

**ARTICLES OF INCORPORATION  
FOR THE HOUGHTON COUNTY RECREATION AUTHORITY**

These Articles of Incorporation are adopted, signed, and acknowledged by the incorporating units for the purpose of forming a recreational authority under the provisions of Act No. 321, Public Acts of 2000 (the “Recreational Authorities Act”).

**ARTICLE I  
NAME**

This authority shall be known as the Houghton County Recreation Authority, hereinafter referred to as the Authority.

**ARTICLE II  
PARTICIPATING MUNICIPALITIES AND TERRITORY**

The participating municipalities are the Charter Township of Calumet, the Village of Calumet, the Township of Franklin, the City of Hancock, the City of Houghton, the County of Houghton, the Township of Osceola, and the Charter Township of Portage, each a municipal corporation of Michigan. They are hereafter referred to as the participating municipalities. The “territory of the Authority” shall be the corporate boundaries of each participating municipality.

**ARTICLE III  
ADDITION OR WITHDRAWAL OF PARTICIPATING MUNICIPALITIES**

Section 1       A municipality may become a participating municipality in the Authority only upon an affirmative vote of the Recreation Authority and the proposed participating municipality.

Section 2       A participating municipality shall withdraw from the Authority, subject to the limitation in Section 1 of this Article, by resolution of the participating municipality’s legislative body approving the withdrawal, a certified copy of the resolution shall be provided to the Board at least 60 days prior to the effective date of the withdrawal.

**ARTICLE IV  
PURPOSES**

The purposes for which the Authority is established are as follows:

- A. Enhance outdoor recreation opportunities and infrastructure within Houghton County to improve residents’ quality of life and enhance the economic benefits of outdoor recreation within Houghton County including but not limited to:

- I. To acquire, construct, operate, maintain or improve facilities and infrastructure for recreational purposes, including public parks and a permanent, year-round signed and surfaced trail system, which trail system shall be open to the public for use under such terms, conditions, and limitations as may be established by the Governing Board of the Authority. The trail system may include purchasing, leasing, or accepting donations of land or structures for trail, trailheads, parking areas, rest areas, or any other structure, facility or acquisition or holding that the Board deems necessary to further the interests of the trail system.
  - II. To provide amenities along the trail including parking areas, bike racks, directional signage, interpretative signage, kiosks, trailhead facilities, etc., that add to the enjoyment of the trail experience.
  - III. To encourage municipalities or other entities to tie compatible links into the trail system allowing for greater access to businesses, parks, and schools.
- B. To encourage outdoor recreation-based tourism development within Houghton County by enhancing and growing outdoor recreation amenities.
  - C. To conduct such other activities as are permitted under the laws of the State of Michigan, particularly the Recreational Authorities Act, Act No. 321, Public Acts of 2000.

ARTICLE V  
POWERS AND DUTIES

The Authority shall possess all the powers specified in Act 321 subject to the limitations of the authority as provided by law and/or limitations as specified in these Articles of Incorporation.

Section 1 The Authority shall have the power to acquire and hold, by purchase, lease, option, grant, gift, devise, land contract, installment purchase contract, bequest, or other legal means not expressly excluded in these Articles of Incorporation, real and personal property inside or outside the territory of the Authority. The property may include easements or rights of way on, under, or above any property. The Authority may pay for the property, or pledge for the payment of the property, from revenue of the Authority. Acquisition and holding of property outside the territory of the Authority shall be limited to that which is consistent with the intent of the Authority to develop a particular contiguous trail system(s) connection two or more municipalities that are participating in the Authority at the time of acquisition.

Section 2 The Authority may donate, sell, lease or otherwise transfer its property or any part thereof or interest therein to one or more of the participating municipalities.

Section 3 The Authority may apply for and accept grants and contributions from individuals, the federal government or any of its agencies, the State of Michigan, a municipality, or other public or private agencies to be used for any of the purposes of the Authority.

Section 4 The Authority may borrow money and issue revenue bonds or notes to finance the acquisition, construction, and improvement of its recreational purposes. Bonds or notes issued by the Authority are a debt of the Authority and not of the participating municipalities.

Section 5 The Authority may hire full-time or part-time employees and retain professional services.

Section 6 The Authority may provide for the maintenance of all of the real and personal property of the Authority.

Section 7 The Authority may assess and collect user fees for services provided by and expenses incurred by the Authority.

Section 8 The Authority may receive revenue as appropriated by the legislature of the State of Michigan or a participating municipality.

Section 9 The Authority may enter into contracts incidental to or necessary for the accomplishment of the purposes of the Authority.

Section 10 The Authority's operation of public facilities shall be limited to only those public facilities and lands that it has acquired, that have been transferred to the Authority by a participating municipality or through contracts, leases, easements, gifts or other means that are provided for in the Recreation Authorities Act and not expressly excluded in these Articles of Incorporation. Nothing in these Articles shall obligate a participating municipality to transfer any park, recreation center, or any land or interest therein to the Authority.

Section 11 The Authority shall have neither power of condemnation nor the power of eminent domain.

## ARTICLE VI FISCAL YEAR

The fiscal year of the Authority shall be the calendar year.

## ARTICLE VII GOVERNING BOARD

Section 1 The business and affairs of the Authority shall be managed by a Board of Directors, herein referred to as the Board, which is the governing body of the Authority. The Board of Directors shall consist of an odd number of members, with

- One member to be appointed by the legislative body of each participating municipality;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent motorized interests;
- One member, selected by a majority vote of the legislatively appointed Board members, to represent non-motorized interests;
- The Executive Director of the Keweenaw Economic Development Alliance
- The Executive Director of the Western Upper Peninsula Planning & Development Region
- The Executive Director of the Keweenaw Convention & Visitors Bureau

Should the Authority grow or shrink to represent an even number of participating municipalities, the legislative body of Houghton County will appoint a member to maintain an odd number of directors. The additional County appointed member must be a qualified elector of one of the participating municipalities of the Authority. The additional County appointed member will come off the Board should the number of participating municipalities become an odd number.

Section 2 All actions taken shall be by majority vote of members present in an open meeting.

Section 3 Each municipal appointee to the Houghton County Recreation Authority must be a qualified elector residing in Houghton County.

Section 4 The terms of the initial Board shall be three (3) years. After the initial three years, the terms of the Board members shall be staggered so that the terms of approximately one-third (1/3) of the Board members expire each year. The Board shall select a random method to stagger the terms. Board members may be re-appointed.

Section 5 The Board shall adopt and amend bylaws including rules of procedure consistent with the provisions of the Recreational Authorities Act. The bylaws shall provide for regular meetings of the Board, not less frequent than quarterly.

Section 6 The Board shall select the following officers: Chairperson, Treasurer, and Secretary. There may also be such assistant officers as the Board of Directors deems appropriate. The duties of each office shall be as set forth in the bylaws.

Section 7 No member of the Board shall receive compensation for services as a member of the Board but members of the Board are entitled to reimbursement for reasonable expenses, including expenses for travel previously authorized by the Board, incurred in the discharge of his or her duties.

Section 8 A member of the Board may be removed from office as provided by and in accordance with the Recreational Authorities Act.

Section 9 In the event a vacancy occurs on the Board because of death, resignation, removal, change of residency, or other reason as set forth in MCL 201.3, the vacancy shall be filled within 30 days of the vacancy occurring in the same manner as the original appointment, and the member appointed shall serve for the remainder of the unexpired term.

Section 10 Officer vacancies shall be filled by a majority vote of the members of the Board of Directors present at any regular or special meeting of the Board which shall elect a successor to serve until the expiration of the normal term of such officer or until his or her successor shall be elected.

ARTICLE VIII  
DISSOLUTION OF AUTHORITY

The Authority may be dissolved by the concurring resolution of the governing body of each then participating municipalities of the Authority at the time of the dissolution. Prior to the dissolution of the Authority, any outstanding indebtedness of the Authority, including bonds issued under Section 21 and/or Section 23 of Act 321 shall be paid.

ARTICLE IX  
PUBLIC BODY

The Authority is a public body and shall comply with the requirements of the Michigan Open Meetings Act, Act 267 of the Public Acts of 1976, as amended, and the Freedom of Information Act, Act 442 of the Public Acts of 1976, as amended.

ARTICLE X  
AUDIT

The Board shall obtain an annual audit of the Authority pursuant to Section 27 of the act, being MCL 123.1157. The books and records of the Authority shall be open for inspection by any participating municipality at all reasonable times.

ARTICLE XI  
PUBLICATION AND ADOPTION

Section 1        A copy of these Articles of Incorporation shall be published once in the *Daily Mining Gazette* (Houghton, MI), being a newspaper generally circulated within the participating municipalities, prior to adoption as set forth in Section 2 below.

Section 2        These Articles of Incorporation shall be adopted by an affirmative vote of a majority of the members serving on the legislative body of each participating municipality.

ARTICLE XII  
AMENDMENT

Amendment to these Articles of Incorporation shall be made only as authorized by the Recreational Authorities Act. Amendments shall be published once in the *Daily Mining Gazette* no less than fourteen (14) days before adoption.

ARTICLE XIII  
EFFECTIVE DATE

These Articles of Incorporation shall become effective upon filing with the Secretary of State by the clerk of the last participating municipality to adopt the Articles.

IN WITNESS WHEREOF, the participating municipalities have adopted and authorized to be executed these Articles of Incorporation, on behalf of Houghton County, City of Hancock, City of Houghton, Charter Township of Calumet, Township of Franklin, Township of Osceola, Charter Township of Portage, and Village of Calumet.

HOUGHTON COUNTY, A Michigan municipal corporation.

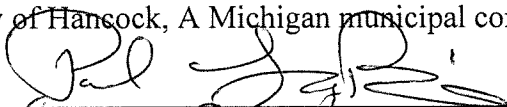
T.H.P. 750, Chairperson

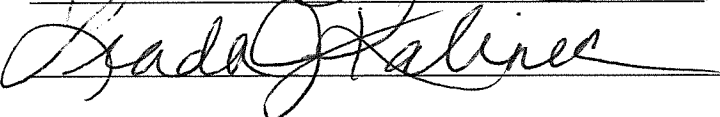
Jennifer Kelly, Clerk

The foregoing Articles of Incorporation were adopted by the Houghton County Board of

Commissioners at a meeting duly held on the 12<sup>th</sup> day of July, 2022.

City of Hancock, A Michigan municipal corporation.

  
\_\_\_\_\_, Chairperson, Mayor

  
\_\_\_\_\_, Clerk

The foregoing Articles of Incorporation were adopted by the City of Hancock at a meeting duly held on the 18<sup>th</sup> day of May, 2022.



CITY OF HOUGHTON, A Michigan municipal corporation.

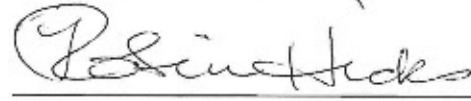
Robert Backon, Mayor  
Robert Backon

Ann Vollrath, Clerk  
Ann Vollrath

The foregoing Articles of Incorporation were adopted by the CITY OF HOUGHTON at a meeting duly held on the 11 day of May, 2022.

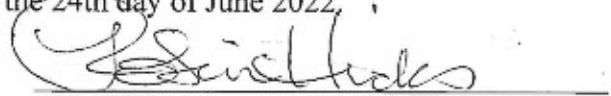
**CHARTER TOWNSHIP OF  
CALUMET**, a Michigan municipal  
corporation

  
\_\_\_\_\_  
Tim Gasperich, Supervisor

  
\_\_\_\_\_  
Robin Hicks, Township Clerk

The foregoing Articles of Incorporation were adopted by the Charter Township of Calumet Board, at a regular meeting duly held on the 24th day of June 2022.

Dated: 07-13-2022

  
\_\_\_\_\_

Robin Hicks, Township Clerk



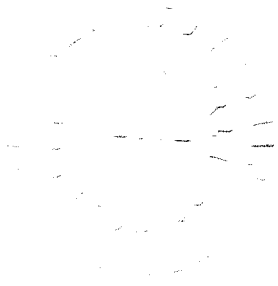
**Township of Franklin**  
Houghton County Michigan

**Franklin Township, A Michigan municipal corporation.**

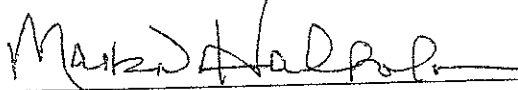
**Mary Sears**  
**Supervisor**

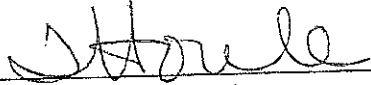
**Tara Dulong**  
**Clerk**

**The foregoing Articles of Incorporation were adopted by Franklin Township at a meeting duly held on the 9<sup>th</sup> day of May, 2022**



OSCEOLA TOWNSHIP, A Michigan Township.

  
\_\_\_\_\_, Supervisor  
Mark D. Halkola

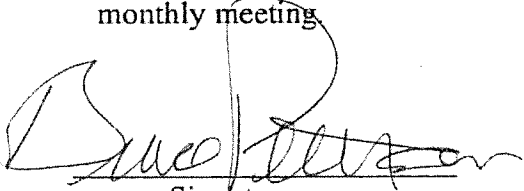
  
\_\_\_\_\_, Clerk  
Traci Sleeman Houle

The foregoing Articles of Incorporation were adopted by the Township Board at a meeting duly held on the 11<sup>th</sup> day of May 2022.

ARTICLE XIII  
EFFECTIVE DATE

These Articles of Incorporation shall become effective upon filing with the Secretary of State by the clerk of the last participating municipality to adopt the Articles.

This was approved unanimously at the May 9, 2022 Charter Township of Portage monthly meeting

  
Signature

TOWNSHIP  
Supervisor  
Position

05/11/2022  
Date

Ann Sures

Clerk

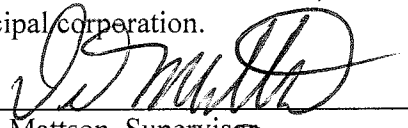
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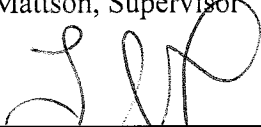
Village of Calumet, A Michigan municipal corporation.

Robert P. Torvis, Jr., President, Robert P. Torvis, Jr.  
Amber Goodman, Manager, Amber Goodman  
Patricia Pressel, Clerk, Patricia Pressel

The foregoing Articles of Incorporation were adopted by the Village of Calumet at a meeting duly held on the 27<sup>th</sup> day of June, 2022.

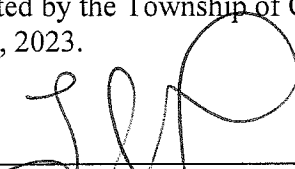
**TOWNSHIP OF CHASELL**, a Michigan  
municipal corporation.

  
\_\_\_\_\_  
David Mattson, Supervisor

  
\_\_\_\_\_  
Lynn Gierke, Clerk

The foregoing Articles of Incorporation were adopted by the Township of Chassell Board  
at a meeting duly held on the 9 day of August, 2023.

Dated: 8/9/23

  
\_\_\_\_\_  
Lynn Gierke, Clerk

## **Amendment to Articles of Incorporation of the Houghton County Recreation Authority**

**Article II of the Articles of Incorporation is amended as follows:**

“The participating municipalities are the Charter Township of Calumet, the Village of Calumet, the Township of Chassell, the Township of Franklin, the City of Hancock, the City of Houghton, the County of Houghton, the Township of Osceola, and the Charter Township of Portage, each a municipal corporation of Michigan. They are hereafter referred to as the participating municipalities. The ‘territory of the Authority’ shall be the corporate boundaries of each participating municipality.”

**Moved by Andrew Ranville, supported by Jeff Ratcliffe to adopt the amendment.**

**Aye: 8; nay: 0. Motion carried.**

I certify that the preceding is a true copy of action taken by the Houghton County Recreation Authority at its regular meeting on October 9, 2023.

**Jerald Wuorenmaa**

Digitally signed by Jerald  
Wuorenmaa  
Date: 2023.11.02 14:33:30 -04'00'

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Jerald Wuorenmaa, Secretary