

"Menominee County – Where the best of Michigan Begins"

MENOMINEE COUNTY BOARD OF COMMISSIONERS

*Menominee County Courthouse
839 10th Avenue
Menominee, MI 49858
www.menomineecounty.com*

*Jason Carviou – County Administrator
Sherry DuPont – Administrative Assistant
Telephone: (906) 863-9648
Fax: (906) 863-8839*

Menominee County Board of Commissioners

Public Hearing

*Tuesday, October 13, 2020 – 4:45 PM
Menominee County Courthouse, Courtroom B
839 10th Avenue, Menominee, MI 49858
906-863-9648*

This meeting will be open to the public; however, you may also attend remotely using the information provided below. Individuals attending the meeting remotely will have the ability to provide public comment in compliance with the Open Meetings Act.

BY COMPUTER:

Meeting Link:

<https://menomineecountygovernment.my.webex.com/menomineecountygovernment.my/j.php?MTID=m201219d50134e86d4a8de24e41f88fd4>

Meeting Number: 126 133 5051

Password: 4Rqd99CpTPz

BY PHONE:

Phone Number: 1-408-418-9388

Access Code: 126 133 5051

Password: 47739927

****Note:** Standard telephone and internet rates may apply.

The same virtual meeting access information provided above will be used to remotely access the Menominee County Board Meeting following the Public Hearing.

Note: Standard telephone and internet rates may apply.

If you have any questions or need assistance with the virtual software, please contact Jason Carviou, County Administrator, at 906-863-9648 (Work), 906-290-0002 (Cell), or by email at JCarviou@menomineeco.com.

AGENDA

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call (Piche, Cech, Gromala, Lang, Phelps, Schei, Prestin, Hafeman, & Johnson)
- D. Approval of the Agenda
- E. Public Hearing
 - ***Resolution 2020-29 - Resolution Establishing a Brownfield Authority for the County of Menominee.***
- F. Public Comment (*Limited to 5 Minutes*)
- G. Commissioner Comment
- H. Adjourn

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RESOLUTION – 2020-29

RESOLUTION ESTABLISHING A BROWNFIELD AUTHORITY FOR THE COUNTY OF MENOMINEE AND APPOINTING BOARD MEMBERS PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF ACT 381 OF THE PUBLIC ACTS OF THE STATE OF MICHIGAN OF 1996, AMENDED

WHEREAS, the Board of Commissioners of the County of Menominee, by Resolution adopted on September 8, 2020, (the “Resolution of Intent”), determined that it is in the best interest of the public to facilitate the implementation of Brownfield Plans relating to the identification and treatment of environmentally distressed, functionally obsolete and/or blighted areas so as to promote revitalization within the municipal limits of Menominee County and declared its intention to provide for the operation of a Brownfield Redevelopment Authority for the County of Menominee (the “Authority”) pursuant to and in accordance with the provisions of the Brownfield Redevelopment Financing Act, being Act 381 of the Public Acts of the State of Michigan of 1996, as amended the (the “Act”); and

WHEREAS, on October 13, 2020, pursuant to and in accordance with the Act and the Resolution of Intent, the Menominee County Board of Commissioners held a public hearing, notice of which was given as required by Section 4(2) of the Act on the adoption of a resolution creating the Authority; and

WHEREAS, all citizens, taxpayers and property owners of the County of Menominee and officials of the affected taxing jurisdictions had the right and opportunity to be heard at the public hearing on the establishment of the Authority; and

WHEREAS, the Menominee County Board of Commissioners desire to proceed with the establishment of the Authority for the County of Menominee within the municipal limits of which the Authority shall exercise its powers, all pursuant to and in accordance with the Act.

NOW THEREFORE, BE IT RESOLVED THAT:

- 1. Authority Created.** Pursuant to the authority vested in the Menominee County Board of Commissioners by the Act, the Authority is hereby established and shall be known as the Menominee County Brownfield Redevelopment Authority.
- 2. Supervision of the Authority.** The Authority shall be under the supervision and control of a board (the "Board") appointed by the Chairperson of the Menominee County Board of Commissioners, in accordance with the membership provisions set forth in Section 5(1) of the Act, subject to the approval of the Menominee County Board of Commissioners. The members of the Board shall hold office, and the Board shall conduct its procedures in accordance with the Act, and, in particular, Section 5 thereof.
- 3. Jurisdiction of the Authority.** The Authority shall exercise its powers within the area of the County of Menominee.
- 4. Powers and Duties of the Authority.** The Authority shall have the powers and duties to the full extent as provided and in accordance with the Act. Among other matters, the exercise of its powers, the Board shall prepare a Brownfield Plan for eligible property pursuant to Section 13 of the Act and submit the plan to the Menominee County Board of Commissioners and the local municipal governing body for consideration pursuant to Section 14 of the Act.
- 5. Bylaws and Rules of the Authority.** The Authority shall elect officers and adopt bylaws and rules governing its procedures and the holding of its meetings all in accordance with Sections 5(3) and 5(5) of the Act, and shall immediately forward a copy of the bylaws and rules after adoption by the Board to the Menominee County Board of Commissioners in care of the Clerk of the County of Menominee (the "Clerk"). The Authority's bylaws and rules shall be subject to the approval of the Menominee County Board of Commissioners; provided, however, that if the Menominee County Board of Commissioners fail to either approve or disapprove the Authority's bylaws and rules at its next regular meeting after receipt of a copy thereof by the Clerk, the Authority's bylaws and rules shall be deemed to have been approved by the Menominee County Board of Commissioners for all purposes.
- 6. Board of Directors.** The Board of Directors of the Brownfield Authority shall consist of nine (9) persons appointed by the Menominee County Board Chairperson and confirmed by the Menominee County Board of Commissioners.
- 7. Director's Bond.** In the event the Board elects to employ a director as authorized by Section 6(1) of the Act, the director, before entering upon the duties of his office, shall, in addition to any other requirements of law, post a bond in the penal sum of \$5,000 with a \$500 deductible payable to the Authority for the use and benefit of the Authority, which shall be approved by the Board and filed with the Clerk. The premium on the bond furnished by the director shall be deemed to be an operating expense of the Authority, payable from funds available to the Authority for expenses of operation.

