

"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 DuPont – Administrative Assistant
Telephone: (906) 863-7779 or 863-9648
Fax: (906) 863-8839*

July 14, 2013

TO: Menominee County Clerk
839 10th Ave.
Menominee, MI 49858

Commissioners Meintz, Plutchak and Nelson have requested a Special Meeting of the Menominee County Board of Commissioners through the Administrative Office.

TIME: 10:00 AM

DATE: Monday ~ July 15, 2013

PLACE: Courtroom B in the Menominee County Courthouse

PURPOSE: Pursue legal objection to the establishment of an industrial development district at the Twin County Airport by the City of Menominee.

Charlie Meintz – Chairperson

Larry Schei – Vice Chairperson

Doug Krienke James Furlong Chris Plutchak Bernie Lang Gerald Piche Jan Hafeman John Nelson

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**The Menominee County Board of Commissioners
will meet for a Special meeting on
Monday ~ July 15, 2013 @ 10 AM
At the Menominee County Courthouse – Courtroom B**

~ A QUORUM OF THE BOARD WILL BE PRESENT~

AGENDA

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Public Comment (statements, not debate, limited to five minutes per person on agenda items only)
- E. Approval of the Agenda
- F. Action Items
 - 1. Moved by _____ seconded by _____ to pursue legal objection to the establishment of an industrial development district at the Twin County Airport by the City of Menominee.
- G. Public Comment (Limited to five minutes per person)
- H. Adjourn: Time: _____

Charlie Meintz – Chairperson

Larry Schei – Vice Chairperson

Doug Krienke James Furlong Chris Plutchak Bernie Lang Gerald Piche Jan Hafeman John Nelson



City of Menominee

City Hall • 2511 10th Street • Menominee, MI 49858-1995

Phone (906) 863-2656 • FAX (906) 863-3266

www.cityofmenominee.org

Jean Stegeman, Mayor

Michael B. Cramer, City Manager

NOTICE OF PUBLIC HEARING REGARDING THE ESTABLISHMENT OF AN INDUSTRIAL DEVELOPMENT DISTRICT FOR THE TWIN COUNTY AIRPORT

A public hearing will be held before the Menominee City Council in the Council Chambers, City of Menominee Municipal Complex at 2511-10th Street in the City of Menominee (the "City") on Monday, July 15, 2013 at 6:00 p.m., local time.

The hearing is to consider whether an industrial development district shall be established as requested by the Twin County Airport Commission. Information related to the property is available for public inspection at the City Clerk's Office, City of Menominee Municipal Complex, 2511-10th Street, Menominee, Michigan, between the hours of 8:00 a.m. and 5:00 p.m. weekdays. Any aspect of the establishment of the district may be discussed at the public hearing and all interested persons will be given an opportunity to be heard.

If you would prefer to send written comments for consideration, please forward them prior to the public hearing to Kathleen Brofka, City Clerk/Treasurer, at the above address. Or, if you have questions, you may call 863-2656. We will be pleased to answer them.

Kathleen A. Brofka
City Clerk/Treasurer

**RESOLUTION ESTABLISHING
INDUSTRIAL DEVELOPMENT DISTRICT #12
FOR THE TWIN COUNTY AIRPORT COMMISSION**

WHEREAS, pursuant to Act No. 198 of the Public Acts of 1974, as amended, this City Council has the authority to establish "Industrial Development Districts" within the City of Menominee; and

WHEREAS, the Twin County Airport Commission has petitioned this City Council to establish an Industrial Development District on its property located in the City of Menominee hereinafter described; and

WHEREAS, construction, acquisitions, alterations, or installation of a proposed facility has not commenced at the time of filing the request to establish this district; and

WHEREAS, written notice has been given by mail to all owners of real property located within the district, and to the public by newspaper advertisement in the Eagle Herald and/or public posting of the hearing on the establishment of the proposed district; and

WHEREAS, on June 17, 2013 a public hearing was held at which all of the owners of real property within the proposed Industrial Development District and all residents and taxpayers of the City of Menominee were afforded an opportunity to be heard thereon; and

WHEREAS, the City Council deems it to be in the public interest of the City of Menominee to establish the Industrial Development District as proposed;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Menominee that the following described parcel of land situated in the City of Menominee, County of Menominee, and State of Michigan, to wit:

PART OF SECTIONS 27 & 34 TOWNSHIP 32 N RANGE 27W

ALL THAT PRT OF SEC 27 T 32N R 27W LOCATED IN THE CITY OF MENOMINEE, MENOMINEE COUNTY, MICHIGAN BEING DESC AS FOLLOWS: THE NE₁/₄-NW₁/₄; THE NW₁/₄-NW₁/₄; THE SW₁/₄-NW₁/₄ & THE W 1/2 OF THE NORTH 20.5 ACRES OF THE SE₁/₄-NW₁/₄ EXC THE N 33' AND THE NW₁/₄-SW₁/₄ EXC S 33'

AND

ALL THAT PRT OF SEC 34 T 32N R 27W LOCATED IN THE CITY OF MENOMINEE, MENOMINEE COUNTY, MICHIGAN BEING DESC AS FOLLOWS: THE W 1/2 OF THE NW1/4-NW 1/4 AND PRT OF THE E 1/2 OF NW1/4-NW1/4 DESC AS THAT PRT OF THE NW 1/4-NW1/4 AND ALL THAT PRT OF THE SW 1/4-NW 1/4, FROM THE N 1/4 COR OF SD SEC 34 MEAS N88° 47'00", 1355.94' ALG THE N LN OF SD SEC34, TO AN EXISTING CONC MONUMENT AT THE NE COR OF SD NW1/4-NW1/4; TH N 88°48'03"W, 551.53' ALG THE N LN OF SD NW1/4-NW1/4 TO THE POB. TH CONT N88°48'03"W, 85.47'ALG SD N LN; TH S03°02'20"W, 1383.02' TO A 5/8" DIAMETER STEEL ROD; TH S 89°15'29"E, 117.14' TO A 5/8" DIAMETER STEEL ROD; TH N01°26'24"E, 756.61' TO A 1/2" DIAMETER STEEL ROD; TH N04°09'15"E, 60.26' TO A 5/8"DIAMETER STEEL ROD; TH N88°48'03"W, 15.78' TO A 5/8" DIAMETER STEEL ROD; TH N03°27'06"E, 562.02' TO THE POB & THE SW1/4-NW1/4 EXC THE N 50.00' OF THE E 479.60'.

be and hereby is established as an Industrial Development District pursuant to the provision of Act No. 198 of the Public Acts of 1974 to be known as Industrial Development District #12.

CITY OF MENOMINEE

GEORGE W. KRAH, MAYOR

ERIC A. STRAHL, CITY MANAGER

CITY HALL • 2511 10TH STREET • MENOMINEE, MICHIGAN 49858-1995 • PHONE (906) 863-2656 TDD (800) 649-3777

May 13, 2009

Mr. William G. Boerner
N452 E. Fairland Circle
Menominee, MI 49858

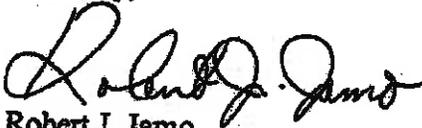
RE: Freedom of Information Act Request

Dear Mr. Boerner:

Your request for public records under the Michigan Freedom of Information Act ("FOIA"), MCL § 15.231 et. seq., as amended, dated April 30, 2009, is denied. According to the City Assessor the requested records do not exist.

A copy of your request and this response will be kept on file for no less than one (1) year.

Sincerely,


Robert J. Jamo
FOIA Coordinator

RJJ/alr

City of Menominee Web Development/FOIA Coordinator posted by 5-13-09,dlr

"Menominee - Where the Best of Michigan Begins"

The City of Menominee is an Equal Opportunity Provider and Employer

(Kra)

CITY OF MENOMINEE

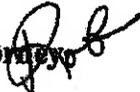
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MEMO

TO: Jill Schwanz, Assessor of Record
Peg Bastien, Staff Assessor

FROM: Robert J. Jamo, City Attorney 

DATE: May 12, 2009

RE: Boerner FOIA Request

I have read your May 8, 2009 memo. My understanding of your response as it relates to the existence of public records is as follows:

1. **Request One:** "Any and all documents relating to the reason why the City of Menominee assesses and collects personal property tax on real property owned by Menominee County leased to private parties."

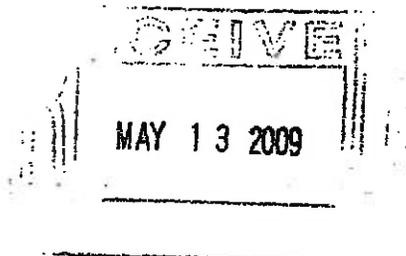
Response: No such documents exist.

2. **Request Two:** "A copy of any and all documents which were used in making the determination that 'leasehold improvements' (aircraft storage buildings) are classified as '410 (RESIDENTIAL BLL)'"

Response: No such documents exist.

Is this correct?

Yes

City of Menominee • Department of Public Works • 2511 10TH STREET • MENOMINEE, MICHIGAN 49858-1995

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(RJA)

July 28, 2009

To: State of Michigan
Department of Labor & Economic Growth
Michigan Tax Tribunal
Small Claims Division
P.O. Box 30232
Lansing, Michigan 48909

Re: Docket Number 0367072
William G. Boerner, et. al. vs. City of Menominee, Mi.

Gentlemen:

I received a packet of information from the City of Menominee by Certified Mail (Return Receipt upon delivery) on Tuesday, July 21, 2009 which had been mailed to me on July 15, 2009 containing copies of documents in response to my 'Property Tax Appeal'

When contacting your office I was advised that I could send my 'response' to their 'answer' by letter and there were no forms that must be filed at this time. Since there are numerous documents the City of Menominee transmitted to your office I will follow their format in my response.

**Document - City of Menominee's (Respondent) Answer to MTT Small Claims
Docket # 367072.**

Paragraph 1.)

Petitioner did not question the legal authority of the City of Menominee to tax property. The petitioner questioned the right of the City to encroach on Menominee County owned property (Federally Obligated Property) in Menominee Township.

Paragraph 2.(1)

* Read Below

The jurisdictional boundary claimed by the City of Menominee is not substantiated by any document or agreement between the City of Menominee and Menominee County, the owners of the Menominee County Airport property. See attachment No (1). Memo from Robert. Jamo, City Attorney to Jill Schwanz, Assessor of Record dated May 12, 2009 and subsequent letter to W. G. Boerner from Robert Jamo dated May 13, 2009 stating that 'no documents exist' See attachment No. (2). Additionally, the (Parcel Map) with its apparent yellow highlighted outline of the Menominee County Airport is not accompanied by any agreement nor right to encroach on Menominee County property for taxing purposes. This map is a meaningless drawing and not supported by any agreement between the City of Menominee and Menominee County.

July 28, 2009

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