. Vola seconded the motion.
- c. **Budget Review:** Brian remarked that nothing had changed in the budget since the last meeting. There were no further questions or comments.
- d. **Lease Program and Rates:** There was a brief discussion of the 2011 camping rates (previously adopted), and a letter critical of the rate increases was circulated among the committee members.
- e. **Grants Submission Ideas:** Brian called for any additional "wish list" items for the parks, remarking that grant applications need to be submitted soon. There were no additional suggestions.

- f. **Shakey Lakes Bathhouse Project Update:** Brian reported that the the DNR had returned the plans to the county for a couple of required modifications. The modified proposal will be sent back to the DNR shortly. Following DNR approval, the project will be submitted for bid. Brian was confident that the project could be completed by the end of the 2011 camping season.

- g. **Project Wish List:** Brian called for items for this season's project list. Bob suggested that new toilets be installed in the pit toilets. The funds required for this project will be requested from the Hannahville Casino allotment. A fishing pier for children will also be constructed at Shakey Lakes Park this season.

- h. **Other Business:** Brian announced that the final version of the Five Year Recreation Plan would soon be ready. Following a two week publication period of the plan in local newspapers, a public meeting will be held. Brian also announced that the county was offering several cords of wood for sale by sealed bid. This firewood and lumber, the result of cleanup projects at Shakey Lakes Park, would be sold as one unit.

Public comment: Dick Peterson announced that the annual Fishing Derby at Shakey Lakes Park would be held on February 19 from 8 am. to 4 pm

There was no additional correspondence and no additional business.

The meeting was motioned to adjourn by Charlie with a second by Vola.

The meeting was adjourned at 7:32 pm.

Respectfully submitted by Glenn D. Cody

Menominee County Parks and Recreation Committee

<u>Date</u>	<u>Place</u>	<u>Time</u>
January 13, 2001	Stephenson Annex	6 pm
February 1, 2011	Stephenson High School Library	6 pm
March 1, 2011	Stephenson High School Library	6:30 pm
April 5, 2011	Stephenson High School Library	6:30 pm
May 3, 2011	Stephenson High School Library	6:30 pm
June 7, 2011	Kleinke Park	6:30 pm
July 5, 2011	Bailey Park ~ West Shore Fishing Museum	6:30 pm
August 2, 2011	River Park	6:30 pm
September 6, 2011	Shakey Lakes Park	6:30 pm
October 4, 2011	Menominee County Library ~ Stephenson	6:30 pm
November 1, 2011	Menominee County Library ~ Stephenson	6:30 pm
December 6, 2011	Menominee County Library ~ Stephenson	6:30 pm

BYLAWS

ARTICLE I: Name. Menominee County Parks & Recreation Committee.

ARTICLE II: Purpose. To act as an advisory committee to the Menominee County Parks & Recreation System.

ARTICLE III: Members. Amended December, 2009, by the Parks & Recreation Committee.

The members of this Committee are those persons who have been appointed by the Board of Commissioners. There shall be five (5) public at-large representatives and two (2) County Board representatives. All have voting powers.

The County Board Representatives shall serve for one (1) year terms. All Public at-large representatives will serve three (3) year staggered terms.

Section 1. Voting. All members who are present shall vote whenever the question is put by the Chair. The Secretary or designee shall be the recorder.

Sub. Section 1. Abstention. No member may abstain from voting "yes or no" unless excused by a majority of those present.

ARTICLE IV: Officers

ARTICLE IV - Amended August 12, 2009 by Parks & Recreation Committee.

Section 1. The officers of this Committee shall be a Chairperson, a Vice Chairperson and a Secretary.

Section 2. The term of office shall be for one year. The individual may succeed her/himself.

Section 3. These officers shall be elected at its first meeting of the year.

Section 4. Candidates for these offices shall be nominated from the floor. It shall take a simple majority vote of the Committee to elect. The vote will be taken by a randomly selected call of the roll.

Section 5. Officer Powers and Duties.

Except for those powers and duties prescribed to the Chair by the County Board, the Chair has no power to act on behalf of the Committee unless the Committee specifically grants that power.

ARTICLE V. Meetings

ARTICLE V - Amended December, 2009 by Parks & Recreation Committee.

Section 1. A schedule containing the date, time and place of regular meetings of the Committee shall be established at the first meeting of the year. The Committee shall meet a minimum of six (6) times per year.

Section 2. Special meetings notice

A special meeting of the Parks & Recreation Committee shall be held only when requested by at least two (2) members of the Parks & Recreation Committee. The request shall be in writing, shall be addressed to the County Administrator, and shall specify the time, date, place, and purpose of the meeting. Upon the reception of a request, the County Administrator shall immediately give notice to the members and post the date and time at least 18 hours prior to the time of the meeting.

Section 3. Quorum and Majority.

A majority of the members of the County Parks & Recreation Committee shall constitute a quorum for the transaction of the ordinary business of the Committee, and questions which arise at its meetings shall be determined by the votes of a majority of the members present.

Section 4. Minutes. Recording names and votes on actions. The names and votes of members shall be recorded on an action which is taken by the Parks and Recreation Committee if the action is on an ordinance, resolution, or appointment or election of an Officer. A record which is made pursuant to this section shall be available for public inspection.

ARTICLE VI: Rules, Regulations, Policies of the Committee.

ARTICLE VI - Amended December, 2009 by the Parks & Recreation Committee. (Removed Article VI)

ARTICLE VII. Parliamentary Authority.

ARTICLE VII - Amended December, 2009 by Parks & Recreation Committee.

The current edition of "Robert's Rules of Order" shall be the Parliamentary Authority. The rules, with special attention to small Committees, contained in the above mentioned reference shall govern the Committee in all cases to which they are applicable.

ARTICLE VII. Amendment of Bylaws.

ARTICLE: VII - Amended December, 2009 by Parks & Recreation

Committee.

Section 1. These Bylaws may not be suspended.

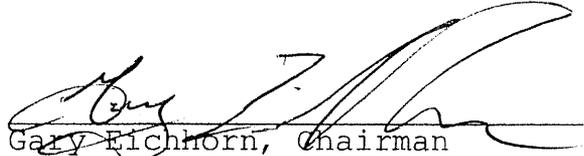
Section 2. These Bylaws may be amended at any regular meeting of the County Board by a 2/3 majority of the County Board.

Section 3. These Bylaws, Rules, Regulations and Policies shall remain in effect until properly amended.

ATTESTED TO:



Marc Kleiman,
Clerk of Menominee County



Gary Eichhorn, Chairman
Menominee County Board of
Commissioners

MENOMINEE COUNTY PARKS & RECREATION COMMITTEE RULES & POLICIES

R96-1 The Order of Business shall be as follows:

1. Call Meeting to Order
2. Review of Previous Meeting Minutes
3. Approval of Agenda
4. Public Comment
5. Business
6. Correspondence
7. Any Other Items Members May Wish to Present
8. Public Comment
9. Adjournment

Adopted: November 25, 1996

R96-2 Complex or controversial issues may be discussed by the Committee prior to being introduced in the form of a motion. The Chair may declare the floor open for debate prior to a motion if no member objects. If there is an objection, the Chair shall call for a vote. A majority vote of the Committee shall sustain the Chair. Any motion(s) arising from such debate shall be reduced to writing prior to being voted upon, upon the request of any member.

Adopted: November 25, 1996

R96-3 To determine the sequential order of a roll call vote, the Secretary shall randomly select the names of the members of the Committee.

Adopted: November 25, 1996

R96-4 Committee members are provided a mileage allowance which shall be the IRS rate per mile.

Adopted: November 25, 1996

R96-5 Committee members attending authorized conferences, seminars, etc. shall be reimbursed mileage, meals and lodging. All applicable conference fees shall be paid in advance by the County when possible. Lodging shall be reimbursed at actual cost not to exceed the room rate at the conference headquarters hotel. Lodging necessary enroute to or from a conference shall be reimbursed at actual cost not to exceed \$60.00 per night. Travel costs will be reimbursed at the IRS rate per mile for personal automobile or at actual cost for commercial carriers. Any travel allowances advanced in excess of actual costs shall be reimbursed to the County. Meals not included in conference fees shall be paid in accordance with County policy.

Adopted: November 25, 1996

R96-6 Committee members are responsible for submitting all of their own expenses including all meeting expenses. These expenses should be submitted to the County Administrator's office.

Adopted: November 25, 1996

R96-7 DISSEMINATION OF INFORMATION. It shall be the policy of the Committee that all information pertaining to business of the Committee obtained by individual committee members, shall be transmitted in a timely fashion to all Committee members so that they would be better able to make informed decisions. This information shall be made available to the county Administrator so that it may be included in the meeting packet. County Committee packets will be available one week prior to the meeting.

Adopted: November 25, 1996

R96-8 PURCHASING POLICY. Committee has no authority to purchase.

Adopted: November 25, 1996

R96-9 COMMITTEE COMMUNICATION. It shall be the policy of the Committee that the official spokesperson of the Committee shall be the Committee's Chairperson or the County Administrator. Utterances of individual Committee members shall be clearly identified to the media and the public that those public statements are opinions of those committees or member(s) as the case may be and not positions of the Committee.

Adopted: November 25, 1996

R96-10 PUBLIC COMMENT. It shall be the policy of the Committee that for all meetings of the Committee and all committee meetings of the Committee which come under the jurisdiction of the Michigan Open Meetings Law that the following rules apply: speakers shall identify themselves and if representing a group, the name of the group, and shall state their address; a speaker shall be limited to five minutes; only one speaker may address the Committee on behalf of a group; 30 minutes, if necessary, shall be devoted to public participation during the appropriate times on the agenda; the Committee reserves the right to extend the above mentioned time limits; a member of the public can request permission to address the Committee relative to a particular item on the agenda at the time it is being considered by the Committee or a Committee member can yield the floor to a member of the public, under the constraints of the above mentioned time limits; these rules shall be available along with copies of the agenda, for those meetings at which a previously prepared agenda is available, at the time and place of the meeting.

Adopted: November 25, 1996

R96-11 COMMITTEE MEMBER COMPENSATION - Committee public members
receive no meeting compensation.

Adopted: November 25, 1996

CHARTER OF PARKS AND RECREATION COMMITTEE

The Menominee County Parks & Recreation Committee is an advisory committee whose purpose is to provide advice, direction, and recommendations to the Parks Superintendent, County Administrator and Menominee County Board of Commissioners. The Committee has no final authority or responsibility for policy making or administration.

Responsibilities of this Committee are as follows:

1. Recommend objectives and goals of the Parks and Recreation System.
2. Recommend rules and policies governing the Parks and Recreation System.
3. Recommend annual and long-term financial plans.
4. Recommend establishing and maintaining an effective public relation program.
5. Recommend short-term and long-term planning necessary to develop a broad variety of programs, facilities, and services to meet community needs.
6. Maintain close coordination with other community agencies involved in parks and recreation and the Board of Commissioners.
7. Encourage broad citizen involvement in the park system.
8. Recommend annually a park fee schedule.
9. Act as mediator between citizens and management disputes.
10. Receive public input on the parks and recreation system.
11. Annually recommend revision to the Menominee County Parks and Recreation Plan.
12. Annually recommend capital improvement plan.
13. Review statistics.
14. Annually tour parks as a Committee to determine goal objectives and to evaluate physical condition of park property.

The Menominee County Parks & Recreation Committee shall follow the rules and policies as set forth by the Menominee County Board of Commissioners.

MENOMINEE COUNTY
Standard Budget Report

February 2011 Revenues

Account Title	This Month	Y-T-D	Budget	Difference	Percent
Fund: COUNTY PARKS					
Program Revenues					
Charges for Services					
FIREWOOD SALES	0.00	0.00	300.00	-300.00	0.00
ANNUAL	0.00	0.00	8,200.00	-8,200.00	0.00
ANNUAL 2 FOR	0.00	0.00	250.00	-250.00	0.00
DAILY	0.00	0.00	5,000.00	-5,000.00	0.00
SENIOR CITIZENS	0.00	0.00	300.00	-300.00	0.00
GATE RECEIPTS FOR FAIR	0.00	0.00	8,017.00	-8,017.00	0.00
SHAKY CAMPING FEES	0.00	496.00	67,000.00	-66,504.00	0.74
KLEINKE CAMPING FEES	0.00	778.50	20,000.00	-19,221.50	3.89
SHAKY LAKE LEASE SITES	50,100.00	55,532.00	51,650.00	3,882.00	107.52
KLEINKE LEASE SITES	5,130.00	10,050.00	15,000.00	-4,950.00	67.00
Total Charges for Services	55,230.00	66,856.50	175,717.00	-108,860.50	38.05
Interest and Rents					
PAVILLION-SHAKEY	0.00	0.00	210.00	-210.00	0.00
PAVILLION-KLEINKE	0.00	0.00	60.00	-60.00	0.00
Outside Storage	0.00	1,975.00	3,600.00	-1,625.00	54.86
Inside (Fair) Storage	0.00	4,823.80	2,500.00	2,323.80	192.95
Total Interest and Rents	0.00	6,798.80	6,370.00	428.80	106.73
Total Program Revenues	55,230.00	73,655.30	182,087.00	-108,431.70	40.45
Special Items					
Other Revenue					
FIREWOOD-KLEINKE	0.00	5.00	0.00	5.00	0.00
PAID SHOWERS-KLEINKE	0.00	0.00	400.00	-400.00	0.00
PAID SHOWERS-SHAKEY	0.00	0.00	2,000.00	-2,000.00	0.00
MISCELLANEOUS RECEIPTS	0.00	66.75	100.00	-33.25	66.75
Sweatshirt Revenue	0.00	58.50	400.00	-341.50	14.63
GENERAL FUND APPROPRIATION	0.00	24,272.50	48,545.00	-24,272.50	50.00
Total Other Revenue	0.00	24,402.75	51,445.00	-27,042.25	47.43
Total Special Items	0.00	24,402.75	51,445.00	-27,042.25	47.43
Total Revenues	55,230.00	98,058.05	233,532.00	-135,473.95	41.99

MENOMINEE COUNTY
Standard Budget Report
February 2011 Expenditures

Account Title	This Month	Y-T-D	Budget	Difference	Percent
Fund: COUNTY PARKS					
Recreation and Culture					
COUNTY PARKS					
SALARIES	2,569.74	23,029.30	64,736.00	41,706.70	35.57
SALARIES - TEMPORARY	0.00	432.00	23,760.00	23,328.00	1.82
OVERTIME	0.00	0.00	2,500.00	2,500.00	0.00
LONGEVITY	0.00	625.00	625.00	0.00	100.00
HOSPITAL DEDUCTIBLE	0.00	9,709.56	26,863.00	17,153.44	36.14
LIFE INSURANCE	0.00	23.00	60.00	37.00	38.33
FICA-OASDI	149.92	1,564.03	5,384.00	3,819.97	29.05
FICA-MEDI	35.07	365.80	1,302.00	936.20	28.10
WORKMENS COMPENSATION	0.00	774.88	2,970.00	2,195.12	26.09
RETIREMENT	0.00	2,874.84	10,281.00	7,406.16	27.96
OFFICE SUPPLIES	0.00	594.00	1,650.00	1,056.00	36.00
OFFICE EQUIPMENT	0.00	0.00	500.00	500.00	0.00
POSTAGE-COUNTY PARKS	0.00	26.40	350.00	323.60	7.54
GAS, OIL ETC	614.47	1,328.25	5,000.00	3,671.75	26.57
DIESEL FUEL	0.00	0.00	2,000.00	2,000.00	0.00
L.P. GAS	0.00	1,031.28	2,800.00	1,768.72	36.83
UNIFORMS	0.00	164.00	700.00	536.00	23.43
UNIFORMS/SUMMER HELP	0.00	0.00	200.00	200.00	0.00
JANITORIAL SUPPLIES	0.00	0.00	3,000.00	3,000.00	0.00
OTHER OPERATING/GENERAL	25.82	156.46	1,000.00	843.54	15.65
BROCHURES/STICKERS	0.00	0.00	3,000.00	3,000.00	0.00
TREE REPLACEMENT	0.00	0.00	1,000.00	1,000.00	0.00
DEQ Permits	200.00	558.00	850.00	292.00	65.65
CONSTRUCTION SUPPLIES	0.00	913.27	1,500.00	586.73	60.88
PROFESSIONAL/CONTRACTURAL SERVICES	0.00	1,249.00	1,500.00	251.00	83.27
PROFESSIONAL-PHYSICALS	0.00	0.00	650.00	650.00	0.00
TRAVEL/Parks Per Diems & Mileage	24.48	53.04	1,500.00	1,446.96	3.54
PROGRAMMING/RECREATION	0.00	0.00	450.00	450.00	0.00
Sweatshirts	0.00	0.00	500.00	500.00	0.00
Gate Receipts	0.00	0.00	6,000.00	6,000.00	0.00
Inside Storage	0.00	0.00	1,600.00	1,600.00	0.00
WATER TESTING	0.00	364.43	800.00	435.57	45.55
UTILITIES/ELECTRIC	608.46	3,310.37	30,000.00	26,689.63	11.03
EQUIPMENT MAINTENANCE	91.16	1,024.45	4,000.00	2,975.55	25.61
FACILITY MAINTENANCE	27.00	624.80	4,000.00	3,375.20	15.62
GROUNDS MAINTENANCE	0.00	441.88	4,000.00	3,558.12	11.05

MENOMINEE COUNTY
Standard Budget Report
 February 2011 Expenditures

Account Title	This Month	Y-T-D	Budget	Difference	Percent
Fund: COUNTY PARKS					
Recreation and Culture					
COUNTY PARKS					
RENTAL/CONTRACTING	0.00	5,035.20	7,500.00	2,464.80	67.14
REFUNDS/REBATES	0.00	0.00	4,000.00	4,000.00	0.00
NEW/REPLACEMENT EQUIPMENT	0.00	817.91	5,000.00	4,182.09	16.36
Total COUNTY PARKS	<u>4,346.12</u>	<u>57,091.15</u>	<u>233,531.00</u>	<u>176,439.85</u>	<u>24.45</u>
Total Recreation and Culture	<u>4,346.12</u>	<u>57,091.15</u>	<u>233,531.00</u>	<u>176,439.85</u>	<u>24.45</u>
Total Expenditures	<u>4,346.12</u>	<u>57,091.15</u>	<u>233,531.00</u>	<u>176,439.85</u>	<u>24.45</u>
CHANGE IN FUND EQUITY	50,883.88	40,966.90	1.00	40,965.90	-4,096,690.00

MENOMINEE COUNTY
Balance Sheet

February 2011

Account Title	Balance	Account Number
Fund: PARK IMPROVEMENT FUND		
ASSETS		
Current Assets		
CASH	113,084.83	220-000-001.00
TOTAL Current Assets	113,084.83	
TOTAL ASSETS	113,084.83	
FUND EQUITY		
Fund Equity		
FUND BALANCE	102,818.83	220-000-390.00
CHANGE IN FUND EQUITY	10,266.00	
TOTAL Fund Equity	113,084.83	
TOTAL FUND EQUITY	113,084.83	
TOTAL LIABILITIES & FUND EQUITY	113,084.83	

MENOMINEE COUNTY PARKS AND RECREATION
PARK RULES

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS RELATIVE TO THE OPERATION OF COUNTY PARKS SO THAT THEY MAY BETTER SERVE THE PEOPLE OF MENOMINEE COUNTY.

SECTION 1:

These Rules shall be known as the "PARK RULES" of the Menominee County Parks.

SECTION 2: SUPERVISION OF PARKS

A) SUPERVISION - All County owned Parks located in Menominee County, shall be operated and maintained under the direction of the Menominee County Parks and Recreation Committee through its designated Park Superintendent. B) ENFORCEMENT OF ORDINANCES - The Park Superintendent, Park Rangers as well as all law enforcement agencies operating within the County of Menominee including Menominee County Sheriff's Department, Michigan State Police Department, and the Michigan Department of Natural Resources shall see to the enforcement of all provisions relating to these parks as contained in this ordinance. C) AMUSEMENT FOR GAIN - No amusement for gain for which a charge is made can be conducted in the park without the consent of the Menominee County Parks & Recreation Committee.

SECTION 3: DEBRIS, FIRE

Each person, organization or corporate group using the public works and grounds shall clean up all debris, extinguish all fires when such fires are permitted, and leave the premises in good order, and the facilities in a neat and sanitary condition.

SECTION 4: OPEN FIRES

No person shall kindle or build fires in any park except in fireplaces, fire rings, or stoves provided for that purpose. For observed violations of this section, the Park Superintendent, Park Rangers or others acting in their behalf, may request fires be extinguished at any given time. Upon leaving such fires, it shall be the duty of all persons using the fire to see that said fire is extinguished.

SECTION 5: INJURY TO PARK PROPERTY

No person shall obstruct any walk or drive in any park and no person shall injure, mar, or damage any matter, in a monument, ornament, fence, bridge, seat, tree, fountain, shrub, flower, playground equipment, fireplace, picnic table or other public property within or pertaining to any park.

SECTION 6: POLLUTION

No person shall throw, discharge or other-wise place or caused to be placed in the waters of any fountain, pond, lake, stream, bay, or other body of water in or adjacent to any park or tributary, stream, storm sewer, drain flowing into such water, any substance, matter or things liquid or solid, which will or may result in the pollution of said waters.

SECTION 7: SOURCE OF RUBBISH

No person shall bring in or dump, deposit or leave any bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or other trash in any waste containers provided in any park in the County of Menominee for that purpose unless such bottles, broken glass, ashes, paper, boxes, cans, dirt, rubbish, waste, garbage, refuse, or trash originates from a permitted use of the parks.

SECTION 8: INFLAMMATORY LANGUAGE

No person shall make any statement to any other person, within ear shot of said person, or about another person, capable of being heard by such other person, which is derogatory, inflammatory, profane, disrespectful, or which describes a sexual activity, or which questions the lineage of such person, or which in anyway can be reasonably interpreted to raise anger of such person hearing such communication. This portion does not purport to limit the free flow of ideas or speech but does intend to prohibit such speech as may interrupt a peaceful enjoyment of Menominee County's Parks.

SECTION 9: SAFETY OF OTHERS

No person shall endanger the safety of any other person by any conduct or act or permit any assault, battery, or engage in fighting within a park regulated by this chapter. No glass containers allowed in parks.

SECTION 10: SOUND SYSTEMS

No person shall use a sound amplification device or any other device that creates noise in excess of the sound level at which the contents of such sound disturbs or annoys a person of average hearing—is used in conjunction with a park assembly permit and is authorized by such permit. Any sound amplification device used in conflict with this permission is subject to seizure by the Park Superintendent, Park Rangers, the Menominee County Sheriff's Department, the Michigan State Police Department, the Michigan Department of Natural Resources, and or any other authorized law enforcement agency. During quiet hours, distance shall be size of campsite. Between 11 p.m. and 7:00 a.m. all sound systems will be turned off.

SECTION 11: SWIMMING

No person shall swim, bathe, or wade in any water or water ways in or adjacent to any park, except in such waters and such places that are designated therefore, and in compliance with regulations that are established and posted by the Park Superintendent and in accordance with the direction of any authorized personnel, present and sitting at the designated site.

SECTION 12: PARK HOURS

Park hours are from 7:00 a.m. to 10 p.m. daily. Anyone found in the park after 10 p.m. not camping with a permit, will be construed to be trespassing and may be prosecuted.

SECTION 12A: PARK CLOSING

Any park, section, or part of the park, may be declared closed to the public by the Park Superintendent or by any other authorized personnel in situations where health, safety and welfare of the general public could be jeopardized if the park were to remain open. As an example, an emergency closing could occur during a tornado, fire, or civil disobedience. The park cannot be closed permanently without authorization from the Parks & Recreation Committee and the Menominee County Board of Commissioners. An emergency meeting of the Committee is to be called within 72 hours of the closing. Failure to call a meeting or to gain approval from a majority of the Committee would require that the park be re-opened immediately after 72 hours.

SECTION 13: ANIMALS

Any animal brought into the Park shall be under immediate control and on a leash not to exceed 6 feet in length which would not allow animals onto another camp site. No animal shall be on the beach.

No horses or riding of horses is allowed in the park except in designated areas. The only designated areas for horses are presently located at Shakey Lakes Park.

SECTION 14: ANIMAL REMOVAL

Any animal found within any county park not in the possession or under the immediate control of the owner or the owner's agent as set forth above, or any animal creating a nuisance or disturbance, may be removed from the park by park personnel or animal control officer.

SECTION 15: SALES

It shall be unlawful for any person other than employees of Menominee County, acting on behalf of the County, to vend, to sell, peddle or offer for sale, any commodity article within the park, unless such sale is authorized by the Menominee County Parks and Recreation Committee.

SECTION 16: CONTROLLED SUBSTANCES

It shall be unlawful for any person to possess, transport, or have under their immediate control any intoxicating liquor, unless the person has attained the age of 21 years.

Transport or possess a controlled substance as defined by Section 7104 of Act No. 368 of the Public Acts of 1978, as amended, being section 333.7104 of the Michigan Compiled Laws.

SECTION 17: SIGNS

It shall be unlawful for any person to paste, glue, tack, or otherwise post or permanently affix any sign, placard, advertisement, banner, or inscription, unless otherwise pre-approved by Park Superintendent. Nor shall any person erect or cause to be erected any sign on any public lands or highways or roads adjacent to a public park, but, this section shall not apply to any properly authorized government official acting pursuant to his official duties.

SECTION 18: ALCOHOLIC BEVERAGE PERMIT

Any person or organization applying for an assembly permit and desiring to dispense alcoholic beverages for sale, (non-profit organization) must first secure a license for same from the Michigan Liquor Control Commission and secure liquor liability insurance and display evidence of such license and insurance to the Menominee County Sheriff and the Menominee County Parks & Recreation Committee prior to said assembly permit being granted. There is a minimum refundable deposit of one hundred dollars (\$100.00) required.

SECTION 19: CAMPING PERMITS

It shall be unlawful for any person, organization or corporate group to camp without a camping permit issued by the Menominee County Park System.

- A) It shall be unlawful for any person to obtain a camping permit for use of a camping party for which he is not a member.
- B) The senior member of any camping party having obtained a permit as set forth above must be at least eighteen (18) years of age.
- C) It shall be unlawful for non-campers to visit between the hours of 10:00 p.m. - 7:00 a.m.
- D) Campers shall inform the office if they plan to leave a campsite unoccupied for more than twenty-four (24) hours.

SECTION 19A: CAMPING PERMIT VIOLATION

Any violation of any section of the above ordinance may result in revocation of any County Park camping permit or eviction from the park or both.

SECTION 20: CAMPING

Campsites are allocated 50% for short-term use (less than 14 days) and 50% for long-term use (over 14 days). Site designation to be determined by Parks Superintendent or his designee.

SECTION 20A: CAMPSITE CLEANUP

Minimum clean-up charge of \$50.00 to the registered camper for Park Personnel having to clean up a campsite.

SECTION 21: QUIET HOURS

Quiet hours shall prevail in the campground between 11:00 p.m. and 7:00 a.m.

SECTION 22: DIGGING

It shall be unlawful for any person, individual, organization or corporate group to do any trenching or digging on the campsite or the surrounding area.

SECTION 23: MOTOR VEHICLES, PURPOSES

The use of a registered motor vehicle in any County Park shall be for the purpose of establishing a camp and for transportation in and out of the campground. "CRUISING" or "JOY RIDING" within any County Park is strictly prohibited.

SECTION 24: MOTOR VEHICLES, OPERATION

A) It shall be unlawful for any individual to operate or park a motor vehicle within a park except on roads or designated parking areas. It is also illegal for a vehicle to be in the park after 10:00 p.m. without an annual permit issued by the park office. If a vehicle is found without an annual permit it shall be deemed illegally parked and subject to a parking violation fee of \$10 per day. When a motor vehicle is found parked in the park area, the registration plate displayed on the vehicle shall constitute prima facie evidence that the owner of the vehicle was the person who parked it on the location where it was found. B) Motor vehicles cannot be operated on a park road or parking lot at a speed in excess of ten (10) miles per hour or as posted or in an unsafe manner or by disobeying traffic signals or signs.

SECTION 25: OFF ROAD VEHICLES

It shall be unlawful to operate an off-the-road motor driven vehicle such as a minibike, motorcycle, snowmobile, ATV or any motorized device except on designated roads, trails, or areas posted for such use without proper prior written authorization from the Park Superintendent or Park Rangers.

SECTION 26: MASS GATHERINGS

Campsites are provided for reasonably quiet outdoor recreational experiences. Mass gatherings are only permitted pursuant to a permit for such purpose obtained in the manner set forth in the "Menominee County Mass Gathering Ordinance" as adopted by the Menominee County Board of Commissioners on June 3, 1977.

SECTION 27: FIREARMS AND HUNTING

It shall be unlawful for any person to hunt within park boundaries. It shall also be unlawful for any person to carry or possess within the boundaries of a County Park any firearm unless unloaded in both barrel and magazine. This provision does not apply to a target range officially established, supervised, and sanctioned by the Menominee County Parks & Recreation Committee.

SECTION 28: OTHER WEAPONS

It shall be unlawful for any person to carry or possess within the boundaries of any County Park items such as: air gun, gas gun, spring loaded gun, or sling-shot.

SECTION 29: BOW AND ARROW

It shall be unlawful for any person to shoot with a bow and arrow within or onto the boundaries of any County Park unless said shooting is done on a designated archery range.

SECTION 30: PAVILION RENTAL

Rental of Park Pavilion is available for \$30.00 plus \$10.00 security deposit.

SECTION 31: STORAGE

Off-site storage of boats and/or trailers is available at Shakey Lakes Parks from May through September (except Fair Days) at a cost of \$1.00/day or \$25.00/month.

SECTION 32: PENALTIES

Any violation of any section of this ordinance shall be deemed a civil infraction, and any person upon conviction thereof, shall be punished by a fine of not more than one hundred dollars (\$100.00) and cost of prosecution.

SECTION 33: SEVERABILITY

If any portion of this regulation or the application thereof to any person or circumstances shall be found to be invalid by a court, such invalidity shall not affect the remaining portion or applications of this regulation which can be given effect without the invalid portion or application, provided such remaining portions are not determined by the Court to be inoperable, and to this end this regulation is declared to be severable.

SECTION 34: ADOPTION

It is hereby ordained by the People of Menominee County, represented by the County Board of Commissioners, that the foregoing regulations affecting the public health, safety, and welfare of the County of Menominee are hereby adopted.

SECTION 35: EFFECTIVE DATE

This ordinance shall take effect sixty days subsequent to proposal by the Menominee County Parks & Recreation Committee and adoption by the Menominee County Board of Commissioners. All ordinances or part of ordinances inconsistent herewith are hereby repealed.

ADOPTED: April 10, 1984

REVISED: July 11, 1989

REVISED: April 30, 1991

REVISED: November 23, 1992

REVISED: February 27, 1995

REVISED: February 26, 1995

REVISED: February 26, 1996

REVISED: June 23, 1997

REVISED: May 25, 2010

**MENOMINEE COUNTY PARKS AND RECREATION
LEASE AGREEMENT**

THIS AGREEMENT, made the 15TH day of May, 2008, by and between the Menominee County Board of Commissioners, hereinafter referred to as "Board/ Lessor" and Chuck & Linda whose address is P.O. Box 204 CRIVITZ WI 54114 hereinafter referred to as "Concessionaire/Lessee".

1. Term. The Board/Lessor, for the period of three years, effective May 1st, 2008 to April 30th, 2011, leases, demises, and lets the building known as the Shakey Lakes Concession Stand and Laundry facilities located at Shakey Lakes County Park to the Concessionaire/Lessee for the exclusive right to sell food, refreshments, firewood, ice and other camping necessities to the general public at the Shakey Lakes Park Area in Lake Township in said County, with the exception of Fair Days and two (2) additional weekends of the Superintendent's choice; (2) to operate a pleasure boat livery service to such public, and; (3) to operate a permanent coin-operated laundry facility. In addition to the foregoing Board/Lessor also leases to concessionaire/Lessee the right to park a camper behind the main concession stand building without the payment of additional rent. This camper should be used for the soul use of the Lessor and/or concession stand employees and not to be used as a summer cottage. The camper shall be parked at a non-electric site.

2. Consideration. In consideration for this lease, said Concessionaire/Lessee shall pay the annual fee of Six Hundred Dollars (\$600.00) to the Board/Lessor. Payment for the year 2008 shall be made within ten (10) days of signing this agreement. Subsequent payments shall be made by May 1st of each year covered by the contract.

The lessee shall be responsible for all utilities and any and all personal & real property tax as may be imposed by Lake Township.

Concessionaire/Lessee shall follow all the campground rules.

3. Said Concessionaire/Lessee shall at all times during the term of this agreement, maintain liability insurance in an amount as stated by the County Board of Commissioners approval (Minimum of \$100,000/\$300,000). Further, said Concessionaires/Lessee jointly and severally, shall execute an indemnification agreement holding harmless the County of Menominee for any liability for loss or damage to any person, firm, or corporation of said concession by said Concessionaires. Said policy of insurance shall be deposited and remain with the Park's Superintendent.

4. Location. Prior to the operation of said concession, Menominee County Building and Grounds Superintendent shall designate and identify the specific area in which any structure of any kind shall be used in the operation of said concession.

5. Fair Days. It is also agreed between the Board/Lessor and the Concessionaires/Lessee that the "Fair Days" are excluded from this agreement, in that others also may be given the right to dispense food and refreshments during said "Fair Days".
6. Assignment of Lease. This lease can only be reassigned with written approval of the County Board/Lessor.
7. Termination of Lease by Lessor. If default is made in payment of rent at the times above stated, the Board/Lessor may terminate said lease after giving said Concessionaire/Lessee a five day notice to quit or pay rent. Further, if the Concessionaire/Lessee shall break any of the covenants and agreements herein contained, or shall willfully or maliciously do injury to the premises, or shall file a petition in bankruptcy or have an involuntary petition in bankruptcy filed against him, or make an assignment for the benefit of creditors, the Board/Lessor or their legal representatives shall have the right, at any time thereafter, without notice, to declare this lease void and the term herein contained ended without prejudice to any remedies which the Board/Lessor may have to collect arrears of rent.
8. Hours of operation: The Concessionaire/Lessee agrees to open and operate the Concession stand from Memorial Day weekend through Labor Day weekend with posted daily/weekly scheduled hours. Should the Concessionaire/Lessee fail to open and operate during these posted hours, the building will revert ownership to Menominee County Parks, and personal property will be retained by the Lessee.
9. Care of Premises. The Concessionaire/Lessee agrees to keep the premises in good repair and reasonably clean at his expense. The Board/Lessor shall have the right to inspect the premises at all reasonable times and if the concessionaire/Lessee fails to keep the premises in reasonable good condition, the Board/Lessor may clean the premises and charge the cost thereof to the Concessionaire/Lessee.
10. Property Improvements: The Lessee has the right, at their expense to install a gravity fed septic system according to the Health Department's specifications. In the event that the Lessee sells the concession stand, the new owners would also be entitled to the use of the septic system. However, the septic system for the concession building will remain property of Menominee County Parks. Annual maintenance, I.E. pumping and/or repair shall be the responsibility of the Lessee.
11. Alterations and Repairs by Concessionaire/Lessee. The Concessionaire/Lessee may, at its expense, make such alterations and repairs to the demised premises as may be required for the purpose of its business during the term of this lease. The Concessionaire/Lessee shall receive written approval from Board/Lessor before making any alterations or repairs.

12. Removal of Fixtures. Upon the termination of this agreement or any renewal thereof, the Concessionaire/Lessee may remove any and all improvements owned by the Concessionaire/Lessee and placed upon the premises by the Concessionaire/Lessee.

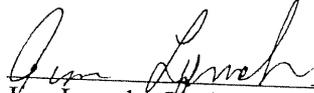
13. Covenants, Conditions and Terms Binding on Assigns. The covenants, conditions and terms of this lease shall be binding upon the respective parties, their successors and assigns.

14. Option to Renew. Provided that Concessionaire/Lessee is not in default in the performance of this lease, Concessionaire/Lessee shall have the option to renew the lease for an additional term of three (3) years commencing at the expiration of the initial lease term. The option shall be exercised by written notice given to Board/Lessor not less than ninety (90) days prior to the expiration of the initial lease term. If notice is not given in the manner provided herein within the time specified, this option shall expire.

IN WITNESS WHEREOF, this instrument is executed the day and year above written.

MENOMINEE COUNTY BOARD OF COMMISSIONERS
MENOMINEE COUNTY, MICHIGAN

BY:


Jim Lynch, Chairperson

Menominee County Board of Commissioners
839 10th Avenue
Menominee, MI 49858

5-27-08
Date

CONCESSIONAIRE

BY:


Charles A. Busick & Linda M. Willan

P.O. Box 64
Crivitz, WI 54114

5-15-08
Date:

**MENOMINEE COUNTY PARKS AND RECREATION
INDEMNIFICATION AGREEMENT**

THIS AGREEMENT, made the 15TH day of May, 2008 by and between the Menominee County Board of Commissioners hereinafter referred to as "Board/Lessor" and Chuck & Linda whose address is P.O. Box 64 Crivitz
WI 54114, hereinafter referred to as "Concessionaire/Lessee".

Concessionaires/Lessee agree to hold Menominee County, the Menominee County Board of Commissioners and the Menominee County Parks & Recreation Commission harmless from any and all claims for damage or injury arising out of the operation of the concession stand, laundry facilities, boat livery or any other activities governed by the lease agreement dated 5-15-08. Menominee County, the Menominee County Board of Commissioners or the Menominee County Parks & Recreation Commission shall not be liable for any loss, injury, death, or damage to persons or property or by any person, whosoever may at any time be using or occupying or visiting the concession stand or stands whether such loss, injury, death, or damage shall be caused by or, in any way, result from or arise out of any act, omission or negligence of the concessionaire/lessee or its agent or shall result from or be caused by any other matter or thing whether of the same kind or of a different kind than the matters or things about set forth and the concessionaires/lessee shall indemnify Menominee County, the Menominee County Board of Commissioners, or the Menominee County Parks & Recreation Commission, against all claims, liability, loss, or damage whatsoever, on account of any such loss, injury, death or damage.

IN WITNESS WHEREOF, this instrument is executed the day and year above written.

MENOMINEE COUNTY BOARD OF COMMISSIONERS
MENOMINEE COUNTY, MICHIGAN

BY: Jim Lynch
Jim Lynch, Chairperson
Menominee County Board of Commissioners
839 10th Avenue
Menominee, MI 49858

5-27-08
Date

CONCESSIONAIRE

BY: Linda M. Willan & Charles Busick 5-15-08
Charles A. Busick & Linda M. Willan
P.O. Box 64
Crivitz, WI 54114

Date: