CALL TO ORDER
The meeting was called to order by Chairperson Shorter at 6:00 pm

PLEDGE OF ALLEGIANCE

ROLL CALL
Members present are Toni Drier, Neil Ahrens, Charlie MacInnis, Jim Kargol, Bill Shorter, David White, and Izzy Lyman.

APPROVAL OF AGENDA
Motion by Commissioner MacInnis and seconded by James Kargol to approve the agenda as presented. Motion passed by voice vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

APPROVAL OF MINUTES

April 13, 2020 Committee of the Whole meeting minutes
Motion by David White and seconded by Izzy Lyman to approve the April 13, 2020 Committee of the Whole meeting minutes. Motion passed by voice vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

April 23, 2020 Public Hearing minutes
Motion by David White and seconded by Izzy Lyman to approve the April 23, 2020 Public Hearing Minutes. Motion passed by voice vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

April 23, 2020 Regular Board of Commissioners meeting minutes
Motion by David White and seconded by Izzy Lyman to approve the April 23, 2020 Regular Board meeting minutes. Motion passed by voice vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

PUBLIC COMMENT
None

APPEARANCES

David Springsteen- 2020 Census Update
David Springsteen presented an update on the progress of the 2020 Census. Springsteen thanked Commissioner MacInnis for getting him connected to the community. Currently 50.6% of Emmet County households have self responded. Overall the county is doing great. Areas that could improve are Harbor Springs, Little Traverse, and Bear Creek which are at 37% response. Operationally, non-response follow-up will resume June 14th. Update leave households are PO boxes and apartments, etc. which are not mailed census information but have it delivered directly to the door handle. These households have not yet received an invitation to fill out the census accounting for 13-16% of the households. Operationally, everything has been pushed back 90 days which results in an October 31 completion date instead of a July 31 completion date. Non-response follow-up will begin on August 11. A census worker will knock on doors at this point. Springsteen urged that it is not to late to get the work out and encouraged everyone to use their own individual voices to get neighbors and friends to complete the census. MacInnis offered Springsteen an invitation to the college in the fall if they reopen for classes by then. Shorter suggested a newspaper ad as the census deadline approaches.

**ADMINISTRATOR’S REPORT**

**Administrator’s Report 5-21-20**

Reaves presented his administrators report. (See attachment #1)

Lyman stated SRR furloughed 12 employees. Kargol asked if the buses are shut down as he has seen them around town recently. Reaves informed the Board that the original route still in operation. SRR could be using EMGO buses as they own all the buses. Reaves offered to check to see if they are using those buses for call-ins or original routes.

Ahrens asked about the intention of Cheboygan County going forward and if they plan to remain in the bus service business. Reaves replied that he is trying to get a sense of their commitment but has not been able to get a read on it. Suggested he needs to ask point blank in the future. Ahrens stated that we will not be if they are not. Reaves will pose that question to them as to if they are going to continue. Lyman did not get the impression that SRR plans to end any of their bus services. Reaves stated some call in service is still available.

Drier asked Lyman if there was any discussion of technology and starting to take credit cards at the SRR meeting. Lyman responded that they are spending time on cleaning protocols and purchasing thermometers at this time. They are however in discussion with Charlevoix County on the technology piece.

MacInnis stated that in the past Friendship Center ridership dropped when EMGO ridership picked up. He is interested to know how the Friendship Center ridership is currently. Reaves' understanding is that they are not running at this time. White confirmed that they are running meals to people but no routes.

**UNFINISHED BUSINESS**

**Approval of 2019 Sheriff Department Annual Report**

Motion by James Kargol and seconded by Commissioner MacInnis to approve that the Board of Commissioners accept the 2019 Annual Report of the Emmet County Sheriff's Department as
presented by Sheriff Pete Wallin. Motion passed by voice vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

**Sheriff’s Department – Operation Stoneguard Grant Agreement**

Motion by Commissioner Ahrens and seconded by David White to approve the attached Operation Stoneguard Grant Agreement and authorize the Chair to sign after Civil Counsel approval. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

**Sheriff’s Department – Additional Patrol Services Agreement with Cross Village Township**

Motion by Commissioner MacInnis and seconded by James Kargol to approve the attached Additional Patrol Services Agreement with Cross Village Township and authorize the Chairperson and Sheriff to sign the same. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

**CLAIMS**

**Claims and Committee and Travel Vouchers Approval**

Motion by Commissioner Ahrens and seconded by Commissioner Drier to approve payment of the claims in the amount of $2,413,472.99 and for payment of the committee and travel vouchers in the amount of $6,240.93. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

**NEW BUSINESS**

**L-4029 Tax Rate Request**

Motion by Izzy Lyman and seconded by Commissioner MacInnis to authorize the Chairperson and the Finance Director to sign Form L4029, 2020 Tax Rate Request, as attached. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

**Planned Unit Development Agreement - Amendment**

Tammy Doernenburg provided this agreement to Bear Creek Township. They would like a change in rental vehicles that can be parked in from of any building from ten (10) to two (2) or three (3). They are satisfied with everything else. Engel clarified that the change would be on page 2, section 23, item E. Doernenburg clarified that the change should be made to, no more than three (3) rental vehicles.

MacInnis asked if RG properties will agree with the change. Doernenburg informed the Board that RG properties agreed to the concept and will get back to us when they are ready to sign.

Lyman asked about the Haggard's Plumping and Heating letter that is attached. Doernenburg informed the Board that they send a letter of support for all agreements.
Motion by Commissioner Shorter and seconded by Commissioner MacInnis to approve the attached First Addendum to Planned Unit Development Agreement Bear Creek Plaza Phase I, Phase II, Phase III, with the discussed change of no more than three rental vehicles to be parked in front of any building and authorize the Board Chairperson to sign the same conditioned upon approval by RG Properties, fire chief, and Civil Counsel after RG Properties responds. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

Emmet County Master Plan

Doernenburg informed the Board that this resolution authorizes distribution of the draft of the Emmet County Master Plan to the Townships in Emmet County and surrounding municipalities. They would then have 63 days to offer comments to the Planning Commission. The Planning Commission would then hold a public hearing and recommend adoption as is or with changes as comments come in. There will be an update to future land use in Bear Creek Township. The Bear Creek update will be sent out with the draft.

Ahrens asked why the surveys and graphs were not provided in the document. Doernenburg replied that there are over 400 pages of surveys and graphs. They could be added as an appendix or attachment. Ahrens stated it would be great to have them online. Doernenburg plans to work with the communications director to get them on the website.

MacInnis offered compliments to Doernenburg and her staff on a job extremely well done on an important document.

Motion by Commissioner MacInnis and seconded by Commissioner Ahrens to approve the attached Resolution, authorize the Board Chairperson to sign the same, and authorize the County Clerk to certify the Resolution. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

Additional Remonumentation Agreements

Motion by David White and seconded by James Kargol to approve the attached contracts with the various surveyors, and authorize the Board Chairperson to sign the same: • Contract 2006 NorthStar Land Surveying • Contract 2007 Benchmark Engineering, Inc. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -

Intergovernmental Agreement - Manage Floodplain Development - Friendship Township

Motion by Commissioner Ahrens and seconded by David White to approve the attached Michigan Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program between the County of Emmet and Friendship Township, and authorize the Board Chairperson to sign the same. Motion passed by roll call vote.
Yes - Ahrens, Drier, MacInnis, Shorter
No -
APPOINTMENTS

COMMUNICATIONS

COMMITTEE REPORTS

Ahrens reported that at the Pellston townhall PFAS meeting Emmet County was noted to be great to work with. Reported on MAC- Agriculture and tourism committee. (See attached minutes. Attachment #2). Reported on NMCA (see attached agenda. Attachment #3). Also gave update about lake levels.

MacInnis reported on Bay Bluffs (see Attachment #4) Reported on the Airport. Jet fuel sales have dropped by 57%, general aviation by 63%, airline jet fuel by 38%, and passengers by 95%. DPW is in red with recycling program. They decided to form a committee for DPW finances. The committee consist of Denny Keiser, Bill Dohm and Charlie MacInnis. They asked the staff look at ways to improve. The amount of trash coming in is as high as it usually is in July so they are very busy. DPW was supposed to get robots to sort, but the company has delayed until end of August. It is hard to find people to work on the sorting line.

Kargol also reported on the DPW upgrade. It could be put on hold longer if not started by end of August 2020. DPW was awarded a Tire Grant to recycle 7000 tires. They got 2,000 the first two days. Also suggested a solid waste rate increase for 2021. MacInnis suggested that if solid waste rates rise more people might dump trash anywhere they want. Reported on Road Commission and MDOT.

Lyman reported on SRR previously in the meeting.

Drier reported on Road Commission. Larry Williams retirement was accepted. Planning and Zoning had 13 cases. 7 were approved, 5 postponed, and 1 delayed. Details can be found on planning and zonings website. Parks and Rec. received reimbursement from Great Lakes Energy but as of May 5 did loose $54,925 in revenues.

White reported the Health dept. is all COVID. May is mental health month. Social isolation is not good for these patients so watching them closely. At the 911 meeting, the executive director was given her evaluation. She did very well.

Shorter thanked Ryan Bauman and the Parks and Rec. staff on all their work on getting the parks ready to go. Reported little activity for OEM currently.

PUBLIC COMMENT

Doernenburg thanked the Costal Zone Management Program for contributing $19,738.60 toward the Emmet County Master Plan.

Tatem Phelps thanked security and maintenance staff for their work during the building closure and COVID-19 pandemic. Stated they have been doing an amazing job.

ANNOUNCEMENTS
The next Committee of the Whole meeting will be held on June 8, 2020 at 6:00 pm via Zoom or in the Board of Commissioners room, 200 Division St. Petoskey, MI 49770. (TBD)

This meeting will be held via Zoom.

The next Regular Board of Commissioners meeting will be held on June 18, 2020 at 6:00 pm via Zoom or in the Board of Commissioners room 200 Division St. Petoskey, MI 49770. (TBD)

This meeting will be held via Zoom.

ADJOURNMENT

There being no further business meeting adjourned at 7:09pm

Dated: 6/18/2020

Suzanne R. Kanine
Emmet County Clerk

William L. Shorter
Chairman, Emmet County Board of Commissioners
EMMET COUNTY - Board of County Commissioners Meeting
May 21, 2020 - 6:00 PM

Administrator's Report 5-21-20

ATTACHMENTS:

- Description
- Administrator's Report 5-21-20
- Second Amendment to SRR-EMGO agreement
Emmet County Board of Commissioners Meeting

Thursday, May 21, 2020
Administrator’s Report

Staffing Information:

As I made you aware of on 4/29/2020 we furloughed a number of county employees, along with several others that chose to utilize their benefit time in lieu of being placed on furloughed status. These totaled fifteen (15) in number. On or about 5/14/2020 we issued a revision of furloughed or benefit time extended list of employees. Six (6) employees were recalled from furlough; fourteen (14) employees remain furloughed, and multiple other employees are utilizing benefit time in lieu of being placed on furlough going forward. I commend the work of our H/R Director and our Department Heads in this process. All worked together in unison in order to put this process into place.

At this time, I am beginning the process of preparing to open the county bldg. to the public as of Monday June 1, 2020. We will implement the pertinent portions of our emergency COVID-19 preparedness plan that deals with the public use of the county bldg. At that time, I expect that the remaining county employees will be recalled to their working status.

Airport – PFAS:

On 5/13/2020 – I, along with others participated in the EGLE & NW MI Health dept. Pellston PFOS virtual webinar. It is unknown exactly how many people attended this event. A copy of the recording of the event is on the EGLE web site. I think you may find it interesting to hear the perspective of the EGLE and Health Dept. representatives, along with various other governmental or village representatives on this issue, and what the ultimate end purpose is in this investigation.

On 5/19/2020, a teleconference was held with EGLE representatives, Mead & Hunt, Limno-Tech, our civil counsel and myself to discuss the return of our investigative plan with EGLE, and their suggestions to amend the plan. We will be working again to eventually submitting a revision of our plan that gains approval from all entities involved.

Parks & Recreation:

The recent BOC –COW meeting that gave approval to utilize additional funds for capital needs at Camp Petosega has been implemented. Each of the companies providing service where contacted in regards to the approval to begin their work. P&R Director Bauman is scheduling the work at this time.

All of the Parks and Recreation staff were re-assigned to landscaping projects in an attempt to utilize them in lieu of furloughing. There assignment is work that will need to be done prior to the opening of the parks for public use. We will bring aboard some seasonal staff to work the parks as well, prior to the opening date. Director Bauman and HR Director White are completing that work process now. It is also my intention to open the Camp Petosega campground and the Crooked River locks for use and reservations as of Monday June 1, 2020. Additionally, we are focused in determining how we can begin to rent out our P&R facilities at Camp Petosega, and the Headlands – while complying with any social distancing and cleaning requirements that are required.
Transit:

Pursuant to the BOC directive at the 5/11/2020 COW – I have given formal notice to Cheboygan County Administrator and SRR-Emgo of our intention to summarily suspend the three (3) Emgo routes for a minimum of one months’ time. (May 15, 2002 thru June 15, 2020) I have attached a contract addendum that our civil counsel prepared for this purpose.

Airport:

I have begun preliminary discussions with ARFF, Inc. President Randy Bricker in regards to the FBO service contract at the airport. I recently sent a letter to Mr. Bricker outlining our position going forward in terms of a service reduction to meet the actual needs that the airport is experiencing on a daily basis. I have met with Civil Counsel Engel, and the Airport Director Kelley Atkins in regards to this process, as well as our aviation consultant – Stephanie Ward of Mead & Hunt, Inc. The ARFF Inc. contract expires at the end of December 2020. It is my hope that we will be able to bring a revised contract to the BOC prior to the end of the current agreement. We have the first negotiation meeting set for 5/20/2020.
SECOND AMENDMENT TO TRANSPORTATION AGREEMENT BETWEEN CHEBOYGAN COUNTY, ON BEHALF OF STRAITS REGIONAL RIDE (SRR), AND EMMET COUNTY

WHEREAS, the parties previously entered into the Transportation Agreement Between Cheboygan County, on behalf of Straits Regional Ride (SRR), and Emmet County (the Agreement) last dated November 13, 2018 and a First Amendment to the Agreement extending the agreement for an additional year; and

WHEREAS, the COVID19 emergency has placed a great stress on public transit, including the EMGO routes covered by the Agreement; and

WHEREAS, Cheboygan County staff have advised that SRR is operating with almost empty buses and with no revenue coming in from the so few riders from the COVID19 emergency; and

WHEREAS, Cheboygan County staff is recommending to Cheboygan County that a number of bus drivers be furloughed for at least one month, beginning May 15, 2020; and

WHEREAS, the parties agree that it would be cost-effective to suspend public transit involving Routes 11, 12 and 13 of the Agreement for one month; and

WHEREAS, it is in the mutual interests of both parties to amend the Agreement pursuant to Section 17 of the Agreement to suspend the Routes under the Agreement for one month.

AGREEMENT

THEREFORE, the parties agree as follows:

1. Cheboygan County, on behalf of Straits Regional Ride, and Emmet County agree to temporarily amend the Agreement to provide that Routes 11, 12 and 13 will be suspended from May 15, 2020 through June 15, 2020.

2. The parties agree that Emmet County is relieved of paying $17,464.29 to Cheboygan County under the provisions of Section 9 of the Agreement while the service of Routes 11, 12 and 13 are suspended.

3. The parties agree that Cheboygan County will apply the 18% discount from the CARES Act ($3,143.57) from the April 2020 bill of $17,464.29 for an adjusted bill of $14,320.72 for April 2020 service.

4. The parties agree that Cheboygan County will apply the 18% discount from the CARES Act ($1,571.79) to a partial May 2020 bill, reducing the bill amount for May 1, 2020
through May 15, 2020 from $8,732.15 to $7,160.36 for the services provided from May 1, 2020 through May 15, 2020.

5. The parties agree to re-evaluate the suspension of services in the first week of June 2020 to see if this Second Amendment may need to be extended.

6. In all other respects, the Agreement last dated November 13, 2018 and its First Amendment is still in full force and effect except as changed by this Second Amendment.

Date: 5-15-20

WITNESS: CHEBOYGAN COUNTY

Karen Brewster  
Clerk/Register of Deeds

Date: 

WITNESS: EMMET COUNTY:

Suzanne R. Kanine  Michael Reaves  
County Clerk  County Administrator
MAC Agriculture & Tourism Committee  
Friday, May 15, 2020  
10:00 a.m.  
MAC Headquarters, Lansing, Michigan

Members Present (10): Chairman Fenske, Vice Chair Shattuck, Commissioner Ahrens, Commissioner DeJong, Commissioner Donz, Commissioner Henning, Commissioner Patterson-Gladney, Commissioner Pohl, Commissioner Sauer, Commissioner Wiley, Administrator Wren (NVM), Commissioner Harris (NVM), Commissioner Kuyers (NVM), Commissioner Ponstein (NVM), Commissioner Storey (NVM)

Members Excused (0):

Members Absent (4): Commissioner Altman, Commissioner Shink, Commissioner Sparks, Commissioner Wittenbach

Staff: Michael Ruddock, Governmental Affairs Assistant

Guests: Joel Johnson, State Executive Director of the USDA Farm Service Agency

Meeting called to order at 10:03 a.m. by Chairman Fenske with a quorum

1. Roll Call
2. Commissioner Fenske started the meeting
3. Approval of 11-18-2019 meeting minutes
   a. Motion to approve by Commissioner Sauer, supported by Commissioner Pohl. Unanimously in favor, minutes are adopted.
4. Guest Presenter Joel Johnson, Michigan State Executive Director of the USDA Farm Service Agency
   a. 49 county offices throughout Michigan. State office located in East Lansing, MI
   b. about 48,000 farmers total in Michigan
   c. 920,000 acres filed as unplantable acres due to natural disaster
   d. Nearly all counties in Michigan declared as primary disaster counties
      i. designation frees up emergency loans; restore or replace equipment that was lost, or to pay some prior farming debts
   e. WHIP – Wildfires, Hurricanes, Indemnity Programs Plus legislation
      i. payments to farmers to cover losses that occurred in 2018-2019 due to a qualifying disaster event
         1. excess moisture, high water tables added to that program due to excessive losses
         2. $185 million sent through sugar beat cooperatives to compensate for losses in the sugar beat industry
         3. includes provisions that cover crop quality losses
f. 2019 Marketing Facilitation Program
   i. $1.4 billion to purchase new commodities
   ii. $100 million to produce new markets, assist in things like foodbanks.
   iii. $14.5 billion in direct payments to farmers to offset losses due to trade conflicts with China.

g. Farm loans to help hurdle obstacles in getting started in farming
   i. USDA FSA will do direct loans if somebody chooses not to go through a commercial lender; will also co-sign in certain situations with other commercial lenders
   ii. 600 farm loans, $160 million loaned out – 68% to new farmers

h. Conservation Reserve Program
   i. farmers in MI receive about $2 million yearly in rent payments to conserve and protect water resources

i. COVID-19
   i. USDA service centers remain open, designated essential
      1. doing all business by phone and email
      2. continuing w/farm programs, getting loans out
   ii. CARES Act
      1. $48.9 billion to USDA to respond to Coronavirus pandemic.
      2. $100 million for Reconnect Grants & Loans Program
         a. rural broadband grants and loans

j. CFAP – Coronavirus Food Assistance Payments
   i. $19 billion in direct payments to food producers, increase SNAP benefits through CARES Act.
   ii. covers lost revenue in certain markets for farmers and ranchers
   iii. Food distribution arm through this program works with non-profits throughout the country to get fresh food, dairy, and meat to those who need it

k. Vice Chair Shattuck asked if the available CARES money would cover crop prices that were lower this past year, or only moving forward. Mr. Johnson said that they're still in the rule-making process, but they expect anybody who had a 5% loss would be eligible even going back to last year.

l. Commissioner Gladney asked about the Food Purchasing Program – how do these non-profits that would help distribute the food provided by USDA get more information on how to participate? Mr. Johnson said that some preliminary information has already gone out: applicable nonprofits would need to have the ability to procure food and have good distribution networks. Mr. Johnson said that he would look into how groups can get more information in order to participate.

m. Commissioner Fenske said that he has a significant beehive and news about the Murder Hornets migration are unsettling. Mr. Johnson said that USDA is starting to think about what their response to their oncoming migration.
   i. Animal and Plant Health Inspection Service would be the sister organization that will probably lead the charge on this issue

n. Commissioner Harris asked if there was a timetable to when CFAP grant recipients will be announced. Mr. Johnson said that Secretary Perdue plans to get that information out before the end of May.
o. Commissioner Harris talked about cherries not meeting the required definition to be allowed in food boxes. Mr. Johnson said he was unaware of that problem and will elevate the issue within the administration.

p. Commissioner Gladney asked if the USDA handled food security issues. Mr. Johnson said that it was one of the main reasons the Department was created, but not the only Department that handles food security work.
   i. Commissioner Gladney followed up with a question about farm workers and making sure our migrant workers have their PPE or safety protocols. Mr. Johnson said that USDA wouldn’t handle that issue, it’d fall more under the jurisdiction of MDARD.

q. Michael asked about the Conservation Reserve Enhancement Program. Gov. Budget included $10 million to draw down funds from the Feds to protect sensitive watersheds and provide rental payments to farmers that participate. Mr. Johnson said that its very beneficial; Michigan participated in the program through 2016, but pulled out due to budget constraints.

5. **Legislative Update**
   a. EOs
      i. Stay at Home order extended through 5/28; EO 77
         1. construction, manufacturing
      ii. OMA/Virtual meetings extended through end of June
   b. Federal Gov
      i. $150 billion through CARES Act sent to states and local governments
         1. Macomb, Kent, Wayne, Oakland eligible for direct payment
      ii. HEROES Act: proposed $187 billion for direct expenditures AND revenue replacement for counties
         1. $3 trillion total plan – passed US House on 5/15
   c. Senate
      i. $523 million supplemental to local government through the available $3.8 billion from the Federal CARES $$$
         1. $100 million to local public safety officers (police, fire, EMT, 911); $5 million max to each county
         2. $62 million for PPE and testing needs in nursing homes, meat plants, ag processing centers, etc.
         3. $125 million for childcare providers
         4. goes to house
   d. State budget
      i. Revenue estimating conference today will determine loss to state this FY
      ii. likely cut to statutory revenue sharing
      iii. cuts TBD
      iv. state employees partially laid off

6. **2020-2021 Platform review/adoption**
   a. The committee reviewed the platforms for about 20 minutes
b. A motion to adopt the 2020-2021 Agriculture & Tourism Platform as edited was made by Commissioner Pohl and supported by Commissioner Ahrens. The vote is unanimously in favor and the Platform is adopted.

7. **Future Topics/Speakers**
8. **Roundtable discussion**
   a. The committee asked Michael to follow up with information about private campgrounds and Air B & B’s opening beginning around Memorial Day.
   b. The committee asked Michael to provide the resolution passed by Tuscola county, and being considered by Lapeer county, regarding urging Governor Whitmer to reopen Michigan’s economy in areas that are less affected by the virus.

9. **Next Meeting: TBD**

Meeting adjourned at 12:03 p.m.

Meeting minutes compiled by Michael Ruddock, Governmental Affairs Assistant
2020 Officers:

PRESIDENT
Scott Noesen,
Midland County

VICE PRESIDENT
Christian Marcus,
Antrim County

SECRETARY
Richard Schmidt,
Manistee County

TREASURER
Larry Emig,
Osceola County

DELEGATE-AT-LARGE
Frank Vanderwal,
Missaukee County

STAFF SUPPORT
John Amrhein,
MSU Extension

Member Counties:
Alcona
Alpena
Antrim
Arenac
Benzie
Charlevoix
Cheboygan
Clare
Crawford
Emmet
Gladwin
Grand Traverse
Gratiot
Iosco
Isabella
Kalkaska
Lake
Leelanau
Manistee
Mason
Midland
Missaukee
Montcalm
Montmorency
Newaygo
Oceana
Ogemaw
Osceola
Oscoda
Osceola
Presque Isle
Roscommon
Saginaw
Wexford

Date: Monday, May 18, 2020, 9:45 AM
Location: Zoom room will open by 9:15
https://msu.zoom.us/j/91383169889
Password: 756434

Dial by your location:
+1 312 626 6799 US (Chicago)
+1 646 876 9923 US (New York)
+1 301 715 8592 US (Germantown)
+1 346 248 7799 US (Houston)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tampa)

Meeting ID: 913 8316 9889
Find your local number: https://msu.zoom.us/j/adtHdh5MAY

9:45 AM: Business Meeting
Pledge of Allegiance
Roll Call
Introduction of Guests
Minutes and Treasurer’s Report
John’s Report
Unfinished Business
New Business

10:00 AM: MAC Legislative Report, Meghann Keit, Governmental Affairs
Associate, Michigan Association of Counties

Water Levels: Great Lakes, and Inland Lakes; and Weather
and the role of the National Weather Service - Mark
Breederland, MSU Extension Sea Grant Educator, and Pat
Bak, Warning Coordination Meteorologist, National Weather
Service Gaylord Forecast Office

Mark and Pat will share with us information about high water
levels and the weather that impacts them, and resources their
organizations have to share that can help counties and county
residents know better what to expect and how to respond to the
current weather and water issues in northern lower Michigan.

Future: June 15, 2020 – Benzie County Broadband Initiative - Zoom
July 13, 2020 – Program TBA - Zoom

Questions?? Please call John Amrhein, MSU Extension Grand Traverse County,
231-878-2101, or email amrhein@msu.edu

Coming together is a beginning • Working together is progress • Staying together is success
COVID 19 PANDEMIC PRECAUTIONS, RESPONSE AND RECOVERY

May 21, 2020

PANDEMIC RESPONSE

Bay Bluffs — Emmet County Medical Care Facility has been at the forefront of COVID 19 response and prevention since late February. Caring for the most vulnerable of our community, the staff has been able to maintain a “COVID naïve” facility — meaning no resident or staff member has contracted the virus at this time. The efforts required to maintain this environment are taxing to both human (staff, residents, families) and financial resources. It is critical at this time that the community understands the importance of their efforts to reduce the spread of illness and to remain vigilant or maintaining the safety of residents will become even more challenging to continue.

Bay Bluffs has followed guidance from the Centers for Disease Control, Centers for Medicare and Medicaid Services, the Michigan Department of Health and Human Services and the local Health Department as pandemic response activities have evolved.

Sadly, this situation has placed residents in isolation from loved ones since mid-March. Families are anxiously anticipating the opportunity to return to see their loved ones in person – which is unknown at this time due to the constraints of testing currently placed on nursing homes as a contingency of “re-opening”.

The employees of the county medical care facility have been outstanding, showing resilience in the face of adversity, creating solutions to problems quickly and adapting to rapid changes with grace and compassion.

While there is no clear path to the new “future state”. Bay Bluffs leadership team and Board are focused on continuing to deliver the very best care possible while maintaining the required infection prevention and control measures needed to mitigate an outbreak until vaccine or treatment for COVID 19 is available.
COVID 19 PANDEMIC PRECAUTIONS, RESPONSE AND RECOVERY

May 21, 2020

FINANCIAL IMPACT

Costs associated with the pandemic response include the following through April 30, 2020:

$270,000  Lost revenue
$  50,000  Additional operating expenses
$320,000

Additional operating expenses include increased purchase of PPE, activity program supplies, medical supplies, and isolation precaution supplies / equipment (i.e. rental of additional oxygen concentrators, supplies for plastic walls/barriers).

Expenses are projected continue to be above budget for the duration of the pandemic with projections of additional $125,000 to $200,000 more depending on how long the pandemic and state of emergency conditions continue.

Income received via federal, state and local funds, along with the Bay Bluffs Foundation, through April 30, 2020:

$260,000  Medicare stimulus funds received
$30,000  Bay Bluffs Foundation funds raised
$290,000

Note that the Foundation contributions began to come in from individuals who have not had experience with Bay Bluffs but heard of the need for support to offset PPE purchases and assist with maintaining resident quality of life. The silver-lining in this pandemic is that the Foundation has had a “jump start” to raising funds for the facility.

ADDITIONAL PANDEMIC CONSIDERATIONS

In addition, the pandemic is illuminated other gaps in the physical plant that will require attention when funds are available. Some of these areas include the following:

- Additional “touchless” door locks – not all doors have keyless entry or badge entry at this time due to cost
- Additional surveillance cameras for hallways, dining rooms, and exterior areas of the campus
COVID 19 PANDEMIC PRECAUTIONS, RESPONSE AND RECOVERY

May 21, 2020

- Updated nurse call and paging systems to streamline communication with in the building
- Emergency communications technology to allow for instant messaging or communication with families more efficiently
- Screening technology that does not require additional staff to complete temperature checks and symptom screening employees at start of shift
- Reconfiguration of resident neighborhoods to be “self-contained” households in the event of further quarantine or isolation – two of the current neighborhoods have limited space for dining, meal service, bathing, laundry or storage of medical supplies etc. This has been difficult to reduce exposure risk as multiple staff must enter the area in order to perform routine services.

RECOVERY PLANNING
Bay Bluffs is not anticipated to return to budgeted or “normal” operating at least until July or August. Recovery plans include potential long-term changes to operations to support future outbreaks and include dedicated isolation rooms, enhanced supply inventory, and consideration of census capacity.

Bay Bluffs will likely not have funds to repay the county loan for renovations OR to support capital expenditures previously budgeted. 2020 Capital budget was projected at $285,000. As has been previously shared, the capital needs of the facility, in total, have been estimated at $4.5 million. Bay Bluffs, like the county, has deferred many capital expenses over the last several years due to available financial resources.

With only 30 days cash on hand, Bay Bluffs may not be able to reduce overhead and/or increase admissions fast enough to mitigate cash losses created by this unforeseen pandemic. Decisions regarding viability of maintaining 120 beds, revising the capital budget, and potential capital campaign or millage will be necessary.

Discussions on 2020 budget adjustments and capital funding will begin in early June among the Bay Bluffs leadership and Board to determine a recommended strategy for recovery.
EMMET COUNTY - Board of County Commissioners Meeting  
May 21, 2020 - 6:00 PM  

Approval of 2019 Sheriff Department Annual Report  

SUMMARY:  
Sheriff Pete Wallin presented his department’s 2019 Annual Report at the Committee of the Whole meeting on May 11, 2020. He has requested that the Board of Commissioners formally accept this report as it has done in prior years.  

RECOMMENDATION:  
I recommend Board approval as presented.  
Michael Reaves, County Administrator  

CIVIL COUNSEL REVIEW / RECOMMENDATION:  
Legal review not required.  

MOTION:  
I move that the Board of Commissioners accept the 2019 Annual Report of the Emmet County Sheriff’s Department as presented by Sheriff Pete Wallin.  

VOTE: Voice Vote  

ATTACHMENTS:  
- Description  
  - 2019 ECSD Annual Report
Law Enforcement Division
Annual Report 2019
2019 ACCOMPLISHMENTS

The Emmet County Sheriff's Office Annual Report for 2018 outlined goals for 2019. The following pages list the 2019 goals and the results of these projects.
2016 Goal-Radios

• Study process to obtain new radios that will work with CCE radios for the next 10 years.
  – Current radios are no longer serviceable by manufacturer due to age.

Update: CCE developed a plan for radio replacement. We would like to thank the Emmet County Board of Commissioners for supporting this life safety issue. This has been a long term goal since 2016.

800 MHZ radio replacement scheduled for Summer 2020.
Goals for 2019

• Active Shooter Body Armor Project
  - We are obtaining bids for body armor and will submit for a purchase order as soon as possible.

  Update: 15 active shooter vests purchased, currently being carried by patrol deputies in case of such an incident.

• Capital Improvement Vehicles

  Update: Ordered through a leasing program, 3 patrol units and 1 Transport Van equipped and placed into service.
Goals for 2019

• Obtain two additional licenses for the Axon body cameras
  - We have obtained a bid and are working through the procurement procedure to obtain them.

Update: Two licenses attained, more additional storage for the cameras was also purchased. The Axon body cam system continues to be invaluable for obtaining evidence and liability mitigation.
Goals for 2019

• Evidence Room
  - We are developing new procedures for the handling, processing, and storage of evidence.

Update- The CCE’s purchase and transition to a new Records Management system will include an Evidence Management Module allowing us to update our evidence processing to a digital format including bar code printing and scanning. Expected implementation in 2020.
The following courses were attended by Deputies in 2019 Online through the Virtual Academy

- Combating Human Trafficking
- Police Health and Mental Wellness
- De-escalating for Law Enforcement
- Statement Analysis Interviewing Techniques
- The Root of Violence Part I: Lessons from Jonesboro on School and Gang Violence
- The Root of Violence Part II: The External Threat and Predicting Terrorist Attacks
- The Root of Violence Part III: School Violence Prevention & Management Tactics
- Child Sex Abuse (5th edition)
- Human Fatigue in 24/7 Operations
- Mental Illness (3rd edition)
- Packaging & Submission of Forensic Evidence
The following courses were attended by Deputies in 2019
Online through the Virtual Academy

• Personnel Issues
• Reducing Liability for Smaller Agencies
• Responding to an Active Violence Event
• CCLP - Arrests and Terry Stops & Warrantless Searches (Exceptions)
• Use of Force
• Performance Management
• Firearms Training - M1911A1 Pistol
• Firearms Training - Remington 870
• Team Building for Command Staff
• The Leadership Role in Public Service
• Practical Kinesic Interviewing Part 1
• Practical Kinesic Interviewing Part 2
The following courses were attended by Deputies in 2019

• Security Awareness Training Level 1, 2, 3 Module A, 3 Module B
• IS-100.c: Introduction to Incident Command System, ICS-100
• IS-200.b: ICS for Single Resource and Initial Action Incidents
• IS-700.b: An Introduction to the National Incident Management System
• IS-800.c: National Response Framework, an Introduction
• Axon Academy certified Taser Instructor
• In house training: Evidence Handling Procedure Update
• In house training: Obtaining a Search Warrant Training
• In house training: Obtaining a Proper Written Statement
• In house training: PPCT-Human Factor Group Refresher
• Conducted Electrical Weapons: Michigan Law and Policy
• Harassment Prevention: A commonsense Approach-Employee eLearning
• UAS (Drone) Operations for Law Enforcement
• In house training: PPCT-Human Factor Group Refresher
• In house training: Emergency Vehicle Operation (EVO) refresher
The following courses were attended by Deputies in 2019

- Advanced Course on The Reid Technique of Interviewing and Interrogation
- Foundations of Sexual Assault Investigation for the Rural Officer Online
- Sexual Assault Investigation for the Rural Executive Online
- Sexual Assault Investigation for the Rural Officer Online
- Human Trafficking Training
- Dive Training
- Dive Training: Equipment training and field maintenance at Scuba North
- Dive Training: Antrim County
- Dive Training: Walloon Lake
- Dive Training: Harbor Point
- Safe Kids: School Bus Safety
- Safe Kids: Car Seats 201
- Safe Kids: Vehicle Safety 201
The following courses were attended by Deputies in 2019

- Taser X2 CEW v.21 User Certification Course
- Vehicle CQB Operator Course
- Certificate of Completion in Alere DDS2 Mobile Forensic Test System Training
- Oral Fluid Drug Testing-Collection Procedure
- Drug Evaluation and Classification Program Certified DRE
- Speed Measurement Operator Training
- Intermediate ICS-300 for Expanding Incidents
- A Dangerous Defense: “Blackout” in Alcohol Facilitated, Non-Stranger Sexual Assault Cases Webinar
- Certification by the Professional Canine Handlers in Tracking and Narcotic Detection
- Safe Kids: Using Rear Facing Car Seats Beyond Age One.
- Safe Kids: Emergency Transport
- In house training: Taser Recertification
- The REID Technique of Interview and Interrogation
Special Programs 2019

- Victim Services Unit
- School Resource Officer
- Emergency Response Team
- K-9 Unit
- Bailiffs
# Victim Services Unit

## 2019

| The Victim Services Unit (VSU) was created by Sheriff Wallin in 2003. |
| 2019 VSU Activities: |
| - 48 calls for service |
| - 205 Victims Assisted |
| - 1.656 Miles driven by VSU members |
| - 6 Meetings |
| - 10 members attended Citizens Academy |
| - 1 new advocate training held |

| Types of calls for assistance in 2019: |
| - unattended/unexpected death |
| - accident |
| - drowning |
| - suicide |
| - Fire |
| - Overdose |
| - Sexual assault |

| 23 VSU members at the end of 2019 |
School Resource Officer
2019

- The School Resource Officer (SRO) is assigned to Pellston Public Schools, Alanson Public Schools, Petoskey Concord Academy, Lakeview Academy, Taylor and St. Michael Academy.
- The SRO is an important part of the school community. The SRO provides police services on school campuses as well as working with schools on providing students further education on a variety of topics and resources.
- SRO participates in all school lockdown drills and emergency planning.
- SRO coordinates annual emergency response training and building familiarization for office members.
- SRO teaches Teaching Educating And Mentoring (T.E.A.M.) safety lessons.
- The SRO is available to counsel students and their parents on school law and safety.
- SRO participates in community programs, such as Shop With a Hero and Substance Abuse Free Environment, SAFE. These programs build positive relationships between law enforcement and youth.
- The SRO investigates the majority of cases involving school age children in Emmet County.
- Bridges the gap between Law Enforcement and students.
Northern Michigan Mutual Aid Emergency Response Team

• The Emergency Response Team (ERT) is a highly trained and organized tactical unit, which was developed and is deployed by eighteen Sheriffs in Northern Michigan District II Sheriff’s Group. This team was divided into three geographical area teams. They are responsible, when called upon, to handle armed barricaded suspects, high risk warrant services, drug house raids, hostage situations and terrorist events.

• The mutual aid compact allows services to be brought into each county as needed with fiscal responsibility being spread out to each agency. Therefore, a critical incident will not deplete local budgets of individual agencies and municipalities.
Northern Michigan Mutual Aid Emergency Response Team

- Each new member attends a week of basic training at Camp Grayling. Monthly training occurs every third Wednesday regardless of inclement weather. A 3 day training occurs in September at Camp Grayling for all members. Members also seek any training available throughout the year if it falls within fiscal limitations. Certification testing is done annually to keep standards high within the team on skills ranging from firearms, physical fitness, knowledge of criminal law, use of force/control, and communication.

- We are able to bring the quickest available response to critical incidents because of our membership on the team.
Northern Michigan Mutual Aid Emergency Response Team

- On August 25, 2019 in Clare County they received a report of a male suspect who had shot his wife inside a home. Family members and the home owner were able to escape the residence. The suspect was believed to still be inside the home. Entry was made into the house after exempts to make contact with the suspect were exhausted. The victim was found deceased from her wounds and the suspect was found dead from a self-inflicted gunshot.

- On December 26, 2019 in Grand Traverse County they received a report of a male shooting suspect camping out on the Boardman River. A perimeter was set up around the area where the suspect was believed to be. With the help of Grand Traverse County’s drone, we were able to locate a camping site. Several teams were sent into the woods to secure the campsite. After calling out the suspect he was detained for questioning about his involvement in the shooting. He was later released.
K-9 Unit

- K-9 Ares born in Poland June 3, 2013, German Shepherd
- Ares handler is Deputy Poumade
- Ares is trained to:
  - Locate hidden narcotics- Ares is certified in narcotics detection by the National Association of Professional Handlers (NAPCH)
  - Locate people- Ares is certified in tracking by NAPCH
  - protect her handler
  - physically apprehend fleeing criminals
- School and other civic organizations request for demonstrations.
K-9 Unit

• Ares and Deputy Poumade train regularly with a group consisting of:
  – Cheboygan County K-9
  – Charlevoix County K-9
  – U.S. Border Patrol
  – U.S. Forest Service K9

• Ares has been requested many times for narcotics detection and tracking by our department and several other local police departments from as far away as Presque Isle County.
SUMMARY OF BAILIFF POSITIONS 2019

• The Sheriff’s Office has three deputies assigned to bailiff duties. Bailiff duties include mortgage sales, evictions, county building security, transporting prisoners to and from court, court room security, non-sufficient fund checks, Minor reports from incidents that happen within the Emmet County jail, prisoner transports to outside facilities and limited civil process.

• 51 evictions were handled by the Emmet County Sheriff’s Office Bailiffs.

• 155 prisoner transports were conducted by the Sheriff’s Office in 2019. A total of 570 hours were spent on prisoner transports. The majority of prisoner transports are handled by the bailiffs.

• Investigation of bad check complaints are conducted by the bailiffs. The Sheriff’s Office conducted 21 bad check investigations during the year.
The 416 (secondary road patrol) car is a partially state funded, traffic enforcement only patrol unit. The 416 car patrols secondary roads and spends very little time on primary roads. The 416 car is used to deter violations in problem areas through presence and enforcement.
The Casino Car was created through a Casino Revenue Sharing Grant. The Casino Car handles complaints and provides traffic enforcement in the townships surrounding the Odawa Casino. The Casino Car has been a valuable asset in dealing with the increased demand for law enforcement created by the casino.
2019 Priority of Calls

- Citizen calls for service received by Central Dispatch are prioritized and assigned to the closest available patrol unit. The following chart reflects calls given to our deputies, deputies activities reported to Central Dispatch, and the priority level assigned to the call by Central Dispatch.

Examples:
- Priority 1: assault in progress, unknown injury accident, bank alarm, breaking and entering in progress, dead person, personal injury accident, trapped response, all responses that require rapid response to prevent injury or loss of life
- Priority 2: armed subject, assault, domestic dispute, criminal sexual conduct, mental subject, panic / intrusion alarm, disturbance disorder, stolen property
- Priority 3+: breaking and entering, boat accident, car deer accident, driving violations, extra patrol, fraudulent activities, hit and run accident, larceny, malicious destruction of property, missing person, minor in possession, parking violations, assist other agency, private property damage accident, property damage accident, suspicious situation/suspicious person, vehicle in ditch, animal complaint, attempt to locate, bad checks, all other activities reported to central dispatch.

Source: CAD Response Time 1-1 to 12-31-19 EMSH
Traffic Enforcement Statistics

Chart above is a total of all Uniformed Services Deputies’ traffic enforcement activity, excluding the 416 car and the Casino car.

Source: RMS
Vehicle crashes are broken down into four categories. Property damage accident reports are required for any crash that occurs on a road or highway and results in $1000 or more in vehicle or property damage. Crashes with personal injuries require a report, regardless of the location of the crash or property damage. Private property crashes are property damage accidents that do not occur on a public roadway. The majority of private property accidents occur in parking lots near shopping areas. Fatal accidents include vehicle crashes resulting in death, regardless of location or vehicle type.
Non-criminal activity covers a wide range of services provided by the Sheriff’s Office. General assistance complaints include those that might not require police response, but a deputy responds to help a citizen or other agency. Suspicious situations are recorded when something was reported or noticed to be unusual, the officer investigated the information and a criminal investigation did not result. General non-criminal complaints consist of the calls for service that do not meet the elements of a crime. Civil disputes include family problems where an assault has not taken place and other disputes between parties where a crime has not been committed. Deputies respond to civil disputes to keep the peace and give parties other options for civil dispute resolution.
The sizable difference between contacts and verbal warning indicate that the majority of boaters follow the marine safety laws. The Sheriff’s Office approach to promoting marine safety is education and awareness. The Marine Deputies educate young boaters as well as experienced boaters through Marine Safety classes. Marine Deputies promote awareness through patrolling our lakes and rivers, conducting safety checks and showing a police presence on the water. When violations do occur most are handled with a verbal warning and some on scene education.
The Sheriff’s Office approach to Snowmobile Patrol is very similar to that of Marine Patrol with a few exceptions. Education and awareness are promoted through the Snowmobile Safety Course taught by the Snowmobile Deputies and patrol. The number of contacts are much higher than the number of verbal warnings, indicating a high level of compliance to the laws.
Security Checks / Residential

- Sheriff Wallin Implemented Policy and Procedure for Security/Residence checks in 2009:
  - Citizens request security checks by completing a request form with appropriate information.
  - Checks are assigned to deputies who conduct them during regular patrol, once a week, additional checks may be done at officer’s discretion, as time allows.
  - Checks are documented using the in-car computer and computer automated dispatch.
  - Checks are monitored and a letter is sent to the property owner at the end of the requested check time period.
  - Positive feedback from citizens has been substantial.

- Benefits
  - Most security checks are requested in the non-summer months when complaint and traffic enforcement volume is lower.
  - 428 property checks were conducted by Deputies in 2019 including:
    - Business properties
    - requested property checks
    - random checks
  - Residential security checks require patrol time in low traffic areas and cause patrol patterns to vary.
  - Increased protection of property.
  - Positive relationship building with citizens.
The Animal Control Officer handles all non-emergency domestic animal complaints in the county. The Sheriff’s Office spent 748 hours on animal complaints generated through 911. This figure only represents the amount of time spent on the original investigations and does not include follow up, nor does it include calls that initiated through the Road Patrol office. A vast majority of these complaints are handled by the Animal Control Officer.
These figures are from all dispatched/recorded events from the CCE dispatch center. They include all reportable events as well as non-reportable events. Reportable events are events that are of a criminal nature, or require some sort of documentation of the officer’s activities. Non-reportable events still require our attention, but not necessarily a report.
The Sheriff’s Office responded to all types of calls for service in 2019. The chart above lists the most time consuming calls for service. The chart reflects the total hours spent by deputies taking the initial complaints. Deputies spent an additional 1,305 hours on these cases conducting follow up work.
Goals for 2020

The Sheriff’s Office identifies goals by evaluating the law enforcement needs of the community. The goals section of the annual report identifies special projects for the upcoming year. The Sheriff’s Office continually investigates outside funding sources for programs that will benefit the citizens and enable the office to achieve the ultimate goal of providing the best law enforcement services available to the people of Emmet County. Benefits to the citizens versus the cost is always a consideration prior to the proposal of special projects.
Goals for 2020

• Training and implementation of 800 MHZ radios to used by all deputies.
  – Sheriff’s employee will attend instructor training for the 800 mhz radio system
  – Each employee must attend approximately 32 hours of radio user training.

• Implementation of new Records Report System
  – will advance our records system, reports format and evidence room documentation
Goals for 2020

• Deputy to attend Accident Investigator Reconstruction School(AI 9), to replace former AI 9 certified investigator.

• Obtain FAA licensing for DRONE pilots.

• Purchase new PWC’s for Marine Division.
Operation Stone Garden

Sheriff’s Office will utilize OPSG funds to conduct operational law enforcement activities on an overtime basis. Additionally funds will be used for vehicle fuel and approved equipment purchases.

– FY2019 OPSG grant funds will be awarded in 2020
– Grant funded patrols anticipated to begin in June 2020.
– TruNarc, hand held Narcotics Analyzer, will be purchased with OPSG funding and training will be provided to Deputies.
EMMET COUNTY SHERIFF’S OFFICE
CORRECTIONS DIVISION
ANNUAL REPORT
2019
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History & Current Assessment

- The Emmet County Correctional Facility was built in 1967. At that time the total housing capacity was 20 inmates, with an average daily population of 6 inmates.

- In 1983, the facility was expanded to house 27 inmates. The average daily population in 1984 was 15 inmates. As a result of an increase in the inmate population, double bunking was added in 1988 and 1990, which increased the housing capacity of the facility to 33 inmates.

- In 1997, in order to provide housing for inmates on work release, an additional 14 beds were added, bringing the total housing capacity to 49 inmates, with an average daily population of 38 inmates.

- Again in 1999, the facility was expanded bringing the total housing capacity to 69, with an average daily population of 52 inmates.

- To keep up with the rising inmate population, the facility was expanded in 2006, bringing the total housing capacity of the facility to 103 inmates. The average daily inmate population for 2019 was 71 inmates.

![Average Daily Inmate Population Chart]

- The chart shows the average daily inmate population from 2016 to 2019, with the highest population in 2019 at 91 inmates and the lowest in 2016 at 73 inmates.
The Emmet County Corrections Division currently operates twenty-four hours per day, three hundred sixty five days per year, with staffing of a Jail Administrator, four Sergeants, and twelve Correction Officers working two twelve hour shifts. One Correction Officer is assigned to manage the inmate work release/crew programs.

The facility is comprised of maximum, medium, and minimum security housing areas. The facility also has four temporary holding cells, with two of these cells being used for detoxification purposes.

The population consists of both adult male and female, sentenced and non-sentenced inmates who are incarcerated for a civil, misdemeanor, or felony charge. The facility frequently houses State prisoners that are in violation of their parole and are awaiting return to the Michigan Department of Corrections. The County is reimbursed from the State, at the current rate of $35.00 per day per inmate, to help cover the cost of housing expenses for State prisoners.
The following inmate population data is represented as the total number of inmates admitted to the facility for the year 2019.

Inmates Lodged by Race

- White: 1304
- African American: 57
- Native American: 123
- Hispanic: 8
- Other: 18
Inmates Lodged by Age

- 17-24: 260
- 25-34: 481
- 35-44: 388
- 45-64: 327
- 65-Over: 53

Chart showing the number of inmates lodged by age group.
Inmates on Work Release/Crew Program

See pages 13 & 14 for explanation of these programs.
The total amount in expenditures to operate the Correctional facility for 2019 was $1,903,985.00 with an initial budget of $2,024,844.00.

For the year 2019, the average daily cost to house an inmate was $55.19. This amount is significantly higher than the average daily cost for 2018. The increase is primarily due to higher costs for inmate medical expenses along with employee wages and health insurance.

2019 Fees Collected

In order to alleviate the entire financial burden to house inmates upon taxpayers, Michigan legislature authorizes the County to seek reimbursement from inmates for housing and medical expenses. In accordance with this legislature, the Emmet County Board adopted a fee structure to collect housing and medical expenses from inmates. In addition to the collection of housing and medical fees charged to inmates, the facility receives commissions from inmate telephones and credit card bond services.

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<th>Amount</th>
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<td>General Housing</td>
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<td>Work Release/Crew</td>
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<td>Inmate Medical</td>
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<td>State Prisoners</td>
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<td>PBT'S &amp; Inmate Misc.</td>
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<td>Securus (Inmate phone)</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$148,772.18</strong></td>
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Corrections Division Operations

Administrative
- The Jail Administrator is responsible for planning, organizing, and implementing the operations, budget, personnel schedule, policy and procedures for the Corrections Division. The Jail Administrator is directly accountable to the Sheriff and Undersheriff for implementation of all Sheriff’s orders and direction concerning the operation of the Emmet County Correctional Facility.

Command Personnel
- The Corrections Division is comprised of three Sergeants and one Corporal who serve as first line supervisors and to oversee the operation of each shift; the Sergeant/Corporal position requires three years of related Corrections experience.

Corrections Personnel
- Staffing of the facility is comprised of twelve certified Correction Officers that are assigned to various duties in the facility; one Correction Officer is assigned to supervise the inmate work release and work crew programs. The Correction Officer position requires, at a minimum, that each officer to have successfully completed a 160 Hour Corrections Academy and maintain at least twenty hours of in-service training on an annual basis.

- Each Correction Officer has a vital role in the efficient operations of the facility. It’s essential for all Corrections personnel to work together as a team to provide for the safety, security, and control of all inmates in the custody of the Sheriff. Some of the daily routine duties performed are:
  - Monitor inmates for compliance of rules and regulations of the facility
  - Admission and Release of Inmates
  - Fingerprints and Photographs
  - Inmate and Cell Searches
  - Inmate Classification

Work Release/Crew Program Coordinator
- One Correction Officer is assigned to supervise the operation of the work release/crew programs. Their primary responsibility is to verify the inmates have court approval to participate in the program, approve the employment location, administer random drug or alcohol testing on the inmates participating, and perform periodic on site checks at the inmate’s work location.
Corrections Division Operations

- **Support Personnel**

  The support personnel is comprised of one Office Manager and a Housing Reimbursement clerk. Some of the varied responsibilities of the Office Manager include:
  - Supervision of all Administrative office functions and personnel
  - Issue purchase permits and register weapons for the public
  - Management of all the Registered Sex Offender records of the Sheriff’s Office
  - Disburse bond money to the courts
  - Entering warrants in LEIN
  - Coordinate court schedules and paper service
  - Sort and distribute mail for the inmates and Administration

- Some of the Housing Reimbursement Clerk’s responsibilities include:
  - Management of inmate accounts
  - Reconciliation of Inmate Trust account
  - Organize and file inmate files
  - Balance all cash drawers and prepare deposits daily
  - Disburse funds collected for accounts associated with inmate housing and medical expenses
  - Prepare monthly reports for all fees collected for the facility

- **DIVISION TRAINING**

- **In-Service Training**

  The Michigan Sheriff’s Coordinating and Training Council, under the authority of the Local Corrections Training Act- 125 of 2003, requires for each Correction Officer to receive, at a minimum, twenty hours of training in an approved Corrections related topic on an annual basis. During 2019, the Corrections Division personnel received a total of 615 hours of training.

- The following are some of the training courses attended by the Jail Administrator
Corrections Division Operations

• and Corrections Division personnel in 2019:
  – Correctional Law
  – Inmate Classification
  – Custody and Security
  – Electronic Control Devices
  – Suicide Awareness
  – First Aid/CPR/AED
  – Report Writing
  – Drug Recognition

• Corrections Training Officer Program (CTO)
  • The Corrections Training Officer program, which is supervised by the Command personnel, is responsible for ensuring that each new Correction Officer receives the necessary training to face the challenges of the Corrections environment and for producing a well qualified Correction Officer to represent the Sheriff’s Office.
  • The Corrections Training Officer program provides a new Correction Officer with nine weeks of extensive one on one training with an assigned Corrections Training Officer.

• FACILITY INSPECTION
  • Michigan Department of Corrections
  • The facility is audited annually by the Michigan Department of Corrections County Jail Services Unit. The purpose of this audit is to conduct an in depth evaluation in all aspects of the operation of the facility. Some of the key requirements that must meet the Michigan Department of Corrections standards are:
    – The facility must maintain written policy and procedures that must meet the requirements of each Administrative rule
    – Training for all Corrections personnel in emergency response and the use of chemical agents and force
    – Adequate staffing of the facility
    – Fire inspections and testing of equipment
    – Evacuation plans are documented and drills are conducted quarterly with Corrections personnel
    – Monthly sanitation inspections of the facility and kitchen areas
    – Maintains adequate inmate health care
Corrections Division Support Services

- **Medical Services**
  - The jail physician and nurse provide medical services to include dental and mental health related referrals for inmates incarcerated in the facility. All inmate medical services must meet standards established by the Michigan Department of Corrections and is audited annually for continued compliance. Medical services include, but not limited to:
    - Inmate Health appraisals
    - Treatment of pre-existing conditions
    - Inmate sick call
    - Preventative care
    - Infectious disease and control
    - Medical clearance for work detail

- **Mental Health Services**
  - Mental health services is provided to inmates by staff from North Country Community Mental Health. The services they provide includes twenty-four hour emergency mental health evaluations, referrals for treatment or hospitalization, court ordered mental health assessments, and the continuation of case management for current mental health clients.

- **Inmate Meal Services**
  - Staff from Canteen Services of Northern Michigan is responsible for providing inmates three nutritional meals per day. The kitchen staff consists of one full time Food Service manager, and one part time cook. Inmate trustees also help in the kitchen to wash dishes, clean kitchen area, and serve meals to the inmate population. For the year 2019, a total of 76,924 meals were served at an average cost of $2.10 per meal.

- **INMATE PROGRAMS**
  - **Program Goals**
    - The primary goal of the Corrections Division is to obtain the most effective inmate programs at minimal cost, if any, which may provide for an inmate a more positive and productive transition back into the community. The following is a brief summary of each individual program provided at the facility.
  
    - **Work Release**
      - The work release program allows an inmate
Corrections Division Support Services

- to maintain current employment which helps them pay court/probation fees, victim restitution, child support, or to maintain his/her personal assets.

- Inmates that participate in the work release program are charged a $20.00 daily housing fee. Since the inception of the work release program in the late 1990's it has proven to be a valuable asset to the facility due to the significant revenue generated which help defray the costs associated with inmate housing and medical expenses.

- **Work Crew**
  - The work crew program allows an inmate to work for an approved non profit organizations within the community performing a variety of duties such as washing dishes, serving food, custodial services, grounds maintenance, snow removal, painting, sort and package cardboard, newspaper, aluminum and other recyclables.

- **PA 511 Community Corrections**
  - The primary purpose of this program is to provide an offender an alternative punishment such as electronic monitoring, substance abuse treatment programs, or community service work to offenders who would otherwise be incarcerated. Offenders must meet the programs assessment and/or screening criteria and be approved through the to be eligible to participate.

- **Substance Abuse Education**
  - The goal of these services is to provide an inmate with information regarding substance abuse dependency, to help assist them in making a self assessment, and to develop a plan of action to make positive life changes, both while incarcerated and upon release. This service is provided a minimum of once per week by staff from Harbor Hall.

- **Alcoholics Anonymous**
  - Volunteers from our community help support this program for both male and female inmates. This program is intended to lend an inmate fellowship and support for alcohol dependency. Meetings are held once per week at the facility.

- **Thinking Matters**
  - This is a Cognitive Restructuring program that forces inmates to evaluate their attitudes and beliefs that motivate their thinking patterns and behaviors. It helps the inmate identify critical thinking errors that may lead them to repeated illegal, negative, or destructive behaviors. This program challenges an inmate to develop new thinking patterns that if successful, over time, will establish new attitudes and beliefs therefore changing behavior. This program is provided a minimum of once per week at the facility by staff from Harbor Hall.
Corrections Division Support Services

- **SCORE**
  Volunteer business mentors from the Tip of the Mitt SCORE chapter offers inmates a workshop called Fundamentals of Starting or Growing a Business. The workshop gives an overview about how to start a business including key elements of operations, marketing and sales, financial matters and how to develop a business plan.

- **Church Services/Bible Study**
  Inmates incarcerated in the facility are free to practice their faith provided the security and operation of the facility is not compromised. The Jail Chaplain or volunteers from within the community provide non denominational religious services, spiritual counseling, and bible study at the facility at a minimum of once per week. The Jail Chaplain will provide an inmate whose faith is not represented by volunteers assistance in identifying a person from the community that represents their faith.

- **Inmate Commissary**
  The Swanson Services Corporation provides commissary services to the inmates on a weekly basis. Various items such as chips, candy, games, writing materials, personal hygiene and clothing products that are not provided by the facility to inmates are available for an inmate to purchase through their inmate commissary account. All profits generated from the commissary service benefit the inmate population and may be used to pay for the following items:
  - Supplies for the Inmate programs
  - Books and puzzles
  - Inmate program fees
  - Popcorn supplies
  - TV’s and cable fees
  - Local newspaper subscription fees

  - The total for inmate commissary sales for the year 2019 was $81,487.00.

- The facility also has prepaid phone time available for inmates to purchase. Prepaid phone time allows for an inmate to call family and friends at a discounted rate instead of paying a higher collect call charge. The total for phone time sales in 2019 was $64,813.00.
Emergency Preparedness

• The Corrections Division is prepared for all types of emergencies, with written plans of action for:
  – Fires
  – Evacuation
  – Escapes
  – Severe weather
  – Riots and disturbances
  – Hostage situations
  – Inmate injury, illness or death
  – Suicide attempts
  – Hunger strikes

• Corrections Emergency Response Team (C.E.R.T.)
  • In 2003, a Corrections specific tactical team was formed to handle emergency situations involving violent inmates within the facility. The Corrections Emergency Response Team is comprised of nine specially trained Correction Officers who train regularly in self defense tactics, cell extractions, and high risk transports. All of the C.E.R.T. members practice these techniques using the minimum use of force necessary to safely and effectively take control of emergency situations. If the C.E.R.T. responds to an incident in the facility the entire incident is captured on video and stored for future reference and training purposes. There were not any C.E.R.T. responses during 2019. The decline in responses over the past few years is most likely due to the inmates knowing that the C.E.R.T. exists and will respond if needed in all emergency situations.
Corrections Division Awards & Recognition

- Awards and Recognition
  - Correction Officer Todd Blumke received the 2019 Correction Officer of the Year Award
  - Corporal Ben Britton, Correction Officer Brad George, Correction Officer Erin Chase, and Correction Officer Todd Blumke received a Certificate of Achievement Unit Citation

- Recognition
  - Correction Officer Joe Idalski- 20 years of service
  - Correction Officer Chris Hansen- 15 years of service
  - Corporal Ben Britton- 10 years of service
  - Correction Officer Casey Hayes- 1 year of service
Corrections Division Accomplishments

• The Corrections Division continually searches for ideas or programs to improve the day to day operations of the facility. The usual statistics documenting some of their accomplishments are included in this Annual report, but the statistics do not tell the whole story of their dedication. Below is a review of some of their efforts that are not readily revealed in a spreadsheet.

• Highlights for 2019
  – The County signed a two year agreement with Lexipol to assist with creating a custody manual for the Corrections Division. Lexipol uses Michigan case law, current standards, and best practices in developing comprehensive policies and procedures to help minimize risks and costs associated with litigation. Due to the project being extremely labor intensive it was not completed in 2019. Staff from the Corrections Division along with the Jail Administrator will increase efforts to complete the project in 2020.

  – The Administration along with the Corrections personnel worked diligently at achieving and maintaining 100 percent compliance rating from the Michigan Department of Corrections. Again in 2019, the Corrections Division met the Michigan Department of Corrections standards and received 100 percent compliance rating making this our sixteenth year in a row for achieving this rating under the current administration.

  – Corrections Division staff received training on report writing policy and procedure and an updated response to resistance reporting form.

  – Proposals to replace the counter tops and cabinets in the control room are being reviewed at this time.

  – The Corrections Division hired one new Correction Officer.

  – Funding options to purchase each Correction Officer a Body Worn Camera was researched. Before committing to purchasing the Body Worn Camera’s it was decided that a Sergeant from our Corrections Division would be assigned to use the camera to evaluate the pros and cons of using the device in the jail environment.

  – In order for us to streamline our Correctional facility operations and improve compliance an inmate activity management software using a mobile device was explored. One proposal was received that provided a wide range of options that can be easily modified to fit our facilities needs. This project will be revisited in the future when the new jail management system is installed next year.
Goals and Objectives

• It is the mission of the Emmet County Correctional Facility to provide a safe, secure, functional and humane environment for every person we have contact with. We are committed to providing correctional services that are fair, impartial, effective, and in compliance with the laws and standards of the State of Michigan, while managing the public's resources in the most efficient manner possible.

• We will be responsible for our conduct, both professionally and personally. We will be honest, fair, and treat others with respect. We hold ourselves accountable to each other as well as to the public which the Correctional Facility serves.

• Our goals for the year 2020 are to continue meeting the mission and value statements listed above, provide inmates the best medical and mental health care available, provide programs to assist inmates in the reintegration into the community, ensure we plan for future correctional needs by developing well trained professional Correction Officers and a facility that adheres to standards of the Michigan Department of Corrections.

• The mechanisms we believe that will enable us to fulfill these are to utilize funds generated from the state booking fee to give Corrections personnel optimal training opportunities, to provide an in-depth analysis of all inmate programs offered to inmates, including health care services, with results being compared to other Correctional Facilities, for the Administration and Corrections Division personnel working together to maintain a facility that is in compliance with standards of the Michigan Department of Corrections.

• The expected results of meeting our primary goals will impact the Corrections Division personnel by inducing pride and respect for the professional management of the Emmet County Correctional Facility. In addition to meeting the primary goals, the Corrections Division will work on accomplishing the following specific goals in 2020:
  • An amendment to our master services agreement with Securus Technologies will continue to deliver inmate telephone services. This amendment will provide basic tablets for the inmates to use. The tablet includes games, movies, music, and books for inmates to purchase along with a module for inmates to use to visit and e-message their family and friends.
  • Collaborate with our current inmate commissary vendor to have a kiosk installed in the front lobby and booking room to collect inmate deposits and post bond.
  • Install a new jail management system.
  • Apply for a Risk Avoidance Program grant from Michigan Municipal Risk Management Authority to purchase a new taser for the jail.
Summary

• The primary purpose of this Annual Report is to serve as a goal orientated planning tool for the future and to inform the citizens of Emmet County or other interested persons of the current status of the Emmet County Correctional Facility.

• This report is not intended to be an in depth explanation of the day to day operation but rather was intended to provide a general insight about the facility. The data was presented in both a qualitative and quantitative manner in efforts to better disseminate the information presented.

• The primary function of the facility is to provide detention services for all Law Enforcement agencies within Emmet County while administering the facility according to the statutes and standards of the State of Michigan.

• This report reflects the ongoing efforts of the twenty Corrections Division personnel at the Emmet County Correctional Facility.
EMMET COUNTY - Board of County Commissioners Meeting  
May 21, 2020 - 6:00 PM

Sheriff’s Department – Operation Stonegarden Grant Agreement

SUMMARY:  
This was discussed at the Committee of the Whole Meeting.

As there are some additional sensitive information that has to be included through the Finance Department, it is recommended that the Board approve the Agreement and authorize the Chair to sign the Agreement after Civil Counsel approval.

RECOMMENDATION:  
I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:  
I have reviewed the attached documents and approve as to legal form.

MOTION:  
I move that the Board approve the attached Operation Stonegarden Grant Agreement and authorize the Chair to sign after Civil Counsel approval.

VOTE: Roll Call

ATTACHMENTS:  
Description  
- 2019 Operation Stonegarden Grant Agreement
April 15, 2020

Undersheriff Mike Keiser
Emmet County Sheriff's Office
450 Bay Street
Petoskey, Michigan 49770

Dear Undersheriff Keiser:

Enclosed is the Fiscal Year (FY) 2019 Operation Stonegarden (OPSG) Grant Agreement package for the County of Emmet. Please return the required grant documentation listed on the enclosed Subrecipient Checklist to our office at the following address:

Attention: Ms. Alyssa Duhr-Vannelli
Emergency Management and Homeland Security Division
Michigan State Police
P.O. Box 30634
Lansing, Michigan 48909

This grant agreement does not provide inclusive approval of all project items and activities. You must seek prior approval for all purchases or activities.

Reimbursement for expenditures will be determined on a case-by-case basis using the criteria established in the Fiscal Year 2019 Homeland Security Grant Program Notice of Funding Opportunity located at http://www.fema.gov.

This grant agreement and all required attachments must be completed, signed, and returned no later than June 19, 2020. If this requirement is not met, this grant agreement will be invalid after June 19, 2020, unless a prior written exception is provided by the Michigan State Police, Emergency Management and Homeland Security Division.

If you have any questions regarding this correspondence or the FY 2019 OPSG, please contact Ms. Kim Richmond at RichmondK@michigan.gov or 517-284-3952.

Sincerely,

Maj. Emmitt McGowan, Commander
Deputy State Director, Emergency Management
and Homeland Security Division

Enclosures (8)
# Federal Award Agreement

## Federal Award Identification

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<td>Homeland Security Grant Program</td>
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## Research & Development

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## Federal Award Project Description

Fiscal Year 2019 Homeland Security Grant Program, Operation Stonegarden

## Details

Operation Stonegarden provides funding to support enhanced cooperation and coordination among local, tribal, territorial, state and federal law enforcement agencies in a joint mission to secure the United States borders along routes of ingress from international borders.

## Federal Awarding Agency

Federal Emergency Management Agency
Grant Operations
245 Murray Lane – Building 410, SW
Washington DC 20528-7000

## Pass-Through Entity (Recipient) Name

Michigan State Police
Emergency Management & Homeland Security Division
P.O. Box 30634
Lansing, MI 48909
State of Michigan
Fiscal Year 2019 Homeland Security Grant Program
Operation Stonegarden
Grant Agreement

September 1, 2019 to July 31, 2022

CFDA Number: 97.067
Grant Number:
EMW-2019-SS-00021-S01

This Fiscal Year (FY) 2019 Homeland Security Grant Program Operation Stonegarden (HSGP-OPSG) grant agreement is hereby entered into between the Michigan Department of State Police, Emergency Management and Homeland Security Division (hereinafter called the Recipient), and the

EMMET COUNTY
(hereinafter called the Subrecipient)

I. Purpose

The FY 2019 HSGP-OPSG grant provides funding that must be used to increase operational capabilities of federal, state, local, tribal, and territorial law enforcement within United States border states and territories.

The success of HSGP-OPSG will be achieved through an integrated, layered approach to border security and targeted enforcement techniques and strategies. This includes fulfillment of specific roles and responsibilities, expectations for operations, and performance measures. Successful execution of these objectives will promote situational awareness among participating agencies and ensure a rapid, fluid response to emerging border security conditions.

HSGP-OPSG is intended to support border states and territories of the United States in accomplishing the following objectives:

A. Increase capability to prevent, protect against, and respond to border security issues.
B. Increase coordination and collaboration among federal, state, local, tribal, and territorial law enforcement agencies.
C. Continue the distinct capability enhancements required for border security and border protection.
D. Provide intelligence-based operations through United States Border Patrol (USBP) sector level experts to ensure safety and operational oversight of federal, state, local, tribal and territorial law enforcement agencies participating in HSGP-OPSG operational activities.
E. Support a request to any Governor to activate, deploy, or redeploy specialized national guard units/packages and/or elements of state law enforcement to increase or augment specialized/technical law enforcement elements operational activities.
F. Continue to increase operational, material and technological readiness of state, local, tribal, and territorial law enforcement agencies.

Allowable activities must comply with the FY 2019 Homeland Security Grant Program Notice of Funding Opportunity and must align to projects specifically approved by the Recipient.

For guidance on allowable costs and program activities, please refer to the FY 2019 Homeland Security Grant Program Notice of Funding Opportunity located at http://www.fema.gov/grants.

II. Statutory Authority


Appropriation authority is provided by the Department of Homeland Security Appropriations Act, 2019, (Public Law 116-6).

The Subrecipient shall also comply with the most recent version of:


2. FEMA Directive 108-1: Environmental Planning and Historic Preservation Responsibilities and Program Requirements

III. Award Amount and Restrictions

A. The County of Emmet is awarded $73,125 under the FY 2019 HSGP-OPSG.

B. The FY 2019 HSGP-OPSG covers eligible costs from September 1, 2019 to July 31, 2022.

C. The Subrecipient may only incur costs listed in the approved FY 2019 Operations Order.

D. For any activities involving construction, demolition, or installations of equipment, an Environmental and Historic Preservation (EHP) Review must be completed. Any activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and will not be eligible for federal funding.

E. The FY 2019 HSGP-OPSG grant is not intended as a hiring program. Applying funds toward hiring full-time or permanent sworn public safety officers is unallowable. Funding shall not be used to supplant inherent routine patrols and law enforcement operations or activities not directly related to providing enhanced coordination between local and federal law enforcement agencies. OPSG recipients may use temporary or term appointments to augment law enforcement on the border.

F. The Subrecipient is prohibited from obligating or expending funds provided through this award until each unique and specific county level or equivalent Operational Order/Fragmentary Operations Order budget has been reviewed and approved by the Federal Emergency Management Agency (FEMA).

G. In the event that DHS determines that changes are necessary to the award document after an award has been made, including but not limited to, changes to period of performance or terms and conditions, Subrecipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Subrecipient acceptance of the changes to the award.

IV. Responsibilities of the Subrecipient

A. Grant funds must supplement, not supplant, state or local funds. Federal funds must be used to supplement existing funds, not replace (supplant) funds that have been appropriated for the same purpose. Potential supplanting will be carefully reviewed in subsequent monitoring reviews and audits. Subrecipients may be required to supply documentation certifying that a reduction in non-federal resources occurred for reasons other than the receipt or expected receipt of federal funds.

B. The Subrecipient agrees to comply with all applicable federal and state regulations; the FY 2019 Homeland Security Grant Program Notice of Funding Opportunity, located at: www.fema.gov/grants; the Agreement Articles Applicable to Subrecipients; and the FEMA Preparedness Grants Manual located at
C. The subrecipient shall not use 2019 OPSPG funds to generate program income.

D. In addition to this grant agreement, the Subrecipient shall complete, sign, and submit to the Recipient the following documents, which are incorporated by reference into this grant agreement:
   1. Subrecipient Risk Assessment Certification
   2. Standard Assurances
   3. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements
   4. Audit Certification (EMD-053)
   5. Request for Taxpayer Identification Number and Certification (W-9)
   6. Other documents that may be required by federal or state officials

E. The Subrecipient agrees to comply with all applicable federal and state regulations, including, but not limited to, the following:
   1. Make purchases in accordance with local purchasing policies, in compliance with all applicable federal and state laws, standards, and regulations.
   2. The Subrecipient is required to submit reports to the Recipient on the status of all projects and funding. Reporting must follow the format and schedule specified by the Recipient.
   3. Submit projects to the Recipient in the format specified by the Recipient prior to starting a project. Individual solution area costs must also be submitted to the Recipient for alignment and allowability evaluation prior to starting a project. All grant expenditures must meet DHS and Recipient grant guidelines, must directly support the approved FY 2019 HSGP-OPSG Operations Order, and must support at least one core capability from the National Preparedness Goal. Any project that proposes a change in scope of work during the grant performance period must be resubmitted to the Recipient for evaluation. Any funds spent on a project prior to receiving Recipient approval may be ineligible for reimbursement.
   4. Create and maintain an inventory of all equipment purchases in accordance with 2 CFR, Part 200.313 located at http://www.ecfr.gov. Within 30 days of the end of the Subrecipient's fiscal year, the Subrecipient must supply a copy of this inventory to the Michigan State Police, Emergency Management and Homeland Security Division, Audit Unit, PO Box 30634, Lansing, Michigan 48909. An Equipment Tracking Form is available to assist the Subrecipient in meeting these requirements.
   5. If the Subrecipient purchases equipment for a local governmental unit with FY 2019 HSGP-OPSG funds, the Subrecipient shall make the equipment available for pick-up by other local governmental units. This process needs to include legal transfer of the equipment to the designated local governmental units. At minimum, the Subrecipient should prepare documents, which, when signed, will indicate other designated local governmental units accept full legal and financial responsibility for the pieces of equipment.
   6. The Subrecipient agrees to prepare and submit reimbursement requests to the Recipient in a timely manner. Reimbursement requests must include all required supporting documentation, including proof of payment. All reimbursement requests must be submitted to the Recipient no later than 30 days after the end of the performance period identified in this grant agreement.
   7. Current forms and instructions are located at http://www.michigan.gov/emhsd (select Grant Programs) or can be requested by sending an email to EMD_HSGP@michigan.gov.
   8. Comply with applicable financial and administrative requirements set forth in the current edition of 2 CFR, Part 200, including, but not limited to, the following provisions:
a. Account for receipts and expenditures, maintain adequate financial records, and refund expenditures disallowed by federal or state audit.

b. Retain all financial records, statistical records, supporting documents, and other pertinent materials for at least three years after the grant is closed by the awarding federal agency for purposes of federal and/or state examination and audit.

c. Non-federal organizations which expend $750,000 or more in federal funds during their current fiscal year are required to have an audit performed in accordance with the Single Audit Act of 1984, as amended, and 2 CFR, Part 200.501.

9. Comply with National Incident Management System (NIMS) requirements to be eligible to receive federal preparedness funds. NIMS information is available at http://www.fema.gov/national-incident-management-system. More information on complying with NIMS is available from the State NIMS Coordinator.

10. Subrecipients must carry out their programs and activities in a manner that respects and ensures the protection of civil rights for protected populations. These populations include but are not limited to individuals with disabilities and others with access and functional needs, individuals with limited English proficiency, and other diverse racial and ethnic populations, in accordance with Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and Executive Order 13347.

11. Environmental and Historic Preservation Compliance. The federal government is required to consider the effects on the environment and/or historic properties of any federally funded activities and programs, including grant funded projects. The EHP Program engages in a review process to ensure that federally funded activities comply with federal EHP regulations, laws and executive orders as applicable. The goal of these compliance requirements is to protect the nation's environmental, historic, and cultural resources. The Subrecipient shall not undertake any project having the potential to impact EHP resources without prior approval.

Any activities that have been initiated without the necessary EHP review and approval will result in a non-compliance finding and be ineligible for federal funding.

12. Comply with all reporting requirements, including special reporting, data collection, and evaluation requirements, as prescribed by law or program guidance.

13. The Subrecipient must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. The Subrecipient also agrees to require any subrecipients, contractors, successors, transferees, and assignees to acknowledge and agree to comply with these same provisions. Detailed information on record access provisions can be found in the DHS Standard Administrative Terms and Conditions located at https://www.dhs.gov/publication/fy15-dhs-standard-terms-and-conditions, specifically in the DHS Specific Acknowledgements and Assurances on page 1.

14. The following special conditions are associated with this HSGP-OPSG award:

a. Construction and/or renovation costs are prohibited.

b. Per the Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act of 2008 (Public Law 110-412), the Subrecipient is allowed to utilize up to 50% of their HSGP-OPSG funding for personnel related costs, which include overtime activities. At the request of the Recipient, FEMA waived the personnel cap up to 85% of the total award. An additional waiver is not required for personnel costs up to 85% of the Subrecipient-award. At the request of the Subrecipient, the Recipient may request FEMA waive the 85% personnel cap for individual awards. All waiver decisions are at the discretion of the FEMA Administrator and are considered on a case-by-case basis.
V. Responsibilities of the Recipient

The Recipient, in accordance with the general purposes and objectives of this grant agreement, will:

A. Administer the grant in accordance with all applicable federal and state regulations and guidelines and submit required reports to the awarding federal agency.

B. Provide direction and technical assistance to the Subrecipient.

C. Provide to the Subrecipient any special report forms and reporting formats (templates) required for administration of the program.

D. Reimburse the Subrecipient, in accordance with this grant agreement, based on appropriate documentation submitted by the Subrecipient.

E. At its discretion, independently, or in conjunction with the federal awarding agency, conduct random on-site reviews of the Subrecipient(s).

VI. Reporting Procedures

The Subrecipient is required to submit reports to the Recipient on the status of all projects and funding. Reporting must follow the format and schedule specified by the Recipient. Current forms and instructions are located at http://www.michigan.gov/emhsd (select Grant Programs) or can be requested by sending an email to EMD_HSGP@michigan.gov.

Reporting on funding status is mandated by the federal government. Failure by the Subrecipient to fulfill reporting requirements, in compliance with federal grant rules, shall result in the suspension of grant activities until reports are received and may jeopardize future federal funding.

VII. Payment Procedures

The Subrecipient agrees to prepare and submit the Reimbursement Cover Sheet (EMD-054) with all required supporting documentation attached, including proof of payment. The Subrecipient will submit one Reimbursement Cover Sheet and related forms for each grant project, solution area, allocation type, and individual exercise. Reimbursement Cover Sheets must be filled out completely. Instructions are provided with each of the reimbursement forms. The Reimbursement Cover Sheet and other reimbursement forms can be found on the MSP/EMHSD website located at http://www.michigan.gov/emhsd. The Subrecipient will not be reimbursed for funds until all required signed documents and reimbursement documentation are received. All reimbursement requests must be submitted to the Recipient no later than 30 days after the end of the performance period identified in this grant agreement.

Drawdown of Funds in Advance. Up to 90 days prior to expenditure, the Subrecipient may request funds for purchases of $10,000 or more. All of the following requirements must be met when obtaining advanced funds:

A. The Subrecipient must submit advance requests with a copy of approved purchase orders and a copy of approved Alignment and Allowability Forms.

B. The Subrecipient must place advanced funds in an interest-bearing account.

C. The Subrecipient may keep interest up to $500 per year (2 CFR, Part 200.305) for administrative expenses for all federal grants combined.

D. The Subrecipient must notify the Recipient quarterly, in writing, of any interest earned over $500.

E. The Subrecipient must promptly, but at least quarterly, remit any interest earned over $500 to: Michigan State Police, Emergency Management and Homeland Security Division, Grants and Financial Management Section, PO Box 30634, Lansing, MI 48909.

F. The Subrecipient must liquidate each advance by the date specified by the Recipient (usually within 90 days).
G. The Subrecipient must ensure all invoices and proof of payment documents are dated after the date the advance was issued by the Recipient.

VIII. Employment Matters

The Subrecipient shall comply with Title VI of the Civil Rights Act of 1964, as amended; Title VIII of the Civil Rights Act of 1968; Title IX of the Education Amendments of 1972 (Equal Opportunity in Education Act); the Age Discrimination Act of 1975, Titles I, II and III of the Americans with Disabilities Act of 1990; the Elliott-Larsen Civil Rights Act, 1976 PA 453, as amended, MCL 37.2101 et seq.; the Persons with Disabilities Civil Rights Act, 1976 PA 220, as amended, MCL 37.1101 et seq., and all other federal, state and local fair employment practices and equal opportunity laws and covenants. The Subrecipient shall not discriminate against any employee or applicant for employment, to be employed in the performance of this grant agreement, with respect to his or her hire, tenure, terms, conditions, or privileges of employment; or any matter directly or indirectly related to employment because of his or her race, religion, color, national origin, age, sex, height, weight, marital status, limited English proficiency, or handicap that is unrelated to the individual's ability to perform the duties of a particular job or position. The Subrecipient agrees to include in every subcontract entered into for the performance of this grant agreement this covenant not to discriminate in employment. A breach of this covenant is a material breach of the grant agreement.

The Subrecipient shall ensure that no subcontractor, manufacturer, or supplier of the Subrecipient for projects related to this grant agreement appears on the Federal Excluded Parties List System located at https://www.sam.gov.

IX. Limitation of Liability

The Recipient and the Subrecipient to this grant agreement agree that each must seek its own legal representative and bear its own costs, including judgments, in any litigation that may arise from performance of this contract. It is specifically understood and agreed that neither party will indemnify the other party in such litigation.

This is not to be construed as a waiver of governmental immunity for either party.

X. Third Parties

This grant agreement is not intended to make any person or entity not a party to this grant agreement, a third party beneficiary hereof or to confer on a third party any rights or obligations enforceable in their favor.

XI. Grant Agreement Period

This grant agreement is in full force and effect from September 1, 2019 to July 31, 2022. No costs eligible under this grant agreement shall be incurred before the starting date of this grant agreement, except with prior written approval. This grant agreement package consists of two identical grant agreements, simultaneously executed; each is considered an original having identical legal effect. This grant agreement may be terminated by either party by giving 30 days written notice to the other party stating reasons for termination and the effective date, or upon the failure of either party to carry out the terms of the grant agreement. Upon any such termination, the Subrecipient agrees to return to the Recipient any funds not authorized for use, and the Recipient shall have no further obligation to reimburse the Subrecipient.

XII. Entire Grant Agreement

This grant agreement is governed by the laws of the State of Michigan and supersedes all prior agreements, documents, and representations between the Recipient and the Subrecipient, whether expressed, implied, or oral. This grant agreement constitutes the entire agreement between the parties and may not be amended except by
written instrument executed by both parties prior to the grant end date. No party to this grant agreement may assign this grant agreement or any of his/her/its rights, interest, or obligations hereunder without the prior consent of the other party. The Subrecipient agrees to inform the Recipient in writing immediately of any proposed changes of dates, budget, or services indicated in this grant agreement, as well as changes of address or personnel affecting this grant agreement. Changes in dates, budget, or services are subject to prior written approval of the Recipient. If any provision of this grant agreement shall be deemed void or unenforceable, the remainder of the grant agreement shall remain valid.

The Recipient may suspend or terminate grant funding to the Subrecipient, in whole or in part, or other measures may be imposed for any of the following reasons:

A. Failure to expend funds in a timely manner consistent with the grant milestones, guidance, and assurances.
B. Failure to comply with the requirements or statutory objectives of federal or state law.
C. Failure to follow grant agreement requirements or special conditions.
D. Proposal or implementation of substantial plan changes to the extent that, if originally submitted, the project would not have been approved for funding.
E. Failure to submit required reports.
F. Filing of a false certification in the application or other report or document.
G. Failure to adequately manage, monitor or direct the grant funded activities of its subrecipients.

Before taking action, the Recipient will provide the Subrecipient reasonable notice of intent to impose corrective measures and will make every effort to resolve the problem informally.

XIII. Business Integrity Clause

The Recipient may immediately cancel the grant without further liability to the Recipient or its employees if the Subrecipient, an officer of the Subrecipient, or an owner of a 25% or greater share of the Subrecipient is convicted of a criminal offense incident to the application for or performance of a state, public, or private grant or subcontract; or convicted of a criminal offense, including, but not limited to any of the following: embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, attempting to influence a public employee to breach the ethical conduct standards for State of Michigan employees; convicted under state or federal antitrust statutes; or convicted of any other criminal offense which, in the sole discretion of the Recipient, reflects on the Subrecipient's business integrity.

XIV. Freedom of Information Act (FOIA)

Much of the information submitted in the course of applying for funding under this program, or provided in the course of grant management activities, may be considered law enforcement-sensitive or otherwise critical to national security interests. This may include threat, risk, and needs assessment information, and discussions of demographics, transportation, public works, and industrial and public health infrastructures. Therefore, each Subrecipient agency Freedom of Information Officer will need to determine what information is to be withheld on a case-by-case basis. The Subrecipient should be familiar with the regulations governing Protected Critical Infrastructure Information (6 CFR, Part 29) and Sensitive Security Information (49 CFR, Part 1520), as these designations may provide additional protection to certain classes of homeland security information.
XV. Official Certification

For the Subrecipient

The individual or officer signing this grant agreement certifies by his or her signature that he or she is authorized to sign this grant agreement on behalf of the organization he or she represents. The Subrecipient agrees to complete all requirements specified in this grant agreement.

Subrecipient Name ___________________________ Subrecipient’s DUNS Number ___________________________

Printed Name ___________________________ Title ___________________________

Signature ___________________________ Date ___________________________

For the Recipient (Michigan State Police, Emergency Management and Homeland Security Division)

Maj. Emmitt McGowan, Commander ___________________________ Deputy State Director, Emergency Management and Homeland Security ___________________________

Printed Name ___________________________ Title ___________________________

__________________________

Signature ___________________________ 4/15/2020 Date ___________________________
SUBRECIPIENT CHECKLIST

FY 2019 OPERATION STONEGARDEN
GRANT AGREEMENT

CFDA No: 97.067

Submit the following items as necessary to:
Attention: Ms. Alyssa Duhr-Vannelli
Emergency Management and Homeland Security Division
Michigan State Police
P.O. Box 30634
Lansing, Michigan 48909

SUBRECIPIENT WILL NOT BE REIMBURSED FOR FUNDS UNTIL ALL REQUIRED SIGNED DOCUMENTS ARE RECEIVED

☐ 1. Grant Agreement. There are two identical grant agreements enclosed. Please sign both, but retain one signed document for your records and return the other signed document.

☐ 2. Subrecipient Risk Assessment Certification

☐ 3. Standard Assurances

☐ 4. Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements

☐ 5. Audit Certification (EMD-053)

☐ 6. Request for Taxpayer Identification Number and Certification (W-9)

----------------------------------------

POST REIMBURSEMENT REQUIREMENTS

Participate with Recipient in an on-site monitoring of financial documents. Also retain financial records, supporting documents, and all other records pertinent to the grant for at least three years after the grant is closed by the awarding federal agency. Be sure to comply with Single Audit requirements of Subpart F of 2 CFR 200. If required, the Subrecipient submits audit copy to: Michigan Department of State Police, Grants and Community Services Division, P.O. Box 30634, Lansing, Michigan 48909.

For Grant Agreement Questions, Please Contact Alyssa Duhr-Vannelli at 517-284-3943 or DuhrVannelliA@michigan.gov.
SUBRECIPIENT RISK ASSESSMENT CERTIFICATION

As required by 2 CFR §200.331(b), the purpose of this assessment is to evaluate subrecipient’s risk of noncompliance with federal statutes, regulations, and the terms and conditions of a subaward, and to determine appropriate subrecipient monitoring during the grant performance period. Limited program experience, results of previous audits and site monitoring visits, new personnel or new or substantially changed systems, may increase a subrecipient’s degree of risk.

<table>
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<tr>
<th>Subrecipient:</th>
<th>County:</th>
<th>DUNS #:</th>
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**Questions**

1. How many federal grant awards has your organization managed in the past 5 years regardless of awarding agency?
   - [ ] No grants
   - [ ] 1-3 grants
   - [ ] 4-5 grants
   - [ ] 6+ grants

2. What percentage of your grant management staff has fewer than 2 years of grant experience?
   - [ ] 0-25% of staff
   - [ ] 26-50% of staff
   - [ ] 51-75% of staff
   - [ ] 76-100% of staff

3. Has your organization had a new or substantially changed financial/accounting system(s) in the past 2 years?
   - [ ] Yes
   - [ ] No

4. What types of findings (audit, site monitoring, etc.) has your organization received within the past 5 years?
   (Attach a separate sheet explaining any findings resulting in questioned costs or a return of funds.)
   - [ ] Never Audited or No
   - [ ] Unsupported costs (lack of documentation)
   - [ ] Unreasonable use of funds
   - [ ] Questioned costs or required to return funds

5. Does your agency have staff primarily dedicated (>50%) to grants management activities?
   - [ ] Yes
   - [ ] No

**Certification**

I certify the information provided in this assessment is true and accurate, and that all occurrences of prior grant non-compliance have been disclosed.

Authorized Representative Signature:  
Date:  

Authorized Representative Printed Name:  
Title:  

Point of Contact Printed Name:  
Title:  
Email:
STANDARD ASSURANCES

The Applicant hereby assures and certifies compliance with all applicable Federal statutes, regulations, policies, guidelines, and requirements, including 2 C.F.R. Part 2800 (Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards by the Department of Justice), and Ex. Order 12372 (intergovernmental review of federal programs). The applicant also specifically assures and certifies that:

1. It has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any required non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application.

2. It will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

3. It will give the awarding agency or the Government Accountability Office, through any authorized representative, access to and the right to examine all paper or electronic records related to the financial assistance.

4. It will comply with all lawful requirements imposed by the awarding agency, specifically including any applicable regulations, such as 28 C.F.R. pts. 18, 22, 23, 30, 35, 38, 42, 61, and 63, and the award term in 2 C.F.R. § 175.15(b).


7. If a governmental entity—

   a) it will comply with the requirements of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (42 U.S.C.§ 4601 et seq.), which govern the treatment of persons displaced as a result of federal and federally-assisted programs; and

   b) it will comply with requirements of 5 U.S.C.§ 1501-08 and §§7324-28, which limit certain political activities of State or local government employees whose principal employment is in connection with an activity financed in whole or in part by federal assistance.

Signature

Date
CERTIFICATIONS REGARDING LOBBYING; DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS; AND DRUG-FREE WORKPLACE REQUIREMENTS

Applicants should refer to the regulations cited below to determine the certification to which they are required to attest. Applicants should also review the instructions for certification included in the regulations before completing this form. Signature of this form provides for compliance with certification requirements under 28 CFR Part 69, "New Restrictions on Lobbying" and 28 CFR Part 67, "Government-wide Debarment and Suspension (Nonpro-curement) and Government-wide Requirements for Drug-Free Workplace (Grants)." The certifications shall be treated as a material representation of fact upon which reliance will be placed when the Department of Justice determines to award the covered transaction, grant, or cooperative agreement.

1. LOBBYING

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 28 CFR Part 69, for persons entering into a grant or cooperative agreement over $100,000, as defined at 28 CFR Part 69, the applicant certifies that:

(a) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the making of any Federal grant, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal grant or cooperative agreement;

(b) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal grant or cooperative agreement, the undersigned shall complete and submit Standard Form - L-11, "Disclosure of Lobbying Activities," in accordance with its instructions;

(c) The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subgrants, contracts under grants and cooperative agreements, and subcontracts) and that all sub-recipients shall certify and disclose accordingly.

2. DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS (DIRECT RECIPIENT)

As required by Executive Order 12549, Debarment and Suspension, and implemented at 28 CFR Part 67, for prospective participants in primary covered transactions, as defined at 28 CFR Part 67, Section 67.510—

A. The applicant certifies that it and its principals:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal court, or voluntarily excluded from covered transactions by any Federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and

(d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default, and

B. Where the applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

3. DRUG-FREE WORKPLACE (GRANTEES OTHER THAN INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67 Sections 67.615 and 67.620—

A. The applicant certifies that it will or will continue to provide a drug-free workplace by:

(a) Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;

(b) Establishing an ongoing drug-free awareness program to inform employees about—

(1) The dangers of drug abuse in the workplace;

(2) The grantee's policy of maintaining a drug-free workplace;

(3) Any available drug counseling, rehabilitation, and employee assistance programs; and

(4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;

(c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);

(d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
(1) Abide by the terms of the statement; and

(2) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction;

(e) Notifying the agency, in writing, within 10 calendar days after receiving notice under subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 633 Indiana Avenue, N.W., Washington, D.C. 20531. Notice shall include the identification number(s) of each affected grant;

(f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted—

(1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or

(2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;

(g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

B. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Check □ if there are workplaces on file that are not identified here.

Section 67, 630 of the regulations provides that a grantee that is a State may elect to make one certification in each Federal fiscal year. A copy of which should be included with each application for Department of Justice funding. States and State agencies may elect to use OJP Form 4061/7.

Check □ if the State has elected to complete OJP Form 4061/7.

DRUG-FREE WORKPLACE
(GRANTEES WHO ARE INDIVIDUALS)

As required by the Drug-Free Workplace Act of 1988, and implemented at 28 CFR Part 67, Subpart F, for grantees, as defined at 28 CFR Part 67, Sections 67.615 and 67.620—

A. As a condition of the grant, I certify that I will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity with the grant; and

B. If convicted of a criminal drug offense resulting from a violation occurring during the conduct of any grant activity, I will report the conviction, in writing, within 10 calendar days of the conviction, to: Department of Justice, Office of Justice Programs, ATTN: Control Desk, 810 Seventh Street NW, Washington, DC 20531.

As the duly authorized representative of the applicant, I hereby certify that the applicant will comply with the above certifications.

1. Grantee Name and Address:

2. Application Number and/or Project Name

3. Grantee IRS/Vendor Number

4. Typed Name and Title of Authorized Representative

5. Signature

6. Date

AUDIT CERTIFICATION

Federal Audit Requirements
Non-federal organizations, which expend $750,000 or more in federal funds during their current fiscal year, are required to have an audit performed in accordance with 2 CFR Part 200, Subpart F.

Subrecipients MUST submit a copy of their audit report for each year they meet the funding threshold to: Michigan State Police, Grants and Community Services Division, P.O. Box 30634, Lansing, Michigan 48909.

<table>
<thead>
<tr>
<th>I. Program Information</th>
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<tbody>
<tr>
<td>Program Name</td>
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<tr>
<th>II. Subrecipient Information</th>
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<tbody>
<tr>
<td>Subrecipient Name</td>
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<th>III. Certification for Fiscal Year</th>
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<tbody>
<tr>
<td>Subrecipient Fiscal Year Period:</td>
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<td>to</td>
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☐ I certify that the subrecipient shown above does NOT expect it will be required to have an audit performed under 2 CFR Part 200, Subpart F, for the above listed program.

☐ I certify that the subrecipient shown above expects it will be required to have an audit performed under 2 CFR Part 200, Subpart F, during at least one fiscal year funds are received for the above listed program. A copy of the audit report will be submitted to: Michigan State Police, Grants and Community Services Division, P.O. Box 30634, Lansing, Michigan 48909.

Signature of Subrecipient’s Authorized Representative  
Date

Submit audit report to:
Michigan State Police  
Grants and Community Services Division  
P.O. Box 30634  
Lansing, Michigan 48909

Submit this completed audit certification form and return with your grant agreement to:
Michigan State Police  
Emergency Management and Homeland Security Division  
P.O. Box 30634  
Lansing, Michigan 48909
Request for Taxpayer Identification Number and Certification

Give Form to the requester. Do not send to the IRS.

Go to www.irs.gov/FormW9 for instructions and the latest information.

1. Name (as shown on your income tax return). Name is required on this line; do not leave this line blank.

2. Business name/disregarded entity name, if different from above

3. Check appropriate box for federal tax classification of the person whose name is entered on line 1. Check only one of the following seven boxes.
   - Individual/sole proprietor or single-member LLC
   - C Corporation
   - S Corporation
   - Partnership
   - Trust/estate
   - Limited liability company. Enter the tax classification (C=C corporation, S=S corporation, P=Partnership)
   - Other (see instructions)

4. Exemptions (codes apply only to certain entities, not individuals; see instructions on page 2):
   - Exempt payee code (if any)

   - Exemption from FATCA reporting code (if any)

   (Applies to accounts maintained outside the U.S.)

5. Address (number, street, and apt. or suite no.) See instructions. Requester's name and address (optional)

6. City, state, and ZIP code

7. List account number(s) here (optional)

Part I
Taxpayer Identification Number (TIN)
Enter your TIN in the appropriate box. The TIN provided must match the name given on line 1 to avoid backup withholding. For individuals, this is generally your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the instructions for Part I, later. For other entities, it is your employer identification number (EIN). If you do not have a number, see How to get a TIN, later.

Note: If the account is in more than one name, see the instructions for line 1. Also see What Name and Number To Give the Requester for guidelines on whose number to enter.

Social security number

or Employer identification number

Part II
Certification
Under penalties of perjury, I certify that:

1. The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me); and
2. I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have no been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding; and
3. I am a U.S. citizen or other U.S. person (defined below); and
4. The FATCA code(s) entered on this form (if any) indicating that I am exempt from FATCA reporting is correct.

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the certification, but you must provide your correct TIN. See the instructions for Part II, later.

Sign Here

Signature of U.S. person

Date

General Instructions
Section references are to the Internal Revenue Code unless otherwise noted.
Future developments. For the latest information about developments related to Form W-9 and its instructions, such as legislation enacted after they were published, go to www.irs.gov/FormW9.

Purpose of Form
An individual or entity (Form W-9 requester) who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) which may be your social security number (SSN), individual taxpayer identification number (ITIN), adoption taxpayer identification number (ATIN), or employer identification number (EIN), to report on an information return the amount paid to you, or other amount reportable on an information return. Examples of information returns include, but are not limited to, the following.

- Form 1099-DIV (dividends, including those from stocks or mutual funds)
- Form 1099-MISC (various types of income, prizes, awards, or gross proceeds)
- Form 1099-B (stock or mutual fund sales and certain other transactions by brokers)
- Form 1099-S (proceeds from real estate transactions)
- Form 1099-K (merchant card and third party network transactions)
- Form 1098 (home mortgage interest), 1098-E (student loan interest), 1098-T (tuition)
- Form 1099-C (canceled debt)
- Form 1099-A (acquisition or abandonment of secured property)

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN.

If you do not return Form W-9 to the requester with a TIN, you might be subject to backup withholding. See What is backup withholding, later.
By signing the filled-out form, you:
1. Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
2. Certify that you are not subject to backup withholding, or
3. Claim exemption from backup withholding if you are a U.S. exempt payee. If applicable, you are also certifying that as a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners’ share of effectively connected income, and
4. Certify that FATCA code(s) entered on this form (if any) indicating that you are exempt from the FATCA reporting, is correct. See What is FATCA reporting, later, for further information.

Note: If you are a U.S. person and a requester gives you a form other than Form W-9 to request your TIN, you must use the requester’s form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:
• An individual who is a U.S. citizen or U.S. resident alien;
• A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States;
• An estate (other than a foreign estate); or
• A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax under section 1446 on any foreign partners’ share of effectively connected taxable income from such business. Further, in certain cases where a Form W-9 has not been received, the rules under section 1446 require a partnership to presume that a partner is a foreign person, and pay the section 1446 withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid section 1446 withholding on your share of partnership income.

In the cases below, the following person must give Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States.
• In the case of a disregarded entity with a U.S. owner, the U.S. owner of the disregarded entity and not the entity;
• In the case of a grantor trust with a U.S. grantor or other U.S. owner, generally, the U.S. grantor or other U.S. owner of the grantor trust and not the trust; and
• In the case of a U.S. trust (other than a grantor trust), the U.S. trust (other than a grantor trust) and not the beneficiaries of the trust.

Foreign person. If you are a foreign person or the U.S. branch of a foreign bank that has elected to be treated as a U.S. person, do not use Form W-9. Instead, use the appropriate Form W-8 or Form B233 (see Pub. 515, Withholding of Tax on Nonresident Aliens and Foreign Entities).

Nonresident alien who becomes a resident alien. Generally, only a nonresident alien individual may use the terms of a tax treaty to reduce or eliminate U.S. tax on certain types of income. However, most tax treaties contain a provision known as a “saving clause.” Exceptions specified in the saving clause may permit an exemption from tax to continue for certain types of income even after the payee has otherwise become a U.S. resident alien for tax purposes.

Example. Article 20 of the U.S.-China income tax treaty allows an exemption from tax for scholarship income received by a Chinese student temporarily present in the United States. Under U.S. law, this student will become a resident alien for tax purposes if his or her stay in the United States exceeds 5 calendar years. However, paragraph 2 of the first Protocol to the U.S.-China treaty (dated April 30, 1984) allows the provisions of Article 20 to continue to apply even after the Chinese student becomes a resident alien of the United States. A Chinese student who qualifies for this exception (under paragraph 2 of the first protocol) and is relying on this exception to claim an exemption from tax on his or her scholarship or fellowship income would attach to Form W-9 a statement that includes the information described above to support that exemption.

If you are a nonresident alien or a foreign entity, give the requester the appropriate completed Form W-8 or Form B233.

Backup Withholding
What is backup withholding? Persons making certain payments to you must under certain conditions withhold and pay to the IRS 24% of such payments. This is called “backup withholding.” Payments that may be subject to backup withholding include interest, tax-exempt interest, dividends, broker and barter exchange transactions, rents, royalties, nonemployee pay, payments made in settlement of payment card and third party network transactions, and certain payments from fishing boat operators. Real estate transactions are not subject to backup withholding.

You will not be subject to backup withholding on payments you receive if you give the requester your correct TIN, make the proper certifications, and report all your taxable interest and dividends on your tax return.

Payments you receive will be subject to backup withholding if:
1. You do not furnish your TIN to the requester,
2. You do not certify your TIN when required (see the instructions for Part II for details),
3. The IRS tells the requester that you furnished an incorrect TIN,
4. The IRS tells you that you are subject to backup withholding because you did not report all your interest and dividends on your tax return (for reportable interest and dividends only), or
5. You do not certify to the requester that you are not subject to backup withholding under 4 above (for reportable interest and dividend accounts opened after 1983 only).

Certain payees and payments are exempt from backup withholding. See Exempt payee code, later, and the separate Instructions for the Requester of Form W-9 for more information.

Also see Special rules for partnerships, earlier.

What is FATCA Reporting?
The Foreign Account Tax Compliance Act (FATCA) requires a participating foreign financial institution to report all United States account holders that are specified United States persons. Certain payees are exempt from FATCA reporting. See Exemption from FATCA reporting code, later, and the Instructions for the Requester of Form W-9 for more information.

Updating Your Information
You must provide updated information to any person to whom you claimed to be an exempt payee if you are no longer an exempt payee and anticipate receiving reportable payments in the future from this person. For example, you may need to provide updated information if you are a C corporation that elects to be an S corporation, or if you no longer are tax exempt. In addition, you must furnish a new Form W-9 if the name or TIN changes for the account; for example, if the grantor of a grantor trust dies.

Penalties
Failure to furnish TIN. If you fail to furnish your correct TIN to a requester, you are subject to a penalty of $50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

Civil penalty for false information with respect to withholding. If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a $500 penalty.
Criminal penalty for falsifying information. Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

Misuse of TINs. If the requester discloses or uses TINs in violation of federal law, the requester may be subject to civil and/or criminal penalties.

Specific Instructions

Line 1
You must enter one of the following on this line; do not leave this line blank. The name should match the name on your tax return.

If this Form W-9 is for a joint account (other than an account maintained by a foreign financial institution (FFI)), list first, and then circle, the name of the person or entity whose number you entered in Part I of Form W-9. If you are providing Form W-9 to an FFI to document a joint account, each holder of the account that is a U.S. person must provide a Form W-9.

a. **Individual.** Generally, enter the name shown on your tax return. If you have changed your last name without informing the Social Security Administration (SSA) of the name change, enter your first name, the last name as shown on your social security card, and your new last name.

Note: **ITIN applicant:** Enter your individual name as it was entered on your Form W-7 application, line 1a. This also should be the same as the name you entered on the Form 1040/1040A/1040EZ you filed with your application.

b. **Sole proprietor or single-member LLC.** Enter your individual name as shown on your 1040/1040A/1040EZ on line 1. You may enter your business, trade, or “doing business as” (DBA) name on line 2.

c. **Partnership, LLC that is not a single-member LLC, C corporation, or S corporation.** Enter the entity’s name as shown on the entity’s tax return on line 1 and any business, trade, or DBA name on line 2.

d. **Other entities.** Enter your name as shown on required U.S. federal tax documents on line 1. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on line 2.

e. **Disregarded entity.** For U.S. federal tax purposes, an entity that is disregarded as an entity separate from its owner is treated as a “disregarded entity.” See Regulations section 301.7701-2(c)(2)(iii). Enter the owner’s name on line 1. The name of the entity entered on line 1 should never be a disregarded entity. The name on line 1 should be the name shown on the income tax return on which the income should be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a single owner that is a U.S. person, the U.S. owner’s name is required to be provided on line 1. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity’s name on line 2, “Business name/disregarded entity name.” If the owner of the disregarded entity is a foreign person, the owner must complete an appropriate Form W-8 instead of a Form W-9. This is the case even if the foreign person has a U.S. TIN.

Line 2
If you have a business name, trade name, DBA name, or disregarded entity name, you may enter it on line 2.

Line 3
Check the appropriate box on line 3 for the U.S. federal tax classification of the person whose name is entered on line 1. Check only one box on line 3.

<table>
<thead>
<tr>
<th>IF the entity/person on line 1 is a(n) . . .</th>
<th>THEN check the box for . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporation</td>
<td>Corporation</td>
</tr>
<tr>
<td>Individual</td>
<td>Individual/two proprietor or single-member LLC</td>
</tr>
<tr>
<td>Sole proprietorship, or</td>
<td></td>
</tr>
<tr>
<td>Single-member limited liability company (LLC) owned by an individual and disregarded for U.S. federal tax purposes.</td>
<td>Limited liability company and enter the appropriate tax classification. (P = Partnership; C = C corporation; or S = S corporation)</td>
</tr>
<tr>
<td>LLC treated as a partnership for U.S. federal tax purposes,</td>
<td></td>
</tr>
<tr>
<td>LLC that has filed Form 8832 or 2553 to be taxed as a corporation, or</td>
<td></td>
</tr>
<tr>
<td>LLC that is disregarded as an entity separate from its owner but the owner is another LLC that is not disregarded for U.S. federal tax purposes.</td>
<td></td>
</tr>
<tr>
<td>Partnership</td>
<td>Partnership</td>
</tr>
<tr>
<td>Trust/estate</td>
<td>Trust/estate</td>
</tr>
</tbody>
</table>

Line 4, Exemptions
If you are exempt from backup withholding and/or FATCA reporting, enter in the appropriate space on line 4 any code(s) that may apply to you.

**Exempt payee code.**
- Generally, individuals (including sole proprietors) are not exempt from backup withholding.
- Except as provided below, corporations are exempt from backup withholding for certain payments, including interest and dividends.
- Corporations are not exempt: from backup withholding for payments made in settlement of payment card or third party network transactions.
- Corporations are not exempt: from backup withholding with respect to attorneys' fees or gross proceeds paid to attorneys, and corporations that provide medical or healthcare services are not exempt with respect to payments reportable on Form 1099-MISC.
- The following codes identify payees that are exempt from backup withholding: Enter the appropriate code in the space in line 4.

1. —An organization exempt from tax under section 501(a), any IRA, or a custodial account under section 403(b)(7) if the account satisfies the requirements of section 401(4)(A).
2. —The United States or any of its agencies or instrumentalities.
3. —A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities.
4. —A foreign government or any of its political subdivisions, agencies, or instrumentalities.
5. —A corporation.
6. —A dealer in securities or commodities required to register in the United States, the District of Columbia, or a U.S. commonwealth or possession.
7. —A futures commission merchant registered with the Commodity Futures Trading Commission.
8. —A real estate investment trust.
9. —An entity registered at all times during the tax year under the Investment Company Act of 1940.
10. —A common trust fund operated by a bank under section 584(a).
11. —A financial institution.
12. —A middleman known in the investment community as a nominee or custodian.
13. —A trust exempt from tax under section 664 or described in section 4947.
The following chart shows types of payments that may be exempt from backup withholding. The chart applies to the exempt payees listed above, 1 through 13.

<table>
<thead>
<tr>
<th>IF the payment is for . . .</th>
<th>THEN the payment is exempt for . . .</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest and dividend payments</td>
<td>All exempt payees except for 7</td>
</tr>
<tr>
<td>Broker transactions</td>
<td>Exempt payees 1 through 4 and 6 through 11 and all C corporations. S corporations must not enter an exempt payee code because they are exempt only for sales of noncovered securities acquired prior to 2012.</td>
</tr>
<tr>
<td>Barter exchange transactions and patronage dividends</td>
<td>Exempt payees 1 through 4</td>
</tr>
<tr>
<td>Payments over $600 required to be reported and direct sales over $5,0001</td>
<td>Generally, exempt payees 1 through 52</td>
</tr>
<tr>
<td>Payments made in settlement of payment card or third party network transactions</td>
<td>Exempt payees 1 through 4</td>
</tr>
</tbody>
</table>

1 See Form 1099-MISC, Miscellaneous Income, and its instructions.

2 However, the following payments made to a corporation and reportable on Form 1099-MISC are not exempt from backup withholding: medical and health care payments, attorneys’ fees, gross proceeds paid to an attorney reportable under section 6045(f), and payments for services paid by a federal executive agency.

Exemption from FATCA reporting code. The following codes identify payees that are exempt from reporting under FATCA. These codes apply to persons submitting this form for accounts maintained outside of the United States by certain foreign financial institutions. Therefore, if you are only submitting this form for an account you hold in the United States, you may leave this field blank. Consult with the person requesting this form if you are uncertain if the financial institution is subject to these requirements. A requester may indicate that a code is not required by providing you with a Form W-9 with “Not Applicable” (or any similar indication) written or printed on the line for a FATCA exemption code.

A—An organization exempt from tax under section 501(a) or any individual retirement plan as defined in section 7701(a)(37)
B—The United States or any of its agencies or instrumentalities
C—A state, the District of Columbia, a U.S. commonwealth or possession, or any of their political subdivisions or instrumentalities
D—A corporation the stock of which is regularly traded on one or more established securities markets, as described in Regulations section 1.1472-1(c)(1)(i)
E—A corporation that is a member of the same expanded affiliated group as a corporation described in Regulations section 1.1472-1(c)(1)(i)
F—A dealer in securities, commodities, or derivative financial instruments (including notional principal contracts, futures, forwards, and options) that is registered as such under the laws of the United States or any state
G—A real estate investment trust
H—A regulated investment company as defined in section 851 or an entity registered at all times during the tax year under the Investment Company Act of 1940
I—A common trust fund as defined in section 584(a)
J—A bank as defined in section 581
K—A broker
L—A trust exempt from tax under section 664 or described in section 4947(a)(1)

M—A tax exempt trust under a section 403(b) plan or section 457(g) plan

Note: You may wish to consult with the financial institution requesting this form to determine whether the FATCA code and/or exempt payee code should be completed.

Line 5
Enter your address (number, street, and apartment or suite number). This is where the requester of this Form W-9 will mail your information returns. If this address differs from the one the requester already has on file, write NEW at the top. If a raw address is provided, there is still a chance the old address will be used until the payor changes your address in their records.

Line 6
Enter your city, state, and ZIP code.

Part I. Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. If you are a resident alien and you do not have and are not eligible to get an SSN, your TIN is your IRS individual taxpayer identification number (ITIN). Enter it in the social security number box. If you do not have an ITIN, see How to get a TIN below.

If you are a sole proprietor and you have an EIN, you may enter either your SSN or EIN.

If you are a single-member LLC that is disregarded as an entity separate from its owner, enter the owner’s SSN (or EIN, if the owner has one). Do not enter the disregarded entity’s EIN. If the LLC is classified as a corporation or partnership, enter the entity’s EIN.

Note: See What Name and Number To Give the Requester, later, for further clarification of name and TIN combinations.

How to get a TIN. If you do not have a TIN, apply for one immediately. To apply for an SSN, get Form SS-5, Application for a Social Security Card, from your local SSA office or get this form online at www.ssa.gov. You may also get this form by calling 1-800-772-1213. Use Form W-7, Application for IRS Individual Taxpayer Identification Number, to apply for an ITIN, or Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by accessing the IRS website at www.irs.gov/businesses and clicking on Employer Identification Number (EIN) under Starting a Business. Go to www.irs.gov/Forms to view, download, or print Form W-7 and/or Form SS-4. Or, you can go to www.irs.gov/OrderForms to place an order and have Form W-7 and/or SS-4 mailed to you within 10 business days.

If you are asked to complete Form W-9 but do not have a TIN, apply for a TIN and write “Applied For” in the space for the TIN, sign and date the form, and give it to the requester. For interest and dividend payments, and certain payments made with respect to readily tradable instruments, generally you will have 60 days to get a TIN and give it to the requester before you are subject to backup withholding on payments. The 60-day rule does not apply to other types of payments. You will be subject to backup withholding on all such payments until you provide your TIN to the requester.

Note: Entering “Applied For” means that you have already applied for a TIN or that you intend to apply for one soon.

Caution: A disregarded U.S. entity that has a foreign owner must use the appropriate Form W-8.

Part II. Certification

To establish to the withholding agent that you are a U.S. person, or resident alien, sign Form W-9. You may be requested to sign by the withholding agent even if Item 1, 4, or 5 below indicates otherwise.

For a joint account, only the person whose TIN is shown in Part I should sign (when required). In the case of a disregarded entity, the person identified on line 1 must sign. Exempt payees, see Exempt payee code, earlier.

Signature requirements. Complete the certification as indicated in items 1 through 5 below.
1. Interest, dividend, and barter exchange accounts opened before 1984 and broker accounts considered inactive during 1983. You must give your correct TIN, but you do not have to sign the certification.

2. Interest, dividend, broker, and barter exchange accounts opened after 1983 and broker accounts considered inactive during 1983. You must sign the certification or backup withholding will apply. If you are subject to backup withholding and you are merely providing your correct TIN to the requester, you must cross out item 2 in the certification before signing the form.

3. Real estate transactions. You must sign the certification. You may cross out item 2 of the certification.

4. Other payments. You must give your correct TIN, but you do not have to sign the certification unless you have been notified that you have previously given an incorrect TIN. "Other payments" include payments made in the course of the requester's trade or business for rents, royalties, goods (other than bills for merchandise), medical and health care services (including payments to corporations), payments to a nonemployee for services, payments made in settlement of payment card and third party network transactions, payments to certain fishing boat crew members and fishermen, and gross proceeds paid to attorneys (including payments to corporations).

5. Mortgage interest paid by you, acquisition or abandonment of secured property, cancellation of debt, qualified tuition program payments (under section 529), ABLE accounts (under section 529A), IRA, Coverdell ESA, Archer MSA or HSA contributions or distributions, and pension distributions. You must give your correct TIN, but you do not have to sign the certification.

What Name and Number To Give the Requester

<table>
<thead>
<tr>
<th>For this type of account:</th>
<th>Give name and SSN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Individual</td>
<td>The individual</td>
</tr>
<tr>
<td>2. Two or more individuals [joint account] other than an account maintained by an FFI</td>
<td>The actual owner of the account or, if combined funds, the first individual on the account¹</td>
</tr>
<tr>
<td>3. Two or more U.S. persons [joint account maintained by an FFI]</td>
<td>Each holder of the account</td>
</tr>
<tr>
<td>5. a. The usual revocable savings trust [grantor is also trustee]</td>
<td>The grantor-trustee¹</td>
</tr>
<tr>
<td>5. b. So-called trust account that is not a legal or valid trust under state law</td>
<td>The actual owner¹</td>
</tr>
<tr>
<td>6. Sole proprietorship or disregarded entity owned by an individual</td>
<td>The owner²</td>
</tr>
<tr>
<td>7. Grantor trust filing under Optional Form 1099 Filing Method 1 (see Regulations section 1.671-4(b)(2)(i)(A))</td>
<td>The grantor³</td>
</tr>
</tbody>
</table>

For this type of account:

<table>
<thead>
<tr>
<th>Give name and EIN of:</th>
</tr>
</thead>
<tbody>
<tr>
<td>8. Disregarded entity not owned by an individual</td>
</tr>
<tr>
<td>9. A valid trust, estate, or pension trust</td>
</tr>
<tr>
<td>10. Corporation or LLC electing corporate status on Form 8832 or Form 2553</td>
</tr>
<tr>
<td>11. Association, club, religious, charitable, educational, or other tax-exempt organization</td>
</tr>
<tr>
<td>12. Partnership or multi-member LLC</td>
</tr>
<tr>
<td>13. A broker or registered nominee</td>
</tr>
</tbody>
</table>

For this type of account: Give name and EIN of:

| 14. Account with the Department of Agriculture in the name of a public entity (such as a state or local government, school district, or prison) that receives agricultural program payments | The public entity |
| 15. Grantor trust filing under the Form 1099 Filing Method or the Optional Form 1099 Filing Method 2 (see Regulations section 1.671-4(b)(2)(ii)(B)) | The trust |

¹ List first and circle the name of the person whose number you furnish. If only one person on a joint account has an SSN, that person’s number must be furnished.

² Circle the minor’s name and furnish the minor’s SSN.

³ You must show your individual name and you may also enter your business or DBA name on the "Business name/disregarded entity" name line. You may use either your SSN or EIN (if you have one), but the IRS encourages you to use your SSN.

⁴ List first and circle the name of the trust, estate, or pension trust. (Do not furnish the TIN of the personal representative or trustee unless the legal entity itself is not designated in the account title.) Also see Special rules for partnerships, earlier.

⁵ Note: The grantor also must provide a Form W-9 to trustee of trust.

Note: If no name is circled when more than one name is listed, the number will be considered to be that of the first name listed.

Secure Your Tax Records From Identity Theft

Identity theft occurs when someone uses your personal information such as your name, SSN, or other identifying information, without your permission, to commit fraud or other crimes. An identity thief may use your SSN to get a job or may file a tax return using your SSN to receive a refund.

To reduce your risk:
- Protect your SSN,
- Ensure your employer is protecting your SSN, and
- Be careful when choosing a tax preparer.

If your tax records are affected by identity theft and you receive a notice from the IRS, respond right away to the name and phone number printed on the IRS notice or letter.

If your tax records are not currently affected by identity theft but you think you are at risk due to a lost or stolen purse or wallet, questionable credit card activity or credit report, contact the IRS Identity Theft Hotline at 1-800-908-4490 or submit Form 2197.

For more information, see Pub. 5027, Identity Theft Information for Taxpayers.

Victims of identity theft who are experiencing economic harm or a systemic problem, or are seeking help in resolving tax problems that have not been resolved through normal channels, may be eligible for Taxpayer Advocate Service (TAS) assistance. You can reach TAS by calling the TAS toll-free case intake line at 1-877-777-4778 or TTY/TDD 1-800-829-4059.

Protect yourself from suspicious emails or phishing schemes.

Phishing is the creation and use of email and websites designed to mimic legitimate business emails and websites. The most common act is sending an email to a user falsely claiming to be an established legitimate enterprise in an attempt to scam the user into surrendering private information that will be used for identity theft.
The IRS does not initiate contacts with taxpayers via emails. Also, the IRS does not request personal detailed information through email or ask taxpayers for the PIN numbers, passwords, or similar secret access information for their credit card, bank, or other financial accounts.

If you receive an unsolicited email claiming to be from the IRS, forward this message to phishing@irs.gov. You may also report misuse of the IRS name, logo, or other IRS property to the Treasury Inspector General for Tax Administration (TIGTA) at 1-800-366-4484. You can forward suspicious emails to the Federal Trade Commission at spam@uce.gov or report them at www.ftc.gov/complaint. You can contact the FTC at www.ftc.gov/idtheft or 877-IDTHEFT (877-438-4338). If you have been the victim of identity theft, see www.IdentityTheft.gov and Pub. 5027.

Visit www.irs.gov/IdentityTheft to learn more about identity theft and how to reduce your risk.

Privacy Act Notice

Section 6109 of the Internal Revenue Code requires you to provide your correct TIN to persons (including federal agencies) who are required to file information returns with the IRS to report interest, dividends, or certain other income paid to you; mortgage interest you paid; the acquisition or abandonment of secured property; the cancellation of debt; or contributions you made to an IRA, Archer MSA, or HSA. The person collecting this form uses the information on the form to file information returns with the IRS, reporting the above information. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your TIN whether or not you are required to file a tax return. Under section 3406, payers must generally withhold a percentage of taxable interest, dividend, and certain other payments to a payee who does not give a TIN to the payer. Certain penalties may also apply for providing false or fraudulent information.
Agreement Articles Applicable to Subrecipients
Fiscal Year 2019 Homeland Security Grant Program

Article I. Summary Description of Award
The purpose of the FY 2019 HSGP is to support state and local efforts to prevent terrorism and other catastrophic events and to prepare the Nation for the threats and hazards that pose the greatest risk to the security of the United States. The HSGP provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving the National Preparedness Goal of a secure and resilient Nation. Among the five basic homeland security missions noted in the DHS Quadrennial Homeland Security Review, HSGP supports the goal to Strengthen National Preparedness and Resilience. The building, sustainment, and delivery of these core capabilities are not exclusive to any single level of government, organization, or community, but rather, require the combined effort of the whole community.

Article II. Disposition of Equipment Acquired Under the Federal Award
When original or replacement equipment acquired under this award by subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from the Recipient to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

Article III. Acceptance of Post Award Changes
In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, subrecipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate subrecipient acceptance of the changes to the award.

Article IV. Procurement of Recovered Materials
Subrecipients must comply with Section 6002 of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article V. Whistleblower Protection Act
Subrecipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C Section 2409, 41 U.S.C. 4712, and 10 U.S.C. Section 2324, 41 U.S.C. Sections 4304 and 4310.

Article VI. Use of DHS Seal, Logo and Flags
Subrecipients must obtain permission, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

Article VII. USA Patriot Act of 2001
Subrecipients must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. Sections 175-175c.

Article VIII. Universal Identifier and System of Award Management (SAM)
Subrecipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

Article IX. Reporting of Matters Related to Subrecipient Integrity and Performance
If the total value of the Subrecipient's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds $10,000,000 for any period of time during the period of performance of this federal financial assistance award, the subrecipient must comply with the requirements set forth in the government-wide Award Term and Condition for Subrecipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article X. Rehabilitation Act of 1973
Subrecipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. Section 794), as amended, which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article XI. Trafficking Victims Protection Act of 2000
Subrecipients must comply with the requirements of the government-wide award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000, (TVPA) as amended by 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

Article XII. Terrorist Financing
Subrecipients must comply with E.O. 13224 and U.S. law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Subrecipients are legally responsible to ensure compliance with the Order and laws.

Article XIII. SAFECOM
Subrecipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article XIV. Reporting Subawards and Executive Compensation
Subrecipients are required to comply with the requirements set forth in the government-wide Award Term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article XV. Debarment and Suspension
Subrecipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, and 2 C.F.R. Part 180. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article XVI. Copyright
Subrecipients must affix the applicable copyright notices of 17 U.S.C. Sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article XVII. Civil Rights Act of 1964 - Title VI
Subrecipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44
Article XVIII. **Best Practices for Collection and Use of Personally Identifiable Information (PII)**
Subrecipients who collect PII are required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Subrecipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as useful resources respectively.

Article XIX. **Americans with Disabilities Act of 1990**
Subrecipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, which prohibits subrecipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities. (42 U.S.C. Sections 12101-12213).

Article XX. **Age Discrimination Act of 1975**
Subrecipients must comply with the requirements of the Age Discrimination Act of 1975 (Title 42 U.S. Code, Section 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

Article XXI. **Activities Conducted Abroad**
Subrecipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

Article XXII. **Acknowledgment of Federal Funding from DHS**
Subrecipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

Article XXIII. **DHS Specific Acknowledgements and Assurances**
All subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Subrecipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Subrecipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Subrecipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Subrecipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. If, during the past three years, subrecipients have been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex, age, disability, religion, or familial status, subrecipients must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS FAO and the DHS Office of Civil Rights and Civil Liberties (CRCL) by e-mail at crcl@hq.dhs.gov or by mail at U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties Building 410, Mail Stop #0190 Washington, D.C. 20528.
6. In the event courts or administrative agencies make a finding of discrimination on grounds of race, color, national origin (including LEP), sex, age, disability, religion, or
familial status against the subrecipient, or subrecipients settle a case or matter alleging such discrimination, subrecipients must forward a copy of the complaint and findings to MSP EMHSD by e-mail at EMD_HSGP@michigan.gov or mail at P.O. Box 30634 Lansing, MI 48909. The United States has the right to seek judicial enforcement of these obligations.

Article XXIV. **Assurances, Administrative Requirements, Cost Principles, and Audit Requirements**

DHS financial assistance subrecipients must complete the Standard Assurances, Certifications Regarding Lobbying; Debarment, Suspension and Other Responsibility Matters; and Drug-Free Workplace Requirements, Audit Certification (EMD-053), and Request for Taxpayer Identification Number, Certification (W-9) and other necessary documents. Subrecipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations, Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article XXV. **Patents and Intellectual Property Rights**

Unless otherwise provided by law, subrecipients are subject to the *Bayh-Dole Act*, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. Section 200 et seq. All subrecipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. Section 401.14.

Article XXVI. **Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. Subrecipients must comply with any such requirements set forth in the program NOFO.

Article XXVII. **Non-supplanting Requirement**

Subrecipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article XXVIII. **Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Subrecipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statues, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article XXIX. **National Environmental Policy Act**

Subrecipients must comply with the requirements of the National Environmental Policy Act (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires subrecipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article XXX. **Lobbying Prohibitions**

Subrecipients must comply with 31 U.S.C. Section 1352, which provides that none of the funds provided under an federal financial assistance award may be expended by the subrecipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including
any extension, continuation, renewal, amendment, or modification.

Article XXXI. Limited English Proficiency (Civil Rights Act of 1964, Title VI)
Subrecipients must comply with the Title VI of the Civil Rights Act of 1964 (42 U.S.C. Section 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that subrecipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS subrecipient Guidance https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited and additional resources on http://www.lep.gov.

Article XXXII. Hotel and Motel Fire Safety Act of 1990

Article XXXIII. Fly America Act of 1974
Subrecipients must comply with Preference for U.S. Flag Carriers (air carriers holding certificates under 49 U.S.C. Section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. Section 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981 amendment to Comptroller General Decision B-138942.

Article XXXIV. Federal Leadership on Reducing Text Messaging while Driving
Subrecipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article XXXV. Federal Debt Status
Subrecipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article XXXVI. False Claims Act and Program Fraud Civil Remedies
Subrecipients must comply with the requirements of The False Claims Act (31 U.S.C. Section 3729-3733) which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. Section 3801-3812 which details the adminstrative remedies for false claims and statements made.)

Article XXXVII. Energy Policy and Conservation Act
Subrecipients must comply with the requirements of The Energy Policy and Conservation Act (42 U.S.C. Section 6201) which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article XXXVIII. Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX
Subrecipients must comply with the requirements of Title IX of the Education Amendments of 1972 (20 U.S.C. Section 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19
Article XXXIX. **Duplication of Benefits**
Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude subrecipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article XL. **Drug-Free Workplace Regulations**
Subrecipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the subrecipient is an individual) of 2 CFR part 3001, which adopts the Government-wide implementation (2 CFR part 182) of sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (Pub. L. 100-690, Title V, Subtitle D; 41 U.S.C. 8101).

Article XLI. **Civil Rights Act of 1968**
Subrecipients must comply with Title VIII of the Civil Rights Act of 1968, which prohibits subrecipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (See 42 U.S.C. Section 3601 et seq.), as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Section 100.201.)

Article XLII. **Operation Stonegarden Program Hold**
The recipient is prohibited from drawing down or reimbursing sub-recipients of Operation Stonegarden (OPSG) funding provided through this award until each unique, specific or modified county level, tribal or equivalent Operations Order and/or Fragmentary Order (Frags) has been reviewed by FEMA/GPD and Customs and Border Protection/United States Border Patrol (CBP/USBP). The recipient will receive the official notification of approval from FEMA/GPD.
U.S. Department of Homeland Security
Bureau of Customs and Border Protection
Operations Order Report

Op Order Name: OPSG Emmet County FY19 Campaign Plan
Op Order Number: 20-DTMDTM-10-017
Op Dates: From: 09/01/2019 to: 08/31/2022
Report Date: 10/10/2019

(U) Warning: The information contained herein remains under the control of the Department of Homeland Security (DHS), through U.S. Customs and Border Protection (CBP). It is being disseminated for authorized law enforcement purposes only.

(U) This document contains information that is UNCLASSIFIED//FOR OFFICIAL USE ONLY (U//FOUO). It contains information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. § 552). It is to be controlled, stored, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to FOUO information and is not to be released to the public, the media, or other personnel who do not have a valid need-to-know without prior approval of an authorized CBP official.

(U) Privacy Act 5 U.S.C. § 552a(b) “No agency shall disclose any record which is contained in a system of records by any means of communication to any person, or to another agency, except pursuant to a written request by, or with the prior written consent of, the individual to whom the record pertains [subject to 12 exceptions].” OOs and OPSG Operational documents contain shared intelligence, information, targeted enforcement information, Personally Identifiable Information (PII) of USBP and partner State, Local, and Tribal law enforcement entities. PII should not be released as it places public safety officials in danger from illicit actors and shared intelligence and information should not be disclosed without notice and permission from the contributing law enforcement agencies.”

Executive Summary

Detroit Sector (DTM) is responsible for 863 miles of international water boundary with Canada. The entire international border in the Sector's Area of Responsibility (AOR) is water, comprised of three of the five Great Lakes (Superior, Huron, and Erie), Lake St. Clair, and the Detroit, St. Clair, and St. Mary's Rivers. These bodies of water encompass over 3,800 miles of lakeshore and riverbank. The lakes and rivers that make up the international border in DTM allow unencumbered waterborne access from Canada into the United States for an average of nine months a year. During the winter, many of the waterways freeze over, leading to the probability of crossings by foot, vehicle, or snowmobile.

In order to maintain situational awareness and effectively control this vast expanse of international boundary, vulnerable shoreline, and routes of ingress, DTM partners with state and local law enforcement entities under the Operation STONEGARDEN operational grant program.

EMHS\SD COPY
Operation STONEGARDEN (OPSG) is a Federal Emergency Management Agency (FEMA) grant that finances enhanced cooperation and coordination through the provision of funding to U.S. Border Patrol (USBP) state and local partners for law enforcement (LE) operational overtime, equipment in support of LE overtime, as well as fuel and maintenance dollars to support equipment and facilitate LE operations.

I. SITUATION

A. General Situation:

Emmet County has approximately 68 miles of shoreline along Lake Michigan. The proximity to the Canadian border is 60 miles from shoreline to shoreline and 54 miles to the international border. Emmet County has numerous public and private airfields. Numerous public and private boat launches/harbors exist and can be used by terrorists/smugglers without detection. Emmet County has critical infrastructure locations to include the southern terminus of the Mackinac Bridge and the southern entry point for the Line 5 gas line that crosses under the Straits of Mackinac.

Emmet County Sheriff’s Office has 25 deputies. There is a lack of scheduled Border Patrol presence in Emmet County.

B. Terrain/Weather:

TERRAIN - The terrain in Emmet County is rolling hills that are heavily forested. Many areas along the shoreline are undeveloped requiring access using ORVs (quads, side-by-sides, snowmobiles, 4X4). Additionally, I-75, US31 and US131 are major routes of ingress/egress through the area. These three routes thereby facilitate the flow of illicit people and materials away from the border area.

WEATHER – Mild, wet summers produce heavy fog contrasting hard, cold winters with major lake effect snowfall, averaging 94 inches per year. Temperatures averages range from upper 70’s in the summer to teens in the winter.

C. Criminal Element:

Emmet County has a large year round and seasonal populations of foreign nationals. There have been numerous arrests of criminal aliens in Emmet County.

There have been numerous cases of reported smuggling events, both people and goods, which have taken place in the area around Emmet County.

D. Friendly Forces:

EMHS&D COPY
The Emmet County Sheriff’s Office and local law enforcement along Michigan’s northern border are equipped in varying degrees with boats, vehicles, and manpower making them an asset able to provide consistent patrol of the area. With financial aid from OPSG and coordination assistance from Michigan Homeland Security and other local law enforcement agencies on the international border can maintain a solid presence on Lake Huron and within Emmet County.

Emmet County Sheriff Office 231-347-2032

II. MISSION

During the stated period of performance, Emmet County will support the USBP Field Commanders by operating in and around the border area to enhance overall border security efforts. Taking a collaborative approach to enforcement, Emmet County law enforcement agencies will work in coordination with USBP to serve as force multipliers in a combined effort to disrupt, dismantle, and interdict transnational threats while improving communication and intelligence sharing. Essential tasks include high visibility road patrols, off-road and specialty vehicle patrols, and marine patrols. Patrols and interdiction actions will be conducted at or near shoreline marinas and points of potential ingress, as well as interior roads and transit nodes (bus stations, train stations). Methods of patrol will vary by season or reason, and will be adjusted as operational necessity dictates.

III. EXECUTION

A. Management/Supervisor Intent:

Purpose: Conduct enforcement activities to enhance overall border security.

Method: High visibility patrols at or near the international boundary, shoreline marinas and points of potential ingress, as well as interior roads and transit nodes (bus stations, train stations). Other methods may be utilized based upon the needs of the supported field commander (Station Patrol Agent in Charge (PAIC)).

End State: Robust and sustained border security within the local jurisdiction and regionally; enhanced communication and intelligence sharing amongst federal, state, local and tribal (where applicable) law enforcement agencies; collaborative approach to identify, disrupt and dismantle Transnational Criminal Organizations (TCO), alien smuggling organizations (ASO), and provide antiterrorism and critical infrastructure patrol capabilities.

B. General Concept:

Emmet County will utilize OPSG funds to conduct operational law enforcement activities on an overtime basis. Additionally, funds will be used for vehicle and vessel fuel during OPSG activities, vehicle and vessel maintenance to address
wear and tear as a result of OPSG activities, and purchase of equipment to be used for OPSG activities. Emmet County will not use OPSG funds to supplant what would otherwise be funded by traditional means.

C. Specific Responsibilities:

OPSG Sector Coordinator:
Liaison between USBP Headquarters, the Michigan and Ohio State Grant Administrators, Detroit Sector Command Staff and Supported Field Commanders (PAICs) and their designated OPSG station coordinators. Enable successful OPSG activities through policy guidance and coordination assistance.

Supported USBP Field Commander (or Station Coordinator):
Responsible for OPSG core processes to include OPORD/FRAGO planning, generation, and execution. Determine when, where and how OPSG recipients can best support lines of effort within AOR; communicate needs with OPSG partners through frequent integrated planning meetings; establish and enhance intelligence sharing capabilities with OPSG partners; review and approve/reject daily activity reports germane to AOR; complete after action reports at the end of specific performance periods. Periodically verify that OPSG recipient activity is supportive of station commander priorities.

OPSG Sub-Recipient Emmet County:
Direct all law enforcement operational activities in support of USBP field commander priorities and in accordance with the OPSG FEMA grant guidelines. Participate in frequent integrated planning meetings with USBP field commander (or station coordinator) and clearly communicate operational intent. Coordinate with friendly forces to achieve mission objectives; maintain communication with and seek reimbursement from State Grant Administrator; operate within the parameters of the published OPORD and limit FRAGO requests to operational necessity. Limit all equipment requests to that which is necessary to conduct OPSG operations.

D. Coordinating Instructions:

Emmet County will coordinate with USBP Field Commander prior to conducting law enforcement operations. A summary of daily operational activity will be reported in accordance with OPSG policy guidance.

E. Public/Open Records Requests:

In order to accomplish the Operation Stonegarden mission, law enforcement sensitive information is shared between Federal, State, and local friendly forces. This information includes: intelligence sharing, CONOPS/Applications, Operations Orders, Fragmentary Orders, Daily Activity Reports, After Action Reports, and more. OPSG records and documents are Law Enforcement Sensitive
and are to be secured by all parties involved in OPSG operations from release of data or information to individuals or entities without a legally sufficient need to know.

OPSG documents, data, and information must also be protected from inadvertent or improper distribution.

State Administrative Agencies, Sub-Recipients, and Friendly Forces should while maintaining state and local policy also notify their local USBP Sectors Staff when a Public disclosure request is received. USBP Sector Staff will notify the appropriate USBP HQ Staff about the request for awareness. USBP HQ will provide applicable assistance to insure the appropriate handling of the request to assure maximum protection of Personally Identifiable Information (PII) and Operations Security (OPSEC) of OPSG documents, data, and information.

IV. ADMINISTRATION/LOGISTICS

A. Cost Estimates/Funding Issues:

<table>
<thead>
<tr>
<th>Administration/Logistics/Budget Request</th>
<th>Narrative Justification (Computation of Items)</th>
<th>Federal Request</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime and Fringe</td>
<td>Overtime, Fringe, M&amp;A total</td>
<td>$45,188</td>
</tr>
<tr>
<td>Operational Overtime</td>
<td>Emmet County Sheriff: $37.50 per hour OT rate x 924 hrs (over one year) = $34,650.00 25 deputies</td>
<td>$34,650</td>
</tr>
<tr>
<td>Fringe Benefits for Law Enforcement</td>
<td>Emmet County Sheriff: Fringe = 25% of OT rate. $34,650 x .25 = $8,662.50 (rounded)</td>
<td>$8,663</td>
</tr>
<tr>
<td>Equipment (Provide AEL#)</td>
<td>Equipment Total</td>
<td>$26,005</td>
</tr>
<tr>
<td>-------------------------------------------------------</td>
<td>-----------------------</td>
<td>---------</td>
</tr>
<tr>
<td>General Equipment</td>
<td>N/A</td>
<td></td>
</tr>
<tr>
<td>If requested, detailed description required in section IV f</td>
<td>Special Equipment</td>
<td>$26,005</td>
</tr>
<tr>
<td>Emmet County: Narcotic detection and identification equipment</td>
<td>1 X $26,005 = $26,005</td>
<td></td>
</tr>
<tr>
<td></td>
<td>AEL#07SE-01-DENS</td>
<td></td>
</tr>
<tr>
<td>All vehicles/vessels require a separate justification</td>
<td>Patrol Vehicles, Specialty Vehicles, Watercraft</td>
<td>N/A</td>
</tr>
<tr>
<td>Regional Capability Enhancing Equipment</td>
<td>N/A</td>
<td>$0</td>
</tr>
<tr>
<td>Vehciles</td>
<td>Vehicle Total</td>
<td>$3,807</td>
</tr>
<tr>
<td>Maintenance</td>
<td>Includes patrol cars/trucks, vessels, and specialty vehicles</td>
<td>$0</td>
</tr>
<tr>
<td>Mileage</td>
<td>$0</td>
<td></td>
</tr>
<tr>
<td>Fuel</td>
<td>Emmet County vehicle: 924 hours x $2.06/gallon (rounded) x 2 gallons/hour (estimated) = $3,806.88</td>
<td>$3,807</td>
</tr>
<tr>
<td></td>
<td>(To be used in vehicles vessels and ORVs)</td>
<td></td>
</tr>
<tr>
<td>Travel, lodging, and per diem</td>
<td>For deployed LE and/or sponsored (DHS/FEMA) border security task force, or meetings</td>
<td>N/A</td>
</tr>
</tbody>
</table>

UNCLASSIFIED // FOR OFFICIAL USE ONLY // LAW ENFORCEMENT SENSITIVE
| State M&A | State of Michigan | $1,875 |
| County M&A | Emmet County | $0 |
| **Total Funding Cost** | | **$75,000** |

### AGENCY #1: Emmet County Sheriff's Department - Sub-Recipient Cost Summary

<table>
<thead>
<tr>
<th>Cost Categories</th>
<th>Overtime</th>
<th>Fringe</th>
<th>Equip</th>
<th>Maint</th>
<th>Mileage</th>
<th>Fuel</th>
<th>Travel</th>
<th>M &amp; A</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Emmet County</strong></td>
<td>$34,650</td>
<td>$8,663</td>
<td>$26,005</td>
<td>$0</td>
<td>$0</td>
<td>$3,807</td>
<td>$0</td>
<td>$0</td>
<td><strong>$73,125</strong></td>
</tr>
<tr>
<td><strong>State of Michigan</strong></td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$1,875</td>
<td><strong>$1,875</strong></td>
</tr>
<tr>
<td><strong>Total Cost</strong></td>
<td>$34,650</td>
<td>$8,663</td>
<td>$26,005</td>
<td>$0</td>
<td>$0</td>
<td>$3,807</td>
<td>$0</td>
<td>$1,875</td>
<td><strong>$75,000</strong></td>
</tr>
</tbody>
</table>

**Cost Estimates:**

- General Cost: $29,812
- OT Cost: $45,188

**Total Cost:** $75,000

**B. Travel:**

N/A

**C. Lodging:**

N/A

**D. Reception of Detailed Personnel:**

N/A

**E. Uniform and Equipment:**

As prescribed by the participating state and local agencies' chains of command.
F. Special Equipment:

If not but for the operational necessity of ECSO to be performing patrol duties in and around the border area, where large amounts of illegal narcotics are encountered, it is critically important to provide suitable levels of protection to the deputies of ECSO. Therefore the purchase of a narcotics detection and identification device (in alignment with FEMA IB438) is strongly supported by both ECSO and USBP SMM.

G. Medical:

Medical emergencies will be handled by the closest available medical facility, and in accordance with established departmental policy.

H. Vehicles:

Agency issued & assigned vehicles.

V. COMMAND/CONTROL/COMMUNICATION

A. Chain of Command:

<table>
<thead>
<tr>
<th>Position</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Detroit Sector Headquarters</td>
<td>586-239-2100</td>
</tr>
<tr>
<td>Interim Chief Patrol Agent Aaron A. Hull</td>
<td>202-437-5300</td>
</tr>
<tr>
<td>(A)Deputy Chief Patrol Agent R. Alan Booth</td>
<td>586-388-2098</td>
</tr>
<tr>
<td>(A)Division Chief of Operations Shawn Wilson</td>
<td>586-239-3631</td>
</tr>
<tr>
<td>Division Chief of Programs Craig Shepley</td>
<td>586-206-8141</td>
</tr>
<tr>
<td>(A)Executive Officer of Operations Marko Kozina</td>
<td>586-239-3631</td>
</tr>
<tr>
<td>Executive Officer of Programs Patrick Ashworth</td>
<td>586-719-1716</td>
</tr>
</tbody>
</table>

B. Unit Command:

OPSG participating agencies, while acting at the direction of the USBP Chief Patrol Agent or his designee, will maintain local departmental chain of command in the operational environment.

<table>
<thead>
<tr>
<th>Position</th>
<th>Phone Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sault Ste. Marie BP Station Commander (PAIC)</td>
<td>906-632-3383</td>
</tr>
<tr>
<td>Sheriff Peter Wallin</td>
<td>231-347-2032</td>
</tr>
<tr>
<td>Undersheriff Michael Keiser</td>
<td>231-347-2032</td>
</tr>
</tbody>
</table>

C. Communication Details:

Communications will be conducted through normal BP frequencies along with local/state channels accessed through the 800 MHZ Dual Band Radios and KAK 700. Cell phones will be used for secondary/backup communications.
D. **Map Coordinates:**

*Notes:* Variable geographic confines of the Detroit Sector

<table>
<thead>
<tr>
<th>Degrees : Minutes : Seconds</th>
<th>Latitude</th>
<th>Longitude</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>45 22'31.42&quot;N</td>
<td>084 57'09.52&quot;W</td>
</tr>
<tr>
<td>Decimal</td>
<td>45.37535</td>
<td>-84.95272</td>
</tr>
</tbody>
</table>

**Location Zone:** DTM Zone 66
ANNEX

A. Administration Annex  
B. Execution Annex  
C. Communication Annex

Media Action Plan:

All CBP/Border Patrol inquiries will be directed to the Detroit Sector Public Affairs Office via USBP 24/7 Dispatch @ 1-800-532-3220; 586-239-2161.

Legal Review:

Participating agencies will direct legal inquiries to their respective agency legal team. Legal reviews involving USBP will be forwarded to CBP legal office.

Risks:

<table>
<thead>
<tr>
<th>Initial Risk</th>
<th>Initial Risk Level</th>
<th>Mitigating Factors</th>
<th>Resulting Risk Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>Armed Encounters</td>
<td>Medium</td>
<td>Officer training and available tools</td>
<td>Medium</td>
</tr>
<tr>
<td>Assaults on Officers</td>
<td>Low</td>
<td>Officer training and available tools</td>
<td>Low</td>
</tr>
<tr>
<td>Injuries due to inclement weather</td>
<td>Low</td>
<td>Officer training and experience working in inclement weather</td>
<td>Low</td>
</tr>
</tbody>
</table>

Photos:
March 3, 2020

Chris A. Kelenske, Captain
Deputy State Director of Emergency Management and Homeland Security
Emergency Management and Homeland Security
4000 Collins Road
Lansing, Michigan 48910

Dear Captain Kelenske:

Based on the Department of Homeland Security, Federal Emergency Management Agency’s (FEMA) Operation Stonegarden Grant Program (OPSG) guidelines and special conditions associated with this program, the below referenced Operations Order as submitted is approved:

**Operations Order No:** 20-DTMDTM-10-017 V0  
**Fiscal Year:** 2019  
**Amount Approved:** $75,000  
**Operations Order Dates:** 09/01/2019 – 08/31/2022  
**Recipient:** Emmet County, MI

Expenditures from the Operations Order (OPORD) that were reviewed and approved by FEMA and U.S. Customs and Border Protection/Border Patrol (CBP) are outlined below. These expenses will assist the County in conducting border centric, intelligence driven operations with the goal of reduction or elimination of threat, risk and vulnerability along our Nation’s borders. Please see below for all approved costs for this OPORD, and refer to the OPORD for specific items.

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Overtime:</td>
<td>$34,650.00</td>
</tr>
<tr>
<td>Fringe:</td>
<td>$8,663.00</td>
</tr>
<tr>
<td>Equipment:</td>
<td>$26,005.00</td>
</tr>
<tr>
<td>Fuel:</td>
<td>$3,807.00</td>
</tr>
<tr>
<td>Maintenance:</td>
<td>$0</td>
</tr>
<tr>
<td>Mileage:</td>
<td>$0</td>
</tr>
<tr>
<td>Travel:</td>
<td>$0</td>
</tr>
<tr>
<td>County M&amp;A:</td>
<td>$0</td>
</tr>
<tr>
<td>State M&amp;A:</td>
<td>$1,875.00</td>
</tr>
<tr>
<td>Indirect Costs:</td>
<td>$0</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$75,000.00</strong></td>
</tr>
</tbody>
</table>

Please find the below special conditions associated with OPSG and retain this letter for your grant files. If you have any questions, please feel free to contact me at (202) 786-9724.

*EMHSDCOPY*

FOR OFFICIAL USE ONLY – LAW ENFORCEMENT SENSITIVE
Sincerely,

[Signature]

Ashley Pendleton on behalf of Kimberley Marshall
Program Analyst
U.S. Department of Homeland Security
Federal Emergency Management Agency
Grant Programs Directorate

Cc: U.S. Customs and Border Protection/Border Patrol

The following Special Conditions are associated with this Operation Stonegarden award:

1. Construction and construction-type activities are prohibited.
2. Lethal or less than lethal forces including, but not limited to: weapons, firearms, ammunition and tasers are prohibited.
3. Per the Personnel Reimbursement for Intelligence Cooperation and Enhancement (PRICE) of Homeland Security Act (Public Law 110-412), the sum of all personnel related expenses shall not exceed 50% of the recipient's allocation without first obtaining a waiver from the FEMA Administrator.
4. All participating agencies shall monitor, review and track expenditures of OPSG funds under individual Operations Orders issued. Participating agencies shall not obligate, and/or encumber OPSG grant funds beyond the total of their allocation issued by FEMA.
5. The Operations Order has been reviewed and approved under the Environmental and Historic Preservation Program (EHP) guidelines as being categorically excluded from further EHP review.
6. Recipients must submit a letter of justification for all proposed vehicles or equipment items in excess of $100,000. This justification will be reviewed by CBP and FEMA.
Date received from the Sector: 11/22/19
Date the Operations Order processed by LEOD OPS: 11/22/19

Order Number: OPSG OO MI Emmet FY19 20-DTMDTM-10-017 V0
Operation start/end date: 9/1/2019 - 8/31/2022

<table>
<thead>
<tr>
<th>Sub recipient:</th>
<th>Emmet</th>
</tr>
</thead>
<tbody>
<tr>
<td>State:</td>
<td>Michigan</td>
</tr>
<tr>
<td>Sector:</td>
<td>Detroit</td>
</tr>
</tbody>
</table>

Grant Year: FY19

<table>
<thead>
<tr>
<th>FY Award Amount/Balance:</th>
<th>$75,000.00</th>
</tr>
</thead>
<tbody>
<tr>
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<td>Fuel:</td>
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<th>PRICE Act Waiver Request Attached:</th>
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<th>Equip Justification Letter?</th>
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</tbody>
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<table>
<thead>
<tr>
<th>Entered in BPETS</th>
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<tbody>
<tr>
<td>Yes</td>
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</tbody>
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<table>
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<tr>
<th>Rejected by LEOD OPS</th>
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<tbody>
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<table>
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<tr>
<th>Date forwarded to FEMA:</th>
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<tbody>
<tr>
<td>11/22/2019</td>
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</table>

Unallocated: $0.00

Total: $75,000.00

SIGNATURES:

Reviewed by:

OP Reviewed by: MAURICE T GILL Digitally signed by MAURICE T GILL Date: 2020.01.13 10:27:18 -05'00'
CC: to LEOD Corridor

Kicked Back?:
Date of Kick Back:

Reason for Kick Back:
Date Returned from the Field:
Kicked Back a Second Time?:

FOUO

EMHS D COPY
Sheriff’s Department – Additional Patrol Services Agreement with Cross Village Township

SUMMARY:
This was presented at the Committee of the Whole Meeting on May 11, 2020.

It is the same agreement as approved in prior years with the compensation costs of the township increased.

RECOMMENDATION:
I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:
I have reviewed the attached documents and approve as to legal form.

MOTION:
I move that the Board approve the attached Additional Patrol Services Agreement with Cross Village Township and authorize the Chairperson and Sheriff to sign the same.

VOTE: Roll Call

ATTACHMENTS:

Description
Agreement for Additional Patrol Services for Cross Village Township
2020 AGREEMENT FOR ADDITIONAL SHERIFF PATROL SERVICES
TO CROSS VILLAGE TOWNSHIP

THIS AGREEMENT is made and entered into between the County of Emmet and the Emmet County Sheriff (hereinafter referred to collectively as the "County"), and the Township of Cross Village (hereinafter referred to as the "Township") located within Emmet County, Michigan.

Recitals

WHEREAS, the Emmet County Sheriff ("Sheriff") operates the Emmet County Sheriff's Office (ECSO) which provides general law enforcement services to the County of Emmet; and

WHEREAS, the County of Emmet is a public body corporate which provides the funding for the operation of the ECSO; and

WHEREAS, the Township wishes to contract with the County for the law enforcement services of the ECSO to augment existing patrols with special police protection for the Township, and is willing to reimburse the County for the costs of such added protection; and

WHEREAS, the County agrees to render such services under the terms and conditions set forth in this Agreement; and

WHEREAS, such contracts are authorized under 1945 PA 256, as amended, MCL 41.181; 1951 PA 35, as amended, MCL 124.1 et seq.; and 1967 Ex Sess PA 7, MCL 124.501 et seq.

NOW, THEREFORE, the parties agree as follows:

1. SERVICES TO BE PROVIDED.

   A. The County will provide special police protection, in addition to existing patrols, within the geographical limits of the Township, to the extent and in the manner provided in this Agreement.

   B. Except as otherwise provided herein, such special police protection will include duties, responsibilities and functions within the jurisdiction of and rendered by the ECSO under the Constitution and statutes of the State of Michigan, and under Emmet County and Township ordinances, as applicable.

   C. The special police protection services provided under this Agreement will be for the purpose of enforcing State laws, Emmet County ordinances, and Township ordinances, as applicable. The Township will provide the ECSO with copies of applicable Township ordinances.

   D. The special police protection services to be reimbursed under this Agreement will be in addition to the police protection services customarily and routinely performed County-wide by the ECSO.
E. The County will furnish the labor, supervision, equipment, and supplies necessary to render the special police protection services to the Township. The County personnel assigned to provide the special police protection will perform the services wearing standard uniforms of members of the ECSO.

F. The Township, through its designee, will inform the ECSO concerning the particular location(s) and time(s) that special police protection services to the Township are desired. The ECSO, through its designee, will inform the Township of the practical ability of the ECSO to provide special police protection services at such requested location(s) and times(s) and any such services shall only be provided at the particular location(s) and time(s) that are further agreed upon by the parties. Deputies appointed to perform the special police protection services in the Township will be under the exclusive jurisdiction of and solely responsible to the Sheriff.

G. The special police protection services to be provided under this Agreement will be reimbursed by the Township at the rate of $87.87 per man hour. Such man hours will include court time required in the prosecution of citations issued under Township ordinances.

H. The County will maintain daily reports of the services, copies of which will be made available without charge to the Township, upon its request.

2. RELATIONSHIP OF PARTIES. The relationship of the County to the Township under this Agreement will be that of an independent contractor. County personnel providing services to the Township under this Agreement will remain at all times employees of the County.

3. INDEMNIFICATION; INSURANCE; COOPERATION.

A. To the extent allowed by law, the County will indemnify, defend and hold harmless the Township, its officers, employees and agents, from any and all claims, liabilities, judgments, costs, damages, expenses and attorney fees incurred by or asserted against the Township, its officers, employees and agents, as the result of, or arising out of, or relating to actions or omissions of the County, its officers, employees or agents, in performance under this Agreement.

B. To the extent allowed by law, the Township will indemnify, defend and hold harmless the County, its officers, employees and agents, from any and all claims, liabilities, judgments, costs, damages, expenses and attorney fees incurred by or asserted against the County, its officers, employees and agents, as the result of, or arising out of, or relating to actions or omissions of the Township, its officers, employees or agents, in performance under this Agreement, including, but not limited to, claims that may arise from the otherwise lawful enforcement of any Township ordinance held to be legally invalid.

C. This indemnification by each party will survive the termination or expiration of this Agreement. By entering this Agreement, the parties do not waive any immunities provided by law.
D. Each party will obtain and maintain in effect during the term of this Agreement liability insurance that will be the primary source of coverage for acts or omissions of the party, its officers, employees and agents in performance under this Agreement. Said insurance will be in a form and amount acceptable to the other party, and each party will provide the other, upon request, with an appropriate certificate evidencing such insurance. Notwithstanding, approval of said insurance will not, in any way, relieve or decrease the liability of the other party hereunder, and it is expressly understood by the parties that each party does not, in any way, represent that said insurance or limits of liability are sufficient to protect the other’s interest or liabilities.

E. Each party will promptly notify the other of any claim that may be asserted against any of them in connection with this Agreement, and will provide information and reasonable assistance with respect to the defense of such a claim as the other party may request.

4. COSTS.

A. In the event that any special supplies, stationery, notices, forms, etc. are to be issued in the name of the Township, they will be supplied by the Township at its sole expense. If supplied by the County upon the request of the Township, the Township will reimburse the County for the expenses incurred.

B. The Township will not be obligated to pay any costs attributable to law enforcement services or related facilities within the Township that are customarily and routinely provided or available to all townships or other municipalities within the County and/or that are not part of this Agreement.

C. The Township's cost for services provided under this Agreement will be paid to the County within thirty (30) days of the Township’s receipt of monthly bills from the ECSO detailing the dates and hours of the special police protection services provided.

5. TERM. The term of this Agreement will commence on the date of execution of this Agreement and will expire on December 31, 2020.

6. NONDISCRIMINATION. The parties agree not to discriminate against any employee or applicant for employment with respect to hire, tenure, terms, conditions or privileges of employment, or a matter directly or indirectly related to employment, because of race, color, religion, national origin, age, sex, height, weight, marital status, protected activity, or genetic information, or because of a disability that is unrelated to the individual's ability to perform the duties of a particular job or position. A breach of these covenants may be regarded as a material breach of this Agreement.

7. TERMINATION. This Agreement may be terminated at any time before its expiration as follows:

A. By the Sheriff, County of Emmet and Township in a written instrument.
B. By the Sheriff, County of Emmet or Township if another party has breached any of the terms or conditions set forth in this Agreement, and the breach is not cured within seven (7) days after notice to the breaching party or parties.

C. By the Sheriff and/or County of Emmet in the event of a workforce reduction and/or reduction of work hours by the County affecting ECSO personnel.

No party will be relieved or released from any liabilities or damages arising out of the party’s breach.

8. AMENDMENT. The parties can amend this Agreement only by a written instrument signed by all parties.

9. APPLICABLE LAW. This Agreement will be governed and interpreted by Michigan law.

10. NOTICES. All required notices must be in writing and will be considered given when delivered (1) personally, or (2) by registered or certified mail, return receipt requested, addressed as follows (or another address that is specified in writing by a party):

   If to the Township: Cross Village Township  
c/o Township Supervisor  
P.O. Box 182  
Cross Village, Michigan 49723

   If to the County: County of Emmet  
c/o County Administrator  
200 Division Street  
Petoskey, Michigan 49770

   and  
   Emmet County Sheriff  
450 Bay Street  
Petoskey, Michigan 49770

11. WAIVER. A waiver of a breach of any term in this Agreement will not be considered (1) a waiver of a further breach of the same term, or (2) a waiver of a breach of any other term.

12. ENTIRE AGREEMENT. This Agreement contains the entire understanding between and among the parties.

13. HEADINGS. Headings are inserted in this Agreement for reference purposes only, and must not be used to interpret the Agreement.
IN WITNESS WHEREOF, the parties have executed this Agreement on the ______ day of ______________, 2020.

TOWNSHIP OF CROSS VILLAGE:

__________________________  ____________________________
Priscilla J. Sweet, Clerk    Gene P. Reck, Supervisor

COUNTY OF EMMET:

__________________________  ____________________________
Suzanne R. Kanine, Clerk    William L. Shorter, Chairperson
County Board of Commissioners

__________________________
Pete Wallin, Emmet County Sheriff
EMMET COUNTY - Board of County Commissioners Meeting
May 21, 2020 - 6:00 PM

Claims and Committee and Travel Vouchers Approval

<table>
<thead>
<tr>
<th>Description</th>
<th>ATTACHMENTS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Memo - Claim, Committee and Travel Voucher - Summary</td>
<td></td>
</tr>
<tr>
<td>2. Check Disbursement Report - Summary</td>
<td></td>
</tr>
</tbody>
</table>
I recommend approval of the claims and the committee and travel vouchers as presented.

Michael Reaves
Date

Suggested Motion:

I move for payment of the claims in the amount of $2,413,472.99 and for payment of the committee and travel vouchers in the amount of $6,240.93.

Approved by vote of the board of commissioners

Chairman, William Shorter
Date
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<thead>
<tr>
<th>Fund Number</th>
<th>Fund Description</th>
<th>Amount</th>
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<tr>
<td>101</td>
<td>GENERAL FUND</td>
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<tr>
<td>205</td>
<td>OFFICE OF EMERGENCY MANAGEMENT</td>
<td>4,451.28</td>
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<td>208</td>
<td>PARKS &amp; RECREATION - OPERATIONS</td>
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<td>210</td>
<td>AMBULANCE FUND</td>
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<td>215</td>
<td>FRIEND OF THE COURT FUND</td>
<td>785.54</td>
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<td>TRIBAL PAYMENT FUND (2% OF NET)</td>
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<td>BROWNFIELD REDEVELOPMENT</td>
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<td>260</td>
<td>INDIGENT DEFENSE FUND</td>
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<td>266</td>
<td>COMMUNITY CORRECTIONS</td>
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<tr>
<td>269</td>
<td>LAW LIBRARY FUND</td>
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<td>290</td>
<td>DEPARTMENT OF HUMAN SERVICES</td>
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<td>292</td>
<td>CHILD CARE FUND</td>
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<td>S.A.N.E. FUND</td>
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<td>SENIOR TAX LEVY FUND</td>
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<td>297</td>
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<td>CAPITAL PROJECT FUND</td>
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<td>DELQ' TAX REV'L FUND 17 TAX 18</td>
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<td>555</td>
<td>LAND BANK AUTHORITY</td>
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<td>DISPOSAL SYSTEM FUND</td>
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<td>701</td>
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<td>TOTAL</td>
<td>ALL FUNDS</td>
<td>2,413,472.99</td>
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</table>
EMMET COUNTY - Board of County Commissioners Meeting
May 21, 2020 - 6:00 PM

L-4029 Tax Rate Request

RECOMMENDATION:

I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:
I have reviewed the attached documents and approve as to legal form.

MOTION:
I move that the Board authorize the Chairperson and the Finance Director to sign Form L-4029, 2020 Tax Rate Request, as attached.

VOTE: Roll Call

ATTACHMENTS:

- Description
  - L-4029
E Emmet County

This form must be completed for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119. The following tax rates have been authorized for levy on the 2020 tax roll.

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<tr>
<th>Source</th>
<th>Purpose of Millage</th>
<th>Date of Election</th>
<th>Original Millage</th>
<th>2019 Millage Rate Permanently Reduced by MCL &quot;Headlee&quot;</th>
<th>2020 Current Year &quot;Headlee&quot; Millage Reduction Fraction</th>
<th>2020 Millage Rate Permanently Reduced by MCL &quot;Headlee&quot;</th>
<th>Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction</th>
<th>Maximum Allowable Millage Levy</th>
<th>Millage Requested to be Levied July 1</th>
<th>Millage Requested to be Levied Dec 1</th>
<th>Expiration Date of Millage Authorized</th>
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<tr>
<td>Allocated</td>
<td>Operational</td>
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<td>5.5235</td>
<td>0.9904</td>
<td>5.4704</td>
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<td>4.8500</td>
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<td>Dec-20</td>
</tr>
<tr>
<td>Ex Voted-Oper Seniors</td>
<td>Aug-18</td>
<td>0.5000</td>
<td>0.4967</td>
<td>0.9904</td>
<td>0.4919</td>
<td>1.0000</td>
<td>0.4919</td>
<td></td>
<td>0.4919</td>
<td></td>
<td>Dec-21</td>
</tr>
<tr>
<td>Ex Voted-Oper Ambul &amp;EMS</td>
<td>Nov-19</td>
<td>0.7000</td>
<td>0.7000</td>
<td>0.9904</td>
<td>0.6932</td>
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<td>0.6932</td>
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<td>Dec-23</td>
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<tr>
<td>Ex Voted-Oper CCE 911</td>
<td>Nov-18</td>
<td>0.3100</td>
<td>0.3079</td>
<td>0.9904</td>
<td>0.3049</td>
<td>1.0000</td>
<td>0.3049</td>
<td></td>
<td>0.3049</td>
<td></td>
<td>Dec-23</td>
</tr>
</tbody>
</table>

**IMPORTANT:** See instructions on page 2 regarding where to find the millage rate in column (5).
SUMMARY:
A request by an owner and business within the RG Properties PUD to amend the Planned Unit Development (PUD) Agreement to allow additional limited outdoor display and storage and to allow drive-thru restaurants.

Bear Creek Township Planning Commission and Board have recommended approval.

Emmet County Planning Commission has recommended approval subject to review by legal counsel and fire chief. Suggest final approval following property owner signatures on PUD Agreement Amendment.

Civil Counsel has reviewed with Tammy Doernenberg. Civil Counsel recommends that since these are minor changes, an Addendum to the 2008 PUD Agreement would be proper. It is attached below as First Addendum to Planned Unit Development Agreement Bear Creek Plaza Phase I, Phase II, Phase III.

RECOMMENDATION:
I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:
I have reviewed the attached documents and approve as to legal form.

MOTION:
I move that the Board approve the attached First Addendum to Planned Unit Development Agreement Bear Creek Plaza Phase I, Phase II, Phase III, and authorize the Board Chairperson to sign the same conditioned upon approval by RG Properties, fire chief, and Civil Counsel after RG Properties responds.

VOTE: Roll Call

ATTACHMENTS:
- Meeting Packet
- PUD Plan
- Letter of Support - Haggard’s
- Bear Creek Township PC Draft meeting minutes
- Draft Home Depot Plan
- Proposed PUD Amendment provided by Home Depot
- Emmet County PC minutes - excerpt
- First Addendum to PUD Agreement Bear Creek Plaza Phase I, Phase II, Phase III
- Power Point Presentation
REQUEST

PPUDF20-02
A request by Chase Bank c/o John Johnson with Wesney Construction for a Preliminary Planned Unit Development (PUD) Amendment on property located at 1580 Anderson Road in Section 7 of Bear Creek Township. The property is tax parcel 01-19-07-300-039 and is zoned R-1 One & Two-Family Residential, R-2 General Residential with a PUD overlay. The request is to allow a drive-through ATM in the PUD.

The parcel is part of a larger PUD which is also contains B-2 General Business zoned properties. The entire PUD includes tax parcels 01-19-07-300-020, 029, 037, 038, 039, 040, 041, 042, 047, 048, 049, 380-101 & 380-102 located between Cemetery Road and US-131 Highway, all north of Lears Rd. The Planning Commission may wish to consider drive-through businesses in other areas of the PUD as a separate part of this review. The Planning Commission may review the PUD Agreement to determine if other changes are desirable. The reviews will be conducted per Article 17 of the Zoning Ordinance.

LOCATION
Plan prepared by
Emmet County Planning and Zoning
231-348-1735

1 in = 600 feet
Date: 3/11/2020
APPLICATION FOR ZONING ACTION
EMMET COUNTY OFFICE OF PLANNING, ZONING, AND CONSTRUCTION RESOURCES
3434 HARBOR-PETOSKEY RD, SUITE E, HARBOR SPRINGS, MI 49740
PHONE: (231) 348-1735 FAX: (231) 439-8933 EMAIL: ptc@emmetcounty.org

MAR 09 2020
DATE RECEIVED
$ 200
FEE

DATE PAID

PLEASE MAKE CHECKS PAYABLE TO: EMMET COUNTY

Applicant's Name
CHASE BANCORP JOHN JOHNSON - REMLEY CONSTRUCTION
Phone: 814-751-5712

Applicant's Address
791 SCIENCE BLVD. GAUMANN, OHIO 43220

Applicant's Email Address
JOHNSON
REMLEYCONSTRUCTION.COM

Owner's Name
BEAR CREEK STATION LLC
Phone: 513-366-6000

Owner's Address
11501 NORTH LAKE DRIVE, CINCINNATI, OHIO 45249

Owner's Email Address
MYERS
PHILIPSEDITION.COM

JOB SITE LOCATION:

Township: BEAR CREEK
Tax Parcel #: 24-01-19-07-300-039

Address: 1580 ANDERSON ROAD, PETOSKEY, N 49770

ZONING REQUEST:

Planning Commission:

Describe Request:
REQUESTING A PLAN AMENDMENT TO ALLOW A PHASE BANK
DEVELOPMENT ATW

REQUIRED USE INFORMATION

Ground Floor area main building: 3,347
Floor Area accessory building: 76
Lot/Parcel Size: 11.93 Acres

Site/Plot Plan required:
2 full sized & 14 reduced sized (max 11"x17") site plans required for Planning Commission cases.

Elevation Drawing
Engineered Drainage Plan
Soil Erosion Permit
Health Dept. Approval
Sewer Taps
Date Submitted

Date Submitted

Site Inventory
Fire Dept Approval
Wetlands Permit
Road Commission/
MDOT Approval

Other:

As owner/and or applicant representing the owner, I do Q do not Q authorize Emmet County (staff, appointed board, and/or commissioners, or committee members) to enter upon the subject property for purposes of making inspections related to the project or request identified in this application. If authorized, such inspections or site walks shall be conducted at reasonable hours and times.

I certify that all the above information is accurate to my fullest knowledge:

JOHN JOHNSON
MARCH 3, 2020
Printed Name of Applicant
Robert F. Myers, Vice President
MARCH 3, 2020

Dear Creek Station LLC, a Delaware limited liability company
By: Phillips Edmon Grocery Center Operating Partnership LLLP
A Delaware limited partnership, its sole member
By: Phillips Edmon Grocery Center OP GP I LLC,
A Delaware limited liability company, its General Partner
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 03/11/2020 CASE #: PPUD20-02 (Part 1)

APPLICANT: JOHN JOHNSON/WESNEY CONSTRUCTION FOR CHASE BANK

PROPERTY: 1580 ANDERSON RD

TOWNSHIP: BEAR CREEK

REQUEST: Planned Unit Development (PUD) – Amendment(s)

FACTS:
- The property is zoned R-1 One & Two Family Residential and R-2 General Residential with a PUD-1 overlay.
- The PUD was originally established in 1994. It was amended in 2000 when Bear Creek Township administered its own zoning. It was amended again in 2008. Site Plans have been reviewed individually as construction progressed and changes occurred.
- The applicant has requested an ATM drive-through which requires a PUD amendment, as drive-through businesses are not included in the PUD agreement.
- The PUD notice has been expanded to include other amendments which may be under consideration by the Planning Commission. The following review relates to the applicant’s request only. A separate zoning evaluation form will be prepared for additional consideration.
- The entire PUD area includes six parcels totaling 62.5 acres north of Lears Rd east of Cemetery Rd and west of Anderson Rd and six parcels totaling approximately 20 acres north of Lears Rd, west of US 131 Hwy and east of Anderson Rd. The entire PUD is approximately 83 acres and includes underlying zoning districts of R-1, R-2 and B-2.
- The area of the proposed change is between Anderson Road and the northerly retail established building containing a cellular store, WhichWich restaurant, Marshalls, Goodwill, JoAnn Fabrics, and Home Goods. It is at the northerly end of the parking area for those businesses.
- The area of proposed change for the Chase ATM drive-through would displace 15 parking spaces and replace with an ATM pedestal and five stacking spaces with necessary safety features to protect the adjacent non-motorized trail and existing maneuvering lane.
- This is a Preliminary PUD review. Bear Creek Township approval is necessary. Final review is by the Emmet County Board of Commissioners.
- No new accesses proposed to county or state roads.
- The perimeter setback of 50’ is maintained from Anderson Road.
- Parking standards appear to be met.
- No additional impervious surface will be proposed.
- If the Preliminary PUD is approved, then the applicant could proceed with a Final PUD Plan and Site Plan - Reviewed by the Planning Commission.
- Surrounding uses include movie theater, retail, restaurants, service businesses.
ZONING ORDINANCE STANDARDS:

SEE PUD STANDARDS – Article 17 of the Zoning Ordinance

Draft Motions:

To approve PSUP20-002, John Johnson of Wesney Construction for Chase Bank for a Planned Unit Development amendment on property located at 1580 Anderson Road, Section 7, Bear Creek Township, tax parcel 01-19-07-300-039, to add a drive-through ATM as shown generally on the Amendment to the PUD Master Plan dated March 9 2020 because the standards for the PUD have been met based on the uses in the vicinity, the changes in the vicinity since the original PUD was approved and subsequently amended, all other PUD standards remain in place based on the signed 2008 PUD agreement (other conditions or statement of facts may be inserted here).

To deny PSUP20-002, John Johnson of Wesney Construction for Chase Bank for a Planned Unit Development amendment on property located at 1580 Anderson Road, Section 7, Bear Creek Township, tax parcel 01-19-07-300-039, to add a drive-through ATM as shown generally on the Amendment to the PUD Master Plan dated March 9 2020 the underlying zoning prohibits drive-through businesses, and (other reasons may be added here).

To postpone until the next regular Planning Commission meeting PSUP20-002, John Johnson of Wesney Construction for Chase Bank for a Planned Unit Development amendment on property located at 1580 Anderson Road, Section 7, Bear Creek Township, tax parcel 01-19-07-300-039, to add a drive-through ATM as shown generally on the Amendment to the PUD Master Plan dated March 9 2020 for the following reasons: (additional reasons may be added here).
SUPPLEMENTAL/SUPERSEADING
PLANNED UNIT DEVELOPMENT AGREEMENT
BEAR CREEK PLAZA PHASE I, PHASE II, PHASE III

PARTIES OF INTEREST
This Planned Unit Development (PUD) Agreement is an agreement between the following parties of interest, relative to a proposed development and expansion of the retail shopping center project identified by Emmet County Zoning Case #124H-94 affecting Tax Parcels numbered 24-01-19-07-300-020, 029, 037, 038, 039, 040, 041, 042, 047, 048, 049, 380-101 and 380-102. This Agreement is an amendment to, and a replacement of, a previous Three Party Planned Unit Development Agreement between the developer, RG Properties, Inc., Bear Creek Township, and Emmet County, previously known as Emmet County Zoning Case #124-94 and Supplemental Planned Unit Development Agreement, Bear Creek Township Case #P-00-01. This Agreement supersedes and replaces in their entirety the prior agreements, the approved PUD Master Plan, and the prior Supplemental Planned Unit Development Agreement. The parties of interest are:

Party No. 1
The Developer or Owner
RLG Bear Creek LLC and GCG Bear Creek LLC
c/o RG Properties, Inc.
8163 Old Yankee Road, Suite B
Dayton, OH 45458

Party No. 2
The County
The County of Emmet
County Building
200 Division Street
Petoskey, MI 49770

It is understood the owner/developer may assign any and all rights or interests to a party or parties other than Party No.1, but such assignments shall carry the terms of this PUD Agreement (or supplements which may be made to this agreement) as binding and running with the land. Owner/developer shall notify Emmet County of any such assignment.

PURPOSES
The purpose of this Agreement is to obtain good faith performance and ensure that the shopping center project, as approved pursuant to the PUD Mixed-Use Master Plan (Preliminary & Final, as amended), and subsequent Site Plan(s), are constructed and maintained in accordance with all of the approval motions and conditions of Emmet County. The original approval motions made by Emmet County for the Final PUD Master Plan identified a Primary Parcel, being tax parcel no. 24-01-19-07-300-001 and a Secondary Parcel, being tax parcel no. 24-01-19-07-300-016, with development phases. The amendment to the Final PUD Master Plan includes new Tax Parcel Numbers in the Primary Parcel as being 24-01-19-07-300-029, 037, 038, 039, 040, and 041 and the Secondary Parcel as being Tax Parcel Numbers 24-01-19-07-300-020, 042, 047, 048, 049, 380-101 and 380-102. All the parcels shall be considered one Zoning Lot for the purposes of this agreement and as of this date, the secondary parcel is approved under the preliminary PUD Master Plan procedures and is restricted as provided for in this Agreement.
BACKGROUND
The developer, Party No. 1, received approval for a Final Mixed-Use Planned Unit Development-1 (PUD-1) by the Emmet County Board of Commissioners on October 12, 1995. A PUD Agreement titled “Three Party Planned Unit Development Agreement” was established and has remained in place since 1995.

On January 10, 2000, the Bear Creek Township Interim Zoning Ordinance became effective. During the Interim Zoning Administration, Bear Creek Township approved a PUD-1 amendment and a PUD agreement titled “Supplemental Planned Unit Development Agreement – Bear Creek Plaza” was established and remained in place until the Interim Zoning Ordinance expired on January 10, 2003.

This Agreement is created to combine the standards created by Emmet County in 1995 with those established by Bear Creek Township in 2000. The Emmet County Planning Commission approved this Agreement on December 6, 2007. The Emmet County Board of Commissioners approved this Agreement on February 7, 2008. Upon execution of this Agreement by both Party No. 1 and Party No. 2, this Agreement shall thereafter be the sole controlling document with respect to the development and expansion of the retail shopping center project on the subject land.

CONDITIONS
The following conditions and requirements shall run with the land, and as such are obligations upon the current owner(s) or such other persons and/or entities who remain or who subsequently become owners of any part or all of the subject land encompassed in the Preliminary and Final PUD Mixed Use Master Plans.

1. The Final PUD Master Plan dated 8/26/96 and originally approved by the Emmet County Planning Commission on 10/3/96 and the amended Master Plan dated 2/11/00 and originally approved by the Bear Creek Township Planning Commission on 3/1/00, as approved per Article XVIII and Section 2405 of the Emmet County Zoning Ordinance, are incorporated herein, with all notations and graphic illustrations contained thereon. The Final PUD Master Plan dated 12/10/07 (a copy of which is attached hereto as Exhibit A) is the currently approved Master Plan.

2. Any future expansion of the Phase III building on the primary parcel shall contain similar design elements as the existing buildings and shall incorporate a façade that will break up the long front wall of the building. The use of sidewalk landscaping may be incorporated into the plans to help break up the façade. The building façade shall be built in accordance with the approved elevation drawings presented at the 12/1/05 Emmet County Planning Commission meeting and which are on record as being part of the site plan approved. Minor modifications may be submitted to the Emmet County Planning Department. Any material modification will be subject to subsequent Planning Commission approval.

3. In addition to the Landscape Plans approved by the Emmet County Planning Commission, the following shall be required to be shown on landscape plans at the time of submission of applications for Zoning Permits and installed in accordance with the following provisions:

A. The plantings and other landscape features detailed on the approved drawings from the 12/1/05 Emmet County Planning Commission meeting and which are on record
as being part of the site plan approved, must be installed as shown on the plans within three (3) months of the completion of any building, but prior to the occupancy of any building, and in no event later than one (1) year after the building permit is issued.

B. Any portion of the site disturbed by grading and on which no construction occurs during any six month period shall be planted with appropriate ground cover and properly maintained as approved by the Soil Erosion Control Officer.

C. Where Site Plans have not been approved, final landscape plans shall not be required until the time the Site Plans are reviewed by the Emmet County Planning Commission. These final landscape plans should represent the overall concept plan for the development and fit in naturally with the other approved plans within the development.

D. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes, as originally planted, within 6 months, weather permitting.

E. An irrevocable letter of credit or other performance guarantee approved by the County in an amount as reasonably determined by the County through the use of an independent, certified engineer or landscape architect, to ensure completion of the screening and landscaping contemplated by this Agreement, must be submitted prior to the release of any building permits in order to ensure the installation of the required landscaping in accordance with the approved landscape plan. The amount of the performance guarantee shall be equal to or greater than the estimate of the cost of material and the installation of landscaping and shall remain in effect until such time as the landscaping has been completed, as determined by the Emmet County Zoning Administrator. Upon determination by the County that the landscaping has been completed, the owner or developer may request release of the surety instrument provided. Normal and approved parking lot landscaping for Phase III shall not require a bond.

F. Landscaping shall conform to, but may be more than, the landscaping shown on the approved PUD plan, and will be reviewed for approval at the time of Site Plan Review.

4. All signs for walls and the freestanding signs for businesses in the Secondary Parcel shall be in accordance with the Emmet County Zoning Ordinance standards and be approved by the Emmet County Sign & Lighting Committee.

A freestanding sign, to be jointly used, as approved by Emmet County Case #124D-94 is permitted for the Primary Parcel, to be located on the Secondary Parcel as shown on the PUD Master Plan. No other billboards or off-premises signs shall be erected in the PUD project on either the Primary or Secondary Parcels. A freestanding sign, as approved on 9/7/06 by Emmet County Case #124G-94 is permitted for 1364 Plaza Drive, tax parcel 24-01-19-07-300-047 located in the Secondary Parcel.
5. Freestanding light standards in the shopping center parking lot, and in the outlot areas, shall not exceed thirty (30) feet in height. Perimeter lighting standards shall not exceed a height of twenty (20) feet. All outdoor lights shall have a full cut-off design with horizontally aligned flush mounted lens, designed and/or directed away from all adjacent properties and uses and further shall not glare upon or interfere with persons and vehicles using public streets. All proposed outdoor lighting shall be approved by the Emmet County Sign & Lighting Committee.

6. All on-site electrical and communication conduits shall be placed in-ground rather than overhead, including existing local power lines on Anderson Road which borders or runs along or exists on any portions of the PUD project site.

7. At the time of application for a Zoning Permit, letters or statements must be submitted from the utility providers that the project can and will be supplied, by utilities including, but not limited to, municipal water and sewer. Approval of the buildings by the local fire protection agency having jurisdiction must also be demonstrated at that time.

8. The height of all buildings shall be permitted to be the higher of: A.) thirty (30) feet as regulated in the Zoning Ordinance or B.) as depicted on the approved building elevation sketches submitted with the Final PUD Master Plan or subsequent approved site plans.

9. Barrier type concrete curbing shall be installed along all on-site entrance roads to the project. In addition, all parking areas shall have concrete curbing installed around the perimeter as well as concrete curbing around all landscaped islands including those islands at the end of all parking bays, except in those areas approved for snow storage. These parking bay islands shall be landscaped as indicated on the approved landscaping plan.

10. Debris and trash shall be routinely collected on a weekly basis by the owner from the parking lot and grounds of all areas of the project including the infiltration basins. The County reserves the right to require more frequent collection as necessary. Space for a recycling drop-off type convenience center will be provided to serve shoppers. Debris/trash containment fencing shall be installed along the southerly property line where parking lots, loading areas, and/or service bay access roads are located. Ongoing maintenance of the infiltration basins and detention ponds shall be the obligation and responsibility of the owner of the shopping center property. Sediment shall be removed from the infiltration and detention basins and properly disposed of periodically during construction as reasonably required by the County in accordance with sound engineering practices. Thereafter, the maintenance obligation of the owner shall include similar sediment removal, as may be similarly required, and the owner shall keep the basins and all on-site drainage areas and facilities in good operating condition.

11. No direct motor vehicle driveway access from the project site onto Cemetery Road shall be permitted except as shown on the Final PUD Master Plan dated 12/10/07 (Exhibit A). Access from Cemetery Road will be the primary access for the future R2-B use area as depicted on the PUD Master Plan. The owner of the development shall secure an easement that allows for access between the theater lot and Anderson Road through the depicted future
R-2B use area. Such access shall not provide straight or unimpeded access from the theater lot to Cemetery Road, but shall provide for emergency access. The intent of this provision is to provide emergency access between the theater lot (and subsequently the rest of the commercial development) and Cemetery Road, but not to have such access as a main entrance/exit of the commercial uses along Anderson Road.

12. All public road improvements required for County Roads including but not limited to all costs associated with preliminary and final engineering, preparation and completion of construction plans and bid documents, and including signage, pavement markings, and traffic signal and coordination thereof required as a result of this development shall be the responsibility of the owner. Any new requirements by the Emmet County Road Commission for road improvements shall be completed in accordance with the standard practices of the Road Commission, including turn lanes on Anderson Road immediately in front of the property. No additional off-site improvements will be required. As of the date of this Agreement, this requirement has been completed satisfactorily.

13. All costs for any improvements (including but not limited to all costs associated with preliminary and final engineering, preparation and completion of construction plans and bid documents) to be constructed within the right-of-way area of US-131 as approved by the State of Michigan shall be the obligation of the owner. Provided, however, such costs may be shared by the Northern Michigan Hospitals Subsidiary, Healthshares, Inc. and the Little Traverse Bay Bands of Odawa Indians to be based upon their relative impact on US-131. As of the date of this Agreement, this requirement has been completed satisfactorily.

14. No occupancy permit from Bear Creek Township Building Official is to be issued for any structure within the Bear Creek Plaza project area until the required improvements within the right-of-way of US-131, Anderson Road and Lears Road are substantially completed, operational or properly secured as determined by the Emmet County Road Engineer and the Michigan Department of Transportation (MDOT) as applicable. As of the date of Supplemental Agreement Volume 2, this requirement has been completed satisfactorily.

15. Once the project is started, the Final PUD Master Plan as amended and attached hereto as Exhibit A shall remain in effect for all areas of the plan shown on the Primary and Secondary Parcel.

16. The Secondary Parcel bounded to the east by US-131, the west by Anderson Road and to the south by Lears Road, shall be restricted to R-2B uses as presently documented in the Emmet County Zoning Ordinance, provided, however, that up to three (3) sit down type restaurants shall be permitted for that area and per site plan review of each building.

17. The area shown on the approved Final PUD Master Plan as “Cinema” allows for theater uses as well as all permitted and special uses allowed in the R-2B district of the Emmet County Zoning Ordinance.

18. The following greenbelt setbacks shall be applied to the development:

A. East property line along US-131 - 100' wide
B. North property line of the entire development - 100' wide
C. South property line between Anderson & Cemetery Roads - 30' wide
D. West property line along Cemetery Road - 100' wide
E. East and west sides of Anderson Road – 50' wide

19. All building fronts or faces in the Shopping Center area shall have custom veneer brick fronts (east elevation) and shall be in substantial compliance with color rendered elevations dated 8/8/95 for the Wal-Mart Store and dated 8/11/95 for the balance of phase one of the shopping center and displayed at Public Hearings leading to Final PUD Master Plan approval and made a part of this Agreement by reference. Open-end walls shall be treated to have a finished appearance, i.e., at least painted to match the facade. The standard or typical gray color tone for Wal-Mart stores shall not be used in the proposed shopping center complex, on either the Primary or Secondary Parcels.

All building facades shall be built in compliance with the approved site plan and to the specifications shown for each individual elevation and façade drawings presented for those approvals. The Phase III elevations were stamped as part of site plan approval on 12/1/05 with the condition that the total east face is bricked to match the rest of the proposed east façade and the rest of the building is painted to match the façade.

20. All buildings in the “Shopping Center Area” shall be permitted to increase or decrease in depth limited by the expansion lines shown on the approved PUD Site Plan. Plans that deviate from these expansion criteria will be considered revised site plans and will require approval by Emmet County Planning Commission.

21. Parking for the development shall be provided so that there is a minimum of 4.0 cars and a maximum of 5.0 cars per one thousand square feet of gross leaseable area. Certain stalls may be deferred if shown on the approved Site Plan for the individual buildings or lots. If it is shown by the applicant or County, over a period of time, that the deferred spaces are needed, the Zoning Administrator may require the increase in parking area. The applicant may install the deferred spaces, but only after applicant has applied for a Zoning Permit and such zoning permit has been issued by the Zoning Administrator; provided, however, the entire Phase III parking lot can be constructed at the time any portion of the Phase III buildings are constructed.

22. Right-of-ways and/or easements for non-motorized trails (as bikeways) shall be permitted on the Developer’s or Owner’s property and generally parallel public roads, or on separate adjacent parcels, in specific locations that are mutually agreeable to Emmet County and the Developer and may be permitted in the setback.

23. Outdoor sales activity including tents, awnings, trailers and the like shall be regulated as follows:
   A. Permitted in fenced areas of the garden and sales centers, as shown on the approved site plan.
   B. Retail plant materials may be displayed on the sidewalk at the garden centers provided safe and adequate pedestrian walking space remains.
   C. No other outdoor sales or display of merchandise and no outdoor vending machine
sales or display.

D. No outdoor display or sales by itinerant merchandisers, such as but not limited to furniture items, art works, fire works, pottery crafts, etc.

E. Rental vehicles of the businesses on site may not be parked in the front of any building, but may be parked behind the buildings.

24. Overnight camping and overnight parking is prohibited anywhere on site unless approved for a local event by the Zoning Administrator, provided however, trucks/rental vehicles may park behind the buildings overnight as necessary.

25. The PUD Project may be constructed in phases or stages, and it is understood by this Agreement, that the parking, landscaping, and lighting elements of the plan may be constructed in proportion to the approved phase as defined on the Zoning and/or Occupancy Permit other than as detailed in paragraph 21 above.

The Final PUD Master Plan (Exhibit A) as approved shall take immediate effect upon the execution of this PUD Agreement, to assure that all approval stipulations are, in fact, implemented and including the proper maintenance of all required and Owner provided landscaped areas, and all storm drainage systems.

This Agreement supersedes and replaces in their entirety the prior agreements, approved PUD Master Plans, and the Supplemental Planned Unit Development Agreement. This Agreement shall hereafter control the development and expansion of the retail shopping center project on the subject land.

The undersigned representative(s) of the Developer or Owner certifies that he or she is duly authorized to sign this agreement on its behalf.

DEVELOPER OR OWNER:

RLG BEAR CREEK LLC  

[Signature]  

Randall L. Gunlock, Managing Member  

[Witness]  

[Date]  

GCG BEAR CREEK LLC  

[Signature]  

Glenn C. Gunlock, Managing Member  

[Witness]  

[Date]  

EMMET COUNTY:

[Signature]  

John Fhy, Chair  

[Witness]  

[Date]
EXHIBIT A
FINAL PUD MASTER PLAN (AS AMENDED)
ZONING EVALUATION FORM
Office of Planning and Zoning
Emmet County, MI

DATE: 03/11/2020  CASE #: PPUDF20-02 (Part 2)

APPLICANT: JOHN JOHNSON/WESNEY CONSTRUCTION FOR CHASE BANK
(PLANNING STAFF ADDITIONAL REVIEW PROPOSED)

PROPERTY: ANDERSON RD; CEMETERY RD, LEARS RD, US-131 HWY

TOWNSHIP: BEAR CREEK

REQUEST: Planned Unit Development (PUD)– Amendment(s)

FACTS:
- The property is zoned R-1 One & Two Family Residential, R-2 General Residential and B-2 General Business with a PUD-1 overlay.
- The PUD was originally established in 1994. It was amended in 2000 when Bear Creek Township administered its own zoning. It was amended again in 2008. Site Plans have been reviewed individually as construction progressed and changes occurred.
- The application requested an ATM drive-through. Staff contacted the owner of the vacant Pizza Hut property to request permission to review for additional drive-through uses within the PUD. The property owner agreed. Drive-through uses were not included in the currently approved PUD agreement.
- The PUD notice included other amendments which may be under consideration by the Planning Commission. The following review relates to the expanded PUD amendment review.
- The entire PUD area includes six parcels totaling 62.5 acres north of Lears Rd east of Cemetery Rd and west of Anderson Rd and six parcels totaling approximately 20 acres north of Lears Rd, west of US 131 Hwy and east of Anderson Rd. The entire PUD is approximately 83 acres and includes underlying zoning districts of R-1, R-2 and B-2.
- The area of the proposed change could include any portion of the PUD. Currently a vacant restaurant exists (formerly Pizza Hut) near the southeast corner of the PUD.
- No specific request has been proposed. Details would be required if this amendment were to be authorized and the PUD Agreement would be modified.
- This is a Preliminary PUD review. Bear Creek Township approval is necessary. Final review is by the Emmet County Board of Commissioners.
- No new accesses are proposed under this possible amendment.
- The perimeter setbacks would all be maintained as currently approved.
- The properties across US-131 (east and southeasterly) have experienced redevelopment since this PUD was last amended. The properties south of Lears Road between Anderson and Cemetery Roads have been developed since this PUD was last amended. That PUD allows for drive-through businesses.
- Uses within the PUD are identified in the PUD Agreement.
ZONING ORDINANCE STANDARDS:

SEE PUD STANDARDS – Article 17 of the Zoning Ordinance

Draft Motions:

The purpose of this zoning evaluation is for discussion purposes. If the Planning Commission determines they would desire changes in the PUD Agreement, then changes can be made. Possible changes may include additional drive-through business(es); reallocation of areas allowed for outdoor display; clarification of any standards deemed unclear, etc.

To postpone until the next regular Planning Commission meeting PSUP20-002 – Part 2, a Planned Unit Development amendment on property located within Section 7, Bear Creek Township, including tax parcels 01-19-07-300-020, 029, 037, 038, 039, 040, 041, 042, 047, 048, 049, 380-101 & 380-102 located between Cemetery Road and US-131 Highway, all north of Lears Rd. Proposed changes to include: (additional reasons may be added here).
April 23, 2020

Emmet County Commission
200 Division St.
Petoskey, MI 49770

RE: Case#PPUDF-02 Parcel#01-19-07-300-039 Located at 1580 Anderson Rd. Request by Chase Bank C/O John Johnson with Wesney Construction. To allow drive-through ATM in the PUD.

To Whom it May Concern,

Upon reviewing the above Article, I would like to express my view on the above plan request. Haggard's Plumbing & Heating is not opposed to the changed of the property and/or the request to the Zoning Board. If a property owner is fortunate enough to have the ability and the resources in this time to either build and/or improve their existing property, it would only help the economy continue to grow. It would prove positive for the local, county and state to do all we can to improve and promote growth in anyways possible.

Sincerely,

[Signature]

JOHN HAGGARD
I. Called to order: 5:40 p.m.

II. Roll Call: Kendziorski, Urman, Haven, Coveyou, Brown, Olliffe, Mays

III. Others in Attendance: Robert Drost, David Martin, Kyle Wright, John Ledig, John Poquette, Jason Thelen, Jonathan Scheel, Ashley Friske, Paul Theriault, Dennis Keiser, Tammy Doernenburg, Brian O’Connor, Alan Hubbard

IV. Pledge of Allegiance

V. Approval of Minutes
   a. Motion by Mays to approve the minutes as presented from the Planning Commission Meeting of February 26, 2020. 2nd by Olliffe. Passed

VI. Case PPUDF19-05 Robert Drost, PUD Agreement Amendment, 2157 Howard Rd, Section 17, Bear Creek Township
   a. Tammy Doernenburg gave a background to the case:
      i. Doernenburg noted that this case was first on the agenda in January. This PUD is zoned FF-1 and the access for this property is off of Howard Rd. The preliminary PUD was approved in 2017 and included multiple uses and it was amended in 2018 to be for storage uses only. The first building was built near the backside of the development. Screening has been installed along the road. The lighting is conforming and is exactly how it was proposed in the PUD and site plan approval. Surrounding uses include the former City of Petoskey landfill to the north, residence and non-conforming auto repair shop to the south, residential to the west and a residence to the east. The PUD amendment proposal is to change condition #20. The current condition #20 only allows for personal storage uses. The proposed condition #20 would allow for personal or commercial storage use. No other business operations would be allowed onsite. No hazardous or bulk storage of fuel would be allowed. The rest of the PUD will stay the same, the proposal is to only change condition #20. Doernenburg noted that the question was raised: Could a portion of the buildings/units be approved for this use? Or could this be approved in phases? She noted that this would be difficult to enforce. Drost provided Doernenburg with a copy of the Master Deed, and as well as the attachments to that. There was a use there for office, which could be considered commercial. The Fire Department reviewed and had no concerns. The PUD agreement was signed by the Board of Commissioners Chairman, so this would need to go back to the Board of Commissioners for final approval.
   b. Robert Drost addressed the Planning Commission regarding the parcel in question:
      i. Drost explained that he reread the Master Deed, and that when the questions were first proposed, this was not registered, but it has been registered now. He addressed a series of questions: First, how would current or future owners of units in the development be bound by deed restrictions? Drost noted that from page 8 of the bylaws, section 1 reads: “the units in the condominium may be used for general storage purposes, and for any other use allowed by local zoning, that is not otherwise specifically restricted by the condominium documents.” Drost noted that here, the authority is in the hands of the local zoning. Drost continued that: “Documentation should be in place that includes use restrictions of the PUD agreement, common area upkeep, fee assessments, and enforcement provisions, etc.” He then referenced page 5 of the Condominium Buyer’s Handbook, which states that “The following items must be provided to each prospective buyer: the recorded Master Deed, a copy of the Purchase Agreement and the Escrow Agreement, this Condominium Buyer’s Handbook, and a Disclosure Statement.” Drost noted that in these documents are located all the information related to the above-mentioned questions. For example, page 9 of the bylaws, Section 7 “Aesthetics” reads: “The common elements shall not be used for storage of supplies, materials, personal property, trash or refutes of any kind. (In other words, no storage outside the units of any kind.) Any trash receptacles or dumpsters shall be maintained inside the building.” Fee assessments are located on page 7 of the purchaser’s information packet in Section 6 “Proposed Budget and Assessments” Section B “Proposed Annual Budget”. Enforcement is covered in the condominium bylaws, page 3 Section 5 “Enforcement”. Drost referenced the concerns of allowing commercial business use in the PUD. It was said that it is difficult to define commercial uses without someone interpreting it to be to support their desire to
run a portion of their business out of the units. Drost believes this is covered in the deed restrictions which is located in Section 1 “Use”, which reads: “These restrictions are not intended to mean that a unit cannot be owned or used by a person or entity who operates an office or commercial business, it is only intended to restrict access by or traffic from the general public.” In other words, no one can go into these units because it is functioning as a business. Someone who owns or operates a business somewhere else could own one of these units, but could not use this unit to operate their business. Drost believes this documentation spells out the intended use of these storage units and that the language is in place to make sure that it is and will continue to be a respected storage unit in Petoskey.

ii. Kendziorski noted that she would prefer the slow approach of approving some of these buildings for commercial and leaving the rest as personal use, but is not sure if it is enforceable.

iii. Coveyou asked which documents Drost is referring to? He has not seen the new deed.

Does the deed reference the condominium buyer’s handbook?

1. Drost noted that he is referencing the following: the Master Deed, the Purchase Agreement, the Escrow Agreement, and the Condominium Buyer’s Handbook. In each of these documents, enforcement of the Master Deed is discussed. Drost noted that the zoning will come first because that is what was agreed to. He also stated that he can get these documents to Doernenburg.

2. Doernenburg noted that these documents were sent to the Planning Commission late in the day today. She explained that if this were approved, she would recommend that the Planning Commission ask to tie the PUD into the Master Deed. Perhaps it could be attached as an appendix to the Master Deed. This would help with enforcement issues.

iv. Coveyou expressed a concern with future owners. He would like to make sure future owners know what is expected.

1. Drost confirmed that each prospective buyer gets all of these documents. Additionally, there will be a board which approves these.

2. Coveyou would like time to look through these documents. He is concerned about the wording and would like to ensure that a business could not buy a unit and use it as their home base where staff goes to get materials and such. He would like to make sure the wording is clear to protect the community from that.

v. Brown has similar concerns; he noted that there is a difference between commercial business and commercial storage. He does not have an issue with commercial storage, but would like to make sure it is defined so it does not turn into commercial business. He would be okay with long term storage, but not day to day. Additionally, even if it is difficult to approve piece by piece, he would like to go slow and approve only part of the development if possible (even if it is tough to enforce).

vi. Olliffe asked about the board Drost referenced. Couldn’t the board make more restrictive rules than ours?

1. Drost noted that the two units that have sold lately are both end units: one with nice cars and one with a boat. The people who are buying these units want this development to be nice and they do not want to see businesses coming in and out with supplies all the time. Drost also remarked that there will be a board which grows with the development, and it is likely that they may make decisions that are stricter than these.

vii. Mays asked who would approve the sales of the units. She would like to make sure that the new owner gets all the proper paperwork.

1. Drost noted that every closing has to go through the title company. Each perspective buyer would get all the documentation. Additionally, he remarked that with a board in place, there would be a cost for violations within the association.

viii. Haven noted that having commercial storage seems straightforward, but has reservations with commercial business. He would like to tighten up the language somehow to reference that no commercial business could take place. Coveyou agrees.

1. Doernenburg noted that she would be more comfortable if the deed included a copy of the signed PUD and if the Planning Commission made the change that that was part of the requirement. Additionally, any time that there have been enforcement issues in the past, Doernenburg noted that he has been responsive. In the future, if there is an
enforcement issue, if he could provide contact information to the county that would be helpful.

ix. Urman noted that on the disclosure statement, it states: “it is recommended that professional assistance be sought prior to purchasing the condominium unit.” If a title company and attorney are involved, potential buyers will have the paperwork and know what they are getting into. Additionally, he remarked that the documentation would police the usage. Urman likes the idea of tying this into the deed. He also noted that the proposed language of condition #20 states: “No business operations may be performed at this facility: not to be used as a home or commercial base for operations.” That language will limit some of the commercial activity and business operations. Additionally, other people who own these units may police this better than we will…they will see traffic coming in and out of the neighboring units.

x. Olliffe would like to see language added that no home or satellite office would be permitted out of these units.

c. Audience Comments: No comment.

d. Board Discussion and Questions:

i. Urman would like to see the PUD attached to the deed, and to see some language clarified to help enforce this. The enforcement could be by the association more than the county.
   1. Drost will get the signed PUD attached to Master Deed and will work on tightening up the language for condition #20.

ii. Urman asked about the footage of the gate. He wants to make sure the gate is big enough for trucks.
   1. Drost noted that the gate will be large enough, as even larger boats need room to get in.
      He would like to see a gate in to prevent unwanted traffic. Drost assured the board that although the installation of the gate has been delayed because of COVID-19, money has been put towards it.

iii. Coveyou would prefer to table this to have more time to read over the new documentation.

e. Motion by Mays to postpone until the next regular Planning Commission PPUDF19-05, Robert Drost for an amendment to the Planned Unit Development Agreement for property located at 2157 Howard Rd in Section 17, Bear Creek Township, tax parcels 24-01-19-1700-019, as proposed by the applicant in the application received 12/27/19 to allow additional time for review and the following: to clear up language of PUD condition #20, to review documentation as referenced by Drost, and to attach signed PUD to the Master Deed. 2nd by Coveyou.
   1. Roll Call: Urman, Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven
      1. Yes- Urman, Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven

VII. Case PSUP20-003 Kyle Wright, Special Use Permit- Contractor’s Use, 1855 E Bear River Rd, Section 33, Bear Creek Township

a. Tammy Doernenburg gave a background to this case:
   i. Doernenburg noted that this is the second time this case has been on the agenda. It is located in Section 33, on 1855 E Bear River Rd. This parcel was part of a larger acreage that has been split off. This parcel is on the corner of Sterly Rd and Bear River Rd. The applicant brought in a revised site plan- note that each location for outdoor storage has been identified and that screening has been added. Screening is provided along both roads. The proposal includes adding a lean-to to an existing building to square off the building. There was a non-conforming use on this parcel, it was an auto-repair facility and the previous owner had also done some excavation. This owner would like a contractor’s use to do some landscaping there. Doernenburg contacted the road commission about access and they informed her that this is Charlevoix County’s jurisdiction. The Charlevoix County Road Commission noted that they do not require any changes or upgrades to the driveway. There is a business across the road in Charlevoix County. The proposal is to change the use on this 7-acre parcel to a contractor’s use, to square off the building and approve outdoor storage. The Fire Department had no concerns and snow storage is adequate. The dumpster would have to meet the setback minimum of 40 ft from the front road right of way.

b. Kyle Wright addressed the Planning Commission regarding the parcel in question:
i. Wright explained that he would like to pave the entrance eventually. His goal is to clean up the exterior, gravel the yard, clean up the junk and scrap and put some tree screening in there.
   1. Urman noted that this would not be an issue and Doernenburg noted he would need to get a permit from the Charlevoix County Road Commission.
ii. Kendziorski noted that even if the paving is done later, she would still like to see the entrance get cleaned up sooner rather than later. The landscaping for the entrance shouldn’t wait on the paving.
iii. Coveyou would like to see it get cleaned up (especially the outside storage). He likes the idea of putting the pipe storage in the lean-to and keeping the equipment parking behind the building. It keeps it out of sight of the road right of way.
iv. Brown appreciates the revised site plan.
   1. Wright noted that the only change he would like to make is to potentially add more screening. Where the site plan shows 25ft of screening on Sterly, he would like to extend that screening north to the property line.
v. Olliffe noted that he would like to get started with screening the entryway as soon as possible.
   1. Wright asked if it was possible to start the screening in the fall for the sake of irrigation. He wouldn’t want trees to die. Urman noted that that would be fine.
vi. Mays asked what the crane mats are for.
   1. Wright explained that these are 6x6 or 4x4 mats that are laid on swampy areas. They are made of wood.
vii. Haven noted that the revised site plan clarifies the materials and stockpiles. He agrees extending the screening to the fall makes sense.
viii. Urman concurs with what was said. He would like Wright to continue to maintain the burn and clean the site. He would like to see the extra trees, and thinks planting in the fall is fine.

c. Audience Comments:
   i. Dennis Keiser asked how high the screening would be. Additionally, Keiser would like to see something regarding dust control in the motion. Lastly, Keiser noted that these trees need to be maintained (if one dies, it needs to be replaced).
      1. Wright noted that these would likely be 8 ft trees.
   ii. Paul Theriault has talked to Wright about this and has a few concerns. He would like to make sure there is no access onto Sterly Rd (so that there wouldn’t be a service road coming out there). He is also concerned about the hours of operation.
      1. Urman noted that there is no road on the site plan as it stands now so it would be a site plan amendment if Wright ever wanted to do that. Additionally, the hours of operation proposed are Monday–Friday 7:30-6 and Saturday 8-12. We could add in no holidays or Sundays if that is a problem.
      2. Theriault does not feel Sundays or holidays are going to be an issue. He is more concerned with the noise of hauling rocks in and out and wants to make sure that happens during work hours. He would like to have specifications about screening.
         a. Wright noted that the screening would be from where it is shown on the site plan now to the north corner of the property.
      3. Theriault also noted that the dust control is a concern. Additionally, he would like to know how high the crane pads are?
         a. Haven asked what is a safe height for those piles?
         b. Wright noted that he has them at about 4-5ft high right now and that is about what he would keep them.
   iii. Keiser noted that we should clarify the footage of the screening.

d. Board Discussion and Questions:
   i. Urman would like to add to the motion that dust control be added 2 times per season or as needed, a tree size of 8ft and type of trees to be spruce/pine/fir, and that 8ft screening be added from the northeast corner of the easterly side of the property 200ft to the south.
   ii. Coveyou noted that we should add no access to Sterly Rd to the motion.
   iii. Doernenburg suggested that there be a maximum height of the stockpiles as well. The site plan shows 12ft.
e. **Motion** by Mays to approve case PSUP20-003, Kyle Wright for a Special Use Permit for a contractor’s use to operate a landscaping business on property located at 1855 Bear River Rd, Section 33, Bear Creek Township, tax parcel 24-01-19-33-300-019, as shown on the site plan dated 3/17/2020 because the use meetings the standards of Articles 8, 21 and Section 26.32, with modifications allowed that the property is less than 10 acres, less than 600 ft wide, building size limitation is allowed to be exceeded as proposed, and owner does not reside on the property, and because the use replaces a non-conforming use with a new use allowed as a special use in the FF-1 Zoning District. Approval includes the following conditions: the outdoor storage must be screened as shown on the site plan and in accordance with the Zoning Ordinance, the sign must be reviewed by the zoning administrator, outdoor lighting must comply with the Zoning Ordinance standards, dumpster to be screened within six months of approval and must be setback a minimum of 40ft from the road right-of-way, install additional screening along Sterly Rd to the north property line in the fall with 6-8ft tall trees (spruce, pine, or fir), that these trees be maintained and replaced if needed, any additional trees would be welcome, updating the drive could be approved administratively, dust control needs to be done at least twice a season and as needed, that there be no access on Sterly Rd, and no hours of operation on Sundays or holidays. 2nd by Haven.

i. Roll Call: Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven, Urman

1. Yes- Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven, Urman

**VIII. Case PPUDF20-01 MKB Holdings, LLC, Planned Unit Development- Amendment to Final Plan and SITE PLAN REVIEW, 4472 US 131 Hwy, Section 30, Bear Creek Township**

a. Applicant requested case be postponed.

**IX. Case PPUDF20-002 Planned Unit Development- Amendment, Anderson Rd, Section 7, Bear Creek Township**

a. Tammy Doernenburg gave a background to this case:

i. Doernenburg noted that the property owner for Chase Bank has withdrawn their request, however, this was a two part case, so we can still discuss if the Planning Commission would be willing to amend the PUD to allow the following things: a drive-thru financial institution, drive-thru restaurant, and outdoor storage. The owners of Pizza Hut and Home Depot authorized going forward with this amendment. This would be preliminary at this stage, site plans would come at a later time. Anderson Rd, Lears Rd, US 131 Hwy and Cemetery Rd are all included in this PUD; the Meadows are not included in this PUD. The PUD starts with the movie theater and Char-Em and is commercial development down to Walmart and Lears Rd. The PUD also includes across Anderson Rd to the highway. The amendment would include additional storage for Home Depot (but only the areas under cover), right alongside the back of the building. The Fire Chief will need to weigh in on the safest place to have this storage. At the old Pizza Hut location, the owner would like the Planning Commission to consider allowing a drive-thru restaurant. The PUD was originally established in 1994 and it has gone through 3 amendments. The consent judgement to the south (which is the Lowe’s property and the commercial development that stretches down to the residential on Intertown Rd) does allow for drive-thru restaurants and drive-thru businesses so it would be consistent. Across the road is Art Van; there is a medical office and another office building, a Bob Evans, Applebee’s, and the old Pizza Hut. The PUD agreement would need to be amended and the county and township boards would have to approve. Right now, according to the PUD, Home Depot can only have outdoor display in the garden area. This proposal is to approve a preliminary PUD amendment to allow a drive-thru financial institution, a drive-thru restaurant and additional limited outdoor display.

b. John Ledig addressed the Planning Commission regarding the parcel in question:

i. John Ledig is the manager of Home Depot. He asked if any display would be allowed in between covered areas. Doernenburg noted that detail would come later, as this is a preliminary review.

c. **Audience Comments:**

i. Keiser noted that he and Mays were there when this PUD was created. Times have changed, and there is now a casino behind this development. The intersection of Lears Rd and the highway is the busiest intersection in the township and Anderson Rd is the busiest road in the township. Keiser noted that every year we get calls from retailers asking that this be amended and he thinks the timing is right to go forward with this. We are starting to live in a “new normal” where more people will expect curbside pickup, and things like that. That takes up room in stores to prepare
these orders. This would be good for the economy and it could employ more people. An updated PUD would be easier to enforce.

d. Board Discussion and Questions:

i. Kendziorski asked for clarification of what is being approved. Doernenburg clarified that this is a preliminary approval. The updated PUD language would need to be written and approved. If we were to move forward with this, it just gives the Planning Commission’s approval to start drafting language for a drive-thru financial institution, drive-thru restaurant, and outdoor storage. Kendziorski also noted that she feels there is a difference between outdoor display and outdoor storage. It would make more sense to allow limited outdoor display in the front of stores with outdoor storage in the back. Kendziorski noted that she doesn’t have a problem with the idea of a drive-up ATM, except for the fact that you would have to be very careful as to where to place it. It could cause traffic and parking hazards. Lastly, she has no problems with a drive-thru restaurant.

ii. Coveyou noted that he has a lot of respect for this development. For being large box stores, it is very impressive how nice it looks. But because of the quality of this development, Coveyou thinks it is not the right place for a drive-up ATM. He feels the same about drive-thru restaurants. This is the entranceway to Petoskey, and we want to keep it beautiful with lots of greenspace and 50ft setbacks. He would be in favor of another restaurant where Pizza Hut was, but without a drive-thru. In terms of outdoor storage for Home Depot, he feels it should not be in the front, to maintain quality, but that that storage could potentially go behind the store.

   1. Urman asked if the behind the building storage would be for the entire PUD.
   2. Ledig noted that the things that could be displayed in front of the store may include: bulk mulch, soils, split rail fence, and things of that nature.

iii. Brown noted that he has a different perspective, as an experienced retail manager and owner. Business owners and managers love outdoor display because it creates good commerce. As a manager, you are always going to make your outdoor display presentable, because that is the entrance to your business. This possibility of outdoor display could open up that plaza for weekend sales. Setting up an outdoor display does not reduce the quality of the store or the plaza. In fact, outdoor display is already being done in that plaza. Amending the PUD would simply make it legal. Additionally, Brown noted that these stores are leasing their property, and the landowner would help govern this to keep it nicely maintained. As far as a drive-thru restaurant goes, Brown is in favor. Lastly, in regards to the drive-up ATM, Brown doesn’t have a problem with the concept but it is a moot point, as Chase Bank pulled the request. He feels allowing these three things would generate commerce in our community.

iv. Olliffe noted that he doesn’t mind having outdoor storage in the back as long as we get Fire Department approval. He also would not be opposed to outdoor display in the front if it was done tastefully. Olliffe agrees with having a drive-thru restaurant but is opposed to the drive-up bank concept.

v. Mays noted that she agrees with Brown’s perspective, and remarked that outdoor display in the front would only be there seasonally and typically it is done in good taste. She explained that the old Pizza Hut building sits down deep in that site, so she does not have any issues with a drive-thru restaurant. Mays feels there are enough banks in that area and doesn’t feel a drive-up ATM is necessary in this PUD. Lastly, she feels storage behind Home Depot would be fine with Fire Department approval.

vi. Haven noted that he feels there is a difference between outdoor storage and outdoor display. These stores should be able to drive their products tastefully. He has no problems with outdoor display or a drive-thru restaurant. As far as a drive-up ATM goes, Haven feels this could be an issue with traffic and parking. He agrees to allow tasteful outdoor display in the front of stores and outdoor storage in the back.

vii. Urman agrees with Coveyou that this was a very well-done development, however, he feels that times have changed since the PUD was originally put into place. He agrees with comments about making outdoor display tasteful and is in support of a drive-thru restaurant. He feels we should move forward to approve the drive-thru restaurant, outdoor display in front and outdoor storage in back. We would be recommending approval of the preliminary PUD amendment.
e. **Motion** by Brown to recommend approval of PSUP20-002, a preliminary Planned Unit Development amendment on property located at 1280 Anderson Rd, Section 7, Bear Creek Township, 13 tax parcels, previously known as the RG Properties (PUD approved February 2008), to add limited outdoor display (to be defined) in the front of the buildings, to add limited outdoor storage in the rear of the buildings, and allow restaurants (including drive-thrus), all to be subject to site plan review. 2nd by Mays.

i. Roll Call: Mays, Haven, Urman, Olliffe, Kendziorski, Coveyou, Brown  
   1. Yes- Mays, Haven, Urman, Olliffe, Kendziorski, Brown  
   2. No- Coveyou

**Passed**

X. Case PSPR200-005 John Poquette, Site Plan Review, Amendment 2062 US 131 Hwy, Section 18, Bear Creek Township

a. Tammy Doernenburg gave a background to this case:

   i. Doernenburg explained that this site is located on the southwest corner of Lears Rd and US 131. The property is zoned B-2 and is 5.75 acres total. The parcel is developed and the owner also owns three additional parcels, to the west and to the south. Combined, the properties total to 10.5 acres. The property is used for trucking and leasing services and the proposal is to add bulk nursery stock because that is what the ordinance allowed but aggregate is being proposed for this location. All three existing buildings on the site will remain and one fuel canopy. The proposal is to replace the office building and to put aggregate storage along the westerly property line. The proposed aggregate bins do not appear to meet the setback standards on the site plan. There are two additions proposed on the back of the storage and maintenance building, each 40x80ft, and the original building is 7500 sq ft. The proposed office building and additions meet the zoning setback standards. The nine proposed aggregate bins are 20x30ft. The parking appears to be met at 1/2000 sq ft warehouse standards. Currently there is no parking shown for the building with proposed additions. A bulk nursery and distribution center is a permitted use in the B-2 zoning district. There are no new impervious surfaces proposed. The adjacent uses include a restaurant to the north, auto parts store and broadcasting studio to the east, resource fill/transfer to the south. These are all B-2 general business. The properties to the west are zoning R-2 with residential uses. The dumpster is shown on the plan but does not appear to be screened and there is ample snow storage on site. Outdoor lighting does exist on site (no details were provided). Road Commission and MDOT review is pending. The Fire Dept review was received with no comments and the plan is to use the existing sign. This parcel is connected to city water and Bear Creek sewer system. There is no screening shown for aggregate bins or parking and no elevation sketch or details provided for buildings or storage. No trees are shown on the plan and at least 1 deciduous tree per 10 parking spaces is required. Doernenburg received an email from Poquette indicating that this is for aggregate sand and stone, no trees or other common nursery items. They would like to take advantage of clear lines of sight from Lears Rd to have outdoor display of large boulders and colorful landscape rock. All traffic related to the aggregate business are intended to use Lears Rd. There are no changes for the building for fuel.

b. **John Poquette** addressed the Planning Commission regarding the parcel in question:

   i. Poquette noted that in the five-year business plan, they would like to tear down the storage building and put in a new office building on that pad. The other large building there is for storage, no parking needed. He would like to add storage on the west side of that storage building (in the 1-2 year plan). The item that he would like to do immediately is put up aggregate bins on the west property line to sell mainly landscaping products but also aggregates. He was not intending to put trees on Lears Rd because he wanted to use the clear line of site. He is planning to use tree screening on the west bound side of the property.

   ii. Kendziorski asked if the office building that would be replaced would be for the same use and same size. Poquette clarified that the building closest to the highway would be a storage building and he would like to move the offices into that building and then the new building would be for storage. Additionally, Kendziorski thinks we need to clean up the site plan and get the rest of the missing information before proceeding with this case. This is a great opportunity to dress up this parcel with screening and some more green space. She would like to see the following issues addressed: aggregate bins to meet 10 ft side yard setback, dumpster to be screened, outdoor lighting details, fire department review, screening for aggregate bins or parking, and an elevation sketch and details for buildings or storage.
iii. Coveyou asked why the bulk seed, feed and nursery stock is on the application if the applicant is selling aggregate. Would customers come to buy mulch? Would there be a retail space?
   1. Poquette noted that this would be mainly larger dump trucks coming for pickup, no seed or fertilizer would be sold. There is no retail space, no reason to expect car traffic/parking. This is only going to be for landscaping and excavating companies. The size of the machinery is really too big to be selling to individuals.

iv. Coveyou asked if B-2 is the correct zone for aggregate sales, this is a different use than the fertilizer retail plan. He also noted the highway access management plan should probably be discussed as it pertains to this parcel. We would need to control the flow of trucks coming out onto US 131 S. He would prefer that trucks exit off of Lear's.
   1. Poquette noted that trucks enter the property regularly using Lear's Rd and the stoplight and exit off the highway.

v. Olliffe asked if Poquette was planning to add any driveways. If not, why is the highway access management plan involved?

vi. Mays noted that we need an updated site plan and would like more information about maneuverability. With the additions onto the buildings plus the aggregate bins, she would like to make sure there is enough room for dump trucks to maneuver.

vii. Haven and Brown both would like more information on the site plan and missing documents and information. Haven has some elevation and drainage questions. He asked Doernenburg about parking. She clarified that there is an acceptable amount of parking.

viii. Urman asked if bulk aggregate and stone is an allowable use for B-2. Doernenburg noted that what the ordinance says for a permitted use is “bulk seed, feed, fertilizer and nursery stock outlet and distribution center”. B-2 also allows for “mines, quarries, and gravel pits” as a special land use. Seasonal use sales and outdoor display are also permitted in this zoning district.
   1. Coveyou asked where else in the county has aggregate and what zoning district are those in? Doernenburg noted in business, industrial and farm and forest.
      a. Poquette noted that many go to gravel pits as it stands now. Many go to Afton, MI. There is also a set up of aggregate bins in Charlevoix.

ix. Urman noted that there are a lot of missing pieces that we need, especially with drainage. There needs to be a place for water to go so that it doesn’t go to the next parcel.
   1. Poquette asked specifically what we are looking for- heights on existing buildings? He noted that the site plan has elevation lines.
   2. Urman noted that the site plan review zoning evaluation form goes over many of the missing pieces. Poquette can work with staff on site plan review standards. Additionally, no elevation details were provided on buildings. Location of the loading docks and maneuverability will need to be addressed. We will need an engineered drainage plan.
      a. Poquette noted that he already runs the largest units.

c. Audience Comments:
   i. Jonathan Scheel remarked that he would like to see the Planning Commission use the highway access management plan to limit driveways and make that intersection safer. He feels a Lear’s Rd entrance and exit makes more sense.

d. Board Discussion and Questions:
   i. Coveyou remarked that we need to discuss the access management standpoint. MDOT has been helping us and will continue to help us with redevelopment properties in the township. The goal is safety for people coming in and out. Coveyou feels we need to confine it to Lear’s Rd.
   ii. Urman would like to see a new site plan, setbacks, parking, screening, road approval and MDOT comments, dumpster screening, standards page, elevation and drainage. The goal is to make that a safe intersection and business operation.
      1. Poquette noted that they have three businesses: a fueling center, a trucking and truck repair, and now the aggregate bins. The size of trucks that come in for the fueling use the south driveway. Would one access create a hazard on site? Poquette wants to keep a safe flow of traffic.
   iii. Kendzierski noted that MDOT will always recommend to use the safest option not only for the public but also for the business.
iv. Haven noted that there are three different businesses, so MDOT may consider a driveway for each or one drive for all.

v. Olliffe asked if Poquette can meet with MDOT. Doernenburg noted that she can work with Poquette and MDOT.

vi. Coveyou noted that we still need to discuss if B-2 is the best place for this type of business, as this is usually seen in a gravel pit. He also would like bulk nursery stock taken off the application as this is not what is being sold.

e. **Motion** by Mays to postpone case#PSPR20-005, John Poquette for Site Plan Review for bulk nursery stock outlet and distribution center including a future office, on property located at 2062 US 131 Highway, Section 18, Bear Creek Township, tax parcel 24-01-19-18-100-003, as shown on the site plan dated March 9, 2020 for the following reasons: for further review with staff, to allow the applicant time to provide additional information including elevation details, proper setbacks, screening, highway access management, dumpster properly screened, add heights of building to site plan, engineer approved drainage plan. 2nd by Haven.

i. Roll Call: Urman, Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven

   1. Yes- Urman, Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven
   
   Passed

XI. Case PSPR20-002, David Firman, Site Plan Review- Amendment, Contractor’s Use, 3529 Howard Rd, Section 20, Bear Creek Township

a. **Motion** by Haven to postpone Case PSPR20-002, David Firman, Site Plan Review amendment to allow an exception to the building sizes at 3529 Howard Rd, Section 20, Bear Creek Township, tax parcel 24-01-19-20-300-014, as shown on the site plan dated February 26, 2020 for the following reasons: applicant was not present to present the case. 2nd by Brown.

i. Passed by Voice Vote.

XII. Case PSUP20-009 Jason Thelen for Little Bay Boards LLC, Special Use Permit, Boat Sales, Service/Paddle Board manufacturing and sales, 355 N Division Rd, Section 4, Bear Creek Township

a. Tammy Doernenburg gave a background to this case:

i. Doernenburg noted that this building is the former Kilwins Distribution Center next to the township. It is zoned B-2 and is 0.57 acres. It was a warehouse before it became the Kilwins factory in 1984. Food, beverages, bottling and packaging is acceptable manufacturing in the B-2 zoning district. This proposal would be for boating accessory sales and repair, which is allowed under B-2 zoning, as well as seasonal sales and retail and small-scale craft making. There is no proposed changes to the building. Road Commission review is not required (they would be utilizing the existing access). Signage would need to comply with current standards. There is no dumpster shown but if one was added it would need to comply with the standards to be properly screened. The proposal is to utilize the existing Kilwins factory building to construct and sell Little Bay Boards.

b. Jason Thelen addressed the Planning Commission regarding the parcel in question:

i. Thelen noted that this is a small impact business. They are trying to grow their small company, so it will have a lesser impact than the previous use, as they will not have as much semi-traffic or as many employees.

ii. Kendziorski noted that Thelen does great work and feels this is a great, low-impact use for this building.

iii. Coveyou asked how many employees there are and if they will use the entire space. He also asked about proper ventilation and if any ventilation hoods would need to be installed. Lastly, Coveyou asked if there are any fumes or smell associated with this.

1. Thelen noted that there are currently three employees, but if they grow, they could potentially get up to a maximum of nine employees. They do use the whole space because the boards are built out of larger products. In regards to ventilation, Thelen noted that they will have standard industrial vacuums and standard ventilation for the safety of the employees. Lastly, Thelen remarked that they have no fumes as they are an eco-friendly company.

iv. Brown feels this is a non-invasive use and is a good fit.

v. Mays feels that is a good use for the building. She asked where the employees will park.
1. Thelen noted that there are spaces in front of the building, four spaces along the side of the building and two in the back, so there should be plenty for both the retail use and the employees.

vi. Haven noted that Thelen does great work. He asked about the retail space.

1. Thelen remarked that they do not rely on retail, primarily on online sales, but will have a small retail area.

2. Doernenburg clarified that there would only be 800 sq ft of retail so the parking that is there satisfies the requirements.

vii. Urman noted that Thelen does good work. He suggested having a handicapped sign for one of the parking spaces. He also recommended a hand rail near the loading docks for safety reasons. He feels this is a good use for the property.

1. Thelen remarked that he will not need all the loading docks, but will take all needed safety precautions.

viii. Mays noted that the lighting needs to be brought into compliance. Doernenburg confirmed.

1. Thelen remarked that he would like to make some minor renovations to the outside. He would like to add some greenery, signage and lighting. They only need one of the loading docks, so he is considering putting windows in the other two and creating a green scape or deck to beautify the building.

a. Doernenburg noted that most of that can be approved administratively.

c. Audience Comments:

i. Brian O’Connor noted that this is a great company and glad to support this new space.

d. Motion by Mays to approve case#PSUP20-009, Jason Thelen for Little Bay Boards LLC for a Special Use Permit for a boat, boating accessory sales, boat repair and storage facility to be located at 355 N Division Rd, Section 4, Bear Creek Township. The property is zoned B-2 General Business and is tax parcel 01-19-04-100-010. The approval allows a change in use from a food manufacturing facility and reuse the existing building for wooden paddle board building and sales. There are no changes to the exterior of the building or site, the proposal meets the standards of Articles 11, 19, 20, 21, 22 & 24 or the Zoning Ordinance with the condition that the outdoor lighting be brought into compliance with shielding, that a dumpster, if used, be screened as required by the Zoning Ordinance, no outdoor display is permitted and the new sign be brought into compliance with the Zoning Ordinance, also that minor changes to the building and landscaping can be approved administratively. 2nd by Olliffe.

i. Roll Call: Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven, Urman

1. Yes- Olliffe, Kendziorski, Coveyou, Brown, Mays, Haven, Urman Passed

XIII. Public Comment

a. No public comment.

XIV. Other Business

a. Enforcement Report

b. PUD Amendment Introduction- 500 N Division Rd, Section 33, Bear Creek Township- Alan Hubbard

i. Doernenburg noted that she has an application that came in after the deadline; it is for an L-shaped parcel next to Summit Park at 500 N Division Rd. The applicant is proposing to add part of this parcel to Summit Park. This is not an official case, rather, a preliminary introduction. The portion of the “L” that is next to Summit Park is the portion that is being proposed to be added to the Summit Park PUD. The other portion of the “L” would not be added to Summit Park.

Doernenburg has reached out to the property owners of the three parcels (in Summit Park) which are adjacent to this parcel (500 N Division) and all approve of this idea. One thing to note: the front setback for two of the parcels for Summit Park is 100ft from the road. The portion of the property that would be added to Summit Park would be used to enlarge Sign and Design (which is now Pro Image Design). Again, Doernenburg reminded the Planning Commission that this is just to introduce the concept. Johnathan Scheel, neighboring property owner, and Ashley Friske, realtor, are present at tonight’s meeting.

ii. Alan Hubbard of Pro Image Design (he is out of Traverse City) bought Sign and Design six years ago. They are looking ahead to the future of their growing business and are out of space on Creekside Dr. In 2016 they built their new building in Traverse City on S Airport Rd and it is roughly a 12,000 sq ft building. He is looking to do a similar type build on that portion of 500
Division to expand his operation. This would be a 10,000 sq ft building with 2,000 sq ft mezzanine for a total of 12,000 sq ft. The neighboring businesses seem to be in support. Hubbard has reached out to St. Michael’s, Michigan Works and the doctor’s office (Jarvey). He also reached out to Johnathan Scheel, the neighboring property owner on the other side, and he has been helping facilitate this project.

iii. Johnathan Scheel noted that he has been working with Hubbard and Doernenburg on this project. The best solution they could arrive at was to add the adjacent part of 500 N Division to the Summit Park PUD. This would come with one caveat: the setbacks. Hubbard would be requesting a 50 ft setback on Division and a 33ft setback adjacent to Scheel’s property. This would be used as a private road that would eventually go to the rear of his property and Scheel’s property. Scheel noted that he is planning to come in in a few months to request a rezone of his properties, potentially going all the way to the golf course, of multi-family. If they were to put in an access road now, that could be used as an access road for that.

1. Doernenburg noted that she did not know that was the intent of that access road. The ordinance requires a 50 ft setback for an access road for 3 parcels or more.

   a. Scheel remarked that the remaining 17ft could come from his property. That 17 ft could be included now if needed, whether it be a part of the PUD or an easement.

iv. Mays asked for clarification of the map. Doernenburg clarified that only the portion of the L-shaped parcel that is adjacent to Summit Park would be added to the PUD.

v. Coveyou asked how the landlocked parcel would be accessed.

1. Scheel noted it is not landlocked, it would just be split with the PUD. There would be an access road on the northern part of the parcel (off Division) that would provide access to the backside of the L-shaped parcel.

vi. Mays asked how big the acreage is behind Scheel’s property. Scheel noted it is approximately 4 acres. Mays asked about the 12,000 sq ft building… would there be enough room for the building and the parking, plus the access drive? This would be a long and narrow building.

vii. Coveyou asked where the access would be from: Summit Park or Division?

1. Hubbard noted that the building would be following the south line length wise and it would be 65x140 ft. It would be tight to the existing PUD line and the driveway and parking would be towards Scheel’s property.

viii. May’s noted that this would create another driveway off Division.

1. Scheel noted that if this happened, he would immediately remove his two driveways at 506 N Division. In the long term, he would also like to remove his driveway at 530 N Division Rd and the access for his properties would be from the rear. Also in his long-term plans would be to attach the long strip of the L-shaped property to his properties. It would tie that in to the existing parcels on Division.

ix. Brown asked how wide the back of the L-shaped parcel is. Scheel estimates it is 161 ft.

x. Keiser remarked that this plan has changed substantially since a month ago since he first heard about this. He was under the impression we would do a PUD all the way down to the golf course. He would like to find a way to tie in the pieces- whether that be via a PUD or via rezoning.

1. Doernenburg noted that she recalled it that way as well. She suggested to add that strip to the Summit Park PUD because Sign and Design does not fit with R-2 (and R-2 is the only zoning that is consistent with the Master Plan for this area of parcels).

xi. Scheel feels we have two options going forward: a PUD for the top of the hill from the church to Summit Park and all the way back. That PUD would be zoned R-2 multi-family residential, which is what the township and county master plan shows. However, Hubbard’s use of Sign and Design does not fit with R-2. Which is how they arrived at the idea of adding it to Summit Park.

1. Coveyou does not see a benefit of tying this parcel to Summit Park.

2. Keiser noted that if we started a new PUD, there would be a 50 ft setback between the new PUD and the existing PUD, which is why adding to the Summit Park PUD instead would benefit Sign and Design.

3. Coveyou asked if the front setbacks to the road would be the same. Doernenburg clarified that they would be 50ft.
4. Scheel noted that if we made a new PUD, every parcel except Hubbard’s would not meet the 50ft front setbacks, so we would have a string of non-conforming parcels.

xii. Coveyou referenced Hubbard’s parcel plus the land behind it to potentially create a new PUD. Scheel’s property could be added. Coveyou asked what the Master Plan calls for. It calls for multi-family there. He noted that Sign and Design would be going in a multi-family zoned area.

xiii. Keiser noted that what we would be attempting to do is to make a multi-family PUD where the southerly 200ft or so could house Hubbard’s business.

xiv. Coveyou asked how this large parcel would be accessed in the future. Scheel noted that the parcel goes back to Boyer.

xv. Urman reminded the Planning Commission that we can continue to discuss this at the next meeting. Doernenburg with notify the neighbors and put it on the next agenda.

XV. Next Meeting: May 27, 2020, 7:15 p.m.

XVI. Adjournment: 9:20 p.m.

Respectfully Submitted,

Emma Kendziorski
Emma Kendziorski, Bear Creek Township Clerk

Jeff Haven, Recording Secretary
SUPPLEMENTAL/SUPEmSEDING
PLANNED UNIT DEVELOPMENT AGREEMENT
BEAR CREEK PLAZA PHASE I, PHASE II, PHASE III

PARTIES OF INTEREST
This Planned Unit Development (PUD) Agreement is an agreement between the following parties of interest, relative to a proposed development and expansion of the retail shopping center project identified by Emmet County Zoning Case #124H-94 affecting Tax Parcels numbered 24-01-19-07-300-020, 029, 037, 038, 039, 040, 041, 042, 047, 048, 049, 380-101 and 380-102. This Agreement is an amendment to, and a replacement of, a previous Three Party Planned Unit Development Agreement between the developer, RG Properties, Inc., Bear Creek Township, and Emmet County, previously known as Emmet County Zoning Case #124-94 and Supplemental Planned Unit Development Agreement, Bear Creek Township Case #P-00-01. This Agreement supersedes and replaces in their entirety the prior agreements, the approved PUD Master Plan, and the prior Supplemental Planned Unit Development Agreement. The parties of interest are:

Party No. 1
The Developer or Owner
RLG Bear Creek LLC and GCG Bear Creek LLC
c/o RG Properties, Inc.
8163 Old Yankee Road, Suite B
Dayton, OH 45458

Party No. 2
The County
The County of Emmet
County Building
200 Division Street
Petoskey, MI 49770

It is understood the owner/developer may assign any and all rights or interests to a party or parties other than Party No.1, but such assignments shall carry the terms of this PUD Agreement (or supplements which may be made to this agreement) as binding and running with the land. Owner/developer shall notify Emmet County of any such assignment.

PURPOSES
The purpose of this Agreement is to obtain good faith performance and ensure that the shopping center project, as approved pursuant to the PUD Mixed-Use Master Plan (Preliminary & Final, as amended), and subsequent Site Plan(s), are constructed and maintained in accordance with all of the approval motions and conditions of Emmet County. The original approval motions made by Emmet County for the Final PUD Master Plan identified a Primary Parcel, being tax parcel no. 24-01-19-07-300-001 and a Secondary Parcel, being tax parcel no. 24-01-19-07-300-016, with development phases. The amendment to the Final PUD Master Plan includes new Tax Parcel Numbers in the Primary Parcel as being 24-01-19-07-300-029, 037, 038, 039, 040, and 041 and the Secondary Parcel as being Tax Parcel Numbers 24-01-19-07-300-020, 042, 047, 048, 049, 380-101 and 380-102. All the parcels shall be considered one Zoning Lot for the purposes of this agreement and as of this date, the secondary parcel is approved under the preliminary PUD Master Plan procedures and is restricted as provided for in this Agreement.
BACKGROUND
The developer, Party No. 1, received approval for a Final Mixed-Use Planned Unit Development-1 (PUD-1) by the Emmet County Board of Commissioners on October 12, 1995. A PUD Agreement titled “Three Party Planned Unit Development Agreement” was established and has remained in place since 1995.

On January 10, 2000, the Bear Creek Township Interim Zoning Ordinance became effective. During the Interim Zoning Administration, Bear Creek Township approved a PUD-1 amendment and a PUD agreement titled “Supplemental Planned Unit Development Agreement – Bear Creek Plaza” was established and remained in place until the Interim Zoning Ordinance expired on January 10, 2003.

This Agreement is created to combine the standards created by Emmet County in 1995 with those established by Bear Creek Township in 2000. The Emmet County Planning Commission approved this Agreement on December 6, 2007. The Emmet County Board of Commissioners approved this Agreement on February 7, 2008. Upon execution of this Agreement by both Party No. 1 and Party No. 2, this Agreement shall thereafter be the sole controlling document with respect to the development and expansion of the retail shopping center project on the subject land.

CONDITIONS
The following conditions and requirements shall run with the land, and as such are obligations upon the current owner(s) or such other persons and/or entities who remain or who subsequently become owners of any part or all of the subject land encompassed in the Preliminary and Final PUD Mixed Use Master Plans.

1. The Final PUD Master Plan dated 8/26/96 and originally approved by the Emmet County Planning Commission on 10/3/96 and the amended Master Plan dated 2/11/00 and originally approved by the Bear Creek Township Planning Commission on 3/1/00, as approved per Article XVIII and Section 2405 of the Emmet County Zoning Ordinance, are incorporated herein, with all notations and graphic illustrations contained thereon. The Final PUD Master Plan dated 12/10/07 (a copy of which is attached hereto as Exhibit A) is the currently approved Master Plan.

2. Any future expansion of the Phase III building on the primary parcel shall contain similar design elements as the existing buildings and shall incorporate a façade that will break up the long front wall of the building. The use of sidewalk landscaping may be incorporated into the plans to help break up the façade. The building façade shall be built in accordance with the approved elevation drawings presented at the 12/1/05 Emmet County Planning Commission meeting and which are on record as being part of the site plan approved. Minor modifications may be submitted to the Emmet County Planning Department. Any material modification will be subject to subsequent Planning Commission approval.

3. In addition to the Landscape Plans approved by the Emmet County Planning Commission, the following shall be required to be shown on landscape plans at the time of submission of applications for Zoning Permits and installed in accordance with the following provisions:

A. The plantings and other landscape features detailed on the approved drawings from the 12/1/05 Emmet County Planning Commission meeting and which are on record
as being part of the site plan approved, must be installed as shown on the plans within three (3) months of the completion of any building, but prior to the occupancy of any building, and in no event later than one (1) year after the building permit is issued.

B. Any portion of the site disturbed by grading and on which no construction occurs during any six month period shall be planted with appropriate ground cover and properly maintained as approved by the Soil Erosion Control Officer.

C. Where Site Plans have not been approved, final landscape plans shall not be required until the time the Site Plans are reviewed by the Emmet County Planning Commission. These final landscape plans should represent the overall concept plan for the development and fit in naturally with the other approved plans within the development.

D. Perpetual maintenance of landscaping shall be provided and any dead or diseased materials shall be removed and replaced with similar types, species and sizes, as originally planted, within 6 months, weather permitting.

E. An irrevocable letter of credit or other performance guarantee approved by the County in an amount as reasonably determined by the County through the use of an independent, certified engineer or landscape architect, to ensure completion of the screening and landscaping contemplated by this Agreement, must be submitted prior to the release of any building permits in order to ensure the installation of the required landscaping in accordance with the approved landscape plan. The amount of the performance guarantee shall be equal to or greater than the estimate of the cost of material and the installation of landscaping and shall remain in effect until such time as the landscaping has been completed, as determined by the Emmet County Zoning Administrator. Upon determination by the County that the landscaping has been completed, the owner or developer may request release of the surety instrument provided. Normal and approved parking lot landscaping for Phase III shall not require a bond.

F. Landscaping shall conform to, but may be more than, the landscaping shown on the approved PUD plan, and will be reviewed for approval at the time of Site Plan Review.

4. All signs for walls and the freestanding signs for businesses in the Secondary Parcel shall be in accordance with the Emmet County Zoning Ordinance standards and be approved by the Emmet County Sign & Lighting Committee.

A freestanding sign, to be jointly used, as approved by Emmet County Case #124D-94 is permitted for the Primary Parcel, to be located on the Secondary Parcel as shown on the PUD Master Plan. No other billboards or off-premises signs shall be erected in the PUD project on either the Primary or Secondary Parcels. A freestanding sign, as approved on 9/7/06 by Emmet County Case #124G-94 is permitted for 1364 Plaza Drive, tax parcel 24-01-19-07-300-047 located in the Secondary Parcel.
5. Freestanding light standards in the shopping center parking lot, and in the outlot areas, shall not exceed thirty (30) feet in height. Perimeter lighting standards shall not exceed a height of twenty (20) feet. All outdoor lights shall have a full cut-off design with horizontally aligned flush mounted lens, designed and/or directed away from all adjacent properties and uses and further shall not glare upon or interfere with persons and vehicles using public streets. All proposed outdoor lighting shall be approved by the Emmet County Sign & Lighting Committee.

6. All on-site electrical and communication conduits shall be placed in-ground rather than overhead, including existing local power lines on Anderson Road which borders or runs along or exists on any portions of the PUD project site.

7. At the time of application for a Zoning Permit, letters or statements must be submitted from the utility providers that the project can and will be supplied, by utilities including, but not limited to, municipal water and sewer. Approval of the buildings by the local fire protection agency having jurisdiction must also be demonstrated at that time.

8. The height of all buildings shall be permitted to be the higher of: A.) thirty (30) feet as regulated in the Zoning Ordinance or B.) as depicted on the approved building elevation sketches submitted with the Final PUD Master Plan or subsequent approved site plans.

9. Barrier type concrete curbing shall be installed along all on-site entrance roads to the project. In addition, all parking areas shall have concrete curbing installed around the perimeter as well as concrete curbing around all landscaped islands including those islands at the end of all parking bays, except in those areas approved for snow storage. These parking bay islands shall be landscaped as indicated on the approved landscaping plan.

10. Debris and trash shall be routinely collected on a weekly basis by the owner from the parking lot and grounds of all areas of the project including the infiltration basins. The County reserves the right to require more frequent collection as necessary. Space for a recycling drop-off center will be provided to serve shoppers. Debris/trash containment fencing shall be installed along the southerly property line where parking lots, loading areas, and/or service bay access roads are located. Ongoing maintenance of the infiltration basins and detention ponds shall be the obligation and responsibility of the owner of the shopping center property. Sediment shall be removed from the infiltration and detention basins and properly disposed of periodically during construction as reasonably required by the County in accordance with sound engineering practices. Thereafter, the maintenance obligation of the owner shall include similar sediment removal, as may be similarly required, and the owner shall keep the basins and all on-site drainage areas and facilities in good operating condition.

11. No direct motor vehicle driveway access from the project site onto Cemetery Road shall be permitted except as shown on the Final PUD Master Plan dated 12/10/07 (Exhibit A). Access from Cemetery Road will be the primary access for the future R2-B use area as depicted on the PUD Master Plan. The owner of the development shall secure an easement that allows for access between the theater lot and Anderson Road through the depicted future
R-2B use area. Such access shall not provide straight or unimpeded access from the theater lot to Cemetery Road, but shall provide for emergency access. The intent of this provision is to provide emergency access between the theater lot (and subsequently the rest of the commercial development) and Cemetery Road, but not to have such access as a main entrance/exit of the commercial uses along Anderson Road.

12. All public road improvements required for County Roads including but not limited to all costs associated with preliminary and final engineering, preparation and completion of construction plans and bid documents, and including signage, pavement markings, and traffic signal and coordination thereof required as a result of this development shall be the responsibility of the owner. Any new requirements by the Emmet County Road Commission for road improvements shall be completed in accordance with the standard practices of the Road Commission, including turn lanes on Anderson Road immediately in front of the property. No additional off-site improvements will be required. As of the date of this Agreement, this requirement has been completed satisfactorily.

13. All costs for any improvements (including but not limited to all costs associated with preliminary and final engineering, preparation and completion of construction plans and bid documents) to be constructed within the right-of-way area of US-131 as approved by the State of Michigan shall be the obligation of the owner. Provided, however, such costs may be shared by the Northern Michigan Hospitals Subsidiary, Healthshares, Inc. and the Little Traverse Bay Bands of Odawa Indians to be based upon their relative impact on US-131. As of the date of this Agreement, this requirement has been completed satisfactorily.

14. No occupancy permit from Bear Creek Township Building Official is to be issued for any structure within the Bear Creek Plaza project area until the required improvements within the right-of-way of US-131, Anderson Road and Lears Road are substantially completed, operational or properly secured as determined by the Emmet County Road Engineer and the Michigan Department of Transportation (MDOT) as applicable. As of the date of Supplemental Agreement Volume 2, this requirement has been completed satisfactorily.

15. Once the project is started, the Final PUD Master Plan as amended and attached hereto as Exhibit A shall remain in effect for all areas of the plan shown on the Primary and Secondary Parcel.

16. The Secondary Parcel bounded to the east by US-131, the west by Anderson Road and to the south by Lears Road, shall be restricted to R-2B uses as presently documented in the Emmet County Zoning Ordinance, provided, however, that up to three (3) sit down type restaurants shall be permitted for that area and per site plan review of each building.

17. The area shown on the approved Final PUD Master Plan as “Cinema” allows for theater uses as well as all permitted and special uses allowed in the R-2B district of the Emmet County Zoning Ordinance.

18. The following greenbelt setbacks shall be applied to the development:

A. East property line along US-131 - 100' wide
B. North property line of the entire development - 100' wide
C. South property line between Anderson & Cemetery Roads - 30' wide
D. West property line along Cemetery Road - 100' wide
E. East and west sides of Anderson Road – 50’ wide

19. All building fronts or faces in the Shopping Center area shall have custom veneer brick fronts (east elevation) and shall be in substantial compliance with color rendered elevations dated 8/8/95 for the Wal-Mart Store and dated 8/11/95 for the balance of phase one of the shopping center and displayed at Public Hearings leading to Final PUD Master Plan approval and made a part of this Agreement by reference. Open-end walls shall be treated to have a finished appearance, i.e., at least painted to match the facade. The standard or typical gray color tone for Wal-Mart stores shall not be used in the proposed shopping center complex, on either the Primary or Secondary Parcels.

All building facades shall be built in compliance with the approved site plan and to the specifications shown for each individual elevation and façade drawings presented for those approvals. The Phase III elevations were stamped as part of site plan approval on 12/1/05 with the condition that the total east face is bricked to match the rest of the proposed east façade and the rest of the building is painted to match the façade.

20. All buildings in the “Shopping Center Area” shall be permitted to increase or decrease in depth limited by the expansion lines shown on the approved PUD Site Plan. Plans that deviate from these expansion criteria will be considered revised site plans and will require approval by Emmet County Planning Commission.

21. Parking for the development shall be provided so that there is a minimum of 4.0 cars and a maximum of 5.0 cars per one thousand square feet of gross leaseable area. Certain stalls may be deferred if shown on the approved Site Plan for the individual buildings or lots. If it is shown by the applicant or County, over a period of time, that the deferred spaces are needed, the Zoning Administrator may require the increase in parking area. The applicant may install the deferred spaces, but only after applicant has applied for a Zoning Permit and such zoning permit has been issued by the Zoning Administrator; provided, however, the entire Phase III parking lot can be constructed at the time any portion of the Phase III buildings are constructed.

22. Right-of-ways and/or easements for non-motorized trails (as bikeways) shall be permitted on the Developer’s or Owner’s property and generally parallel public roads, or on separate adjacent parcels, in specific locations that are mutually agreeable to Emmet County and the Developer and may be permitted in the setback.

23. Outdoor sales activity including tents, awnings, trailers and the like shall be regulated as follows:
A. Permitted in fenced areas of the garden and sales centers, as shown on the approved site plan.
B. Retail plant materials may be displayed on the sidewalk at the garden centers provided safe and adequate pedestrian walking space remains.
C. No other outdoor sales or display of merchandise and no outdoor vending machine

SEEKING ADDITIONAL SPACE SEE #1, 2, 3
sales or display.

D. No outdoor display or sales by itinerant merchandisers, such as but not limited to furniture items, art works, fire works, pottery crafts, etc.

E. Rental vehicles of the businesses on site may not be parked in the front of any building, but may be parked behind the buildings.

24. Overnight camping and overnight parking is prohibited anywhere on site unless approved for a local event by the Zoning Administrator, provided however, trucks/rental vehicles may park behind the buildings overnight as necessary.

25. The PUD Project may be constructed in phases or stages, and it is understood by this Agreement, that the parking, landscaping, and lighting elements of the plan may be constructed in proportion to the approved phase as defined on the Zoning and/or Occupancy Permit other than as detailed in paragraph 21 above.

The Final PUD Master Plan (Exhibit A) as approved shall take immediate effect upon the execution of this PUD Agreement, to assure that all approval stipulations are, in fact, implemented and including the proper maintenance of all required and Owner provided landscaped areas, and all storm drainage systems.

This Agreement supersedes and replaces in their entirety the prior agreements, approved PUD Master Plans, and the Supplemental Planned Unit Development Agreement. This Agreement shall hereafter control the development and expansion of the retail shopping center project on the subject land.

The undersigned representative(s) of the Developer or Owner certifies that he or she is duly authorized to sign this agreement on its behalf.

DEVELOPER OR OWNER:

RLG BEAR CREEK LLC

[Signature] [Signature]

Randall L. Gunlock, Managing Member

Witness Date

GCC BEAR CREEK LLC

[Signature] [Signature]

Glenn C. Gunlock, Managing Member

Witness Date

EMMET COUNTY:

[Signature] [Signature]

John Pfy, Chair

Emmet County Planning Commission

Witness Date
EXHIBIT A
FINAL PUD MASTER PLAN (AS AMENDED)
EMMET COUNTY PLANNING COMMISSION
REGULAR MEETING MINUTES
THURSDAY MAY 7, 2020, 7:30 P.M.
ZOOM MEETING

MEMBERS PRESENT: John Eby, James Kargol, Charles MacInnis, James Scott, Kelly Alexander, Lauri Hartmann, Toni Drier, Tom Urman

MEMBERS ABSENT: David Laughbaum

STAFF: Tammy Doernenburg, Monica Linehan, Nancy Salar, Tatem Phelps (IT Director)

I Call to Order and Attendance
Chairman Eby called the meeting to order at 7:30 p.m. All members were present except Laughbaum.

EXCERPT SHOWING ONLY 1 CASE FOR BOARD OF COMMISSIONERS’ REVIEW

1. PPUDF20-02 John Johnson, of Wesney Construction, for Chase Bank, Planned Unit Development – Amendment, Anderson Rd, Section 7, Bear Creek Township

Legal Notice: A request by Chase Bank c/o John Johnson with Wesney Construction for a Preliminary Planned Unit Development (PUD) Amendment on property located at 1580 Anderson Road in Section 7 of Bear Creek Township. The property is tax parcel 01-19-07-300-039 and is zoned R-1 One & Two-Family Residential, R-2 General Residential with a PUD overlay. The request is to allow a drive-through ATM in the PUD. The parcel is part of a larger PUD which is also contains B-2 General Business zoned properties. The entire PUD includes tax parcels 01-19-07-300-020, 029, 037, 038, 039, 040, 041, 042, 047, 048, 049, 380-101 & 380-102 located between Cemetery Road and US-131 Highway, all north of Lears Rd. The Planning Commission may wish to consider drive-through businesses in other areas of the PUD as a separate part of this review. The Planning Commission may review the PUD Agreement to determine if other changes are desirable. The reviews will be conducted per Article 17 of the Zoning Ordinance.

Packet Items: Request & location map, tax parcel map, application, zoning evaluation, PUD agreement, site plan.

Doernenburg explained that the first part of this request, the Chase Bank ATM, has been withdrawn by the property owner. The second part of this case is to amend the PUD to allow limited outdoor storage and display and to allow for drive-through restaurants. The aerial was shown with the PUD areas outlined. Currently outdoor display is limited to only the garden center at Home Depot and restaurants are limited to sit down only. There have been some inquiries on the old Pizza Hut building. Since the PUD was going to be amended, it was a good time to look at other options. Doernenburg explained that the original PUD approval was from 1994 with amendments in 2000 and 2008. The township has recommended approval with up to three drive through restaurants and limited outdoor display and storage. The properties to the south are under consent judgment, which allows outdoor storage, and drive-through businesses. Doernenburg stated that if this moved forward, each of the applicants would come in one at a time for review. Civil Counsel and other owners would be worked with to come up with the amendment. Photos of the site were shown, as was the site plan for the withdrawn section of this case. A sketch from Home Depot was shown showing where they would like their outdoor storage. Doernenburg stated that this is all very preliminary and will require additional applications and reviews.
John Ludig from Home Depot stated that their business has grown and they are going to do 46-47 million and have 8.5 million in inventory. They are busting at the seams. They are looking for anything that can be done to allow some of their lawn furniture, sheds, etc. to be outside and to allow garden and lumber storage behind the building.

Urman stated that the township felt that they could move forward with the preliminary outdoor display in the front of the businesses and outdoor storage at the rear of the buildings as well as drive-through restaurants. Things have changed tremendously since 1994 and they felt that his would be a good time to amend the PUD. Other businesses may want to have sidewalk sales. The township feels that we should move forward with a preliminary review. The township planning commission vote was 6-1.

Doernenburg stated that this is an active case and we are looking for a recommendation. We can then move forward with applications from each business. She stated that she would be working with Civil Counsel, the Fire Chief, property owners and the Township to come up with a proposal.

MacInnis made a motion supported by Urman to authorize staff to proceed with coming up with a proposal to amend the PUD. The motion passed by unanimous voice-vote of the members present.
FIRST ADDENDUM TO
PLANNED UNIT DEVELOPMENT AGREEMENT
BEAR CREEK PLAZA PHASE I, PHASE II, PHASE III

WHEREAS, the parties previously entered into the “Planned Unit Development Agreement – Bear Creek Plaza Phase I, Phase II, Phase III (the Agreement), with the last signature of the Agreement by the then Emmet County Chair of the Emmet County Board of Commissioners on April 10, 2008; and

WHEREAS, the Developer or Owner has requested some changes to the Agreement that appear to be reasonable; and

WHEREAS, the parties agree to making changes to the Agreement by way of this Addendum; and

WHEREAS, it is in the mutual interests of both parties to amend the Agreement.

AGREEMENT

THEREFORE, the parties agree as follows:

1. Section 16 of the Agreement currently reads:

16. The Secondary Parcel bounded to the east by US-131, the west by Anderson Road and to the south by Lears Road, shall be restricted to R-2B uses as presently documented in the Emmet County Zoning Ordinance, provided, however, that up to three (3) sit down-type restaurants shall be permitted for that area and per site plan review of each building.

2. Section 16 of the Agreement is amended to read as follows:

16. The Secondary Parcel bounded to the east by US-131, the west by Anderson Road and to the south by Lears Road, shall be restricted to R-2B uses as presently documented in the Emmet County Zoning Ordinance, provided, however, that up to three (3) restaurants (including drive-thru restaurants) shall be permitted for that area and per site plan review of each building.

3. Section 23 of the Agreement currently reads:

23. Outdoor sales activity including tents, awnings, trailers and the like shall be regulated as follows:
A. Permitted in fenced areas of the garden and sales centers, as shown on the approved site plan.
B. Retail plant materials may be displayed on the sidewalk at the garden centers provided safe and adequate pedestrian walking space remains.
C. No other outdoor sales or display of merchandise and no outdoor vending machine sales or display.
D. No outdoor display or sales by itinerant merchandisers, such as but not limited to furniture items, art works, fireworks, pottery crafts, etc.
E. Rental vehicles of the businesses on site may not be parked in the front of any building, but may be parked behind the buildings.

4. Section 23 of the Agreement is amended to read as follows:

23. Outdoor sales activity including tents, awnings, trailers and the like shall be regulated as follows:
A. Permitted in fenced areas of the garden and sales centers, as shown on the approved site plan.
B. Retail plant materials may be displayed on the sidewalk at the garden centers provided safe and adequate pedestrian walking space remains.
C. Limited outdoor sales or display of merchandise may be permitted in front of stores as shown on an approved site plan provided safe and adequate pedestrian walking space remains. Limited outdoor storage may be permitted behind stores as shown on an approved site plan.
D. No outdoor display or sales by itinerant merchandisers, such as but not limited to furniture items, art works, fireworks, pottery crafts, etc. No outdoor vending machine sales or display is permitted.
E. A maximum of ten (10) rental vehicles offered by any of the businesses on site may be parked in the front of any building.
All outdoor display and storage must be shown on a site plan and may be permitted by the Planning Commission. Fire Chief review is required prior to Planning Commission review.

In all other respects, the Agreement last dated April 10, 2008 is still in full force and effect except as changed by this First Addendum.

DEVELOPER OR OWNER:

RLG BEAR CREEK LLC

_________________________________________  Witness  ________________  Date
Randall L. Gunlock, Managing Member

GCG BEAR CREEK LLC

_________________________________________  Witness  ________________  Date
Glenn C. Gunlock, Managing Member
EMMET COUNTY:

John Eby, Chair
Emmet County Planning Commission

William L. Shorter, Chair
Emmet County Board of Commissioners

Witness
Date

Witness
Date
8. PPUDF20-02: John Johnson of Wesney Construction for Chase Bank
Part 1 withdrawn by applicant

- Planned Unit Development – Amendment
- Anderson Rd.
- Section 7
- Bear Creek Township
PPUDF20-02
Current proposal (Part 2)

- AMEND PUD TO ALLOW: 1) drive-thru restaurant, 2) additional limited outdoor storage/display
- PUD Bound by Cemetery Rd, Anderson Rd, Lear's Rd, US 131 Hwy
- Section 7
- Bear Creek Township
Location Map
Location Map
FACTS:

- The PUD is made up of 13 properties with nine owners.
- The property was originally under single ownership when the PUD was approved in 1994.
- Chase Bank proposal has been withdrawn.
- The proposal was a 2-part proposal to consider a drive-thru financial institution, a drive-thru restaurant, and limited additional outdoor display/storage.
- All other uses in the vicinity are commercial.
- The Consent Judgement property to the south allows drive-thru businesses.
- This proposal is a preliminary proposal only. Details would be needed to move forward in the future.
West of Anderson Rd = Wal-Mart to Movie Theater
East side of Anderson Rd, south of Plaza Dr
East side of Anderson Rd north of Plaza Dr
Existing PUD Plan
SUMMARY:
Emmet County Planning Commission has authorized submission to the Emmet County Board of Commissioners the Emmet County Master Plan 2020-2024.

Authorize distribution of the Emmet County Master Plan 2020-2024 as required by the Michigan Planning Enabling Act. If approved by the Board of Commissioners, the draft would be distributed to neighboring governmental units and all units within Emmet County. Those units and the public would then be given 63 days to review and comment on the draft Master Plan.

RECOMMENDATION:
I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:
I have reviewed the attached documents and approve as to legal form.

MOTION:
I move that the Board approve the attached Resolution, authorize the Board Chairperson to sign the same, and authorize the County Clerk to certify the Resolution.

VOTE: Roll Call

ATTACHMENTS:
- Michigan Planning Enabling Act PA 33 of 2008 as amended
- DRAFT EMMET COUNTY MASTER PLAN 2020-2024
- DRAFT Resolution to distribute
AN ACT to codify the laws regarding and to provide for county, township, city, and village planning; to provide for the creation, organization, powers, and duties of local planning commissions; to provide for the powers and duties of certain state and local governmental officers and agencies; to provide for the regulation and subdivision of land; and to repeal acts and parts of acts.


The People of the State of Michigan enact:

ARTICLE I.
GENERAL PROVISIONS

125.3801 Short title.
Sec. 1. This act shall be known and may be cited as the "Michigan planning enabling act".


125.3803 Definitions.
Sec. 3. As used in this act:
(a) "Chief administrative official" means the manager or other highest nonelected administrative official of a city or village.
(b) "Chief elected official" means the mayor of a city, the president of a village, the supervisor of a township, or, subject to section 5, the chairperson of the county board of commissioners of a county.
(c) "County board of commissioners", subject to section 5, means the elected county board of commissioners, except that, as used in sections 39 and 41, county board of commissioners means 1 of the following:
   (i) A committee of the county board of commissioners, if the county board of commissioners delegates its powers and duties under this act to the committee.
   (ii) The regional planning commission for the region in which the county is located, if the county board of commissioners delegates its powers and duties under this act to the regional planning commission.
(d) "Ex officio member", in reference to a planning commission, means a member, with full voting rights unless otherwise provided by charter, who serves on the planning commission by virtue of holding another office, for the term of that other office.
(e) "Legislative body" means the county board of commissioners of a county, the board of trustees of a township, or the council or other elected governing body of a city or village.
(f) "Local unit of government" or "local unit" means a county or municipality.
(g) "Master plan" means either of the following:
   (i) As provided in section 81(1), any plan adopted or amended before September 1, 2008 under a planning act repealed under section 85.
   (ii) Any plan adopted or amended under this act. This includes, but is not limited to, a plan prepared by a planning commission authorized by this act and used to satisfy the requirement of section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term.
(h) "Municipality" or "municipal" means or refers to a city, village, or township.
(i) "Planning commission" means either of the following, as applicable:
   (i) A planning commission created pursuant to section 11(1).
   (ii) A planning commission retained pursuant to section 81(2) or (3), subject to the limitations on the application of this act provided in section 81(2) and (3).
(j) "Planning jurisdiction" for a county, city, or village refers to the areas encompassed by the legal boundaries of that county, city, or village, subject to section 31(1). Planning jurisdiction for a township refers to the areas encompassed by the legal boundaries of that township outside of the areas of incorporated villages and cities, subject to section 31(1).
(k) "Population" means the population according to the most recent federal decennial census or according to a special census conducted under section 7 of the Glenn Steil state revenue sharing act of 1971, 1971 PA 140, MCL 141.907, whichever is the more recent.
(l) "Public transportation agency" means a governmental entity that operates or is authorized to operate...
intercity or local commuter passenger rail service in this state or a public transit authority created under 1 of
the following acts:

(iii) 1963 PA 55, MCL 124.351 to 124.359.
(iv) The home rule city act, 1909 PA 279, MCL 117.1 to 117.38.
(v) The revenue bond act of 1933, 1933 PA 94, MCL 141.101 to 141.140.
(vi) The charter township act, 1947 PA 359, MCL 42.1 to 42.34.

(m) "Public transportation facility" means that term as defined in section 2 of the metropolitan

(n) "Street" means a street, avenue, boulevard, highway, road, lane, alley, viaduct, or other public way
intended for use by motor vehicles, bicycles, pedestrians, and other legal users.

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125.3805 Assignment of power or duty to county officer or body.

Sec. 5. The assignment of a power or duty under this act to a county officer or body is subject to 1966 PA
293, MCL 45.501 to 45.521, or 1973 PA 139, MCL 45.551 to 45.573, in a county organized under 1 of those
acts.


125.3807 Master plan; adoption, amendment, and implementation by local government;
purpose.

Sec. 7. (1) A local unit of government may adopt, amend, and implement a master plan as provided in this
act.

(2) The general purpose of a master plan is to guide and accomplish, in the planning jurisdiction and its
environs, development that satisfies all of the following criteria:

(a) Is coordinated, adjusted, harmonious, efficient, and economical.
(b) Considers the character of the planning jurisdiction and its suitability for particular uses, judged in
terms of such factors as trends in land and population development.
(c) Will, in accordance with present and future needs, best promote public health, safety, morals, order,
convenience, prosperity, and general welfare.
(d) Includes, among other things, promotion of or adequate provision for 1 or more of the following:
   (i) A system of transportation to lessen congestion on streets and provide for safe and efficient movement
   of people and goods by motor vehicles, bicycles, pedestrians, and other legal users.
   (ii) Safety from fire and other dangers.
   (iii) Light and air.
   (iv) Healthful and convenient distribution of population.
   (v) Good civic design and arrangement and wise and efficient expenditure of public funds.
   (vi) Public utilities such as sewage disposal and water supply and other public improvements.
   (vii) Recreation.
   (viii) The use of resources in accordance with their character and adaptability.


ARTICLE II.
PLANNING COMMISSION CREATION AND ADMINISTRATION

125.3811 Planning commission; creation; adoption of ordinance by local unit of government;
notice required; exception; adoption of charter provision by city or home rule village;
effect of repeal of planning act; continued exercise or transfer of powers and duties of
zoning board or zoning commission.

Sec. 11. (1) A local unit of government may adopt an ordinance creating a planning commission with
powers and duties provided in this act. The planning commission of a local unit of government shall be
officially called "the planning commission", even if a charter, ordinance, or resolution uses a different name
such as "plan board" or "planning board".

(2) Within 14 days after a local unit of government adopts an ordinance under subsection (1) creating a
planning commission, the clerk of the local unit shall transmit notice of the adoption to the planning
commission of the county where the local unit is located. However, if there is not a county planning commission or if the local unit adopting the ordinance is a county, notice shall be transmitted to the regional planning commission engaged in planning for the region within which the local unit is located. Notice under this subsection is not required when a planning commission created before the effective date of this act continues in existence under this act, but is required when an ordinance governing or creating a planning commission is amended or superseded under section 81(2)(b) or (3)(b).

(3) If, after the effective date of this act, a city or home rule village adopts a charter provision providing for a planning commission, the charter provision shall be implemented by an ordinance that conforms to this act. Section 81(2) provides for the continuation of a planning commission created by a charter provision adopted before the effective date of this act.

(4) Section 81(3) provides for the continuation of a planning commission created under a planning act repealed under section 85.

(5) Section 83 provides for the continued exercise by a planning commission, or the transfer to a planning commission, of the powers and duties of a zoning board or zoning commission.


125.3813 Planning commission; effect of township ordinance; number of days; petition requesting submission of ordinance to electors; filing; petition subject to Michigan election law; violation.

Sec. 13. (1) Subject to subsection (2), a township ordinance creating a planning commission under this act shall take effect 63 days after the ordinance is published by the township board in a newspaper having general circulation in the township.

(2) Subject to subsection (3), before a township ordinance creating a planning commission takes effect, a petition may be filed with the township clerk requesting the submission of the ordinance to the electors residing in the unincorporated portion of the township for their approval or rejection. The petition shall be signed by a number of qualified and registered electors residing in the unincorporated portion of the township equal to not less than 8% of the total vote cast for all candidates for governor, at the last preceding general election at which a governor was elected. If such a petition is filed, the ordinance shall not take effect until approved by a majority of the electors residing in the unincorporated portion of the township voting thereon at the next regular or special election that allows reasonable time for proper notices and printing of ballots or at any special election called for that purpose, as determined by the township board. The township board shall specify the language of the ballot question.

(3) Subsection (2) does not apply if the planning commission created by the ordinance is the successor to an existing zoning commission or zoning board as provided for under section 301 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3301.

(4) If a township board does not on its own initiative adopt an ordinance under this act creating a planning commission, a petition may be filed with the township clerk requesting the township board to adopt such an ordinance. The petition shall be signed by a number of qualified and registered electors as provided in subsection (2). If such a petition is filed, the township board, at its first meeting following the filing shall submit the question to the electors of the township in the same manner as provided under subsection (2).

(5) A petition under this section, including the circulation and signing of the petition, is subject to section 488 of the Michigan election law, 1954 PA 116, MCL 168.488. A person who violates a provision of the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992, applicable to a petition described in this section is subject to the penalties prescribed for that violation in the Michigan election law, 1954 PA 116, MCL 168.1 to 168.992.


125.3815 Planning commission; membership; appointment; terms; vacancy; representation; qualifications; ex-officio members; board serving as planning commission; removal of member; conditions; conflict of interest; additional requirements.

Sec. 15. (1) In a municipality, the chief elected official shall appoint members of the planning commission, subject to approval by a majority vote of the members of the legislative body elected and serving. In a county, the county board of commissioners shall determine the method of appointment of members of the planning commission by resolution of a majority of the full membership of the county board.

(2) A city, village, or township planning commission shall consist of 5, 7, or 9 members. A county planning commission shall consist of 5, 7, 9, or 11 members. Members of a planning commission other than ex officio members under subsection (5) shall be appointed for 3-year terms. However, of the members of the planning commission, other than ex officio members, first appointed, a number shall be appointed to 1-year or
2-year terms such that, as nearly as possible, the terms of 1/3 of all the planning commission members will expire each year. If a vacancy occurs on a planning commission, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment. A member shall hold office until his or her successor is appointed.

(3) The membership of a planning commission shall be representative of important segments of the community, such as the economic, governmental, educational, and social development of the local unit of government, in accordance with the major interests as they exist in the local unit of government, such as agriculture, natural resources, recreation, education, public health, government, transportation, industry, and commerce. The membership shall also be representative of the entire territory of the local unit of government to the extent practicable.

(4) Members of a planning commission shall be qualified electors of the local unit of government, except that the following number of planning commission members may be individuals who are not qualified electors of the local unit of government but are qualified electors of another local unit of government:
   (a) 3, in a city that on September 1, 2008 had a population of more than 2,700 but less than 2,800.
   (b) 2, in a city or village that has, or on September 1, 2008 had, a population of less than 5,000, except as provided in subdivision (a).
   (c) 1, in local units of government other than those described in subdivision (a) or (b).

(5) In a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, 1 member of the legislative body or the chief elected official, or both, may be appointed to the planning commission, as ex officio members. In any other township, 1 member of the legislative body shall be appointed to the planning commission, as an ex officio member. In a city, village, or county, the chief administrative official or a person designated by the chief administrative official, if any, the chief elected official, 1 or more members of the legislative body, or any combination thereof, may be appointed to the planning commission, as ex officio members, unless prohibited by charter. However, in a city, village, or county, not more than 1/3 of the members of the planning commission may be ex officio members. Except as provided in this subsection, an elected officer or employee of the local unit of government is not eligible to be a member of the planning commission. The term of an ex officio member of a planning commission shall be as follows:
   (a) The term of a chief elected official shall correspond to his or her term as chief elected official.
   (b) The term of a chief administrative official shall expire with the term of the chief elected official that appointed him or her as chief administrative official.
   (c) The term of a member of the legislative body shall expire with his or her term on the legislative body.

(6) For a county planning commission, the county shall make every reasonable effort to ensure that the membership of the county planning commission includes a member of a public school board or an administrative employee of a school district included, in whole or in part, within the county's boundaries. The requirements of this subsection apply whenever an appointment is to be made to the planning commission, unless an incumbent is being reappointed or an ex officio member is being appointed under subsection (5).

(7) Subject to subsection (8), a city or village that has a population of less than 5,000, and that has not created a planning commission by charter, may by an ordinance adopted under section 11(1) provide that 1 of the following boards serve as its planning commission:
   (a) The board of directors of the economic development corporation of the city or village created under the economic development corporations act, 1974 PA 338, MCL 125.1601 to 125.1636.
   (b) The board of a downtown development authority created under 1975 PA 197, MCL 125.1651 to 125.1681, if the boundaries of the downtown district are the same as the boundaries of the city or village.
   (c) A board created under the tax increment finance authority act, 1980 PA 450, MCL 125.1801 to 125.1830, if the boundaries of the authority district are the same as the boundaries of the city or village.

(8) Subsections (1) to (5) do not apply to a planning commission established under subsection (7). All other provisions of this act apply to a planning commission established under subsection (7).

(9) The legislative body may remove a member of the planning commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Before casting a vote on a matter on which a member may reasonably be considered to have a conflict of interest, the member shall disclose the potential conflict of interest to the planning commission. The member is disqualified from voting on the matter if so provided by the bylaws or by a majority vote of the remaining members of the planning commission. Failure of a member to disclose a potential conflict of interest as required by this subsection constitutes malfeasance in office. Unless the legislative body, by ordinance, defines conflict of interest for the purposes of this subsection, the planning commission shall do so in its bylaws.

(10) An ordinance creating a planning commission may impose additional requirements relevant to the subject matter of, but not inconsistent with, this section.
125.3817 Chairperson, secretary, and other offices; election; terms; appointment of advisory committees.

Sec. 17. (1) A planning commission shall elect a chairperson and secretary from its members and create and fill other offices as it considers advisable. An ex officio member of the planning commission is not eligible to serve as chairperson. The term of each office shall be 1 year, with opportunity for reelection as specified in bylaws adopted under section 19.

(2) A planning commission may appoint advisory committees whose members are not members of the planning commission.


125.3819 Bylaws; adoption; public record requirements; annual report by planning commission.

Sec. 19. (1) A planning commission shall adopt bylaws for the transaction of business, and shall keep a public record of its resolutions, transactions, findings, and determinations.

(2) A planning commission shall make an annual written report to the legislative body concerning its operations and the status of planning activities, including recommendations regarding actions by the legislative body related to planning and development.


125.3821 Meetings; frequency; time; place; special meeting; notice; compliance with open meetings act; availability of writings to public.

Sec. 21. (1) A planning commission shall hold not less than 4 regular meetings each year, and by resolution shall determine the time and place of the meetings. Unless the bylaws provide otherwise, a special meeting of the planning commission may be called by the chairperson or by 2 other members, upon written request to the secretary. Unless the bylaws provide otherwise, the secretary shall send written notice of a special meeting to planning commission members not less than 48 hours before the meeting.

(2) The business that a planning commission may perform shall be conducted at a public meeting of the planning commission held in compliance with the open meetings act, 1976 PA 267, MCL 15.261 to 15.275. Public notice of the time, date, and place of a regular or special meeting shall be given in the manner required by that act.

(3) A writing prepared, owned, used, in the possession of, or retained by a planning commission in the performance of an official function shall be made available to the public in compliance with the freedom of information act, 1976 PA 442, MCL 15.231 to 15.246.


125.3823 Compensation; expenses; preparation of budget; acceptance of gifts.

Sec. 23. (1) Members of a planning commission may be compensated for their services as provided by the legislative body. A planning commission may adopt bylaws relative to compensation and expenses of its members and employees for travel when engaged in the performance of activities authorized by the legislative body, including, but not limited to, attendance at conferences, workshops, educational and training programs, and meetings.

(2) After preparing the annual report required under section 19, a planning commission may prepare a detailed budget and submit the budget to the legislative body for approval or disapproval. The legislative body annually may appropriate funds for carrying out the purposes and functions permitted under this act, and may match local government funds with federal, state, county, or other local government or private grants, contributions, or endowments.

(3) A planning commission may accept gifts for the exercise of its functions. However, in a township, other than a township that on the effective date of this act had a planning commission created under former 1931 PA 285, only the township board may accept such gifts, on behalf of the planning commission. A gift of money so accepted in either case shall be deposited with the treasurer of the local unit of government in a special nonreverting planning commission fund for expenditure by the planning commission for the purpose designated by the donor. The treasurer shall draw a warrant against the special nonreverting fund only upon receipt of a voucher signed by the chairperson and secretary of the planning commission and an order drawn by the clerk of the local unit of government. The expenditures of a planning commission, exclusive of gifts and grants, shall be within the amounts appropriated by the legislative body.

Employment of planning director and other personnel; contract for services; use of information and advice provided by public officials, departments, and agencies.

Sec. 25. (1) A local unit of government may employ a planning director and other personnel as it considers necessary, contract for the services of planning and other technicians, and incur other expenses, within a budget authorized by the legislative body. This authority shall be exercised by the legislative body, unless a charter provision or ordinance delegates this authority to the planning commission or another body or official. The appointment of employees is subject to the same provisions of law as govern other corresponding civil employees of the local unit of government.

(2) For the purposes of this act, a planning commission may make use of maps, data, and other information and expert advice provided by appropriate federal, state, regional, county, and municipal officials, departments, and agencies. All public officials, departments, and agencies shall make available public information for the use of planning commissions and furnish such other technical assistance and advice as they may have for planning purposes.


ARTICLE III.
PREPARATION AND ADOPTION OF MASTER PLAN

Master plan; preparation by planning commission; meetings with other governmental planning commissions or agency staff; powers.

Sec. 31. (1) A planning commission shall make and approve a master plan as a guide for development within the planning jurisdiction subject to section 81 and the following:

(a) For a county, the master plan may include planning in cooperation with the constituted authorities for incorporated areas in whole or to the extent to which, in the planning commission's judgment, they are related to the planning of the unincorporated area or of the county as a whole.

(b) For a township that on September 1, 2008 had a planning commission created under former 1931 PA 285, or for a city or village, the planning jurisdiction may include any areas outside of the municipal boundaries that, in the planning commission's judgment, are related to the planning of the municipality.

(2) In the preparation of a master plan, a planning commission shall do all of the following, as applicable:

(a) Make careful and comprehensive surveys and studies of present conditions and future growth within the planning jurisdiction with due regard to its relation to neighboring jurisdictions.

(b) Consult with representatives of adjacent local units of government in respect to their planning so that conflicts in master plans and zoning may be avoided.

(c) Cooperate with all departments of the state and federal governments, public transportation agencies, and other public agencies concerned with programs for economic, social, and physical development within the planning jurisdiction and seek the maximum coordination of the local unit of government's programs with these agencies.

(3) In the preparation of the master plan, the planning commission may meet with other governmental planning commissions or agency staff to deliberate.

(4) In general, a planning commission has such lawful powers as may be necessary to enable it to promote local planning and otherwise carry out the purposes of this act.


Master plan; land use and infrastructure issues; inclusion of maps, plats, charts, and other related matter; recommendations for physical development; additional subjects; implementation of master street plan or certain elements; specifications; section subject to MCL 125.3881(1); public transportation facilities.

Sec. 33. (1) A master plan shall address land use and infrastructure issues and may project 20 years or more into the future. A master plan shall include maps, plats, charts, and descriptive, explanatory, and other related matter and shall show the planning commission's recommendations for the physical development of the planning jurisdiction.

(2) A master plan shall also include those of the following subjects that reasonably can be considered as pertinent to the future development of the planning jurisdiction:

(a) A land use plan that consists in part of a classification and allocation of land for agriculture, residences, commerce, industry, recreation, ways and grounds, subject to subsection (5), public transportation facilities, public buildings, schools, soil conservation, forests, woodlots, open space, wildlife refuges, and other uses and purposes. If a county has not adopted a zoning ordinance under former 1943 PA 183 or the Michigan
zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, a land use plan and program for the county may be a general plan with a generalized future land use map.

(b) The general location, character, and extent of all of the following:

(i) All components of a transportation system and their interconnectivity including streets and bridges, public transit including public transportation facilities and routes, bicycle facilities, pedestrian ways, freight facilities and routes, port facilities, railroad facilities, and airports, to provide for the safe and efficient movement of people and goods in a manner that is appropriate to the context of the community and, as applicable, considers all legal users of the public right-of-way.

(ii) Waterways and waterfront developments.

(iii) Sanitary sewers and water supply systems.

(iv) Facilities for flood prevention, drainage, pollution prevention, and maintenance of water levels.

(v) Public utilities and structures.

(c) Recommendations as to the general character, extent, and layout of redevelopment or rehabilitation of blighted areas; and the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of streets, grounds, open spaces, buildings, utilities, or other facilities.

(d) For a local unit of government that has adopted a zoning ordinance, a zoning plan for various zoning districts controlling the height, area, bulk, location, and use of buildings and premises. The zoning plan shall include an explanation of how the land use categories on the future land use map relate to the districts on the zoning map.

(e) Recommendations for implementing any of the master plan's proposals.

(3) If a master plan is or includes a master street plan or 1 or more elements described in subsection (2)(b)(i), the means for implementing the master street plan or elements in cooperation with the county road commission and the state transportation department shall be specified in the master street plan in a manner consistent with the respective powers and duties of and any written agreements between these entities and the municipality.

(4) This section is subject to section 81(1).

(5) The reference to public transportation facilities in subsection (2)(a) only applies to a master plan that is adopted or substantively amended more than 90 days after the effective date of the amendatory act that added this subsection.


125.3835 Subplan; adoption.

Sec. 35. A planning commission may, by a majority vote of the members, adopt a subplan for a geographic area less than the entire planning jurisdiction, if, because of the unique physical characteristics of that area, more intensive planning is necessary for the purposes set forth in section 7.


125.3837 Metropolitan county planning commission; designation; powers.

Sec. 37. (1) A county board of commissioners may designate the county planning commission as the metropolitan county planning commission. A county planning commission so designated shall perform metropolitan and regional planning whenever necessary or desirable. The metropolitan county planning commission may engage in comprehensive planning, including, but not limited to, the following:

(a) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, together with long-range fiscal plans for such development.

(b) Programming of capital improvements based on relative urgency, together with definitive financing plans for the improvements to be constructed in the earlier years of the program.

(c) Coordination of all related plans of local governmental agencies within the metropolitan area or region.

(d) Intergovernmental coordination of all related planning activities among the state and local governmental agencies within the metropolitan area or region.

(2) In addition to the powers conferred by other provisions of this act, a metropolitan county planning commission may apply for, receive, and accept grants from any local, regional, state, or federal governmental agency and agree to and comply with the terms and conditions of such grants. A metropolitan county planning commission may do any and all things necessary or desirable to secure the financial aid or cooperation of a regional, state, or federal governmental agency in carrying out its functions, when approved by a 2/3 vote of the county board of commissioners.

**125.3839 Master plan; adoption; procedures; notice; submittals; use of electronic mail.**

Sec. 39. (1) A master plan shall be adopted under the procedures set forth in this section and sections 41 and 43. A master plan may be adopted as a whole or by successive parts corresponding with major geographical areas of the planning jurisdiction or with functional subject matter areas of the master plan.

(2) Before preparing a master plan, a planning commission shall send to all of the following, by first-class mail or personal delivery, a notice explaining that the planning commission intends to prepare a master plan and requesting the recipient's cooperation and comment:

(a) For any local unit of government undertaking a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county undertaking a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality undertaking a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that municipality is located. If there is a county planning commission, the municipal planning commission may consult with the regional planning commission but is not required to do so.

(e) For a municipality undertaking a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located.

(f) For any local unit of government undertaking a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and mailing address for this purpose with the planning commission.

(g) If the master plan will include a master street plan, the county road commission and the state transportation department.

(3) A submittal under section 41 or 43 by or to an entity described in subsection (2) may be made by personal or first-class mail delivery of a hard copy or by electronic mail. However, the planning commission preparing the plan shall not make such submittals by electronic mail unless, in the notice described in subsection (2), the planning commission states that it intends to make such submittals by electronic mail and the entity receiving that notice does not respond by objecting to the use of electronic mail. Electronic mail may contain a link to a website on which the submittal is posted if the website is accessible to the public free of charge.


**125.3841 Preparation of proposed master plan; submission to legislative body for review and comment; approval required; notice; submission of comments; statements as advisory.**

Sec. 41. (1) After preparing a proposed master plan, a planning commission shall submit the proposed master plan to the legislative body for review and comment. The process of adopting a master plan shall not proceed further unless the legislative body approves the distribution of the proposed master plan.

(2) If the legislative body approves the distribution of the proposed master plan, it shall notify the secretary of the planning commission, and the secretary of the planning commission shall submit, in the manner provided in section 39(3), a copy of the proposed master plan, for review and comment, to all of the following:

(a) For any local unit of government proposing a master plan, the planning commission, or if there is no planning commission, the legislative body, of each municipality located within or contiguous to the local unit of government.

(b) For a county proposing a master plan, the regional planning commission for the region in which the county is located, if any.

(c) For a county proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for each county located contiguous to the county.

(d) For a municipality proposing a master plan, the regional planning commission for the region in which the municipality is located, if there is no county planning commission for the county in which that local unit of government is located. If there is a county planning commission, the secretary of the municipal planning commission may submit a copy of the proposed master plan to the regional planning commission but is not required to do so.
(e) For a municipality proposing a master plan, the county planning commission, or if there is no county planning commission, the county board of commissioners, for the county in which that municipality is located. The secretary of the municipal planning commission shall concurrently submit to the county planning commission, in the manner provided in section 39(3), a statement that the requirements of subdivision (a) have been met or, if there is no county planning commission, shall submit to the county board of commissioners, in the manner provided in section 39(3), a statement that the requirements of subdivisions (a) and (d) have been met. The statement shall be signed by the secretary and shall include the name and address of each planning commission or legislative body to which a copy of the proposed master plan was submitted under subdivision (a) or (d), as applicable, and the date of submittal.

(f) For any local unit of government proposing a master plan, each public utility company, railroad company, and public transportation agency owning or operating a public utility, railroad, or public transportation system within the local unit of government, and any government entity that registers its name and address for this purpose with the secretary of the planning commission. An entity described in this subdivision that receives a copy of a proposed master plan, or of a final master plan as provided in section 43(5), shall reimburse the local unit of government for any copying and postage costs thereby incurred.

(g) If the proposed master plan is or includes a proposed master street plan, the county road commission and the state transportation department.

(3) An entity described in subsection (2) may submit comments on the proposed master plan to the planning commission in the manner provided in section 39(3) within 63 days after the proposed master plan was submitted to that entity under subsection (2). If the county planning commission or the county board of commissioners that receives a copy of a proposed master plan under subsection (2)(e) submits comments, the comments shall include, but need not be limited to, both of the following, as applicable:

(a) A statement whether the county planning commission or county board of commissioners considers the proposed master plan to be inconsistent with the master plan of any municipality or region described in subsection (2)(a) or (d).

(b) If the county has a county master plan, a statement whether the county planning commission considers the proposed master plan to be inconsistent with the county master plan.

(4) The statements provided for in subsection (3)(a) and (b) are advisory only.


125.3843 Proposed master plan; public hearing; notice; approval by resolution of planning commission; statement; submission of copy of master plan to legislative body; approval or rejection by legislative body; procedures; submission of adopted master plan to certain entities.

Sec. 43. (1) Before approving a proposed master plan, a planning commission shall hold not less than 1 public hearing on the proposed master plan. The hearing shall be held after the expiration of the deadline for comment under section 41(3). The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government. The planning commission shall also submit notice of the public hearing in the manner provided in section 39(3) to each entity described in section 39(2). This notice may accompany the proposed master plan submitted under section 41.

(2) The approval of the proposed master plan shall be by resolution of the planning commission carried by the affirmative votes of not less than 2/3 of the members of a city or village planning commission or not less than a majority of the members of a township or county planning commission. The resolution shall refer expressly to the maps and descriptive and other matter intended by the planning commission to form the master plan. A statement recording the planning commission's approval of the master plan, signed by the chairperson or secretary of the planning commission, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map. Following approval of the proposed master plan by the planning commission, the secretary of the planning commission shall submit a copy of the master plan to the legislative body.

(3) Approval of the proposed master plan by the planning commission under subsection (2) is the final step for adoption of the master plan, unless the legislative body by resolution has asserted the right to approve or reject the master plan. In that case, after approval of the proposed master plan by the planning commission, the legislative body shall approve or reject the proposed master plan. A statement recording the legislative body's approval of the master plan, signed by the clerk of the legislative body, shall be included on the inside of the front or back cover of the master plan and, if the future land use map is a separate document from the text of the master plan, on the future land use map.
(4) If the legislative body rejects the proposed master plan, the legislative body shall submit to the planning commission a statement of its objections to the proposed master plan. The planning commission shall consider the legislative body's objections and revise the proposed master plan so as to address those objections. The procedures provided in subsections (1) to (3) and this subsection shall be repeated until the legislative body approves the proposed master plan.

(5) Upon final adoption of the master plan, the secretary of the planning commission shall submit, in the manner provided in section 39(3), copies of the adopted master plan to the same entities to which copies of the proposed master plan were required to be submitted under section 41(2).


125.3845 Extension, addition, revision, or other amendment to master plan; adoption; procedures; review and findings.
Sec. 45. (1) An extension, addition, revision, or other amendment to a master plan shall be adopted by following the procedure under sections 39, 41, and 43, subject to all of the following:
(a) Any of the following amendments to a master plan may be made without following the procedure under sections 39, 41, and 43:
(i) A grammatical, typographical, or similar editorial change.
(ii) A title change.
(iii) A change to conform to an adopted plat.
(b) Subject to subdivision (a), the review period provided for in section 41(3) shall be 42 days instead of 63 days.
(c) When a planning commission sends notice to an entity under section 39(2) that it intends to prepare a subplan, the notice may indicate that the local unit of government intends not to provide that entity with further notices of or copies of proposed or final subplans otherwise required to be submitted to that entity under section 39, 41, or 43. Unless the entity responds that it chooses to receive notice of subplans, the local unit of government is not required to provide further notice of subplans to that entity.

(2) At least every 5 years after adoption of a master plan, a planning commission shall review the master plan and determine whether to commence the procedure to amend the master plan or adopt a new master plan. The review and its findings shall be recorded in the minutes of the relevant meeting or meetings of the planning commission.


125.3847 Part of county master plan covering incorporated area; adoption by appropriate city or village required; exception.
Sec. 47. (1) Subject to subsection (2), a part of a county master plan covering an incorporated area within the county shall not be recognized as the official master plan or part of the official master plan for that area unless adopted by the appropriate city or village in the manner prescribed by this act.
(2) Subsection (1) does not apply if the incorporated area is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536.


125.3849 City or village planning department; authority to submit proposed master plan, or proposed extension, addition, revision, or other amendment.
Sec. 49. (1) This act does not alter the authority of a planning department of a city or village created by charter to submit a proposed master plan, or a proposed extension, addition, revision, or other amendment to a master plan, to the planning commission, whether directly or indirectly as provided by charter.

(2) Subsection (1) notwithstanding, a planning commission described in subsection (1) shall comply with the requirements of this act.


125.3851 Public interest and understanding; promotion.
Sec. 51. (1) To promote public interest in and understanding of the master plan, a planning commission may publish and distribute copies of the master plan or of any report, and employ other means of publicity and education.

(2) A planning commission shall consult with and advise public officials and agencies, public utility companies, civic, educational, professional, and other organizations, and citizens concerning the promotion or
implementation of the master plan.


ARTICLE IV.
SPECIAL PROVISIONS, INCLUDING CAPITAL IMPROVEMENTS AND SUBDIVISION REVIEW

125.3861 Construction of certain projects in area covered by municipal master plan; approval; initiation of work on project; requirements; report and advice.

Sec. 61. (1) A street; square, park, playground, public way, ground, or other open space; or public building or other structure shall not be constructed or authorized for construction in an area covered by a municipal master plan unless the location, character, and extent of the street, public way, open space, structure, or utility have been submitted to the planning commission by the legislative body or other body having jurisdiction over the authorization or financing of the project and has been approved by the planning commission. The planning commission shall submit its reasons for approval or disapproval to the body having jurisdiction. If the planning commission disapproves, the body having jurisdiction may overrule the planning commission by a vote of not less than 2/3 of its entire membership for a township that on the enactment date of this act had a planning commission created under former 1931 PA 285, or for a city or village, or by a vote of not less than a majority of its membership for any other township. If the planning commission fails to act within 35 days after submission of the proposal to the planning commission, the project shall be considered to be approved by the planning commission.

(2) Following adoption of the county plan or any part of a county plan and the certification by the county planning commission to the county board of commissioners of a copy of the plan, work shall not be initiated on any project involving the expenditure of money by a county board, department, or agency for the acquisition of land, the erection of structures, or the extension, construction, or improvement of any physical facility by any county board, department, or agency unless a full description of the project, including, but not limited to, its proposed location and extent, has been submitted to the county planning commission and the report and advice of the planning commission on the proposal have been received by the county board of commissioners and by the county board, department, or agency submitting the proposal. However, work on the project may proceed if the planning commission fails to provide in writing its report and advice upon the proposal within 35 days after the proposal is filed with the planning commission. The planning commission shall provide copies of the report and advice to the county board, department, or agency sponsoring the proposal.


125.3863 Approval of construction project before effective date of act; rescission of authorization; failure of planning commission to act within certain period of time.

Sec. 63. If the opening, widening, or extension of a street, or the acquisition or enlargement of any square, park, playground, or other open space has been approved by a township planning commission that was created before the effective date of this act under former 1931 PA 285 or by a city or village planning commission and authorized by the legislative body as provided under section 61, the legislative body shall not rescind its authorization unless the matter has been resubmitted to the planning commission and the rescission has been approved by the planning commission. The planning commission shall hold a public hearing on the matter. The planning commission shall submit its reasons for approval or disapproval of the rescission to the legislative body. If the planning commission disapproves the rescission, the legislative body may overrule the planning commission by a vote of not less than 2/3 of its entire membership. If the planning commission fails to act within 63 days after submission of the proposed rescission to the planning commission, the proposed rescission shall be considered to be approved by the planning commission.


125.3865 Capital improvements program of public structures and improvements; preparation; basis.

Sec. 65. (1) To further the desirable future development of the local unit of government under the master plan, a planning commission, after adoption of a master plan, shall annually prepare a capital improvements program of public structures and improvements, unless the planning commission is exempted from this requirement by charter or otherwise. If the planning commission is exempted, the legislative body either shall prepare and adopt a capital improvements program, separate from or as a part of the annual budget, or shall delegate the preparation of the capital improvements program to the chief elected official or a nonelected administrative official, subject to final approval by the legislative body. The capital improvements program
shall show those public structures and improvements, in the general order of their priority, that in the commission's judgment will be needed or desirable and can be undertaken within the ensuing 6-year period. The capital improvements program shall be based upon the requirements of the local unit of government for all types of public structures and improvements. Consequently, each agency or department of the local unit of government with authority for public structures or improvements shall upon request furnish the planning commission with lists, plans, and estimates of time and cost of those public structures and improvements.

(2) Any township may prepare and adopt a capital improvement program. However, subsection (1) is only mandatory for a township if the township, alone or jointly with 1 or more other local units of government, owns or operates a water supply or sewage disposal system.


125.3867 Programs for public structures and improvements; recommendations.

Sec. 67. A planning commission may recommend to the appropriate public officials programs for public structures and improvements and for the financing thereof, regardless of whether the planning commission is exempted from the requirement to prepare a capital improvements program under section 65.


125.3869 Copy of zoning ordinance and amendments; request by county planning commission for submission by municipal planning commission.

Sec. 69. If a municipal planning commission has zoning duties pursuant to section 83 and the municipality has adopted a zoning ordinance, the county planning commission, if any, may, by first-class mail or personal delivery, request the municipal planning commission to submit to the county planning commission a copy of the zoning ordinance and any amendments. The municipal planning commission shall submit the requested documents to the county planning commission within 63 days after the request is received and shall submit any future amendments to the zoning ordinance within 63 days after the amendments are adopted. The municipal planning commission may submit a zoning ordinance or amendment under this subsection electronically.


125.3871 Recommendations for ordinances or rules governing subdivision of land; public hearing; notice; action on proposed plat; approval, approval with conditions, or disapproval by planning commission; approval of plat as amendment to master plan.

Sec. 71. (1) A planning commission may recommend to the legislative body provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL 124.501 to 124.512, or 1967 (Ex Sess) PA 8, MCL 124.531 to 124.536, the county planning commission may recommend to the legislative body of the municipality provisions of an ordinance or rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105. A planning commission may proceed under this subsection on its own initiative or upon request of the appropriate legislative body.

(2) Recommendations for a subdivision ordinance or rule may address plat design, including the proper arrangement of streets in relation to other existing or planned streets and to the master plan; adequate and convenient open spaces for traffic, utilities, access of firefighting apparatus, recreation, light, and air; and the avoidance of congestion of population, including minimum width and area of lots. The recommendations may also address the extent to which streets shall be graded and improved and to which water and sewer and other utility mains, piping, or other facilities shall be installed as a condition precedent to the approval of a plat.

(3) Before recommending an ordinance or rule described in subsection (1), the planning commission shall hold a public hearing on the proposed ordinance or rule. The planning commission shall give notice of the time and place of the public hearing not less than 15 days before the hearing by publication in a newspaper of general circulation within the local unit of government.

(4) If a municipality has adopted a master plan or master street plan, the planning commission of that municipality shall review and make recommendations on plats before action thereon by the legislative body under section 112 of the land division act, 1967 PA 288, MCL 560.112. If a township is subject to county zoning consistent with section 209 of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3209, or a city or village is subject to county zoning pursuant to the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, and a contract under the urban cooperation act of 1967, 1967 (Ex Sess) PA 7, MCL
requirements of this act made applicable by subdivision (a), by the earlier of the following dates: implement the charter provision, or repeal the ordinance and adopt a new ordinance, to fully conform to the requirements of this act, including, but not limited to, provisions regarding planning commission selection of officers, membership, appointment, and organization do not apply to such a planning commission. All other provisions of this act, including, but not limited to, provisions regarding planning commission powers and duties do not otherwise apply to a planning commission created by charter before the effective date of this act and provisions of this act regarding planning commission powers and duties do not otherwise apply to a planning commission created before the effective date of this act.

(5) A planning commission shall not take action on a proposed plat without affording an opportunity for a public hearing thereon. A plat submitted to the planning commission shall contain the name and address of the proprietor or other person to whom notice of a hearing shall be sent. Not less than 15 days before the date of the hearing, notice of the date, time, and place of the hearing shall be sent to that person at that address by mail and shall be published in a newspaper of general circulation in the municipality. Similar notice shall be mailed to the owners of land immediately adjoining the proposed platted land.

(6) A planning commission shall recommend approval, approval with conditions, or disapproval of a plat within 63 days after the plat is submitted to the planning commission. If applicable standards under the land division act, 1967 PA 288, MCL 560.101 to 560.293, and an ordinance or published rules governing the subdivision of land authorized under section 105 of that act, MCL 560.105, are met, the planning commission shall recommend approval of the plat. If the planning commission fails to act within the required period, the plat shall be considered to have been recommended for approval, and a certificate to that effect shall be issued by the planning commission upon request of the proprietor. However, the proprietor may waive this requirement and consent to an extension of the 63-day period. The grounds for any recommendation of disapproval of a plat shall be stated upon the records of the planning commission.

(7) A plat approved by a municipality and recorded under section 172 of the land division act, 1967 PA 288, MCL 560.172, shall be considered to be an amendment to the master plan and a part thereof. Approval of a plat by a municipality does not constitute or effect an acceptance by the public of any street or other open space shown upon the plat.


ARTICLE V.
TRANSITIONAL PROVISIONS AND REPEALER

 Sec. 81. (1) Unless rescinded by the local unit of government, any plan adopted or amended under a planning act repealed under section 85 need not be readopted under this act but continues in effect as a master plan under this act, regardless of whether it is entitled a master plan, basic plan, county plan, development plan, guide plan, land use plan, municipal plan, township plan, plan, or any other term. This includes, but is not limited to, a plan prepared by a planning commission and adopted before the effective date of this act to satisfy the requirements of section 1 of the former city and village zoning act, 1921 PA 207, section 3 of the former township zoning act, 1943 PA 184, section 3 of the former county zoning act, 1943 PA 183, or section 203(1) of the Michigan zoning enabling act, 2006 PA 110, MCL 125.3203. The master plan is subject to the requirements of this act, including, but not limited to, the requirement for periodic review under section 45(2) and the amendment procedures set forth in this act. However, the master plan is not subject to the requirements of section 33 until it is first amended under this act.

(2) Unless repealed, a city or home rule village charter provision creating a planning commission before the effective date of this act and any ordinance adopted before the effective date of this act implementing that charter provision continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, both of the following apply:

(a) The legislative body may by ordinance increase the powers and duties of the planning commission to correspond with the powers and duties of a planning commission created under this act. Provisions of this act regarding planning commission powers and duties do not otherwise apply to a planning commission created by charter before the effective date of this act and provisions of this act regarding planning commission membership, appointment, and organization do not apply to such a planning commission. All other provisions of this act, including, but not limited to, provisions regarding planning commission selection of officers, meetings, rules, records, appointment of employees, contracts for services, and expenditures, do apply to such a planning commission.

(b) The legislative body shall amend any ordinance adopted before the effective date of this act to implement the charter provision, or repeal the ordinance and adopt a new ordinance, to fully conform to the requirements of this act made applicable by subdivision (a), by the earlier of the following dates:
(i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.
(ii) July 1, 2011.

(3) Unless repealed, an ordinance creating a planning commission under former 1931 PA 285 or former 1945 PA 282 or a resolution creating a planning commission under former 1959 PA 168 continues in effect under this act, and the planning commission need not be newly created by an ordinance adopted under this act. However, all of the following apply:
   (a) Beginning on the effective date of this act, the duties of the planning commission are subject to the requirements of this act.
   (b) The legislative body shall amend the ordinance, or repeal the ordinance or resolution and adopt a new ordinance, to fully conform to the requirements of this act by the earlier of the following dates:
      (i) The date when an amendatory or new ordinance is first adopted under this act for any purpose.
      (ii) July 1, 2011.
   (c) An ordinance adopted under subdivision (b) is not subject to referendum.
   (4) Unless repealed or rescinded by the legislative body, an ordinance or published rules governing the subdivision of land authorized under section 105 of the land division act, 1967 PA 288, MCL 560.105, need not be readopted under this act or amended to comply with this act but continue in effect under this act. However, if amended, the ordinance or published rules shall be amended under the procedures of this act.


125.3883 Transfer of powers, duties, and records.

Sec. 83. (1) If, on the effective date of this act, a planning commission had the powers and duties of a zoning board or zoning commission under the former city and village zoning act, 1921 PA 207, the former county zoning act, 1943 PA 183, or the former township zoning act, 1943 PA 184, and under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702, the planning commission may continue to exercise those powers and duties without amendment of the ordinance, resolution, or charter provision that created the planning commission.

(2) If, on the effective date of this act, a local unit of government had a planning commission without zoning authority created under former 1931 PA 285, former 1945 PA 282, or former 1959 PA 168, the legislative body may by amendment to the ordinance creating the planning commission, or, if the planning commission was created by resolution, may by resolution, transfer to the planning commission all the powers and duties provided to a zoning board or zoning commission created under the Michigan zoning enabling act, 2006 PA 110, MCL 125.3101 to 125.3702. If an existing zoning board or zoning commission in the local unit of government is nearing the completion of its draft zoning ordinance, the legislative body shall postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but is not required to postpone the transfer more than 1 year.

(3) If, on or after the effective date of this act, a planning commission is created in a local unit of government that has had a zoning board or zoning commission since before the effective date of this act, the legislative body shall transfer all the powers, duties, and records of the zoning board or zoning commission to the planning commission before July 1, 2011. If the existing zoning board or zoning commission is nearing the completion of its draft zoning ordinance, the legislative body may, by resolution, postpone the transfer of the zoning board's or zoning commission's powers, duties, and records until the completion of the draft zoning ordinance, but not later than until 1 year after creation of the planning commission or July 1, 2011, whichever comes first.


125.3885 Repeal of certain acts.

Sec. 85. (1) The following acts are repealed:
(a) 1931 PA 285, MCL 125.31 to 125.45.
(b) 1945 PA 282, MCL 125.101 to 125.115.
(c) 1959 PA 168, MCL 125.321 to 125.333.

(2) Any plan adopted or amended under an act repealed under subsection (1) is subject to section 81(1).

Financial assistance for this project was provided, in part, by the Michigan Coastal Management Program, Water Resources Division, Michigan Department of Environment, Great Lakes, and Energy under the National Coastal Zone Management Program, through a grant from the National Oceanic and Atmospheric Administration, U.S. Department of Commerce.
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With assistance of McKenna Associates, Planning Consultant

Financial assistance for this project was provided, in part, by the Michigan Coastal Management Program, Water Resources Division, Michigan Department of Environment, Great Lakes, and Energy under the National Coastal Zone Management Program, through a grant from the National Oceanic and Atmospheric Administration, U.S. Department of Commerce.
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Introduction

Statement of Vision
Emmet County is a place where natural beauty and economic opportunity harmonize in a desirable and sustainable community. The county appeals to both year-round and seasonal resort residents, maintaining its reputation as a world-class resort and tourist destination. Emmet County land development is guided to complement and enhance the natural beauty and landscape for which it is famous. Parks and open spaces abound and wildlife populations are visible and healthy. Emmet County offers outstanding opportunities to the outdoor enthusiast for camping, biking, hunting, fishing and other outdoor recreation. Sustainable family farms are a vital part of the landscape, community and local economy. The abundance of clean air and water add to the beautiful scenery, promoting a sense of pride and belonging.

Emmet County will continue to be a desirable place to live, work and learn. Our educational system is first class, starting from day care through the public school districts and on to our community college and University Center. Arts and entertainment programs in the county provide inspiration, entertainment and opportunities for expression.

Emmet County’s economy is vibrant and diverse, with an appealing mix of healthy local retailers, services and light industry.

Residents enjoy the highest quality in health care, public safety, law enforcement and fire protection services.

Transportation is safe, efficient and multi-dimensional. Roads and highways are well maintained on a scale appropriate for the size of our community. Some seasonal congestion is recognized as a fact-of-life and taken in stride as part of the relaxed lifestyle in a resort community. Relief from congestion by alternative modes of transportation is available through the county’s comprehensive network of recreational trails. They offer easy access to safe and convenient transportation for people of all ages, by separating them from the hazards of the roadway.

Finally, Emmet County’s citizens value and celebrate its history. From the well-known Petoskey stones that were created millions of years ago through the glacial creation of the landscape, the rich history of Native Americans and the development of the area as part of the Northwest Territory and later the State of Michigan, the heritage of the area is treasured and respected, groups and individuals work hard to preserve and share the natural and cultural history of Emmet County.

Emmet County
emmetcounty.org
Organized in 1853, Emmet County is approximately 483 square miles in area and encompasses nearly 309,228 acres of land, rivers, lakes and streams. There are 28 separate governmental jurisdictions and 180 elected officials within the county. The county shares jurisdictions with two cities, three
incorporated villages, 16 townships, five school districts, North Central Michigan College, Char-Em ISD, Emmet County Road Commission and the Little Traverse Bay Bands of Odawa Indians.

What is a Master Plan?
The Emmet County Master Plan is a guiding document created in accordance with the Michigan Zoning Enabling Act, PA 110 of 2006. This Master Plan, partially funded through the Coastal Zone Management Program, includes a complete review of our Lake Michigan shoreline. Another document, entitled “Planning for Coastal and Climate Trends”, is a part of this document, by reference. This Master Plan guides land-use decisions in the 12 townships under the zoning jurisdiction of Emmet County. The plan guides the Planning Commission in its work for the next 5 to 10 years.

Planning in Emmet County

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1967</td>
<td>Planning Commission Created</td>
</tr>
<tr>
<td>1972</td>
<td>Zoning Ordinance first adopted</td>
</tr>
<tr>
<td>1997</td>
<td>First Master Plan adopted</td>
</tr>
<tr>
<td>2004</td>
<td>Land Use Inventory Conducted</td>
</tr>
<tr>
<td>2018</td>
<td>Lake Michigan Shoreline Resiliency Workshop held</td>
</tr>
<tr>
<td>2019</td>
<td>Citizen Survey conducted</td>
</tr>
<tr>
<td>2019</td>
<td>Three community open houses held</td>
</tr>
<tr>
<td>2019</td>
<td>Two focus groups held</td>
</tr>
</tbody>
</table>

Planning in Emmet County has been part of its history since the 1960s. The last four activities listed above were conducted in preparation of this Emmet County Master Plan. The input from the participants shows that the qualities citizens value most are natural resources and environment, followed by recreation options and the small town feel/sense of community. Citizens desire a community that is less congested and busy. They find the quality of schools, the quality of public safety and the availability of medical care appealing. Concerns were also revealed: limited housing choices, road maintenance issues, traffic congestion, lack of downtown parking and lack of access to public transit. Shoreline and beach protection and inland lake preservation were ranked as the highest priorities for conservation and sustainability over the next five to ten years. Shoreline resiliency is vital to our economy, our conservation of resources and our quality of life. The majority of those surveyed agreed parks, trails, open space and recreational programs are vital to our community.
Chapter 1: Socioeconomic Profile

Regional Setting
Lake Michigan shoreline creates the 68-mile western border of the county. Two major highways traverse Emmet County: US-131 running north and south connecting in Petoskey to US-31 which runs westerly and north to Mackinaw City. The Little Traverse Bay Bands of Odawa Indians have governmental properties and tribal trust lands within Emmet County.
Chapter 1: Socioeconomic Profile

Population

Emmet County 2017 Census Population Estimates

Emmet County Estimated 2017 Population: 32,978

Map 1-2

Source: American Fact Finder
factfinder.census.gov
Chapter 1: Socioeconomic Profile

Neighboring County Population Comparison
Figure 1-1 compares the population of Emmet County with neighboring counties to the east, south and west/southwest. The population of Emmet County has increased each decade, with a slower increase during this century. Some neighboring counties have experienced population decline. Emmet County must be aware of these trends as we plan for our future.

Seasonal Population
In 2005, in collaboration with the Emmet County planning officials and tourism industry, Michigan State University (MSU) studied the impacts of visitors who stay with homeowners in Emmet County rather than in paid accommodations in Emmet County and homeowners’ perceptions of tourism impacts and attitudes toward future tourism development in Emmet County. The data collected show a more realistic population when factoring in the resort population and influx of visitors to Emmet County throughout the year. While the census data are more than a decade old, the seasonal population differences seem to accurately reflect the differences in population experienced throughout Emmet County throughout the seasons.

Seasonal population data shown as a visual representation in Figure 1-2 show the fluctuation of population over a single year. The average population is just under twice the estimated census population. The population in July spikes to nearly four times the permanent population. These data are necessary as Emmet County must plan for not only the permanent residents but also the vast number of visitors that utilize county services and amenities.
Chapter 1: Socioeconomic Profile

Population - Projections
Three major factors influence population projects: birth rates, death rates and immigration. Current trends show the birth rates declining and death rates increasing. To keep the population increasing, net migration will need to continue to increase. Figure 1-3 illustrates the projected population of Emmet County to 2045. In addition to overall population projections, demographics are important to understand the future needs of the community.
Chapter 1: Socioeconomic Profile

Population by gender and age group

Figure 1-4  Source: 2013-2017 American Community Survey 5-Year Estimates

Figure 1-5 illustrates the projected demographics by gender and percentage for 2020 and 2030. Note the aging population and the decline in the work-force aged population, particularly the 20-24-year age group.

Figure 1-5  Source: DTMB, Labor Market Information & Strategic Initiatives, 2045 Population Projections
Chapter 1: Socioeconomic Profile

Population - Race and Ancestry

The majority of Emmet County population is white, as shown in Figure 1-6. That has changed little during the past several decades. The second largest segment of the population in the county is Native American with a percentage increase from 3.1% in 2000 to 3.7% in 2010 and 5.1% in 2017. The percentage of Native Americans in Emmet County is well above the state average and is the county's most significant non-white racial component.

Household Size

Household size throughout the region has decreased since 1960. This reflects national trends of couples deciding to have fewer children, a higher number of divorced people and more single-person households. Figure 1-7 shows the average household size of Emmet, neighboring counties and the State of Michigan. All counties are slightly lower than the state’s average household size of 2.49. Household size has a significant bearing on the total population in a given municipality.
Education

Education is an important factor in analyzing the capabilities of the local work force and the economic vitality of a community. As shown in the following chart, the population of Emmet County is well educated when compared to the State of Michigan and the rest of United States.

By general observation, Emmet County has attracted a population that is educated and has a wealth of talent in a number of specialty fields such as arts, crafts, resource management (farmers, foresters and conservationists), specialty industries and businesses. This may also be credited to the expanding curricula of North Central Michigan College in Petoskey. A local community college gives area residents the opportunity for further education without the added expense of leaving home.

While the data are not available from the U.S. Census, many individuals receive on-the-job training. This form of education is not documented, as it is employer specific rather than population specific, but includes many skilled laborers who would be included in one of the four levels of education identified by the U.S. Census.
Chapter 1: Socioeconomic Profile

Income

The per capita personal income (PCPI) in Emmet County remained slightly less than either the state or nation until 2004. This is often true in communities beyond the immediate influence of a metropolitan area, especially those which are economically based on tourism or service employment.

**Employment**

Compared to the State of Michigan, Emmet County had more employees working in the service and retail categories and fewer operators, fabricators, construction and labor workers. Approximately 87% of the population working in Emmet County resides within the county boundaries, while 5% commute to work from Charlevoix, 3% from Cheboygan and 5% from other locations.

The rate of unemployment in Emmet County increased between 2000 and 2010. Since then, the unemployment rate has been decreasing slightly each year (Figure 1-10). Emmet County’s unemployment trends annually are similar to that of the State of Michigan and the United States. Rates are not seasonally adjusted; Emmet County experiences lower unemployment rates during the late summer and early fall months than during other times of the year.

The labor force represents the human factor of producing goods and services in the economy. Two key components of the labor force are quality and quantity. Both of these variables will determine the economy’s productivity and growth. Wages and salaries are determined by the interdependence of employees who supply services and employers who need services. This ratio of supply and demand also determines the number of people employed.

Labor force information can be used by human resources planners to gauge the number of individuals experiencing unemployment problems and to increase the responsiveness of training programs to changing conditions. Having a strong labor force growth is important to ensure an adequate labor supply.
Chapter 1: Socioeconomic Profile

Between 2013 and 2017, the unemployment rate dropped by almost half for both the State of Michigan and Emmet County, as shown in the following figure. During the past 5 years the Emmet County unemployment rate remained above the State of Michigan rates and both continue to drop. Additional data, including monthly statistics, are available through the U.S. Bureau of Labor Statistics. 
https://www.bls.gov/eag/eag.mi.htm

![Rate of Unemployment 2013-2018](image)

Identifying the county’s high growth industries can provide clues to sources of new jobs and help in planning for economic development. According to the 2017 US Census estimates (American Fact Finder), Emmet County’s largest percentage of employment was in the Education, Health and Social Services industry. Arts, entertainment, recreation, accommodation and food services came in second; and retail trade completed the top three industries. Emmet County’s workforce in 2010 was 16,100 and increased slightly to 16,237 in 2017. Figure 1-11 compares the numbers of employees per industry between 2010 and 2017.

Emmet County...
“I LOVE IT – THERE IS NO PLACE ELSE I WOULD RATHER BE.”

Quote from 2019 Citizen Survey
Business and Employment Programs

With the uncertainties of Michigan’s economic future contributing to local market concerns, it is important to have groups and organizations designed to help both new and existing businesses. Assistance to the local labor force also helps to create a vibrant economy. The following organizations, along with the Economic Development Corporations (EDCs) of Emmet County and the Village of Mackinaw City, are important resources to foster and stabilize Emmet County’s economic future.
Chapter 1: Socioeconomic Profile

Chambers of Commerce
Local area chambers represent the voice of the area business communities. Their efforts are focused on giving businesses a place to thrive, while implementing programs and social events. The chambers found in Emmet County are the Harbor Springs Chamber of Commerce, Greater Mackinaw Area Chamber of Commerce and the Petoskey Regional Chamber of Commerce. There are also two visitor bureaus in the county: Mackinaw Area Visitors Bureau and the Petoskey-Harbor Springs-Boyne Country Visitors Bureau. Serving their respected areas, these organizations offer an array of business and self-promotional tools. With the help of SCORE, a non-profit organization dedicated to informing and educating businesses, information is presented to encourage the growth of both new and existing businesses, by guiding the creation of a solid business plan.

[Links to chamber websites]

Charlevoix-Emmet Intermediate School District (Char-Em ISD)  charemisd.org
Char-Em ISD is a regional education service agency serving the public schools of Charlevoix, Emmet and northern Antrim counties. The ISD serves 9,400 students representing 11 public school districts, 6 private schools and 3 public academies. Char-Em ISD offers alternative programs and services in order to accommodate the diverse needs of students. Programs and services include: career and technical education programs, technology & teacher consultations, business services, enrichment programs, special education services, early childhood education and other services. The ISD serves over 1,200 students with disabilities and assists with transportation for enrolled individuals. Vocational programs are also offered through Char-Em. Char-Em ISD is dedicated to the development of the area’s youth.
Northwest Michigan WORKS!

Northwest Michigan Works! provides services in Emmet County which help both job seekers and employers match their needs. Michigan Works! offers nearly a dozen programs and incentives for Emmet County residents to find the work they need. They offer retention evaluations to employers to determine solutions to employee absence. Additionally, Michigan Works! offers career advisors to assess an individual’s job interests and skills and help with career planning. The advisor is also able to provide job seekers with a state-wide system for posting résumés and searching for job openings.

Additional Programs

Other technical training, job placement and independent living programs are available to mentally and physically handicapped and displaced workers. These services are offered through Community Mental Health, Michigan Rehabilitation and Department of Health and Human Services. These agencies provide clients with real life training and experience in order to better help them obtain a job. Other agencies included are Emmet County’s Economic Development Corporation (EDC) and the Village of Mackinaw City’s EDC.
Public Schools

Education is an important factor in analyzing the capabilities of the local work force and the economic vitality of the community. Figure 1-12 shows enrollments for the 5-year period of 2013 to 2017, during which all school districts recorded enrollment losses. The trend seems to be a slight loss for all schools over the 5 year period charted. Overall, the public school enrollment declined 7.8% over the five year period. There are 5 school districts located at least in part in Emmet County as shown on the school district map. The Mackinaw City, Petoskey and Pellston school districts are located within Emmet County and serve students who are residents of Cheboygan and Charlevoix Counties.
Chapter 1: Socioeconomic Profile

Private Schools/Independent Schools

The county is also served by private schools, independent charter academies, daycare centers and preschool programs. In 2016 there were 451 students enrolled in private or independent schools in Emmet County (Table 1-1). Harbor Light Christian, Montessori (pre-K), St. Michael Academy and St. Francis Xavier are the four schools identified as private or independent. Montessori’s K-5 elementary classrooms are considered part of the Public Schools of Petoskey. St. Francis Xavier has shown consistent growth. Harbor Light Christian School’s student enrollment showed dramatic declines until 2015 when enrollment started to trend upward. St. Michael Academy opened in Petoskey in 2013 and has shown growth. A private school in Maple River Township, Woodland Christian School, began serving the Amish community in 2017.

<table>
<thead>
<tr>
<th>School</th>
<th>2010</th>
<th>2013</th>
<th>2014</th>
<th>2015</th>
<th>2016</th>
<th>2010-2016 % Change</th>
</tr>
</thead>
<tbody>
<tr>
<td>Harbor Light Christian</td>
<td>122</td>
<td>101</td>
<td>86</td>
<td>110</td>
<td>130</td>
<td>+6</td>
</tr>
<tr>
<td>Montessori</td>
<td>36</td>
<td>25</td>
<td>35</td>
<td>38</td>
<td>33</td>
<td>-8.4</td>
</tr>
<tr>
<td>St. Francis Xavier</td>
<td>225</td>
<td>258</td>
<td>244</td>
<td>264</td>
<td>261</td>
<td>+16</td>
</tr>
<tr>
<td>St. Michael Academy</td>
<td>Opened in 2013</td>
<td>11</td>
<td>9</td>
<td>20</td>
<td>27</td>
<td>-</td>
</tr>
<tr>
<td>Woodland Christian School</td>
<td>21 students in 2019</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td>383</td>
<td>395</td>
<td>374</td>
<td>432</td>
<td>451</td>
<td>-</td>
</tr>
</tbody>
</table>

Table 1-1
Chapter 1: Socioeconomic Profile

Special Education
It is important that children who need special education receive the attention they require to flourish as individuals. Of the 4,519 students residing in Emmet County, 11% participate in some form of special education. There are seven categories that are used in the classification of special education. These categories include specific learning disability, speech and language impairment, cognitive impairment, physical and other health impairments, emotional impairment, low incidence disabilities and early childhood developmental delay.

Special Education Students in Emmet County
(Total Students: 4519)

Data source: Michigan Department of Education 2017

College/University
North Central Michigan College is financially supported through millage revenue from Emmet County, student tuition, donations and funds from the Michigan Department of Education. These four contributors enable the residents of Emmet County to gain the knowledge and skills needed to successfully join the workforce or transfer to a university.

North Central Michigan College and three universities have formed a University Center. North Central united with Central Michigan University, Lake Superior State University and Spring Arbor University to offer significant educational opportunities. Students can complete the first two or three years of their program for a bachelor’s degree through North Central. The remainder of the program can be obtained through the courses the University Center offers. Students following this educational track can save substantial amounts of money by paying North Central’s low tuition rates for the majority of their degree programs.

NCMC Winter 2019
Student enrollment by county
2,498 total students

Figure 1-14

Figure 1-13
Chapter 1: Socioeconomic Profile

North Central’s Mobile Digital Fabrication Lab, launched in February 2014, offers programs designed to meet the need for high-tech manufacturing training for students as well as employees at manufacturing facilities in this region. The college offers Truck Driver Certificate of Development program in cooperation with International Trucking School, Inc. This is a 15 week driver training program ending with a 10 week paid internship of on the road experience. The college established the Institute for Business and Industry Training (IBIT) which offers specialized training. The Institute was developed to assist companies with specific training needs. North Central Michigan College is an open-door community college based in Petoskey serving close to 3,000 students in Northern Michigan. North Central offers certificate and associate’s degree programs. Tuition rates remain lower than the rates charged by most other small community colleges in Michigan, because the college receives more than one-third of its funding from property taxes paid by Emmet County residents.

High school students can be dual enrolled, earning college credits while still attending high school, giving them a head start on their college education. Petoskey High School students can receive free tuition and textbooks for 3½ years and complete both their high school diploma and associate degree after their fifth year of enrollment.

Waganakising Odawa Career and Technical Education Program (WOCTEP), operating within the Education Department of Little Traverse Bay Bands of Odawa Indians, offers short training programs in partnership with North Central Michigan College. Since their partnership began in 2008, WOCETP and North Central Michigan College have worked together to offer skill-focused, career-based Certificate Programs. Their Certificate Programs enhance both personal and professional development and lead to increased employability skills. At only 16-34 credits, depending on the program, they provide students with the opportunity to be successful in their chosen career field.

Recreation

Recreation is clearly one of the county’s economic strengths. Hunting, fishing, golf, skiing/snowboarding, snowmobiling, camping, boating, trail use, wildlife watching all add to Emmet County’s economy. It is estimated fishing and hunting combined add $3.45 billion to Michigan’s economy. Additionally Michigan Golf Course Owners Association estimates Michigan golfers
Chapter 1: Socioeconomic Profile

contribute $3.1 million to the state’s economy. Emmet County shares in these economic benefits and more due to its abundant resources and prime location.

Airports
Two airports exist within Emmet County: the Pellston Regional Airport and the Harbor Springs Municipal Airport. Both are described in greater detail in the transportation chapter of this Master Plan. Contributing to the region’s quality of life, these airports give the residents, seasonal residents and visitors of Emmet County the ability to travel anywhere in the world quickly and safely. The economic impacts of these two airports are felt throughout the region as plainly identified in the community benefits assessment supplied by the Michigan Department of Transportation – Bureau of Aeronautics. The Pellston Regional Airport reportedly brings $35.9 million annually to the local economy, while the Harbor Springs Municipal Airport adds $14.8 million.

Areas for Economic Growth
Emmet County relies heavily on its tourism industry to sustain its economy. Manufacturing jobs contribute to 8% of employment within Emmet County. In addition, the education, health and social services are nearly 23% of the total employment. Construction trades contribute nearly 10% of employment in the county. Construction is viewed as an industry that can grow with a strong economic base. Emmet County should continue efforts to attract additional jobs and resource-friendly industries to enhance the region’s economy. The lack of available homes for sale or rent creates additional economic challenges.

Some areas for potential economic growth include information technologies, financial/insurance, light manufacturing, retail and services, health care, agri-tourism and work at home opportunities. Providing homes for our future is paramount to a resilient economy.
Chapter 2: Agricultural, Natural and Cultural Resources

Agriculture

Agriculture plays an integral part of Emmet County’s rural landscape, rich cultural heritage and economy. Agricultural resources can be found throughout the county. The number of farms has increased slightly in the past fifteen years, while the average number of acres per farm decreased from 2002 to 2017 as shown in Figure 2-1. The break-up of farmland through land sales, development, reclassification of tax status and further division of large tracts of land may account for the decline in farm size. Interestingly, according to the USDA’s Agricultural Census figures, the number of farms in Emmet County increased from 274 in 2002 to 324 in 2017, but the average size of farms decreased from 159 to 121 acres over this 15-year period. This may be due to niche farming, including crops of grapes, maple syrup and organic farming. This possibility can be substantiated using the 2012 and 2017 data for maple syrup, which shows a significant increase in number of farms (from 6 to 11), number of taps (732 to 5,610) and gallons of syrup produced (105 to 1,458). The total land in farms in Emmet County in 2017 was 39,256, a decrease of 549 acres from 2012 when the land in farms was estimated at 39,805 acres.

As shown in Table 2-1, there has been a countywide increase of farm market value from $6,724,000 in 2012 to $8,714,000 in 2017. This change likely results from a combination of factors including the rising number of smaller farm operations and the diversification of types of farms. Farm operators whose principal occupation is farming decreased from 44.9% in 2012 to 37.4% in 2017. Over the same five-year period, the average age of farmers in Emmet County decreased from 59.1 years to 58.8 years, a slight reduction for the first time in recent history. Younger people will be needed to retain this viable part of our community and economy. Table 2-2 shows that the average farm has doubled its market value production in the five-year period identified. Additional data is available from the United States Department of Agriculture:

https://www.nass.usda.gov/Publications/AgCensus/2017/Full_Report/Volume_1_Chapter_2_County_Level/Michigan/
Chapter 2: Agricultural, Natural and Cultural Resources

<table>
<thead>
<tr>
<th>Change in Total Farm Market Value</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2012</strong></td>
</tr>
<tr>
<td>$6,724,000</td>
</tr>
</tbody>
</table>

**29.5% Increase**

Data Source: United States Department of Agriculture
Table 2-1

<table>
<thead>
<tr>
<th>Change in Market Value of Production per Farm</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>2012</strong></td>
</tr>
<tr>
<td>$23,430</td>
</tr>
</tbody>
</table>

**100% Increase**

Data Source: United States Department of Agriculture
Table 2-2

### Agricultural Preservation Areas

There are pockets of prime agricultural land and some small prime farm communities throughout the county. Seven farm communities have continued to be significant farming centers: Resort Township, Bear Creek Township, Good Hart, Woodland Road in Maple River Township, Van Road in McKinley Township, Levering and Bliss. These prime agricultural lands and farm communities are illustrated on Map 2-1 as Emmet County Agricultural Preservation Districts and are areas intended to be preserved. The areas mentioned have been selected because they have productive soil types, they have been designated prime/unique farmland by the United States Department of Agriculture (USDA), they are large unbroken tracts of agricultural lands, or they already exist as farming communities, including Centennial Farms. A resurgence of farming activity is occurring in Maple River Township, as young farmers are moving into the area with their families, farming their land and adding activities to supplement their farms. Given all the referenced data above, preservation of future agricultural production and active farming communities is essential to the economic diversity of Emmet County.
Chapter 2: Agricultural, Natural and Cultural Resources

Centennial Farms
Michigan Centennial Farms are a visible reminder of the social, cultural and economic contributions of Michigan farmers to Emmet County and the state's settlement and continuing development. Since 1948, the State of Michigan has recognized over 500 farm families for having achieved this milestone. According to the Historical Society of Michigan, there are 16 Centennial Farms in Emmet County.

Vineyards/Wineries
A relatively new development in Emmet County is the establishment of vineyards. According to the USDA Census of Agriculture in 2007 there were 3 vineyards located within Emmet County. The earliest of which was established in 1994. As of 2019, there are 9 vineyards. Wine production in Michigan has skyrocketed in recent years with gallons of wine produced more than tripling in production since 2003. A 2017 Economic Impact Study conducted for the Michigan Grape and Wine Industry Council reports that Emmet County ranks 14th among Michigan counties for winery jobs with winery output of $11,765,000. It further calculates the total direct output from wineries to be $40,769,200 with a ranking of 15th among counties in Michigan.
Chapter 2: Agricultural, Natural and Cultural Resources

Emmet County
Agricultural Preservation Districts

Legend
- Preservation Districts
- Farm Communities

Key
1. Rehoboth Township
2. Bear Creek Township
3. Sandlakes Road Area
4. Van Road Area
5. Levering Area
6. Bissell Township
7. Good Hart Area

Map 2-1
Chapter 2: Agricultural, Natural and Cultural Resources

Natural Resources
The natural resources of Emmet County are contributors to the sense of well-being enjoyed by both residents and visitors. These resources sustain and support the quality of life of those who live, work and play in the villages, cities and townships of the county. The economic health of County residents is also dependent upon the land and its resources. New development must occur in a fashion that protects and enhances existing land resources. Open space, in its many forms, contributes to the ambience of the area and is one of the reasons Emmet County receives so many seasonal visitors. Land use planners must consider resiliency when reviewing natural resources.

Natural Features - General Characteristics
Within the county, many state and federally protected wetlands, floodplains, lake and stream shorelines, woodlands, endangered and threatened species and vast regions of rolling hills exist. In addition to their aesthetic and recreational value, these resources provide a clean water supply and an economic base for tourism, forestry and agriculture. The natural environment helps define the quality of a community. The county is favorably endowed with clean air, clean surface and ground water and varied terrain. Citizens are acutely aware of the high quality of life created by the natural environment and appear to support strong policies in favor of environmental protection, as evidenced in the 2019 citizen survey. This stems from awareness of how past practices have had unintended consequences in the form of brownfields and superfund sites and the visible scars left by mining operations on the landscape.

Alteration of natural features has been standard practice in historic logging, past agricultural activity, mining operations, commercial and subdivision development. As knowledge of the value of these features has increased and as they become less available, more protections have been implemented by
federal, state and local governments. The reasonable application of environmental laws and zoning, along with private efforts to conserve and protect, will help ensure that these valuable resources will be present for future generations to enjoy.

Some of the general benefits of protecting and conserving natural features:

- High-quality water for municipal and/or individual water systems
- Wildlife habitat preservation
- Groundwater recharge and purification, flood control, pollution prevention and the support of unique plant and animal life
- Recreational opportunities that include hunting, fishing, snowmobiling, skiing, skating, swimming, sledding, hiking, nature study, photography and related pursuits
- Aesthetics (views, serenity, inspiration, rural nature)
- Educational opportunities (natural history, biology, geology, ecology)
- Economic opportunities in farming, forestry and tourism
Chapter 2: Agricultural, Natural and Cultural Resources

Wetlands

Wetland is the collective term for marshes, swamps, bogs and similar areas that are often found between open water and upland areas. Wetlands are found in virtually every part of the county. Wetlands are valuable natural resources that provide many important benefits to people and the natural environment. Wetlands help improve water quality, reduce flood and storm damages, provide important fish and wildlife habitat, support hunting and fishing activity and offer aesthetic features in the landscape.

County wetland maps, created by the State of Michigan and updated in 2006, show potential and approximate locations of wetlands and wetland conditions. They are available through the Michigan Department of Environment, Great Lakes and Energy (www.michigan.gov/egle). EGLE has a Wetland Identification Program to assist property owners with identifying the location of any wetlands on their property. Total acreage calculations indicate that there are 46,863.95 acres of wetlands in Emmet County. Wetlands identified in this plan are for general planning purposes only and may or may not be regulated by the State of Michigan. The general wetland map follows.
Chapter 2: Agricultural, Natural and Cultural Resources

Emmet County Final Wetland Inventory

Map 2-2
Chapter 2: Agricultural, Natural and Cultural Resources

Wetlands play a critical role in the function of the county's water-based resources. Acre for acre, wetlands produce more wildlife and plants than any other Michigan habitat type. According to the Michigan Department of Natural Resources, Michigan boasts about 2,300 native plant species. Fifty percent of these are wetland species and over 25 percent of the wetland species are threatened or endangered. In addition more than 40 percent of the 575 wildlife species in Michigan live in or utilize wetlands. This includes 10 to 15 of the 66 mammals, 180 of the 370 birds, 22 of the 28 reptiles and all of the 23 amphibians.

Benefits of Wetlands

- Reduce flooding by absorbing runoff from rain and melting snow and slowly releasing excess water into rivers and lakes. (A one-acre swamp, when flooded to a depth of one foot, contains 325,851 gallons of water.)
- Improve water clarity and quality by filtering pollutants from surface runoff, trapping fertilizers, pesticides, sediments and other potential contaminants; and breaking them down into less harmful substances.
- Recharge groundwater supplies when connected to aquifers and contribute to natural nutrient and water cycles.
- Provide commercial and recreational value to the economy by producing plants, game birds (ducks, geese) and fur-bearing animals. Survival of many varieties of fish is directly connected to wetlands that provide shallow water areas for breeding, feeding and escape from predators.
- Produce vital atmospheric gases, including oxygen.
- Serve as nutrient traps for adjacent water bodies such as the Great Lakes, inland lakes and streams.

Air Quality
Emmet County’s natural features go beyond the physical beauty and splendor of Northern Michigan. In the late 1800s, the rail system served as the “Hay-Fever Express” for tourists escaping the allergy season. The fresh air of Emmet County provided its guests with relief from the symptoms produced by hay fever. Air quality plays a pivotal role in enriching the county’s environment and the health of its citizens. It is typically measured in terms of volume of air pollutants. Air pollution comes from many different sources such as factories, power plants, cars, trucks, windblown dust and wildfires. Air pollution can threaten the health of human beings, trees, lakes, crops and animals, as well as cause damage to buildings. An air data report includes pollutant levels from one of the six criteria pollutants identified in the 1970 Clean Air Act.

Fossil fuels (coal, gasoline, diesel, natural gas, propane), are the single largest source of air pollutants in Emmet County. Licensed motor vehicles including automobiles, trucks, buses and motorcycles burn fossil fuels every day. Fossil fuels are also widely used for heating, electricity generation, manufacturing and other industries. Due to an economy based on tourism with limited manufacturing, Emmet County’s air quality has remained nearly free of pollutants. Emmet County’s air quality ranks
Chapter 2: Agricultural, Natural and Cultural Resources

“good” by the Environmental Protection Agency’s “AirNow” monitoring program. The good ranking indicates the air quality is satisfactory and poses little or no health risk.

Woodlands
Woodlands moderate the effects of flooding, moderate micro-climates, protect soils from erosion, buffer noise, produce oxygen and clean some pollutants from the air. Woodlands and forested lands also are beneficial to the public as a renewable resource for many industries. The State of Michigan owns vast areas of wooded land throughout the county. The majority of Emmet County’s woodlands are deciduous forest land, made up of northern hardwood, central hardwood, aspen, white birch and lowland hardwoods. Coniferous forests within Emmet County are made up of pine, upland conifers, lowland conifers and Christmas tree plantations.

Emmet County has a varied timber stand with a quality stock of hardwoods. A significant area of the forest resource exists in small parcel ownerships, which by their nature are poorly suited for broad scale timber stand management (harvesting, processing and reforestation). However, there are values to these forests that go beyond commercial timber production. These values include the following:
Chapter 2: Agricultural, Natural and Cultural Resources

Woodlands are home to a variety of plants and animals. The different forest layers include canopy trees, herbaceous and coniferous understory and plant masses that lie on the forest floor. These provide breeding, feeding and refuge areas for many species of insects, birds, reptiles, amphibians and mammals. The environmental features of woodlands are important for wildlife conservation, environmental health and landscape diversity.

Woodlands are important protective features for watersheds and soils. Forest vegetation moderates the effects of winds and storms, stabilizes and enriches the soil and slows runoff from precipitation, thereby allowing it to be filtered by the forest floor as it permeates into groundwater reserves. By decreasing runoff velocity and increasing groundwater infiltration, woodlands also help to regulate flooding.

Woodlands are buffers to the sights and sounds of civilization. Woodlands mute the noise from highways and industrial activities by altering the tonal quality of sound waves. Where possible, woodlands should be protected and/or planted in areas between residential areas and major transportation corridors or industrial sites.

Emmet County’s vast public and private woodlands support various activities and industries which strengthen the local economy. Camping, hiking and hunting and gathering all depend on healthy woodlands. Lumber is harvested and processed here for many industrial uses.

Woodlands are moderators of climate. The microclimate of a forest, created in part by the shade of the trees and the transpiration of water from the leaves, keeps surrounding air at an even temperature. Forest temperatures are generally cooler in the day and warmer at night than the more widely fluctuating temperatures of unforested areas. Woodlands in urban areas act as natural air conditioners and processors of air pollutants. Deciduous trees in particular are efficient at processing ambient pollutants. They are also our principal oxygen-producing source.
Chapter 2: Agricultural, Natural and Cultural Resources

Topography
Most of Emmet County's rolling topography spans the central portion of the county. This system of peaks and valleys is bisected by the Pleasantview wetland system which flows from Larks Lake south through Center Township. West Traverse, Friendship and Readmond townships share the west half of this topographic system that contains some of the most valued locations for recreation and scenic views. Resorts such as Boyne Highlands and Nubs Nob have taken advantage of the steep slopes and surrounding areas for development of ski resorts. County roads, undeveloped private lands and public parks offer outstanding views of Little Traverse Bay, Lake Michigan and the rolling countryside. Other areas with significant slopes are in Bear Creek, Resort and Springvale Townships. Overall, topographic changes in Emmet County range from 582 feet to 1,300 feet above sea level. The steep bluffs along the Lake Michigan shore offer spectacular views of Lake Michigan and the Beaver and Fox chains of islands are visible on clear days.

Steep slopes, hillsides and bluffs are not renewable resources. Topography is a geological feature which contributes greatly to varied ecosystem opportunities while preserving distinctive features of the local landscape. The hilly backdrop to Walloon Lake and the bluffs along Lake Michigan are good examples of topography's contribution to the landscape. Varied topography within the county is a visual asset that enhances rural character with beautiful rolling vistas and recreational opportunities.
Chapter 2: Agricultural, Natural and Cultural Resources

Surface Water
Emmet County’s water features include Lake Michigan, 28 inland lakes, rivers and numerous stream systems. Major inland lakes include Round Lake, Crooked Lake, Pickerel Lake and Walloon Lake in the southern portion of the county, Lark's Lake, Wycamp Lake, Paradise Lake, French Farm Lake and O'Neal Lake in the central and northern portions of the county. Burt Lake and Douglas Lake are located in Cheboygan County to the East, but both lakes have significant influences on Emmet County. Many of the county’s streams are quality fishing resources, while the Bear River, Crooked River and Maple River are the most significant canoe streams. The Michigan Resource Inventory System has identified 632 acres of streams, 9,605 acres of inland lakes and 75 acres of reservoir in Emmet County. This totals 10,312 acres, representing approximately 3.5 percent of the county’s total area. Emmet County boasts 68 miles of Lake Michigan shoreline and countless miles of lake and stream shores. The Inland Water Route connects Lake Huron by a chain of lakes and rivers to its headwaters in Pickerel and Crooked lakes. Additional information regarding specific lakes in our region is available through Tip of the Mitt Watershed Council https://www.watershedcouncil.org/inland-lakes.html.

Spectacular views, clean and unpolluted surface waters and the tranquility of the lakes are all part of the natural ambience of Emmet County. Majestic shorelines invite outdoor enthusiasts to relax, play and marvel at their natural splendor. These resources contribute to a viable recreational economy. In addition to aesthetic values, clean and protected surface waters are critical to human health and safety.
Chapter 2: Agricultural, Natural and Cultural Resources

They provide:

- Drinking water supply
- Irrigation supply
- Drainage and flood control
- Plant and wildlife habitat
- Safe recreational access (swimming, etc.)
- Supply of food (fish, waterfowl, etc.)

Lake Michigan

Water levels on the great lakes fluctuate over time as can be seen on the graph below. The water level changes can be extreme and may occur quickly. Currently lake levels are on the rise and projected to continue the upward trend in 2020. High water levels can lead to an increase of erosion and a loss of shoreline. Communities along the shoreline need to be prepared for both high and low water levels. One way Emmet County helps protect residents and property is by requiring a setback of 60 feet from all surface water.

![Great Lakes Water Levels (1918–2020)](image)

Figure 2-2
Chapter 2: Agricultural, Natural and Cultural Resources

Groundwater
The abundance of surface water in Michigan is widely appreciated and international efforts have been undertaken to protect this resource. With two-thirds of the earth's surface covered with water, 97% of the world's freshwater is still available only as groundwater. Lakes, rivers and streams provide only 1.5% of fresh-water resources. The remaining 1.5% is found as water vapor in the atmosphere and as soil moisture. Protecting groundwater is critical to ensuring long term quality of this life-sustaining resource.

Almost 1/2 of the state's population and nearly all of Emmet County use groundwater as the sole source of drinking water. Because high-quality groundwater is almost wholly dependent upon the actions of people through their usage of the land, it is imperative to evaluate the impact of land use practices and changes in topography on groundwater impacts. Groundwater does not flow in vast underground rivers, it does not necessarily flow in the same direction as surface water and soils cannot safely protect groundwater from all potential contaminants.

Floodplains
The 100-year Great Lakes floodplain in Emmet County is identified by the Federal Emergency Management Agency (FEMA). A 100-year floodplain is an area within which there is a one percent...
Chapter 2: Agricultural, Natural and Cultural Resources

The chance of a flood occurring within any year. FEMA identifies floodplains to determine eligibility for the National Flood Insurance Program. Flood maps have been prepared for West Traverse, Little Traverse, Friendship, Cross Village and Readmond Townships and for the Village of Mackinaw City, the City of Petoskey and the City of Harbor Springs. Floodplain lands abut surface waters and generally follow creeks and streams. In 2018, FEMA proposed map updates. The proposal prompted the City of Harbor Springs to construct a stormwater system to manage runoff.

Floodplains are identified because they serve as natural water storage basins during periods of heavy rains or snow thaws. If this water were not accommodated in floodplains, the likelihood of flood damage to property would increase greatly. Engineered control systems are expensive and perhaps less reliable.

Sand Dunes

The longest stretch of fresh water dunes in the world borders Lake Michigan. Geologically young at about 10,000 years, these scenic dunes serve as a natural barrier to water or wind storm damage. They also provide a unique habitat for highly specialized plants and animals, some of which are threatened or endangered.

The lakefront orientation of the dunes has made them highly desirable sites for residential development. Part 353 of Public Act 451 of 1994, as amended, regulates sand dunes and is now enforced by the Michigan Department of Environment Great Lakes and Energy (EGLE). Changes to the Critical Dune laws occurred in 2013 prompting Emmet County and Little Traverse Township to repeal their local Dune Overlay District ordinances. The state law prohibits local jurisdictions from passing an ordinance which is more strict than the state statute. Critical dunes are located within Bear Creek, Cross Village, Bliss and Little Traverse Townships.

Dune formations have long been identified as unique features within Emmet County and are recognized for their contribution to the county’s attractive natural setting. The dune environment contains a number of unique plant and animal communities that rely on the shoreline and dune areas for their survival. Dunes are characteristically unstable, fragile and prone to erosion by wind, water and human activity. Disturbance of the natural dune character by unregulated land use activities not only heightens the risk of erosion, but threatens ecosystems that support plant and animal life, including a number of state and federally listed threatened and endangered species. Owners of properties along the Lake Michigan shoreline should be aware of standards and regulations in place to protect the natural resources.

Map 2-3
Chapter 2: Agricultural, Natural and Cultural Resources

Dark Skies and Light Pollution
Emmet County’s night sky is a timeless and boundless resource, possessing value as a cultural, scenic, natural and scientific resource. Starry skies are part of Emmet County’s allure, rural character and history. Early settlers used stars for calendars and navigation. Today, unfortunately, artificial lights threaten to destroy the spectacular views and marvels revealed by a dark sky. Light pollution can also be hazardous to individuals while driving a vehicle or trying to safely navigate a boat. Reducing light pollution will conserve energy, cut down on glare, preserve County character and maintain a view of the stars.

Pollution can occur in the following forms:

Sky Glow – When the overhead clouds glow a strange pink, white and orange from improperly aimed and placed light fixtures.

Clutter - Groupings of lights that generate confusion and distract from obstacles, including those that they may be illuminating.

Light Trespass – When light crosses property lines, illuminating the neighboring property.

Glare – Too much light applied and concentrated to an area.

Dark Sky Park and Dark Sky Coast
As urban populations lose their view of dark skies, they often gain a new-found appreciation of the night skies of Emmet County. Since many individuals from the city cannot enjoy a star-filled night, they are generally more grateful for places such as Emmet County, where they can view the blanket of stars in the sky.

The Headlands County Park was awarded the International Dark Sky Park designation in May 2011. Numerous dark sky programs are offered at the park as well as night sky observing. A designated dark sky trail and viewing areas along the lakeshore are open to the public.
Chapter 2: Agricultural, Natural and Cultural Resources

Public Act 251 of 2012 protects the night sky above nearly 21,000 contiguous acres of land in northwestern Emmet County from the effects of light pollution and light trespass. The protection applies to the state land around the Headlands and the county’s Cecil Bay Park. It adds Wilderness State Park and certain state forest land within Bliss, Cross Village and Wawatam townships to a law that originally designated a park in Lenawee County for dark sky status in 1993. Public Act 251 does not place requirements on the land owner; it simply requires that any lighting on the included public lands be directed downward and, where practical, be on sensor fixtures so as not to interfere with the view of the night sky. This legislation reiterates the importance of preserving our dark sky natural resources. It provides not only natural resource benefits, but it also benefits the economy of Emmet County and Michigan.

Invasive Species

Invasive species are non-native species that have become established or have the potential to become established and out-compete the native flora and fauna. According to the Department of Natural Resources website, it is estimated over 200 invasive species have already been introduced to the Great Lakes basin. They pose a significant threat to our local biodiversity and economic viability. Increases in the population of invasive species can lead to reduced property values, increasing costs of control and management, as well as loss of valuable natural resources and biodiversity.

In 2010, the Emmet County Board of Commissioners adopted the Phragmites Control Ordinance. The adoption of the ordinance allowed for a more coordinated effort in the management of phragmites. The county partnered with Tip of the Mitt Watershed Council to carry out the mapping of locations of phragmites within the county and the follow up application of herbicide as part of an overall management plan. The program continues and is permitted annually.

In 2011, the Paradise Lake Improvement Board partnered with Little Traverse Bay Bands of Odawa Indians’ Natural Resource Department and State of Michigan Department of Natural Resources to install a boat washing station at the Department of Natural Resources public access boat launch on Paradise Lake. The purpose of the boat station is to reduce the chance of spreading or transporting invasive species into or out of Paradise Lake. This boat-washing launch now plays a vital role in minimizing the transfer of Eurasian Milfoil and zebra mussels already present in Paradise Lake.
Chapter 2: Agricultural, Natural and Cultural Resources

In 2015, the four-county Charlevoix, Antrim, Kalkaska, Emmet – Cooperative Invasive Species Management Area (CAKE CISMA) was established as a joint effort between local conservation districts and various nonprofit organizations to collaborate on education about and management of harmful invasive species. Its mission is to protect the natural resources, economy and human health in northern Lower Michigan through collaborative outreach and management of invasive species. The organization offers educational programs including events, discussions and integrated workshops. It also surveys and treats invasive species throughout its service area.

Cultural Resources

Cultural resources of the county are broadly defined and richly inclusive. The cultural resources of any community help to establish that “sense of place” or the “connectedness” of a community’s collective being. Cultural resources are the bonds that define a community. They are the commonality among its citizens and give its visitors a sense of understanding about that community. Detailed in this section are the resources providing history, the arts and outdoor activities that serve to communicate and define Emmet County’s cultural heritage.

McGulpin Point [emmetcounty.org/parks-recreation/mcgulpin-point-lighthouse]

In 2008, the Emmet County Board of Commissioners purchased the McGulpin Point Lighthouse, a historically significant feature and property in northern Emmet County. The lighthouse is located west of Old Mackinac Point Lighthouse within the Village of Mackinaw City. Constructed in 1869, the lighthouse served as a beacon for 37 years before being decommissioned and sold to a private land owner. Acquiring the property for public ownership ensured the preservation of the lighthouse for everyone.

Bay View Association [bayviewassociation.org]

The Bay View Association within Bear Creek Township is an incorporated summer resort that was established in 1875 by a group of Methodist ministers and is today a National Historic Landmark. Broad cultural programming was developed under the direction of John M. Hall, who in 1885 was appointed superintendent of the "Chautauqua Educational Department." The Chautauqua offered reading programs, university-level summer courses and other activities. Today the community offers
summer activities available to the public, including a nationally renowned Music Festival, nationally known speakers and religious, cultural, social, recreational and educational programs.

**Little Traverse Historical Society** petoskeymuseum.org
The Little Traverse Historical Society in Petoskey operates the Little Traverse Historical Museum, housed in the former Pere Marquette train station built in 1892. Its mission is to enrich our community by preserving, showcasing and sharing the history of the Little Traverse Bay area. It offers walking tours, kids’ programs and other events from May to December.

**Crooked Tree Arts Center** crookedtree.org
The Crooked Tree Arts Center is a 25,000 square foot restored former Methodist Church located in downtown Petoskey. Founded in 1971, the Arts Center features four galleries, a theater, dance studio, classrooms, a culinary arts kitchen and much more. With approximately 1,600 members, the Crooked Tree Arts Center serves the residents of Charlevoix and Emmet Counties. Programs are offered in the visual arts, performing arts and arts education. Concerts, lectures, exhibits and classes are available year round to meet the needs of residents and visitors to the community.

**Little Traverse Bay Bands of Odawa Indians** ltbbodawa-nsn.gov
The Ottawa (Odawa) people have been in this geographical region of Michigan since long before the Europeans arrived. The Odawa were a migratory people, traveling from the Upper Peninsula and the northern tip of lower Michigan in the fall to the southern part of Michigan where the climate was more hospitable during the winter months. In the spring, the Odawa people returned to their homelands to collect maple syrup, fish and plant crops. When they weren't tending their gardens or doing their day-to-day chores, they gathered fruits, herbs, medicines, as well as any other food products they could dry and put away to be used during the long winter months.
After the Europeans came and settled in, the Odawa ceased to migrate to the southern areas of the state. This was due to the new immigrants or early settlers who brought with them new food staples and work, which the tribal people took advantage of. Permanent housing, schools and churches were then established and the native people went to work for the settlers or began their own businesses to make their living.

After the 1836 and 1855 treaties were signed, the benefits that the US Government promised to the tribes, did not materialize. The Ottawa's from this area began to organize to sue the US Government to try to recover monies agreed upon from the government. Federal courts would not recognize Northern Michigan Ottawa Association (NMOA) Unit 1, because they were an organization. The tribe reorganized and took the name Little Traverse Bay Bands on November 29, 1982. Again, the federal court would not allow the tribe its rights, this time because it was not a federally recognized tribe. On Sep. 21, 1994, President Clinton signed the bill that gave the Little Traverse Bay Bands of Odawa Indians federal recognition through Reaffirmation. The Tribe has approximately 4,500 members, with a large number living within Charlevoix and Emmet counties. The Little Traverse Bay Bands of Odawa Indians employs over 800 full and part-time employees.
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Andrew J. Blackbird Museum
harborspringslibrary.org
Andrew Blackbird was the first postmaster in Harbor Springs and his home also served as the first post office in the community. In 1952 the doors of Andrew J. Blackbird’s former home and office were opened and a museum was established to preserve Native American history and culture.

Harbor Springs Area Historical Society (HSAHS) harborspringshistory.org
Since its inception in 1990, the Harbor Springs Area Historical Society’s mission has been to preserve this area’s history for future generations. In 2003, HSAHS embarked upon the renovation of the original city hall, built in 1886 as the Emmet County seat. This Victorian-era building, located in close proximity to other historically significant buildings on Main Street, was adapted to house a history museum and opened in the Fall of 2008. The museum features dynamic and interactive exhibits designed to educate the young and young-at-heart.

Mackinaw Historic Village mackinawhistory.org
In 2004, the Mackinaw Area Historical Society (MAHS) created a partnership with the Village of Mackinaw City to create a historic village. Located on approximately 143 acres of land just west of Mackinaw City, the village is open to visitors who can enjoy discovery trails, historic buildings, a covered pavilion, a restored log home, a sawmill and much more. The MAHS collects, catalogues and owns the artifacts used in the buildings. MAHS offers lively local monthly programs featuring informative presentations on historically significant topics.

M-119 “Heritage Route” m119tunneloftrees.org
Locally known as the “Tunnel of Trees,” this drive’s scenic beauty is breathtaking in the spring and summer and offers a special majestic allure during the peak of the autumn color season. In 1997, with much support, M-119 was granted Heritage Route (now known as a Scenic By-Way) status from MDOT. The Heritage Route Program is designed to identify, inventory, protect, enhance and, in some cases, promote state trunk lines and adjacent land with distinctive or unique scenic, cultural, or historic qualities. The Heritage Route Committee strives to protect, preserve and enhance the natural, scenic and cultural character of the M-119 Heritage Route.
Inland Water Route Historical Society (IWRHS)

iwrhs.wordpress.com

The IWRHS was established in 2004 with a mission to maintain and preserve the history of the Inland Water Route of Northern Michigan. In 2006, the society purchased the old Alanson City Hall, originally built in 1926 and newly renovated. The historic building houses a museum that features an extensive collection of historic photographs as well as books and artifacts pertaining to the fishing, boating and tourism culture that sprang up along the inland route. The inland waterway connects Crooked Lake to Lake Huron via a series of lakes and rivers and since the time of the first people, has been an important trade and transportation route. Interactive maps of the route and other water trails are available through michiganwatertrails.org.

Emmet County Historical Commission (ECHC)

emmetcounty.org/officials-departments/historical-commission/historical-commission-minutes/

Created in 2008, the ECHC was established to advise the Emmet County Board of Commissioners in matters relating to history, develop historical programs, activities, projects and services and perform other duties as assigned by the Board.
Great Lakes Center for the Arts (GLCFA) [greatlakescfaf.org](http://greatlakescfaf.org)

GLCFA opened in the summer of 2018 with a mission to inspire, entertain and educate through the performing arts with year-round, world-class performances. GLCFA offers unique cultural performances and events across all genres – music, dance, theater, movies and film, intellectual dialogue and education – making it a regional and national performing arts destination.

Hunting [michigan.gov/dnr](http://michigan.gov/dnr)

Hunting and fur trapping were historically the first basis for commerce in Northern Michigan. Deep forests and thick swamps provided habitat for a range of game birds and animals. Today, many acres of wild habitat remain, sustaining the sport of hunting.

The elusive white tail deer is the most sought-after game animal in Emmet County and has created its own cultural identity. Once a critical time to secure food for the year, the annual deer-hunting season has become one of the most widely observed outdoor rituals in northern Michigan. During the weeks preceding the November 15th season opener, hunters throughout the county work to prepare for the trip to deer camp.
Chapter 2: Agricultural, Natural and Cultural Resources

Deer camps allow one to take part in a cultural legacy and share in the camaraderie with fellow hunters. When at deer camp, the outside world does not exist in the mind of a hunter. The food, storytelling, companionship and escape from everyday life create an enduring tradition enjoyed by generations, whether or not venison is a product of the hunt.

Mushroom Hunting

canr.msu.edu/news/wild_mushroom_certification_courses_scheduled

Morel mushroom hunting has been a part of our culture for decades and draws groups of people from all over Michigan and surrounding states. Residents and non-residents alike drive along country roads looking for the preferred habitat of these delectable treats. Just as in other types of hunting, the hunt isn’t always successful. Those who do find morels seldom dispense information on the location of their discovery. Well-guarded hot spots and sworn oaths of secrecy between friends and family are all part of the mushroom-picking culture. Mushroom hunting is fun for people of all ages and provides an avenue for individuals to reconnect with nature. The hobby has become a lucrative business for some, as premium prices are paid for this tasty fungus which finds its way to the kitchens of the world’s most discriminating restaurants. Other species of mushrooms are found throughout Emmet County. MSU Extension offers a program titled Wild Mushroom Foraging Certification for those interested in selling mushrooms or for those interested in learning about mushroom identification.

Petoskey Stones “Hexagonaria percarinata”

Petoskey stones are composed of fossilized coral from the ancient Devonian period, 350 million years ago. Long ago, these coral colonies inhabited the warm sea waters that once covered the State of Michigan. As a result of glacial movement 1.6 million years ago, stones from the bedrock were plucked up and deposited throughout Emmet County. Today, these stones are commonly found on the beaches, sand dunes and vast glacial deposits along Lake Michigan. In 1965, the stone’s popularity elevated it to the status of the State Stone of Michigan.

The coral patterns of the Petoskey stone resemble a honeycomb of tiny suns and their rays. For many years, searching for these fossils has been a favorite activity for visitors to the area. Today, Petoskey stones continue to be a popular trophy. Their patterns are subtle: best seen when wet or polished to a glossy sheen. These soft limestone fossils can be bought in gift shops throughout the state, hand polished and shaped into an array of items. Petoskey stones can be found by combing the beaches of Little Traverse Bay and Lake Michigan.
Fishing
The clear blue waters of Emmet County provide superb habitat for all kinds of fish. Lake trout, steelhead and salmon are caught in Little Traverse Bay while the inland lakes supply anglers with pan fish, northern pike, walleye and the occasional muskie. Rainbow, brown and brook trout are stalked by fly fishermen in County rivers.

A four-season climate offers anglers opportunities to fish year-round. A diversity of wildlife practically guarantees sightings of osprey and bald eagles, ducks and their fuzzy ducklings, graceful white swans, muskrat or beaver. The day might begin with the sounds of a loon calling the angler to action.

Ice fishing is great sport for the fisherman willing to brave the cold weather and venture onto the ice. When the bay and lakes freeze into a solid surface, it's time to try an entirely different kind of fishing. For many hardy souls, the months between December and April can be the most enticing time of the year. Shanty towns spring up on the lakes to provide protection from the elements and the sport takes on a social atmosphere. Anglers meet at their shanties to exchange fishing tips or share some grilled food or hot soup. Whether seeking the silence of a winter day or the good company and tales of other anglers, the anticipation of pulling a good catch through the ice is all part of Emmet County culture.
Recreation

Emmet County is a four-season paradise, offering numerous recreational opportunities. It is because of this rich diversity of recreational activities that Emmet County is known as a world-class resort community. The county operates three active parks and manages several passive park lands which are summarized throughout this Master Plan. Because of the vast amount of recreational opportunities and the high priority placed on recreation in Emmet County, a separate Parks and Recreation Plan is prepared and updated every five years. The Parks and Recreation Plan is considered an integral part of this Master Plan.

For the complete Plan visit:

Chapter 3: Public Facilities & Collaboration

Introduction
This chapter provides a summary of existing public and quasi-public utilities, facilities and community services in Emmet County. The status of these services is important because as integral components of Emmet County, they contribute to the health, safety, education and overall quality of life in the community. As the county continues to grow and demographics change, so will the need to facilitate and employ new improvements and technologies, while focusing on future development in areas where utilities and services are lacking.

Planning issues cross many jurisdictional boundaries and often require governmental units to work together. Cooperation between these units has become increasingly important from an economic standpoint. While budget constraints and the cost of services place a financial burden on many local governments, intergovernmental cooperation creates opportunities to reduce local expenditures and service costs. The degree and type of cooperation can vary. Each governmental unit should consider its particular set of circumstances while looking at the most common goals and possibilities for cooperative agreements.

Public Utilities
Public utilities play a vital role in the way people live and do business. These services are essential to the residents and visitors of Emmet County because they provide the basic necessities for homes and businesses. This chapter encompasses a wide variety of utilities including water, sewer, electricity, natural gas, waste disposal, internet and telecommunications.

Water
Water is an essential resource that is required to sustain life. A potable supply of groundwater can be found throughout the county, where 100% of the population depends on groundwater for daily living. The Northwest Michigan Community Health Agency regulates and maintains a permitting system for both private and municipal wells throughout the county.
Chapter 3: Public Facilities & Collaboration

The cities of Petoskey and Harbor Springs and the Village of Mackinaw City are the only jurisdictions in Emmet County with public water systems. Limited areas within Little Traverse, West Traverse and Bear Creek townships are served by their neighboring municipalities. The water systems allow for more concentrated growth and development and play an important role in building and serving neighborhoods, businesses and industrial areas.

Sewer
The purpose of a sanitary sewer system is to convey wastewater from its source to a point of treatment. A sewer utility is charged with the responsibility of protecting the public health of its customers and ensuring minimal impact from the collection and treatment of wastewater. Sanitary sewers are also used as a major development and growth management tool. Sewer systems should provide adequate, cost-effective wastewater treatment and sewer facilities in a manner that keeps pace with development.

Emmet County and Sewage Treatment
With much of Emmet County’s population spread throughout rural areas, many individuals rely on private septic systems. Municipal sewage systems are provided in the more populated areas which include the cities of Petoskey and Harbor Springs, as well the villages of Mackinaw City and Alanson. There are three sewage treatment systems in Emmet County. In order for development to continue in Emmet County, it will be essential to guide and accommodate growth by expanding sewer utilities. If planned and engineered correctly, a sewer system can dictate the direction of development, increase densities where appropriate, preserve open space and attract new business to an area.

Harbor Springs Area Sewage Disposal Authority (HSASDA)
HSASDA encompasses a large service area extending from Harbor Springs to portions of the Village of Alanson and portions of Bear Creek Township. The Authority serves and is supported by the City of Harbor Springs, Little Traverse Township, Village of Alanson and Littlefield Township.
Chapter 3: Public Facilities & Collaboration

City of Petoskey and Sewage Treatment

Petoskey’s DPW treats wastewater for customers within and near the city and is the treatment contractor for the neighboring Springvale/Bear Creek Sewage Disposal Authority. With oversight and approval from EGLE, treated wastewater from the City’s reclamation plant is discharged into Lake Michigan and treated solids are taken to area farms and used as fertilizer. The City of Petoskey operates its treatment facility independent from the Harbor Springs/Alanson facility. Growth pressures include demands from the Bay Harbor community and ongoing development activity in Bear Creek Township.

Village of Mackinaw City and Sewage Treatment

The Village of Mackinaw City has a sewage treatment facility operated by the Mackinaw City Water Department. The Village operates a design flow of 820,000 gallons per day from a modified lagoon treatment facility with aerators and a clarifier unit. Staff conducts daily sampling and testing to meet the Village’s National Pollutant Discharge Elimination System permit requirements and also maintains the Village’s eight sewer pumping stations.

Village of Pellston and Sewage Treatment

Currently the Village of Pellston does not have a public water or sewer system. This raises questions about the future of water quality, as these facilities would reduce the potential for aquifer contamination. With an abundance of sand and lack of clay in the Pellston area, private wells draw from an unconfined aquifer. This can lead to serious problems as shallow unconfined aquifers tend to be extremely susceptible to contamination. These aquifers consist of unconsolidated materials such as sand and gravel which allow contaminants to filter easily into the groundwater system below. This poses a potential problem for the Village of Pellston because of its high number of concentrated septic systems. Municipal wells and a public sewer system are essential for the protection of the aquifer and the public health. These utilities would contribute to environmental protection and safe drinking water and could provide an economic boost to the area.

Health Department of Northwest Michigan

The Health Department of Northwest Michigan provides services and education to promote wellness, prevent disease, provide quality healthcare, address health problems of vulnerable populations and protect the environment for the residents and visitors in our communities. The Health Department serves as the official health department of Antrim, Charlevoix, Emmet and Otsego counties. Their mission is to serve the entire community and to achieve health equity by promoting well-being, preventing disease and protecting the environment through partnerships, innovation and excellence in public health practice.

Electric

Electricity is available throughout the County. It is a controllable and convenient form of energy that can be investor owned, publicly owned, cooperatively owned, or owned by state and national entities.
Chapter 3: Public Facilities & Collaboration

Public Power
The Michigan Public Power Agency is a non-profit, customer-owned joint power supply agency. The cities of Petoskey and Harbor Springs participate in this joint ownership of electrical generating plants and transmission facilities as well as the pooling of utility resources. They are the only municipalities in Emmet County that distribute electricity as a utility. The remaining portion of the population relies on Great Lakes Energy and Consumers Energy to meet their electrical needs. In order to better facilitate future growth and reliable service in Emmet County, new lines and substations may need to be installed.

Village of Mackinaw City
Although the Village of Mackinaw City does not have an electrical distribution system, it does help in the generation of power. Mackinaw City has two wind turbine generators located at the south end of the village. The turbines are about 320 feet tall at the tip of the blade. The turbines are privately owned located on land leased from the Village of Mackinaw City. Consumers Energy serves the Village of Mackinaw City and together they participate in the “go green” initiative by providing this renewable energy source.

Other utilities
Natural gas, propane, telecommunications – including internet and phone services - are all provided by private companies. Many of the utilities are exempt from local land use review when it comes to providing essential services. Some are further protected by the State of Michigan, in the areas of gas and oil exploration. Utilities, including some private utilities, are permitted uses within road rights-of-way.

Facilities and Community Services
Community facilities are required to meet a range of local needs and demands. They are vital in providing a diverse range of recreation, leisure, social and community services. They may also provide accommodations for an array of community groups and local organizations. Many of the townships and municipalities of Emmet County have numerous facilities at their disposal. The facilities mentioned in the Master Plan are owned, operated, or funded by Emmet County and its tax revenues.
Chapter 3: Public Facilities & Collaboration

School & College Facilities
Public facilities exist in nearly every community in Emmet County at the public schools. Public schools offer varying facilities including classrooms, multi-purpose rooms, auditoriums and gymnasiums and can accommodate meetings, community groups, spectator sports, adult recreation and cultural entertainment. Harbor Springs Public School offers a community pool for public use. North Central Michigan College offers many community services for all ages, both inside and outdoors.

Emmet County Fairgrounds
Since 1921, the annual Emmet County Fair has been held at its current location at the west end of the City of Petoskey along US-31. Emmet County owns approximately 31 acres of land at this location. The facility includes an 11,000 square foot community center, 10,000 square foot exhibit barn, a 2,500 seat covered grandstand, large restroom and shower facilities and a pedestrian entrance plaza. The fairground facilities are used for numerous functions throughout the year, including the Emmet/Charlevoix County Fair, horse and livestock shows, antique shows, animal clinics, concerts, plays, parties and receptions and various other events.

Emmet County Parks
Emmet County offers active and passive parks. The passive parks are natural areas open to the public. They include 388 acres in Carp Lake Township on US-31 and Dow Road; the Watson Preserve, an 83 acre parcel donated to Emmet County located in Little Traverse Township; 44 acres on Krause Road in Bear Creek Township; the Maple River Forest, a 315 acre parcel in Maple River Township; 116 acres on North Conway and Hathaway Roads in Little Traverse Township; 38 acres in Pellston; 3.1 acres near Wycamp Lake in Bliss Township; and the Resort Bluffs, 4 acres overlooking Little Traverse Bay in Resort Township.

Camp Pet-o-se-ga
Camp Petosega is located on the shores of Pickerel Lake and is part of the Inland Waterway. The camp has a rich history which is captured in the welcome center/museum. The 300-acre park offers many
year-round recreation opportunities for its visitors. It boasts 90 campsites with electricity, 7 rental cabins, a recreation hall, a pavilion, modern restrooms and shower facilities, a beach, canoe/kayak launch, seasonal dock, hiking trails, accessible playground and game areas. The cabins are heated and available for use in the winter. During the winter months the park offers opportunities for cross-country skiing, snow shoeing and ice fishing.

### Headlands

With approximately 600 acres of pristine woodlands, more than 2 miles of Lake Michigan shoreline, a new observatory and two rental houses, the Headlands International Dark Sky Parks offers locations for public and private events. The Observatory hosts events throughout the year and is available for rent during non-event times. The Guest House offers lodging along Lake Michigan’s shore. The park is mostly natural and is home to threatened plant species.

### Cecil Bay

Cecil Bay Park includes approximately 900 acres located at the mouth of the Carp River and offers nearly a mile of shoreline on Lake Michigan. This undeveloped land is open to fishing and personal exploration. A beach for swimming exists where the Carp River empties into Lake Michigan. The park has a picnic shelter, parking area for day visitors and steps to the river to protect the banks from erosion.

### Pellston Regional Airport

In operation since 1936, the Pellston Regional Airport has played an important role in the area’s development. The main passenger terminal has a welcoming atmosphere of Northern Michigan with a glowing fireplace, woodland creatures and an abundance of stone and woodwork. Its design is “visitor friendly” and offers quick and efficient commercial passenger, private plane and cargo services.
Chapter 3: Public Facilities & Collaboration

Planning & Zoning Services for Townships
Emmet County administers planning and zoning for 12 of the 16 townships; the remaining four townships have opted to administer their own zoning. Table 3-1 indicates which of the 16 townships are under County zoning. In addition to zoning, townships can and do, participate in multiple agreements through various public acts.

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<th>Township Zoning Districts in Emmet County</th>
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<td>Townships</td>
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<td>Bear Creek</td>
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<td>Wawatam</td>
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<td>West Traverse</td>
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</table>

Data Source: Emmet County Planning Office

Cities/Villages
The cities and villages of Emmet County accommodate the majority of employment opportunities in the area. Each has its own zoning and offers a wide range of services and infrastructure to better facilitate the safety and quality of life to its residents. The major differences between villages and cities are that villages are not legally separated from the township in which they reside, not required to assess a property tax and not required to conduct state and national elections.

Petoskey
Petoskey is the larger of the two cities in Emmet County in size as well as in population. It also serves as county seat. Petoskey encompasses approximately 6.2 square miles or roughly 4,000 acres. Currently, the City of Petoskey and Resort Township have a 425 Agreement (a mutually beneficial agreement between two jurisdictions in lieu of annexation) that provides Bay Harbor with utilities and public safety services from the city.
Chapter 3: Public Facilities & Collaboration

Harbor Springs

The City of Harbor Springs is considerably smaller than the City of Petoskey, at roughly 800 acres. Harbor Springs has a 425 Agreement with West Traverse Township to serve the Glenn Beach portion of the township with utilities, public safety and other services.

Villages

There are three incorporated villages located within Emmet County.
- Village of Alanson villageofalanson.com
- Village of Mackinaw City mackinawcity.org
- Village of Pellston pellstonmi.com

The Village of Mackinaw City has two 425 Agreements, one with Mackinaw Township in Cheboygan County and the other with Wawatam Township. Both agreements have been put in place to supply water and sewer services.

Friendship Centers of Emmet County

The Petoskey Friendship Center has welcomed senior citizens to a community center to enjoy socializing, games and other activities since 1967. Today, the Friendship Centers serve approximately 6,500 seniors a year from facilities in Petoskey, Brutus and Pellston. The facilities are partially funded by the Emmet County Senior Millage. Almost half of the annual operating budget is derived from the millage, with the remainder of support coming from federal, state and local grants, United Way, Michigan Department of Transportation and others. The Friendship Center also receives funding and oversight from The Area Agency on Aging, a regional 10-county organization. Services and facilities include:
- Preparation and delivery of over 3,000 Meals on Wheels each month
- Independent living support for senior adults with multi-faceted services
- Inexpensive transportation throughout Emmet County
- Cafeteria-style lunch service in three senior centers
- Wide variety of social activities and fitness programs
- Several registered nurses on staff to provide health related services
- Senior volunteers who donate 32,000 hours of service annually through the Retired Senior Volunteer Program (RSVP)
- A 10,000 square foot gathering place in Petoskey, complete with a dining area, dance floor, library and game room
Chapter 3: Public Facilities & Collaboration

Bay Bluffs - Emmet County Medical Care Facility
Established in 1966, Bay Bluffs serves as a 120-bed care facility and provides quality living accommodations for the elderly population of Emmet County. Staff provides many services from short-term rehabilitation to long-term resident care. Its mission is to provide the highest possible standard of care while preserving the individual dignity and quality of life for all the residents. Residents at Bay Bluffs live in neighborhoods within the facility, where staff members are assigned so they can create relationships with residents.

Bay Bluffs offers an array of medical services to the residents, as well as transportation to local medical appointments. Social workers provide assistance and support to the residents and their families. The therapy department helps residents regain the skills they need to achieve their maximum level of independence and perhaps return home. Once skilled therapy (physical, occupational and speech) is no longer needed, restorative therapy takes over and continues to help the residents achieve their goals. Restorative services are available to residents seven days a week. Visitors of all ages and their pets are welcome, with the goal of creating an atmosphere to be enjoyed by all.

Emmet County Sheriff’s Office
https://www.emmetcounty.org/courts-sheriff/sheriff/
Starting in the 1800s, the Sheriff's office was required by law to operate the jail and provide basic police services to the various cities, villages and townships of the county. Although Emmet County houses 3 municipal police departments and cross-deputized Little Traverse Bay Bands of Odawa Police Department, the Office of the Sheriff remains the chief law enforcement agency. The Office has approximately 50 employees, both sworn officers and professional support staff. The Office of the Sheriff provides jail functions as well as general law enforcement for the people of Emmet County. The Office offers a number of classes and presentations that focus on several aspects of personal safety. The services provided by the Sheriff's Office include alarm registration, Prescription and Over-the-Counter Drug (POD) drop-off program, free gun locks, child safety seat inspections, “Care Track” – a telemetry tracking system to track high-risk people with Alzheimer disease and special needs children and other important services to the entire County.
LAW ENFORCEMENT DIVISIONS

Community Education
Sheriff's office personnel are available to conduct community group presentations and classes on various law enforcement-related topics. The following are examples of presentations offered by the Sheriff’s office upon request: elderly abuse, identity theft, financial crimes, kid safety and Citizen Response to Active Shooter Events (CRASE). The office also offers boater safety, hunter safety and snowmobile safety classes.

Animal Control
The Emmet County Sheriff has been involved in animal control duties since 1976. State law mandates that all dogs must be licensed in their county of residence and have current rabies vaccinations. All dogs off the owner’s property must be on a leash except while hunting. The county currently has one full-time animal control officer. The officer’s responsibilities include animal bite complaints, stray dog complaints, wild animal complaints, kennel inspections, cruelty to animal complaints and other animal related complaints.

Marine Division
The Marine Division is responsible for patrolling all waters within Emmet County and the waters along the Lake Michigan shoreline. In addition to patrolling, deputies of the Marine Division conduct boat livery inspections and search and recovery operations.

Snowmobile Division
The Snowmobile Division is responsible for patrolling the extensive snowmobile trail system in Emmet County. They enforce snowmobile laws and respond to snowmobile accidents.

Dive Team
The Emmet County Sheriff’s Department dive team is dispatched to drowning and near-drowning incidents. The dive team has all necessary scuba equipment for each diver, dry suits, underwater communication equipment and an underwater video camera.

K-9 Unit
K9 Ares, a female German Shepherd, became an Emmet County Sheriff’s Deputy in 2014. The K-9 team is used in many situations including building searches, tracking of lost people and criminals, prowler complaints and drug detection.

Corrections/Jail Division
The Emmet County Correctional Facility, located in the City of Petoskey, has a capacity of 103 beds. The correctional facility operates 24 hours per day, 365 days per year. Its goal is to run a secure facility that is safe for both staff and inmates.
Chapter 3: Public Facilities & Collaboration

Emergency Medical Services
Emmet County EMS took over operation of the ambulance service from Allied EMS in 2015. The service area includes all of Emmet County along with portions of Cheboygan County. Emmet County EMS operates 8 fully-equipped Advanced Life Support ambulances and a non-transporting Advanced Life Support unit (E-Car). The ambulances and personnel are staffed in three stations located in Mackinac City, on M-119 near Harbor Springs and the main station on Eppler Road just outside of the City of Petoskey.

Emmet County EMS responded to 5,066 calls for service in 2018. Emmet County EMS works cooperatively with McLaren Northern Michigan Hospitals to provide the highest quality patient care including cardiac, stroke and trauma care. The voters of Emmet County approved an operating and capital millage in 2019.

CCE/9-1-1
The Charlevoix, Cheboygan and Emmet (CCE) Central Dispatch Authority has provided emergency call processing and dispatch services to the region since 1996. The dispatch authority covers over 1,730 square miles of land and approximately 4,500 miles of road. CCE serves over 77,220 people in the 3-county area, triple that number during the summer months. Central Dispatch is the communication center for 13 law enforcement agencies, 25 fire departments, 9 EMS agencies and 11 first-responder squads. It also acts as the headquarters for the Emergency Operations Center during a time of crisis or natural disaster. Calls made from cellular phones can provide the location of the caller. New services allow text messages to be made to 9-1-1. Central Dispatch suggests “Call if you can, Text if you can’t.”
Fire Departments
Within Emmet County, local municipalities provide fire protection services to all units of government. Seven of the fire departments are considered volunteer which operate on a paid-per-call system. In this system, firefighters are on call and receive pay for the emergencies they respond to. The City of Petoskey uses sworn public safety officers to respond to fire calls within the city limits. Public safety officers are certified in three disciplines and serve the City of Petoskey as police officers, firefighters and EMTs. The Michigan Department of Natural Resources serves Emmet and small portions of Charlevoix and Cheboygan Counties. Its primary role is dealing with wild land and forest fires, as well as issuing and regulating burning permits. The fire departments often join forces to assist each other in fire suppression and other related emergency services, in order to protect the public.

Emmet County Road Commission
The Emmet County Road Commission is responsible for a total of 1,050 miles of roads, consisting of 217 miles of state trunk line, 244 miles of primary roads and 589 miles of local roads. The Emmet County Road Commission operates from two facilities. The administrative offices and main vehicle service garages are located in Little Traverse Township, while additional garages and storage facilities are located in Levering. The Emmet County Road Commission is charged with maintaining and expanding a safe network of roads. It must deal with seasonal workload surges, budget constraints, limited availability of equipment and supplies and the public’s desire to preserve the unique qualities of Emmet County’s historic communities.

The ECRC has no taxing authority. It receives the majority of its funding through state and federal fuel taxes and vehicle registration fees.

ECRC staff meets annually with each township in the county to determine maintenance and construction priorities. Construction and maintenance projects are planned and coordinated with input from township officials and residents. Townships are typically held 100% responsible for the funding of special activities outside the parameters of ECRC’s responsibilities. The Emmet County Road Commission has agreements with neighboring Charlevoix and Cheboygan county road commissions to maintain and service roads bordering the county. It also has agreements in place with the Michigan Department of Transportation (MDOT) to provide year-round maintenance to the interstate and state highways running through Emmet County.
Chapter 3: Public Facilities & Collaboration

Emmet County Department of Public Works:
Recycling, Composting and Waste Disposal [https://www.emmetrecycling.org/](https://www.emmetrecycling.org/)

Emmet County operates a state-of-the-art recycling, composting and waste transfer facility in Little Traverse Township. The DPW, operating since 1979, has continued to expand its services throughout the years. The department offers recycle drop sites throughout the county, curbside recycling in certain municipalities, document shredding, food scrap collection and recycling, zero waste events and tours of the facility. A solid waste ordinance regulates waste haulers and waste handling for the county.

Emmet County Recycling accepts over 60 different materials for recycling. Waste is hauled to a landfill in Presque Isle County. Figure 3-1 illustrates the amounts of various materials recycled at Emmet County’s transfer station in 2018. An estimated 42% of the waste stream generated in Emmet County was recycled during 2018. According to an EPA report, “Advancing Sustainable Materials Management,” roughly 46% by weight of the solid waste stream is recyclables currently accepted. Most residents of Emmet County can recycle 50 to 75% of their household waste.

Emmet County’s waste and recycling systems are widely recognized as unusually cost effective, convenient and comprehensive. In fact, DPW staff are often asked to educate and share their experiences with other counties and municipalities across Michigan and nationally. The county and its residents have taken an active approach to trash handling, making the county Drop-off Center and recycling system a model program and source of pride. The DPW offers curbside recycling within Bear Creek, Little Traverse and Resort townships, the cities of Harbor Springs and Petoskey (including Bay Harbor) and the Village of Alanson. Emmet County DPW has agreements with neighboring Cheboygan and Otsego Counties for providing recycling services.

**2018 Recycling Activity**

- Cardboard 30%
- Paper(all) 31%
- Plastics 11%
- Glass 10%
- Metals 7%
- Other 11%

*Other includes shoes, textiles, electronics, rubble, tires, and hazardous household chemicals.

Data Source: Emmet County Department of Public Works

Figure 3-1

Authorities in Emmet County

- Economic Development Corporation of Emmet County
- Emmet County Brownfield Redevelopment Authority
- Emmet County Land Bank Authority
- City of Harbor Springs Downtown Development Authority
- City of Petoskey Downtown Development Authority
- Village of Alanson Downtown Development Authority
- Village of Mackinaw City Downtown Development Authority
- Village of Pellston Downtown Development Authority
- Village of Mackinaw City Brownfield Redevelopment Authority
- Harbor-Petoskey Area Airport Authority
Chapter 3: Public Facilities & Collaboration

- Harbor Springs Area Fire Authority
- Harbor Springs Area Sewage Disposal Authority
- Greenwood Cemetery Board
- Mackinac Bridge Authority
- Springvale/ Bear Creek Sewage Disposal Authority

Harbor Area Regional Board of Resources, Inc. (HARBOR, Inc.) [harborinc.org](http://harborinc.org)

HARBOR, Inc. is a citizen-based, non-profit, Michigan Corporation formed as a result of a grassroots effort by concerned local citizens. Their purpose is to act as a resource for local units of government, property owners’ associations, residents and others, when decisions are made that affect the greater community. Its mission is to bring together the greater Harbor Springs community by providing a platform for cooperation and communication; encouraging participation through education and discussion; facilitating the understanding and implementation of plans and proposals; and promoting, protecting and maintaining the common vision. HARBOR, Inc serves the townships within the Harbor Springs School District and the City of Harbor Springs.

Networks Northwest [networksnorthwest.org](http://networksnorthwest.org)

Networks Northwest facilitates solutions to the community needs of a ten-county region. It offers and administers several programs that empower community and economic development. It also provides resources for job seekers and employers. The counties of Antrim, Benzie, Charlevoix, Emmet, Grand Traverse, Kalkaska, Leelanau, Manistee, Missaukee and Wexford are all members and utilize Networks Northwest’s pool of resources. Its mission is to build stronger communities and improve quality of life in Northwest Michigan.
Emmet County works with numerous state agencies and departments to administer and fund programs such as public and mental health, courts, vital records, disaster preparedness, solid waste management, highway and road administration and maintenance, property tax administration, law enforcement, elections administration and incarceration of convicts. Emmet County Planning and Zoning Department works most closely with the Michigan Department of Transportation (MDOT), Department of Environment, Great Lakes and Energy (EGLE) and Michigan Department of Natural Resources (DNR).

The Tribe has enacted planning, zoning and building code statutes and provides a variety of services for tribal members including housing, health care and other social and cultural services. The Little Traverse Bay Bands of Odawa Indians continues to strive for the protection of vital areas such as sites of cultural significance, scenic view sheds, open space, wetland areas, waterfront property, plant and animal habitat and endangered/threatened species, among others. By protecting these vital areas in perpetuity, the tribe ensures that the LTBB way of life will be protected for seven generations to come.

Intergovernmental cooperation exists in varying forms among many different levels of governments. Emmet County works in conjunction with the United States Government to administer several state and federal regulatory agencies and programs.
Chapter 4: Transportation

Introduction
Emmet County has a network of highways, county roads, private roads, trails and waterways. With an abundance of transportation avenues, everyone can take part in exploring the wonders of Emmet County.

The county transportation system not only allows for traveling throughout the county, but connects businesses and residents with locales throughout the state and beyond. Residents seldom live, work, shop and play in the same place. Safe, convenient transportation for residents and tourists is essential in a rural area like Emmet County. In order to maintain a functioning year-round economy, people must be able to circulate between the various points of the county with ease. A variety of transportation modes are needed to address these diverse needs.

Existing Conditions
A transportation network is shaped by the fundamental need to access businesses, services, recreation, schools and local markets. Transportation comes in many forms, including air, water and land-based systems such as rail, bus, auto and pedestrian. Vehicular travel is the predominant method of movement for residents, businesses and visitors within Emmet County. Passenger rail has disappeared. As the population of the county continues to increase, so too will traffic levels, travel times and traffic hazards. It is important to acknowledge that Emmet County will continue to facilitate solutions to the challenges of the transportation system, while maintaining the rural character of the county.

Issues
With a growing population and changing demographics, Emmet County must recognize the challenges and opportunities associated with the future of transportation. It is a challenge for the county and its residents to maintain and expand an existing road network so that it can meet development and population growth. This is especially challenging for a county that must satisfy the seasonal surges of traffic during the summer months when the county’s resort communities come to life. The ability to accommodate diverse resident, resort and visitor needs is influenced by a range of factors: geographic constraints, budgetary limitations and the desire to preserve natural resources and unique community qualities.
Chapter 4: Transportation

The Michigan Department of Transportation (MDOT) has the ongoing responsibility to investigate congestion problems on state trunk lines, particularly along US-31. Communication and planning continues between municipalities and road agencies to determine solutions for traffic congestion, road safety concerns and new development. The need for improved road linkages is evident in many areas of the county. In previous years, population levels and development patterns may not have warranted extending new and existing roads. It has become increasingly desirable to have an improved cross-road network, with convenient access to all locations in the county.

The transportation infrastructure is a valuable asset and must be protected. It is both influenced by and influences land development. Future planning must consider a diverse range of users, including residents of all ages, commuters and visitors. Tourism, special events, shopping, recreation and freight delivery must also be considered. Careful planning will be needed in order to anticipate and meet the needs of Emmet County’s transportation system.

Funding for Michigan roads has become a problem as current sources become less reliable. As can be seen in Figure 4-1 the primary funding source is the Michigan Transportation Fund. This fund is made up of state fuel tax, vehicle registration fees and other transportation-related fees. Due to more efficient vehicles and motorists driving less, this funding source is not as dependable as it once was. The state fund generates less now than it did in 2011. Further, legislators have not been able to agree on funding for the future of our roads. Federal funding comes from a fuel tax collected on every gallon of gas sold. In order to receive the funding, a 20% match is required of both MDOT and local road agencies. Unfortunately, local road agencies often do not have enough resources to meet the 20% match required to receive federal funding. Federal regulations create financial obstacles in accepting federal funding. Local road agencies have been able to work collaboratively with each other to capitalize on the federal funding available.

An additional form of federal funding that benefits roads in Emmet County comes from the Bureau of Indian Affairs (BIA). The BIA receives funds from federal sales tax and in turn disburses the funds to Native American tribes for road improvements within their native jurisdictional boundaries. The Little Traverse Bay Bands of Odawa tribal land overlaps much of Emmet County. Money from the BIA road funding may be applied to any road project within the Little Traverse Bay Bands of Odawa jurisdiction either for private tribal roads or county public roads. The tribal council determines how the funding will be used each year and works with the Emmet County Road Commission to develop and update its 5-year plan.

The final source of funding comes from local resources. Counties and townships may generate this additional funding through a special assessment or millage. In Emmet County, some townships have assessed additional millage to support local roads within their jurisdiction. The amount assessed varies by township.
State Highways
There are 217 miles of highway serving Emmet County which include the following:

I-75 (Major Interstate Highway)
I-75 is the only interstate in Northern Michigan. It runs parallel to the east county line through Cheboygan County. Although only a short segment of I-75 physically enters Emmet County (at the tip of the mitt in the Village of Mackinaw City), its influence is substantial. I-75 is the major traffic link between the Upper Peninsula and the rest of Michigan.

M-68 (Minor State Highway)
M-68 enters the county 2½ miles east of Alanson. This is the only corridor linking US-31 in Alanson with I-75 near Indian River.

M-119 (Minor State Highway & Heritage Route)
Highway M-119 winds along the shoreline of Little Traverse Bay and is the primary link between the cities of Petoskey and Harbor Springs. It is a popular scenic drive between Harbor Springs and Cross Village. A conflict between the highway’s natural wonders and the increased housing pressures in the area generated attention from concerned residents. In 1997, with much support, M-119 was granted Heritage Route status from MDOT. The Heritage Route Program (Scenic By-ways) is designed to identify, inventory, protect, enhance and in some cases, promote state trunk lines.

US-31 (Major Highway)
US-31 passes north-south through the entire length of the county. This highway links the Mackinac Bridge (and I-75) with the Pellston Regional Airport, Petoskey and Bay Harbor. Recent upgrades creating passing lanes between the Charlevoix/Emmet County line and the City of Petoskey have allowed for smoother flowing traffic before converging with US-131.

US-131 (Major Highway)
US-131 reaches a length of 268 miles in Michigan, from the Indiana state line northerly to Petoskey. The direct connection between Grand Rapids and Emmet County is significant. US-131 provides a major connection between Emmet County and neighboring towns to the south such as Boyne Falls, Mancelona, Kalkaska and Cadillac.

US-31 and US-131 come together on the south side of Petoskey. This point of convergence acts as a focal point for individuals driving from the North, South and West. The intersection funnels a high
volume of daily traffic entering and leaving the county and serves as the gateway to local businesses, tourist destinations and residential areas.

**County Major Connector Roads**

Besides the major influences that the trunk highways and the interstate have in Emmet County, primary and local roads are important and act as connectors to those highways. There are 244 miles of primary roads and 590 miles of local roads in Emmet County.

**State Road (Primary County Road)**

State Road begins on the north side of Harbor Springs and serves as a direct route to Cross Village. It also serves as an important alternate travel corridor to M-119 (Tunnel of Trees). Due to lack of sharp curves on State Road, traffic is able to move more efficiently with better visibility there than on M-119.

**Pleasantview Road (Primary County Road)**

Pleasantview runs north-south in the central region of Emmet County. It is particularly significant in serving skiers going to Boyne Highlands and Nubs Nob resorts. The traffic is fed primarily from US-31 and M-119.

**Levering Road (Secondary County Road)**

Levering Road gathers many residents from Bliss and Cross Village Townships. It acts as the primary east/west road in northern Emmet County, running from US-31 (and the community of Levering) to Cross Village. Traveling east from US-31, Levering Road traverses the Cheboygan County line and provides access to I-75. Levering Road is a direct route into downtown Cheboygan.

**Robinson Road (Secondary County Road)**

Robinson Road is an east-west rural collector road and begins at an intersection with US-31 in the Village of Pellston. The east part of Robinson Road is also a major connector route to I-75 and the City of Cheboygan. When Robinson Road enters Cheboygan County, it is renamed Riggsville Road. The west half of Robinson Road goes from US-31 to M-119 near the lakeshore at Good Hart, collecting traffic as it crosses both Pleasantview and State Roads.
Mitchell Road (County Primary Road)
Mitchell Street, which starts in downtown Petoskey, becomes Mitchell Road running east/west across Emmet County. It acts as a collector route for commuters who live east of the City of Petoskey. Mitchell Road crosses the rural communities of Bear Creek and Springvale Townships. When it enters Cheboygan County, it is renamed Wolverine Road. The road then terminates in Wolverine, where drivers can then access I-75.

River Road (County Primary Road)
River Road runs north/south parallel to US-131 and stretches from the City of Petoskey south into Charlevoix County. Slicing through the heart of Bear Creek Township, it gathers considerable traffic from residents of Bear Creek Township, Clarion and Springbrook Hills. The latter communities are both located in Charlevoix County. River Road is a popular alternative route to US-131 for many residents because it allows individuals to drive to and from Petoskey with relative ease and less traffic.

Resort Pike (County Primary Road)
Although short in comparison to the rest of the major connectors, Resort Pike plays a vital role in moving traffic through Resort Township. It links to US-31 outside the city limits of Petoskey. This road connects residents from the west and southwest of Petoskey with the Walloon Lake area.

Road Quality
The quality of the roads in Emmet County is important to the transportation system. The county strives for a safe, comfortable and well-maintained system of roadways. Environmental impacts such as snow, frost and other weather-related factors have a significant impact on road quality. Heavy traffic loads and high volumes of traffic can also contribute to the deterioration of Emmet County roadways. In 2004, the residents of Emmet County approved a 1-mill tax increase, which has been consistently renewed, to contribute to road improvements throughout the county.
Networks Northwest uses the PASER system to evaluate the roads in Emmet County and the surrounding counties within the northwest Lower Michigan region. The PASER system is a visual evaluation that measures and classifies roads based on their surface condition and appearance. According to Networks Northwest, 39.8% of Emmet County’s roads were rated Fair to Good. Very Good to Excellent classifications comprise 10.7% of Emmet’s roads, while 49.5% were rated Failing to Fair. This is among the highest percentages in the region for failing to fair roads. Map 4-1, provided by Networks Northwest, displays the surface ratings for Emmet County’s roads.  
https://www.networksnorthwest.org/community/transportation/
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Commercial Truck Lines
Trucking and freight lines play an essential role in Emmet County, bridging the connection between the manufacturer and the consumer. With two major highways and a close proximity to I-75, the trucking and freight lines have shown to be fundamental.

Currently there are no trucking and freight companies based in Emmet County. Residents are faced with dependence on trucking and freight services from outside Emmet County and possibly the state, to maintain the manufacturer and consumer connection.

Commercial Bus Line [indiantrails.com](http://indiantrails.com)
Indian Trails is the only commercial bus line operating in Emmet County providing transportation throughout the State of Michigan and beyond. Indian Trails offers three stops in Emmet County in Alanson, Petoskey and Mackinaw City.

Rail System
Currently there are seven miles of active rail remaining in Emmet County. This section is classified as a type-two railway, with speed limits not to exceed 25 mph. Emmet County’s section of rail begins at the south county line near Bear River Road and follows River Road, running north through Bear Creek Township into the City of Petoskey.

This section of rail in Emmet County is called the Tuscola and Saginaw Bay Railway (TSB). Although there is only a short distance of track remaining in Emmet County, it plays a vital role for at least one area business. Petoskey Plastics Inc. takes advantage of the rail service and relies heavily on it to transport material every month. The rail service is being utilized because of its superior ability to provide a cost-effective way to move mass quantities of materials and products. It is important to note that the rail system can play a pivotal and cost-effective role in the development of other industries and Emmet County as a whole.

Air Travel
The growing availability of air travel in Emmet County has widened the role of aviation in Northern Michigan. Air travel is no longer a luxury, but rather a way of life. With so much of today’s society placing importance on time constraints and cost-effectiveness, air freight and passenger service are vital to the livelihood of Emmet County. Just like the rail system of the past, aviation is a key component of the tourist market, facilitating economic growth and improving quality of life throughout the area.

As stated throughout the Master Plan, much of Emmet County’s economy is dependent on tourism. Air travel makes the area more accessible by providing tourists from all over the world with a quick and convenient form of transportation.

Air travel improves the quality of life in Emmet County by widening choices of places to go and things to do. It exposes people to new cultures and experiences and is pivotal in getting emergency medical services and supplies.
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Pellston Regional Airport
Located in northern Emmet County, Pellston Regional Airport connects northern Michigan to the rest of the world. In operation since 1936, Pellston Regional Airport, owned by Emmet County, offers quick and efficient commercial passenger, private plane and cargo services. It provides commercial flights daily to and from Detroit, Michigan. Both Federal Express and UPS serve the county via the airport. In 2018, Pellston Regional Airport tallied 8,400 general aviation arrivals and departures and 1,973 commercial arrivals and departures, totaling 10,373 flights.

Pellston Regional Airport offers dining, car rental companies, shuttle and taxi services, Wi-Fi, a covered boarding bridge and free parking. A conference room and onsite work stations are provided. Other services include the sale of jet fuel and AV Gas, minor repairs by appointment, WSI pilot weather briefing system, Instrument Landing System (ILS) and GPS approaches and a VOR navigation system.

Harbor Springs Municipal Airport
The Harbor Springs airport is owned by the City of Harbor Springs and is located along M-119 in Little Traverse Township. It is operated by the Harbor-Petoskey Area Airport Authority. This group represents the cities of Harbor Springs and Petoskey, along with Bear Creek, Little Traverse, Pleasantview and West Traverse townships. Each municipality has one appointed member on the Authority Board of Directors.

Harbor Springs airport plays an important role in the economy by allowing private pilots an easy commute to Emmet County. The airport plays a crucial role by serving as a location for emergency patient transport and organ delivery. McLaren Northern Michigan Hospital relies on the airport because strong winds off Little Traverse Bay don’t allow the hospital to safely operate a helipad. Harbor Springs Municipal is open 365 days a year and has staff on call 24 hours a day. Services provided to all incoming and departing flights include flight planning, tie-downs, hangers, supplies, JET A and 100LL fuel and a courtesy car.

Water Travel
Traveling by water is one of the oldest methods of transportation in Northern Michigan. In fact, water travel has helped shape and develop Emmet County. Native Americans living in the region relied on light-weight canoes to maneuver across lakes and through the intricate networks of rivers and streams. In time, fur traders and early settlers used these waterways to develop ports, cities and villages. Petoskey, Harbor Springs and Cross Village played a major role in the lumber industry because of their easy access to Lake Michigan. Lumber was ferried throughout the Midwest and was instrumental in the rebuilding of Chicago after the Great Fire of 1871. Passenger ships started to bring passengers
Chapter 4: Transportation

and cargo to the area, essential to the growth and expansion of the county. Currently, there is no shipping season or shipping industry in Emmet County.

Today water travel is viewed primarily as recreational fun, but it still is an important contributor to Emmet County’s economy. Traveling by water is a pleasant, relaxing and unique way to discover Emmet County’s natural resources and cultural wonders. Ports in Bay Harbor, Petoskey and Harbor Springs allow boaters to gain access to the St. Lawrence Seaway System. This system of locks and canals acts as a marine highway for boats and ships heading out to the Atlantic Ocean. The seaway was instrumental in the exploration of the Great Lakes region and continues to serve the Midwest’s shipping needs.

Inland Water Route
Northern Michigan’s Inland Water Route system is a remarkable journey for the boating enthusiast. This route starts in Pickerel Lake, winds 40 miles to Lake Huron through 2 locks systems, 3 lakes, 3 rivers and 2 counties. There are also several boat launches along the way. US-31 in Emmet County and I-75, M-27, M-33, in Cheboygan County are in close proximity to the waterway, providing convenient access for those who trailer their boats. Emmet County partnered with the Northeast Michigan Council of Governments to create an Inland Waterway and Straits Area Trail Plan. It provides great detail in the amenities and access points along the route. A complete history and maps are available through the Michigan Great Lakes Water Trails website. [http://www.michiganwatertrails.org/trail.asp?ait=cv&cid=133](http://www.michiganwatertrails.org/trail.asp?ait=cv&cid=133)

Marinas
In order to alleviate some of the hassle of boating and water travel, marinas were created to satisfy the water enthusiast’s needs. Most marinas provide boat storage and docking, gas, maintenance, restrooms, food and ice. Some of the larger marinas in the area offer internet, dry cleaning, laundry, showers and ATMs. Emmet County has 9 marinas. The 3 municipal marinas are located in Petoskey, Harbor Springs and Littlefield Township. The others are privately owned and are located in Bay Harbor, Ponshewaing, Oden, Paradise Lake, Alanson and 2 in Harbor Springs.
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Boat Ramps and Launches
Public water access is an essential and integral part of living in Emmet County. Whether outside the front door or just down the road, access to the water is available to every resident.

Snowmobiling
The county has more than 122 miles of interconnecting trails that pass through several towns and connect to neighboring counties. The majority of these trails (100 miles) are located north and east of Harbor Springs, with approximately 20 miles of trail located southeast of Petoskey, running through Bear Creek and Springvale townships. These trails are groomed and maintained by the Michigan Department of Natural Resources in cooperation with local snowmobile clubs. In addition to the groomed trails, all shoulders of county roads are open to snowmobiles.

All-Terrain Vehicles (ATVs) and Off-Road Vehicles (ORVs)
https://www.michigan.gov/dnr/0,4570,7-350-79119_79148_80314---,00.html
Emmet County allows use of ATVs and ORVs through an ordinance regulating their use on county roads. Due to safety concerns, the Road Commission had certain roads exempted from use by ORVs or ATVs. Within Emmet County, two areas are designated for ORV use. The Indian Garden ORV Route is located completely within the northwestern area of Emmet County. The Tomahawk Trail Systems motorcycle trails are located in the southeastern part of Emmet County and extend into neighboring counties.
Public Transportation

Public transit is valuable because it provides choice and opportunity to travel. It can offer cost-effective travel, ease congestion and alleviate environmental strains. Public transit also plays an important role in serving the disabled, elderly and youth. An assortment of public transportation options is available to county residents including agency transport, specialized service transit, inter-county transit and taxi services. It is recognized that even with the variety of options available in the county, there are still considerable unmet needs within the community.

Public transportation tends to be used by four primary groups: persons with low income, people living in a household with limited or no access to a vehicle, seniors and individuals with disabilities. The 2000 U.S census found 4,495 people in the county (14.3%) were 65 years or older. In the year 2010 the U.S Census identified some 5,437 (16.6%) were 65 years of age or older and that number continues to increase. The 2017 estimates show 6,651 (20.2%) were over 65 years of age. In addition, Table 4-1 illustrates an increase in households with no available vehicles. Both trends indicate the potential need for changes to the public transportation services in Emmet County.

In response to those needs Friends Enhancing Emmet Transit (FEET) was formed. FEET is an offshoot of Emmet 20/20 and Charlevoix Emmet Human Services Coordinating Body Transportation Work Group. It is made up of a group of concerned citizens, organizations and business working together to provide effective sustainable county wide transportation.

Public School Districts

Public school districts in Emmet County provide their own transportation for the student population. Students are transported to their educational facilities, Monday through Friday, September through June. Funding is generated by local millage and aid for schools from the Michigan Department of Education. Although Concord Academy of Petoskey is considered a public school, it currently relies on private transportation provided by the students’ families or friends.

Friendship Centers of Emmet County (Council on Aging)

Transportation is an essential part of living an independent life. The Council of Aging is able to offer bus service. The Friendship Centers have been providing low-cost, high-quality bus service throughout Emmet County.

### Emmet County Households without a Vehicle

<table>
<thead>
<tr>
<th>Year</th>
<th>Households without a Vehicle</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>737</td>
</tr>
<tr>
<td>2010</td>
<td>795</td>
</tr>
</tbody>
</table>

Source: U.S. Bureau of the Census  

Table 4-1
Chapter 4: Transportation

Emmet County since 1975. The Michigan Department of Transportation provides vehicles and some of the operating funds. Additional funding comes from Emmet County’s senior millage, bus advertising, bus fares and donations. Transportation is available to individuals who are at least 60 years old, persons with disabilities regardless of age and the general public based on space and availability. The Friendship Centers average 20,000 passengers a year. Buses are equipped to transport wheelchairs and drivers are trained to assist passengers entering and exiting the vehicles.

Vital Care Adult Day Care Center
Vital Care Adult Day Care Center is an adult service program for elderly and disabled individuals who need a place away from home. It allows their caregivers a break and alleviates their clients’ social isolation. Vital Care uses two express vans to transport its clients to and from its facility in Petoskey. Its staff have day-to-day client care responsibility and serve as the vans’ drivers. They transport their clients from home in the morning and return them in the afternoon. Vital Care’s transport serviced 2,100 passengers in 2014. Vital Care Adult Day Care Center is operated by the State of Michigan, local millage, local grants and van fares. Limitations on hours of operation, liability and full-time drivers, preclude non-clients from utilizing this system.

The Petoskey Club
The Petoskey Club provides psychosocial rehabilitation services and opportunities for persons with mental illness on weekdays as well as program-sponsored community activities on weekends and holidays. The Petoskey Club assures free door-to-door transportation to and from the Clubhouse during the regular work week and transportation to and from members’ community work sites in Petoskey. Most transportation to and from the Clubhouse is provided by staff using program vans, while some is purchased for members through alternative vendors.

Straits Regional Ride (SRR)
Straits Regional Ride provides inter-county transportation to Cheboygan, Emmet and Presque Isle counties. SRR currently operates Monday through Friday from 6:00 am to 5:00 pm. The buses run flexible routes with selected stops in many communities within the three counties. SRR vehicles are equipped to accommodate individuals with walkers, wheelchairs and other special needs. The SRR bus system is available on routes into and out of Emmet County. SRR is funded by the State of Michigan, fare boxes, contracts and local match from each county’s general fund.
Chapter 4: Transportation

EmGo

https://www.emgoride.org/

EmGO county-run public transportation started operating January 2, 2019. It expands on the service that Straits Area Regional Ride provides, offering service Monday through Friday. Bus routes run from Petoskey, Mackinaw City and Harbor Springs to multiple locations in Emmet County with some flexible routes. Map 4-3 is a representation of routes available.

Department of Health and Human Services (DHHS)

DHHS provides transportation services to eligible children, adults, seniors and disabled individuals who are clients of the agency. Volunteer drivers use their own vehicles and receive mileage reimbursements. The focus of this program is getting clients to dental and medical appointments. Funding comes partially from Medicaid and a State program called Volunteer Services. The Department of Health and Human Services averages 800 riders a year.

Northwest Michigan Community Health Agency (NMCHA)

Northwest Michigan Community Health Agency is similar to DHHS and provides transportation for maternal services, Women, Infants and Children (WIC) and immunization programs. Medicaid-eligible individuals can travel to health facilities and doctors’ offices in the county. NMCHA serves Emmet County and depends upon taxi companies or friends. No fare is charged to the rider and mileage reimbursements are funded by Medicaid.

Women’s Resource Center of Northern Michigan

The Women’s Resource Center provides transportation services through its domestic abuse and sexual assault services programs. Transportation services are offered to clients who have destinations to a safe house, school, work, DHHS, medical visits and the courthouse. The Women’s Resource Center averages 450 riders a year. Transportation is provided by personal vehicles, on an as-needed basis, 7 days a week, 24 hours per day. No fare is charged to the rider for this service.

Bay Connect

Bay Connect is a nonprofit transportation service funded through grants and donations. It provides transportation for Northern Michigan residents in Emmet County for non-emergency health care appointments and provides them with access to essentials such as groceries, prescriptions and
Chapter 4: Transportation

shopping. Anyone may ride the bus but preference is given to seniors 55+, veterans & disabled. The Bay Connect bus route operates on Mondays and Thursdays departing from the Harbor Springs Friendship Center following a flex route ending at Meijer’s. Riders must be a member of Bay Connect to receive transportation.

Private Taxi, Shuttle and Limousine Services
These services are classified as demand-and-response transportation. They provide their services to the general public by cars, vans and buses. Individuals make arrangements to meet their travel needs with these privately owned and operated businesses. Fare rates differ between areas of the county and type of transportation services. Currently, there are 9 private companies that offer these services to Emmet County. The average fleet size of these businesses ranges from 1-5 vehicles. One company offers 24 hour-service. One company provides wheelchair transportation service throughout the State.

Non-Motorized Transportation and Trails
According to the 2010 US census, 4.5% of the workforce of Emmet County took advantage of non-motorized transportation. Besides alleviating traffic congestion, non-motorized transportation generates other positive advantages for the county: clean environment, sustainable economy, quality of life and individual health.

Increased trail use by a broad cross-section of the population demonstrates the need to expand the existing system. Improvement and development of new passages and corridors are needed. An enhanced system of trails would allow much of the county to be accessible to commuters, recreational users, outdoor enthusiasts and fitness devotees. Map 4-4 shows the current network as well as proposed improvements to the system. Bridging gaps and creating connections to adjacent communities are significant steps toward building future trail infrastructure.

East and south trail corridors will allow for a safe and convenient trail system into neighboring counties, area attractions and recreation centers throughout the region. The development process requires the cooperation of state, local and national agencies and private organizations such as Top of Michigan Trails Council and the North Country Trail Association. A variety of land ownership and trail location issues need to be addressed during development stages. Obtaining trail easements through privately owned land represents a major obstacle in creating trails and corridors. During the site plan review process, zoning officials should require trail easements or implementations for new developments.
Chapter 4: Transportation

Bicycling
Although widely viewed as recreational, bicycling is an important mode of transportation in Emmet County. Bicycling is available to residents and nonresidents of all ages and socioeconomic levels. Like the automobile, bicycles provide a high degree of independence and freedom. It is a great way to commute while getting some exercise. There are approximately 120 miles of bike paths and trails located in Emmet County. Bicycling can connect local communities throughout the area. The Top of Michigan Trails Council spearheaded the development of the Little Traverse Wheelway, a 28-mile bike trunk line that connects the cities of Charlevoix, Petoskey and Harbor Springs via a beautiful shoreline route. This trail is a non-motorized/multi-purpose route used for bicycling, running and walking. Local cycling clubs have been created by enthusiasts from Charlevoix and Emmet counties. Use of the trails provides riders with safe, convenient and enjoyable passage between the counties’ major destinations.

Walking
Walking is a practical and inexpensive way to travel, especially where there are sidewalks and trails. It is ideal for those individuals who live near or in a city, town, or village. Although walking to work may seem unrealistic for most residents, having walkable communities in Emmet County is not. Walkable communities exist where an interconnected system of trails and sidewalks allows safe, convenient walking. The “shoe leather express” is an attractive option that adds vitality to a vibrant community. Walkable communities are highly desirable places to shop and live. Both tourists and residents alike enjoy the benefits and comforts of being in a community that encourages safe and convenient pedestrian travel. Many local communities and the Little Traverse Conservancy offer local short walking trails in various locations throughout Emmet County. The North Country National Scenic Trail offers miles of recreational walking through Emmet County and beyond.
Chapter 4: Transportation

Map 3-4
Chapter 4: Transportation

Connectivity and Safety
With much of the basic infrastructure in place, Emmet County’s non-motorized transportation system still has room for improvement. As the demand for non-motorized transportation increases, there is a need to accommodate different types of users and expand the county’s connectivity. People walk alone, in groups, with pets and behind strollers. They run, skate and ride bikes. Sidewalks and trails serve both as travel-ways and stopping areas. A well-defined non-motorized transportation system will have the ability to guide users through Emmet County. The network would connect residential areas to commercial districts, recreation centers, schools and the rural community. A well-connected network of trails and paths has many short links, numerous intersections and minimal dead-ends. As connectivity and route options increase, travel distances decrease, allowing for more direct links between destinations. This creates a more accessible and efficient system. To enhance and promote the health, safety and general welfare of citizens, site plan approvals by local zoning boards should include paved walkways that are separated from the roadway.

Safe Routes to School
This federally funded program, administered by the State of Michigan is offered to schools from kindergarten through middle school (grades K-8). The program offers funding to provide safe access for students to bike or walk to school. The State of Michigan administers the program and indicates that Safe Routes to School (SR2S) is an international movement to make it safe, convenient and fun for children to bike and walk to school. Safe Routes to School initiatives help ease traffic jams and air pollution, unite neighborhoods and contribute to students’ health and readiness to learn in school.

Car-Pooling/ Ridesharing
Car-pooling (also known as ridesharing) is the shared use of a vehicle to commute along a specific route or location. Although there are no organized carpooling or ridesharing organizations presently in Emmet County there is a web-based ride share program sponsored by Networks Northwest. Northern Michigan Ride (NMRide.net) connects commuters throughout the Northwest Michigan region.

Even though only a few residents of the county take advantage of this commuting practice, the county’s use is slightly higher than that of the State of Michigan. According to the U.S. Census Bureau, 2013-2017 American Community Survey 5-Year Estimates 9.6% of the work force in Emmet County carpool to work. The decision to participate in a carpool entails a great deal of responsibility and flexibility. Carpools can be formed by friends, colleagues, organizations and by word of mouth. Carpoolers pick up their riders at their homes or gather at a convenient, designated location.
Chapter 4: Transportation

Carpooling is strictly voluntary and is beneficial to the individuals participating, fellow commuters and their communities. With growing population and seasonal surges, carpooling is an effective way to combat traffic congestion, offer financial savings, conserve energy, reduce air pollution and alleviate the need for parking spaces. Locations to facilitate and address the needs of carpooling will be essential to the development of such a program in Emmet County.

Bridges

Although bridges often go unnoticed, their function is essential to Emmet County. They allow for roads and railroads to cross over otherwise impassable obstacles such as rivers, valleys, roads, or other physical barriers. With the miles of winding rivers and streams in the county, it is no wonder that bridges have such a fundamental impact. Bridge construction has created efficient routes to remote areas and facilitated uninterrupted traffic flow throughout Emmet County.

Mackinac Bridge

When it opened in 1957, the Mackinac Bridge made life easier for those individuals wishing to travel across the Straits of Mackinac. Prior to its completion, a ferry service was used to transport vehicles and trains across the rough waters between Mackinaw City and St. Ignace. According to the Mackinac Bridge Authority, during the deer season, hunters waited hours and even days in a 16-mile traffic jam to catch the ferry.

The overall length of the bridge is approximately five miles from shore to shore and it is the third largest suspension bridge in the United States. Construction of the bridge took over 2 ½ years and cost the lives of five workers. Today the “Mighty Mac,” as it is lovingly referred to, acts as a gateway to and from Michigan’s Upper Peninsula and is part of the I-75 corridor. This modern marvel provides historic perspective and scenic allure to northern Emmet County while it serves as an important link in the transportation network.

West Mitchell Street Bridge

Because the Bear River acts as a natural east-west barrier, bridges were built to span the deep riverbed and unite the two divided areas of the county. The West Mitchell Street Bridge located in the City of Petoskey was built in 1930 and was added to the National Register of Historic Places on October, 10, 1986. The 330 ft. long bridge is the fourth largest concrete girder bridge in the State of Michigan. The West Mitchell Street Bridge is a part of US-31 and allows for passage over the Bear River. The bridge also serves as a funnel, channeling traffic to and from downtown Petoskey.

M-68 Bridge

The M-68 Bridge crosses the Crooked River at the north edge of the Village of Alanson. Built in 1937, the bridge enables traffic and commerce to flow east and west along M-68 connecting the Village of Alanson to Indian River and I-75. The M-68 Bridge received an upgrade in 2013. The bridge allows convenient access to Emmet County for commuters from neighboring counties.
Chapter 5: Housing

Introduction
Adequate attainable housing is essential for the sustainability and growth of Emmet County. As a result of the development of new resort communities, improved highway access, economic diversification and a demand for lakefront property, Emmet County’s population has been steadily increasing since 1960. The population of the county has doubled in size between 1960 and 2010 from 15,904 to 32,694. Population estimates since 2010 show small increases most years (2018 estimate is 33,308).

The population figures only reflect a portion of the developmental impact taking place and do not reflect the important seasonal surges that Emmet County faces in the summer months. The county is a vacation center for a large number of people in the Midwest and draws individuals to seasonal residences. The seasonal and tourist population has the potential to add nearly 90,000 people to the county at the peak of the summer season. The large number of seasonal residents also influences the types of commercial, business, recreational and other kinds of development that occur in the county.

Demographic changes also impact the housing demands. Walkable communities are desirable, household sizes are decreasing, cost of construction continues to rise and the average age of building contractors in Emmet County is near retirement age.

Existing Housing
According to the 2010 Census, housing structures in Emmet County totaled 21,288. The pie chart below indicates the types of housing structures. The estimated number of total housing units in 2017 has increased by 200 units. The median value for owner-occupied housing units was $174,300. The median monthly mortgage was $1,349, with 3,918 homes not mortgaged. While the majority of households had at least one vehicle available, 593 households had no vehicle available. Occupancy figures indicate 63.8% of homes are being lived in while 36.2% are vacant.

Seasonal use comprises 27.5% of homes in the county. Owner-occupied housing units account for the majority (74.2%) of residences, while 25.8% are occupied by renters. The average household size was 2.32 persons according to the 2010 Census. There are many historic homes in Emmet County that are still used as full-time residences and are listed with the Michigan State Historic Preservation Office (SHPO).

![Figure 5-1](http://apps1.emmetcounty.org/twp/springvale/index.htm)
Chapter 5: Housing

Residential zoning permits have been tracked since 1973. Figure 5-2 identifies, by year, the number of residential permits issued in Emmet County. The high number of multiple-family permits issued in 2004 is a direct result of 240 units permitted in Bear Creek Township in one mixed-use development.

![Residential Zoning Permits Issued (1973 to 2018)](image)

Figure 5-2 Data Source: Emmet County

Future Housing

Matching future housing demand to satisfy projected population growth is a critical component of the Master Plan. Housing development is typically market-driven and the market may not be filling the housing needs for all sectors of the population. It is important to monitor current trends and future projections so that Emmet County can optimize the supply of housing appropriate to the anticipated demand.

The availability of a diverse range of housing types helps to ensure that all households, regardless of age, income level and physical ability, have the opportunity to find housing suited to their needs. The cost of housing in a community should be compatible with the income of its residents. Homes for our future are key to fulfilling the housing needs of all economic segments of a population. If homes are not available, many workers may be forced to live elsewhere and commute to their jobs, adding traffic congestion, fuel consumption, parking deficiencies and air quality problems to local communities.

The median income for a family in Emmet County is $51,475 based on 2013-2017 US Census American Community Survey data. To be affordable, housing costs should not exceed 30% of a household’s annual income. The costs factored into this number include rent or mortgage, insurance and taxes. For additional comparison, Figure 5-3 charts the median list price of homes in 2017 and the affordable home price.
Chapter 5: Housing

Affordable vs. Median Housing Prices

![2017 Housing Prices in US Dollars](image)

*Data Source: 2017 median price list from the Emmet County Realtors Association website. Affordable home price (2.5 times the income of a family earning 80% of the county median) is based on 2017 census data showing the median income for Emmet County as $51,475.*

Many times housing developments receive a negative perception and community response before they are even built. It is important to provide information to the community on the benefits of having affordable housing and the economic impact it can produce. Attainable homes, at all price levels, are essential to economic development and the health of the community. They increase the ability of families to afford necessities such as food, clothing, transportation and medical care.

Possible contributing factors to a lack of affordable housing:

- Wages not keeping pace with housing costs
- Land values remain high
- Housing production for low/medium income residents not meeting the demand
- Seasonal employment based on nature of resort community
- High construction cost
- Shortage of residential contractors

Higher-density housing, such as multiple-family complexes, should be encouraged in neighborhoods with close proximity to commercial centers. This decreases dependence on automobiles and helps support neighborhood commercial areas.

Continued demographic changes such as the aging population will benefit from a residential mix in the county’s neighborhoods. Availability of different housing types in the same neighborhood allow people to “age in place” as they get older and not have to relocate to an unfamiliar community. In addition, housing pressures can be eased by allowing accessory dwelling units to accommodate parents who live with adult children.
Chapter 5: Housing

Homelessness
Homelessness occurs when people lack fixed housing, usually because they cannot afford regular, safe and adequate shelter. Homeless households are mobile and tend to go where emergency and transitional housing is available, so the issue has regional impact. Although difficult to measure and predict, many of the causes of homelessness are known and can be prevented. The major contributors include:

- Lack of affordable housing
- Job loss/poverty
- Lack of affordable healthcare
- Natural disaster
- Domestic violence
- Substance abuse and behavioral problems
- Mental illness
- Disability

Homes for our Future
Networks Northwest has created an organization called Housing North. Its mission is to build awareness, influence policy and expand capacity so communities can create housing solutions that meet their unique needs. Locally the Little Traverse Bay Housing Partnership is focusing efforts on awareness, financial solutions and advocacy. Housing North provides resources including a Target Market Analysis developed for Emmet County and services to assist their private, public and non-profit partners in their housing efforts. The Emmet County Target Market Analysis, conducted by market analyst LandUse USA and coordinated by Networks Northwest and Housing North, shows the potential demand for new units in locations throughout Emmet County.

Emmet County, Michigan Residential Target Market Analysis Annual Market Potential – Year 2020

Chapter 6: Land Use

Introduction
The Land Use Chapter provides the primary direction for achieving the Master Plan’s guiding principles, as well as designating land use categories throughout the county. Land Use Planning is a long-range tool used to balance the interests of preserving and enhancing the qualities of life as the need for growth occurs. It seeks to integrate land use development and redevelopment in a manner that respects the rights of property owners and the community at large. This Master Plan recognizes that the quality of life in Emmet County is indisputably linked to the natural resources and featured landscapes of this area. This is one reason why Emmet County identified and mapped the future land use and overlay districts described in this chapter: to protect, maintain and enhance our natural resources.

Existing Land Use
A detailed account of land uses in Emmet County enables planners to better assess existing zoning standards and evaluate the impact of new developments and the expansion of nonconformities in the county.

2007 Emmet County Existing Land Uses

![Pie chart showing existing land uses in Emmet County]

In 2007, Emmet County updated the Existing Land Use data (Figure 6-1 and Table 6-1) originally compiled in 1999, utilizing zoning and building permit information, supplemented by visual field inspections. The tables and maps created as a result of these inventories identify trends and help complete the research necessary to create the Future Land Use Map (Appendix A).
Chapter 6: Land Use

Future Land Use
Future Land Use is a culmination of information gathered in all the previous chapters. Information on demographics, agriculture, natural resources, cultural resources, recreation, economics, transportation, utilities, location of community facilities, public opinion surveys and the history of Emmet County all play a key role in shaping the desired physical application of land uses in Emmet County. This plan is designed to guide land-use patterns, densities and intensities in areas that will best accommodate the population and development of Emmet County. Its intent is to recognize and understand the existing land uses, present land-use trends and physical characteristics of the county’s landscape and to consider the multitude of potential future land-use applications. The Future Land Use Map does not necessarily indicate the need for immediate changes, but rather acts as a guide for long-term growth. The product of this chapter will be a concise all-encompassing Future Land Use Map (Appendix A).

Mapped Land Uses
The categories illustrated are generalized boundaries not meant to be a precise delineation of blocks or property lines. They are descriptive of general development, recognizing that some intermixtures and overlays are neither permissible nor desirable. The Future Land Use Map represents potential land-use categories and zoning districts and may not be all-inclusive. Through the Zoning Ordinance, more detail will be given to individual neighborhoods based on unique characteristics. Because the map crosses jurisdictional boundaries, it considers county-wide land uses to help establish a coordinated and sustainable development pattern. Each residential category reflects a range of densities represented by type on the Future Land Use Map. These residential ranges are represented by type on Table 6-1. The county map does not replace specific future land-use maps created by individual jurisdictions.

<table>
<thead>
<tr>
<th>Residential Categories</th>
</tr>
</thead>
<tbody>
<tr>
<td>Type</td>
</tr>
<tr>
<td>Rural Residential (RR)</td>
</tr>
<tr>
<td>Low Density Residential (LDR)</td>
</tr>
<tr>
<td>Medium Density Residential (MDR)</td>
</tr>
<tr>
<td>High Density Residential (HDR)</td>
</tr>
</tbody>
</table>

*Density = 1 dwelling unit per unit of land measure

Table 6-1
Chapter 6: Land Use

**Rural Residential (RR)**
Rural Residential includes lots five acres or larger, neither served nor intended to be served by public sewer and water. Appropriate uses include one- and two-family dwellings. The purpose of RR is to preserve the rural character and natural landscape of the county while accommodating low-density residential land use. It provides single-family development in a setting that emphasizes tranquility and privacy.

**Low Density Residential (LDR)**
Low Density Residential includes one- to five-acre lots neither served nor intended to be served by public sewer and water. Appropriate uses include one- and two-family dwellings. The purpose of LDR is to support new residential development while serving as transition areas between medium density and rural residential development. LDRs stabilize and preserve low density residential neighborhoods and prevent the intrusion of incompatible land uses.

**Medium Density Residential (MDR)**
Medium Density Residential ranges from ½ to 1 acre in size and may or may not be connected to public sewer and water. Appropriate uses include one- and two-family dwellings. The purpose is to allow for a mixture of housing options, while providing a buffer between lower and higher residential densities. They also serve to separate residential and commercial areas. MDRs are intended for a slightly higher density of population with close proximity to goods and services.

**High Density Residential (HDR)**
High Density Residential calls for a residential density of ½ acre or less per dwelling unit and connection to the public sewer and water utilities. Appropriate uses include one- and two-family dwellings and multi-family attached housing. The purpose is to create a wide range of affordable and sustainable housing choices to accommodate diverse population growth and meet changing household and community needs. HDRs are usually located adjacent to commercial and employment centers or near major transport corridors.

**Mixed Use (MU)**
Mixed Use is the compact development of land that offers a variety of complementary and integrated uses, including but not limited to: residential, office, retail, restaurant, or entertainment use. The purpose is to recognize areas with the potential for several types of compatible land uses. They are intended to provide flexibility in design in order to protect and enhance the character of the county. MUs encourage protection of open space through infilling. They facilitate the integration of diverse but compatible uses into a single development, with the goal of creating compact communities in which to live, work and play.
Chapter 6: Land Use

Light Commercial (LC)
Light Commercial offers professional and business services and is accessed by major roadways, arterials and service drives. Appropriate uses include professional offices, financial institutions, medical clinics, laboratories and other commercial facilities. The purpose of LC is to provide opportunities for varied commercial and professional office development on the community level. They are not intended for intensive regional commercial and industrial uses. These districts provide an opportunity to group businesses, professions and other services. They also act as a gradual transition between commercial and residential areas.

General Commercial (GC)
General Commercial offers larger retail, service and commercial centers for convenient shopping along major travel corridors where most patrons will use automobile access. Within the development, walkability will be encouraged. Appropriate uses include shopping centers, general retailers, grocery stores, pharmacies, banks, restaurants, theatres, service stations, hotels and entertainment facilities. The purpose is to provide a variety of goods and services for comparison shopping; accommodate new businesses; create employment opportunities; and promote a suitable mix of commercial uses that fulfill the needs of the residents, visitors and growing community.

Industrial (I)
The Industrial areas include all uses identified as industrial, as well as the activities accompanying those uses. They permit a wide range of activities, including manufacturing, warehousing and storage, processing, wholesale, distribution, mechanical repair, assembly, limited retail and accessory office and services. The primary purpose of this category is to provide areas where industrial uses can be located to promote economic diversity. Industrial use is intended to fit into the pattern of development in recognition of its significance to the county's economy.
Chapter 6: Land Use

Park/Recreation (PR)
The Park and Recreation areas include all lands and facilities owned and operated by the state and/or local units of government for park uses that are open to the public. The purpose of Park and Recreation is to provide locations for both active and passive recreation; to encompass facilities that provide outdoor recreation; and to accommodate other services and uses of land that provide a distinct public benefit. Most PR lands are improved sites identified as parks and maintained for public use.

Public/Quasi-Public (P)
The Public/Quasi-Public category includes state forests and publicly owned lands other than parks. It also includes privately owned properties available to the public, i.e. Commercial Forest and Little Traverse Conservancy owned properties. Uses may include schools, cemeteries, libraries, utility services, airports and other facilities owned by public entities. The purpose is to provide a variety of recreational lands and services to residents and visitors, with the desire to keep these lands for public use. Lands in this category that are removed from public use will be reviewed in relation to the surrounding future land use categories.

Agriculture Overlay (AG)
The Agriculture Overlay identifies land which is to be used now or in the future, based on soil types and current land uses, for the production of food, feed and other goods, by the systematic growing and harvesting of plants and/or animals. This land is categorized by tax classification, productive soil types and the designation of prime/unique farmland. The purpose is to protect and preserve land outside residential, commercial and industrial areas for the continued practice of agricultural activities.

Viewshed Protection Overlay (VP)
Viewshed Protection Overlay identifies vantage or scenic viewpoint locations in the county where it is possible to view long-ranging segments of land, water and/or other relatively undisturbed natural scenery. The purpose is to preserve the unique scenic quality of Emmet County for both visitors and residents, by ensuring future improvements are compatible with naturally occurring features and
existing land use. The rolling topography and steep hillsides in Emmet County provide extensive viewsheds and natural vistas for the area. However, as development continues, there are increasing numbers of viewsheds being disturbed. Planning for development within these areas requires a number of construction and development standards that find a balance between preservation and construction practicality. These standards could include height limitations, site location, building location, spacing, bulk and other viewshed protections.

Open Space Overlay (OS)
Open Space Overlay identifies vacant or undeveloped land, often considered an amenity for surrounding communities. This land use is restricted for conservation, agriculture, or recreational purposes by municipalities, conservation organizations, land trusts, homeowners associations and/or individuals. The purpose is to preserve the various elements of the county’s rural charm and character and to protect from development of open land areas containing unique and sensitive natural features: fallow fields, wetlands, woodlands, floodplains, critical sand dunes, groundwater and groundwater recharge areas, surface water, lake and stream shores, viewsheds, topography and wildlife corridors.
Chapter 7: Zoning Plan

Introduction
This chapter shows how the Master Plan and Zoning Ordinance correlate. It establishes the basis for the Planning Commission to make land-use decisions, particularly related to rezoning of land. The Zoning Plan guides decision-making. The Board of Commissioners’ decisions should be reflected in and influenced by the Zoning Plan.

Capital Improvement Program (CIP)
The CIP has been prepared by the Finance Department and is implemented by the Board of Commissioners. Planning Commission review of the CIP has historically not been requested.

Plan Review/Monitoring
Under the Michigan Planning Enabling Act, the Master Plan must be reviewed at a minimum of every five years by the county Planning Commission. The Planning Commission upon review will determine to amend the plan, adopt a new plan, or leave the plan as is. The Planning Commission may choose to review the plan more frequently.

The Planning Commission should create a work plan annually by reviewing and monitoring the Action Plan. Keeping the Master Plan updated will preserve its relevance for decision-making in the county.

The Planning Commission will submit an annual report to the Board of Commissioners documenting action taken to implement the Master Plan. The report will include comments on items successfully implemented, other outstanding accomplishments, problems encountered, delays or other extenuating circumstances, new directions or policies made and potential changes to the Plan.

The Master Plan is a living document intended to guide decision-making. Boards, committees, organizations and residents may wish to propose programs and projects to Emmet County. Whenever applicable, they should report how their proposals contribute to the goals of the Master Plan.

Zoning Plan
This Master Plan details the future needs of the county and ways that the Emmet County Zoning Ordinance may be amended to reach the goals and objectives. The Land Use chapter outlines all of the categories, the potential uses in those categories and the purpose of each category on the Future Land Use Map. Table 7-1 relates the land use categories on the Future Land Use Map to the districts identified in the Emmet County Zoning Ordinance (County Ordinance No. 15-1). Details regarding specific zoning district standards and the potential placement of structures and uses are located in the Emmet County Zoning Ordinance.

As described in this Master Plan, Emmet County does not administer zoning in all jurisdictions. However, this Master Plan makes recommendations for future land uses on a countywide basis. This zoning plan takes into account areas that are subject to county zoning. If a local township repeals its zoning ordinance, the county would then assume jurisdiction and a detailed assessment would be conducted of that township’s zoning ordinance and master plan as it relates to the county zoning ordinance.
Chapter 7: Zoning Plan

<table>
<thead>
<tr>
<th>Future Land Use Category</th>
<th>Zoning Ordinance Zoning District</th>
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</thead>
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<tr>
<td>Rural Residential (RR)</td>
<td>Forest Recreation (FR)</td>
</tr>
<tr>
<td>Low Density Residential (LDR)</td>
<td>Farm Forest (FF-1 and FF-2)</td>
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<tr>
<td>Medium Density Residential (MDR)</td>
<td>One &amp; Two Family Residential (R-1), General Residential (R-2), Recreation Residential (RR), and Scenic Resource (SR)</td>
</tr>
<tr>
<td>High Density Residential (HDR)</td>
<td>General Residential (R-2)</td>
</tr>
<tr>
<td>Mixed Use (MU)</td>
<td>General Residential (R-2), Local-Tourist Business (B-1), General Business (B-2), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Light Commercial (LC)</td>
<td>Local-Tourist Business (B-1), General Residential (R-2)</td>
</tr>
<tr>
<td>General Commercial (GC)</td>
<td>General Residential (R-2), Local-Tourist Business (B-1), General Business (B-2), Commercial/Industrial (B-3), Parking Transition (P-T)</td>
</tr>
<tr>
<td>Industrial (I)</td>
<td>Commercial/Industrial (B-3), Light Industrial (I-1), General Industrial (I-2)</td>
</tr>
</tbody>
</table>

Planned Unit Development (PUD) and PUD-Residential Overlay may be applied to any future land use category listed above.

Table 7-1
Chapter 8: Resiliency

Introduction
Resilience can be defined as the ability of a community to recover or “bounce back” from adversity – whether an economic downturn, extreme weather, environmental disaster or demographic shift. In 2019 a community vulnerability assessment was conducted by Land Information Access Association for the purpose of providing information aimed at improving climate resilience by reducing human and community vulnerabilities. The document is available for download from the Emmet County web-site: https://www.emmetcounty.org/officials-departments/planning-zoning-and-construction-resources/planning-and-zoning-resources/. Excerpts from the document Defining Vulnerability in Emmet County follow.

Building Community Resilience
As defined by the Urban Sustainability Directors Network, community resilience is the ability of a community to anticipate, accommodate and positively adapt to or thrive amidst changing climate conditions or hazard events and enhance quality of life, reliable systems, economic vitality and conservation of resources for present and future generations. The Rockefeller Foundation emphasizes equity as an important component of resilience, stating that community resilience is the capacity of people — particularly the poor and vulnerable — to survive and thrive no matter what stresses or shocks they encounter. Resilient communities are able to learn from adversity and adapt quickly to change. In general, the most important qualities of resilient communities are: (1) Reflective, (2) Flexible, (3) Integrated, (4) Robust, (5) Resourceful, (6) Redundant and (7) Inclusive. The Rockefeller Foundation has identified 12 indicators within these qualities that make for a resilient community (see inset). However, it is important to acknowledge that Emmet County is unique and not all of these indicators or characteristics may be necessary for the county to be “resilient.”

In Emmet County we know that our western boundary is primarily the Lake Michigan shoreline. Lake Michigan is an asset in every sense of the word. It creates a location for recreation. It is a highly valuable source of habitat for a variety of species of birds, insects, fish, other animals, plant-life and more. It provides for stunning scenic vistas, with its “million-dollar sunsets” and its vast open plane. The land fronting Lake Michigan is highly valued for residential, commercial and recreational uses. It is also an ever-changing, dynamic body of water. The water levels are cyclical as demonstrated by the USGS hydrological surveys. Emmet County should be aware of the changes, anticipate the impact they may have on our resources and plan accordingly.

DEFINING VULNERABILITY IN EMMET COUNTY
The effects of climate change have been felt by everyone. With planning and preparation, communities can weather the storms and recover, becoming even better places to live and thrive. Through community-wide planning, resilient communities actively cultivate their abilities to recover from adverse situations and events, working to strengthen and diversify their local economies and
Chapter 8: Resiliency

communication networks, increase social capital and civic engagement, enhance ecosystem services, improve human health and social systems and build local adaptive capacity.

The Emmet County planning process aims to increase community resilience by fostering civic engagement and improving communication and cooperation between local officials, citizens and neighboring jurisdictions. To improve economic resilience, Emmet County and communities throughout northwest Lower Michigan should work to encourage and support local production of goods and supplies, increasing self-reliance and reducing the flow of funds out of the community. Zoning policies and programs to encourage local investing and entrepreneurship can be helpful in building both employment and production capacity. Local investments, consumption of locally-produced products and locally-owned businesses all help to diversify the community’s economy, giving it greater resilience.

The following is a vulnerability assessment focused on Emmet County’s coastal communities. This assessment begins with an overview of regional climate trends and predicts societal impacts, then transitions to a detailed assessment of each community’s vulnerabilities to extreme heat and flooding events. Although the assessment is concentrated on these two specific types of events, many of the considerations and societal impacts identified would be present in other stresses and shocks within the community (e.g. a winter storm).

In completing the assessment, several factors are considered, such as demographics, environmental conditions, locations of critical facilities and essential services and the built environment. This assessment informs recommendations for reducing identified community vulnerabilities through policies, programs and projects, which will inevitably lead to a more resilient community.

Climate Variability Based on the most recent models, the climate of Emmet County will continue to warm, with greater increases in average temperatures during the winter months and at night. There are a variety of weather impacts expected with this change in average temperatures. Some of the potential impacts of climate change in the county are listed below:

- Storms are expected to become more frequent and more severe
- Increases in winter and spring precipitation
- Less precipitation as snow and more as rain
- Less winter ice on lakes
- Extended growing season (earlier spring/later fall)
- More flooding events with risks of erosion
- Increases in frequency and length of severe heat events (heat waves)
- Increased risk of drought, particularly in summer

It is important to note that increased flooding and more intense drought are not mutually exclusive nor contradictory. In the Great Lakes region, scientists are predicting more intense rain events in the fall and winter along with more intense droughts in the summer months.
These changes in climate could have a number of both positive and negative effects in Emmet County. For example, an extended growing season could help support new crops and increase crop yields for area farmers. On the other hand, the highly variable weather conditions — such as severe storms and flooding mixed with summer droughts — present big challenges to farming. Much of the U.S. has been warmer in recent years and that affects which plants grow best in various regions. The Arbor Day Foundation completed an extensive update of U.S. Hardiness Zones based on data from 5,000 National Climatic Data Center cooperative stations across the continental United States. As illustrated in Figure 8-1, zones in northwest Lower Michigan are shifting northward. A few decades ago, Emmet County was solidly in Zone 4; today, Zone 5 plants that once thrived in the southern reaches of the state can now successfully survive in Emmet County.

**Heavy Rain and Flooding**
Climate scientists say that Emmet County and northwest Lower Michigan can expect more frequent storms of increasing severity in the decades ahead. The total amount of rainfall per year is also likely to increase. However, climate models suggest the precipitation will be more concentrated in the
Chapter 8: Resiliency

winter, spring and fall seasons and there will be more localized, intense storms at almost any time of year.

The potential for substantially larger rain events raises concerns over harm to human health and damage to buildings and infrastructure.

In assessing vulnerability to flooding, community planners evaluate potential exposures as well as sensitivity. Buildings, roads, bridges, sewer lines and other infrastructure located in a flood zone are exposed to greater risks. Where flowing floodwaters have the greatest energy, structures may be undercut, collapse or move and soils will erode. Even areas outside of an identified floodplain are subject to flooding from heavy downpours. Where the soils have low permeability and physical drainage is inadequate, water will accumulate and cause ponding during large storm events. Appropriate planning and land-use regulations can help reduce exposures caused by poor site selection. The sensitivity of structures can be modified to reduce risk of damage by applying flood-resistant design standards.

Conclusions
No specific recommendations were made which would require changes to the Emmet County Zoning Ordinance. More evaluation may be necessary in the future as scenarios change and if individual townships wish to engage in further study. Regardless, climate and weather continue to change and citizens should be aware of the potential risks associated with land ownership and management. Resources are available locally through Tip of the Mitt Watershed Council and Emmet County Planning and Zoning Department.

The statements, findings, conclusions and recommendation in this Master Plan are those of the County of Emmet and do not necessarily reflect the views of the Michigan Department of Environment, Great Lakes, and Energy and the National Oceanic and Atmospheric Administration.
Chapter 9: Action Plan

EMMET COUNTY PLANNING COMMISSION ACTION PLAN

Emmet County is one of 83 counties within the State of Michigan. Approximately 30% of the counties within Michigan have adopted county-wide zoning ordinances. Because of countywide planning and zoning responsibilities, Emmet County Planning Commission’s role is quite vast. As the zoning authority, the Planning Commission’s tasks include reviewing special land uses, planned unit developments, rezoning requests, zoning ordinance text amendments and site plan reviews. Its role as a county planning agency includes review of adjacent communities’ plans, ordinance amendments and municipalities’ plans and ordinance amendments acting as the Zoning Coordinating Committee.

IMPLEMENTATION AND ACTION PLAN

1. Support a strong economic base by attracting, retaining and expanding environmentally sustainable businesses, especially those that lead to the creation of permanent employment with higher wage opportunities, increased local tax base, or other public benefits.
   a. Promote growth that does not sacrifice or negatively impact unique community character.
   b. Advocate sustainable development practices.
   c. Encourage businesses that add value to our natural resources.
   d. Work with municipalities to create, maintain and improve infrastructure and services to support business development in established business centers and industrial parks.
   e. Promote, develop and maintain both seasonal and year-round recreational activities, to support recreation-based tourism.
   f. Provide business incentives for businesses that meet the criteria of the Master Plan.
   g. Advocate the re-development of brownfields (previously developed sites) and in-fill of vacant parcels within already-developed locations as opposed to development of greenfields and open spaces in rural areas.
   h. Advocate the expansion of high-speed internet in underserved areas.
   i. Use social media to communicate opportunities available to residents and visitors.
   j. Explore new technologies when upgrading and expanding Emmet County’s infrastructure.
   k. Review zoning to ensure adequate locations for pre-school and child care facilities.

2. Provide opportunities for homes for our future so that our work force can afford to live, work and play in our communities.
   a. Work with local communities to strengthen existing downtowns by encouraging mixed-use development and “walkable downtowns.”
   b. Use the location of utilities and existing land-use patterns to guide and direct future development.
   c. Ensure that public facilities are adequate to support desired development.
   d. Work with local municipalities to enhance and expand sanitary sewer services and infrastructure and where appropriate, to guide future development and protect water quality.

3. Maintain the existing rural character and increase the vitality of our local agricultural community and forestry operations.
Chapter 9: Action Plan

a. Support value-added agriculture, such as farm stands, farmers markets and community-based agricultural businesses.

b. Promote agriculture-based tourism and community events in appropriate locations as identified on the Future Land Use Map.

4. Preserve agricultural land to maintain its rural character, wildlife habitat, water and air quality, production and historic value.
   a. Support and promote the use of preservation tools, such as purchase of development rights (PDR), transfer of development rights (TDR), PA 116 (Farmland and Open Space Preservation Act), cluster development and conservation design.

5. Protect, conserve and preserve natural resources that are part of the county’s heritage.
   a. Review and strengthen the Emmet County Zoning Ordinance to protect all natural resources of the county.
   b. Explore funding options and other creative strategies for preserving natural resources and creating recreational opportunities.
   c. Coordinate permitting with local, state and federal agencies to ensure all applicable environmental permits and conditional approvals are in place.
   d. Provide educational opportunities for landowners, policy-makers and developers on the importance of environmental conservation practice such as low-impact development and conservation easements that contribute to preservation of natural systems.

6. Protect and preserve historic properties and resources.
   a. Protect significant historic properties by promoting their rehabilitation and appropriate or adaptive re-use.

7. Provide adequate public facilities to support the common needs of the residents, businesses and visitors of Emmet County.
   a. Identify opportunities for new or expanded public facilities which can enhance the overall quality of life within Emmet County for all.
   b. Work with community organizations to identify potential community needs and appropriate future facility locations to best serve the community.
   c. Encourage community facilities generating high traffic volumes to locate along major roadways and provide access opportunities for alternative transportation modes.
   d. Support and encourage the joint planning, development and use of public facilities and services with other governmental or community organizations in areas of mutual concern and benefit in order to maximize efficiency, reduce costs and minimize impacts on the environment.
   e. Communicate and coordinate with long-term health care facilities and providers to anticipate and address future needs.

8. Analyze and plan for transportation infrastructure to enhance and promote safety.
   a. Link development areas through a network of corridors and connector routes for both motorized and non-motorized travel.
Chapter 9: Action Plan

b. Implement pedestrian and bicycle connections within and between residential, commercial, industrial, educational and other community facilities through cooperative relationships with organizations and jurisdictions.

c. Incorporate the use of signs, crosswalks and trail buffers for the safety of pedestrians, bicyclists and vehicular traffic.

d. Promote traffic calming techniques to increase the walkability and residential feel of communities and residential areas.

e. Utilize local zoning and the site-plan review process to implement transportation recommendations.

f. Implement recommendations from the Access Management Plan.

g. Coordinate existing and future transportation planning and design with land uses to minimize environmental stressors.

9. Encourage cost-effective and affordable multi-modal transportation for all, interconnecting areas of residence, employment, education, commerce, public services and recreation.

a. Promote alternate modes of transportation such as public transit, carpooling and non-motorized transportation, etc. to reduce traffic congestion and meet the needs of all.

b. Encourage the community to express their desires regarding a transit system.

c. Identify existing transportation services and consolidate resources in order to eliminate duplicate routes.

10. Maintain effective working relationships among local, regional, state, tribal and federal governments.

a. Work with all units of government to actively address goals of the Master Plan.

b. Regularly review intergovernmental agreements to re-affirm such agreements are still supported by the participating governmental units.

c. Communicate and collaborate on issues of mutual interest and become more aware of the goals, objectives and strategies of other groups and boards.

d. Identify gaps and develop programs to promote regional economic development cooperation within Emmet County and the region.

e. Work in cooperation with units of government that use differing planning and zoning guidelines in order to standardize regulations where appropriate.

f. Meet with each township, city and village a minimum of one time within the next five years to maintain lines of communication.

g. Keep informed and educated on marijuana standards. Communicate with each township regarding marijuana laws and ordinances.

11. Provide zoning districts which allow for diversity in the type, density and location of housing.

a. Encourage creative housing developments that incorporate open spaces in areas of higher density.

b. Work in partnership with public and private groups to seek resources for affordable housing.

c. Encourage housing development compatible with existing and proposed future land uses.

d. Require sidewalks, trails, appropriate lighting and other amenities in new developments, which help make residential neighborhoods pleasant and safe.
Chapter 9: Action Plan

e. Promote redevelopment and infill housing to utilize existing infrastructure.

12. Encourage housing options for all people.
   a. Participate in regional discussions, programs and policies to address the housing needs of the county.
   b. Work with local non-profits and community organizations to provide shelter and other support services to individuals who are homeless, or at risk of becoming homeless.
   c. Evaluate ordinances and tools to ensure opportunities for a wide range of housing types and densities to meet existing and future housing needs.

13. Provide for land uses based on demonstrated need in their appropriate locations throughout Emmet County.
   a. Coordinate proposed land-use patterns with adequate transportation, infrastructure systems and required services to support development, while encouraging the best use of land and discouraging sprawl.
   b. Promote the location of higher-density mixed-use developments in established commercial areas.
   c. Encourage the concentration of commercial and industrial activities in selected areas to alleviate the pressures of sprawl.
   d. Identify and adopt incentives for properties identified as potential redevelopment and infill areas.
   e. Identify and promote utilization of brownfield sites.
   f. Revise zoning maps and standards to encourage mixed-use development as represented on the Future Land Use Map.
   g. Where infrastructure such as water and sewer is already in place, encourage higher-density residential, commercial and industrial development to minimize environmental impacts.
   h. Identify areas with mixed use, commercial and industrial potential to meet the needs of the county.
   i. Identify risks to existing and future development along the Lake Michigan shoreline and provide education to promote resiliency.
Q1 Where in Emmet County do you live? Please select which Township, City, or Village your housing address resides in. If you are a seasonal resident or non-resident, please refer to the last answer choice.

Answered: 640  Skipped: 0
## Emmet County Master Plan 2019 Survey

### Answer Choices and Responses

<table>
<thead>
<tr>
<th>Choice</th>
<th>Percentage</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bear Creek Township (1)</td>
<td>15.94%</td>
<td>102</td>
</tr>
<tr>
<td>Bliss Township (2)</td>
<td>1.72%</td>
<td>11</td>
</tr>
<tr>
<td>Carp Lake Township (3)</td>
<td>0.94%</td>
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</tr>
<tr>
<td>Center Township (4)</td>
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<td>8</td>
</tr>
<tr>
<td>City of Harbor Springs (5)</td>
<td>5.78%</td>
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<tr>
<td>City of Petoskey (6)</td>
<td>18.75%</td>
<td>120</td>
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<tr>
<td>Cross Village Township (7)</td>
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</tr>
<tr>
<td>Friendship Township (8)</td>
<td>1.72%</td>
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</tr>
<tr>
<td>Littlefield Township (9)</td>
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<tr>
<td>Little Traverse Township (10)</td>
<td>7.34%</td>
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</tr>
<tr>
<td>Maple River Township (11)</td>
<td>2.19%</td>
<td>14</td>
</tr>
<tr>
<td>McKinley Township (12)</td>
<td>0.78%</td>
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</tr>
<tr>
<td>Pleasantview Township (13)</td>
<td>3.75%</td>
<td>24</td>
</tr>
<tr>
<td>Readmond Township (14)</td>
<td>1.72%</td>
<td>11</td>
</tr>
<tr>
<td>Resort Township (15)</td>
<td>6.88%</td>
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</tr>
<tr>
<td>Springvale Township (16)</td>
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<td>42</td>
</tr>
<tr>
<td>Village of Alanson (17)</td>
<td>0.63%</td>
<td>4</td>
</tr>
<tr>
<td>Village of Alanson (17)</td>
<td>0.63%</td>
<td>4</td>
</tr>
<tr>
<td>Village of Mackinaw City (18)</td>
<td>0.94%</td>
<td>6</td>
</tr>
<tr>
<td>Village of Pellston (19)</td>
<td>0.94%</td>
<td>6</td>
</tr>
<tr>
<td>Wawatam Township (20)</td>
<td>0.94%</td>
<td>6</td>
</tr>
<tr>
<td>West Traverse Township (21)</td>
<td>6.72%</td>
<td>43</td>
</tr>
<tr>
<td>I prefer not to answer (22)</td>
<td>0.00%</td>
<td>0</td>
</tr>
</tbody>
</table>
If you are a seasonal resident or non-resident, please describe your connection to Emmet County and, generally, where you live other than the County? (23)  

<table>
<thead>
<tr>
<th>TOTAL</th>
<th>640</th>
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<table>
<thead>
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<tr>
<td>Minimum</td>
<td>1.00</td>
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<td></td>
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<tr>
<td>Maximum</td>
<td>23.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Median</td>
<td>9.00</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mean</td>
<td>10.29</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Standard Deviation</td>
<td>7.10</td>
<td></td>
<td></td>
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</tr>
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</table>
Q2 What describes your residential status?

Answered: 633   Skipped: 7

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>I am a full time resident of Emmet County</td>
<td>80.88%</td>
</tr>
<tr>
<td>I own property in Emmet County, but do not reside in Emmet County</td>
<td>5.85%</td>
</tr>
<tr>
<td>I am a seasonal resident of Emmet County</td>
<td>9.64%</td>
</tr>
<tr>
<td>I live outside of Emmet County</td>
<td>3.63%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
Q3 How long have you lived in Emmet County, either full time or seasonally?

Answered: 636   Skipped: 4

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
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<tbody>
<tr>
<td>Less than one year</td>
<td>2.67%</td>
</tr>
<tr>
<td>1 - 5 years</td>
<td>10.69%</td>
</tr>
<tr>
<td>6 - 10 years</td>
<td>10.22%</td>
</tr>
<tr>
<td>11 - 20 years</td>
<td>16.19%</td>
</tr>
<tr>
<td>21 - 30 years</td>
<td>18.08%</td>
</tr>
<tr>
<td>More than 30 years</td>
<td>38.21%</td>
</tr>
<tr>
<td>Not applicable</td>
<td>3.93%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
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</table>
Q4 In the past 5-10 years, Emmet County has become:

Answered: 628   Skipped: 12

Answer Choices

<table>
<thead>
<tr>
<th>RESPONSES</th>
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<tbody>
<tr>
<td>More of a place I want...</td>
</tr>
<tr>
<td>Less of a place I want...</td>
</tr>
<tr>
<td>Remained the same</td>
</tr>
<tr>
<td>Don't Know</td>
</tr>
<tr>
<td>TOTAL</td>
</tr>
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</table>
Q5 If you are a current resident, do you plan on moving from the County in the next five to ten years?

Answered: 581   Skipped: 59

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
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<tbody>
<tr>
<td>Yes</td>
<td>15.83%</td>
</tr>
<tr>
<td>No</td>
<td>82.79%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
Q6 What are the things that you find most appealing about Emmet County? (check all that apply)

Answered: 640    Skipped: 0

- Entertainment options
- Recreation options
- The small town feel
- It is affordable
- Quality of schools
- Quality of public safety
- Sense of community
- Ability to live close to
- Want a community that
- My parent/family
- Proximity to my employment
- Availability of medical care
- Shopping options
- It is where I grew up
- County-run ambulance
- County-run medical care
- Natural areas
<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Entertainment options</td>
<td>19.84%</td>
</tr>
<tr>
<td>Recreation options</td>
<td>66.25%</td>
</tr>
<tr>
<td>The small town feel</td>
<td>67.03%</td>
</tr>
<tr>
<td>It is affordable</td>
<td>9.84%</td>
</tr>
<tr>
<td>Quality of schools</td>
<td>37.03%</td>
</tr>
<tr>
<td>Quality of public safety (police and fire)</td>
<td>35.00%</td>
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<tr>
<td>Sense of community</td>
<td>43.91%</td>
</tr>
<tr>
<td>Ability to live close to a downtown</td>
<td>29.38%</td>
</tr>
<tr>
<td>Want a community that is less congested and busy</td>
<td>37.66%</td>
</tr>
<tr>
<td>My parent/family live here</td>
<td>28.44%</td>
</tr>
<tr>
<td>Proximity to my employment</td>
<td>32.03%</td>
</tr>
<tr>
<td>Availability of medical care</td>
<td>31.72%</td>
</tr>
<tr>
<td>Shopping options</td>
<td>12.66%</td>
</tr>
<tr>
<td>It is where I grew up</td>
<td>26.09%</td>
</tr>
<tr>
<td>County-run ambulance</td>
<td>15.94%</td>
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<tr>
<td>County-run medical care facility</td>
<td>18.13%</td>
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<tr>
<td>Natural areas</td>
<td>71.72%</td>
</tr>
<tr>
<td>Total Respondents: 640</td>
<td></td>
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</tbody>
</table>
**Q7 What are Emmet County's negative aspects? (check all that apply)**

<table>
<thead>
<tr>
<th>Issue</th>
<th>Tally</th>
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</thead>
<tbody>
<tr>
<td>Limited lodging options</td>
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</tr>
<tr>
<td>Limited housing choices</td>
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</tr>
<tr>
<td>High taxes</td>
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<tr>
<td>Lack of recreational...</td>
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</tr>
<tr>
<td>Lack of youth activities</td>
<td>31</td>
</tr>
<tr>
<td>Distance to employment...</td>
<td>23</td>
</tr>
<tr>
<td>Lack of shopping/dining...</td>
<td>11</td>
</tr>
<tr>
<td>Lack of non-motorized...</td>
<td>6</td>
</tr>
<tr>
<td>Lack of cultural...</td>
<td>9</td>
</tr>
<tr>
<td>Lack of grocery store</td>
<td>5</td>
</tr>
<tr>
<td>Blighted homes</td>
<td>25</td>
</tr>
<tr>
<td>Public safety (police and...</td>
<td>2</td>
</tr>
<tr>
<td>Road maintenance</td>
<td>30</td>
</tr>
<tr>
<td>Congestion</td>
<td>10</td>
</tr>
<tr>
<td>Lack of convenient...</td>
<td>8</td>
</tr>
<tr>
<td>Lack of community...</td>
<td>7</td>
</tr>
<tr>
<td>Quality of school district</td>
<td>4</td>
</tr>
<tr>
<td>High utility expenses</td>
<td>7</td>
</tr>
<tr>
<td>Lack of access to public...</td>
<td>9</td>
</tr>
</tbody>
</table>
Emmet County Master Plan 2019 Survey

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Limited lodging options</td>
<td>9.38%</td>
</tr>
<tr>
<td>Limited housing choices</td>
<td>53.75%</td>
</tr>
<tr>
<td>High taxes</td>
<td>32.03%</td>
</tr>
<tr>
<td>Lack of recreational activities within the community</td>
<td>7.97%</td>
</tr>
<tr>
<td>Lack of youth activities</td>
<td>16.72%</td>
</tr>
<tr>
<td>Distance to employment opportunities</td>
<td>13.13%</td>
</tr>
<tr>
<td>Lack of shopping/dining options</td>
<td>14.06%</td>
</tr>
<tr>
<td>Lack of non-motorized transportation (bike paths, sidewalk, curb cuts for handicapped)</td>
<td>8.75%</td>
</tr>
<tr>
<td>Lack of cultural events/entertainment options</td>
<td>14.53%</td>
</tr>
<tr>
<td>Lack of grocery store</td>
<td>5.16%</td>
</tr>
<tr>
<td>Blighted homes</td>
<td>15.47%</td>
</tr>
<tr>
<td>Public safety (police and fire)</td>
<td>2.19%</td>
</tr>
<tr>
<td>Road maintenance</td>
<td>40.31%</td>
</tr>
<tr>
<td>Congestion</td>
<td>30.78%</td>
</tr>
<tr>
<td>Lack of convenient Downtown parking</td>
<td>33.28%</td>
</tr>
<tr>
<td>Lack of community center</td>
<td>13.91%</td>
</tr>
<tr>
<td>Quality of school district</td>
<td>3.44%</td>
</tr>
<tr>
<td>High utility expenses</td>
<td>13.28%</td>
</tr>
<tr>
<td>Lack of access to public transit</td>
<td>30.63%</td>
</tr>
<tr>
<td>Leadership in local government</td>
<td>24.38%</td>
</tr>
<tr>
<td>Loss of natural areas</td>
<td>15.00%</td>
</tr>
</tbody>
</table>

Total Respondents: 640
Q8 Have you attended a community event, such as the County fair or art in the park, in Emmet County in the past three years? If so, how many?

Answered: 629  Skipped: 11

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>No</td>
<td>14.15%</td>
</tr>
<tr>
<td>Yes, 1-2</td>
<td>23.05%</td>
</tr>
<tr>
<td>Yes, 3-4</td>
<td>26.71%</td>
</tr>
<tr>
<td>Yes, 5-6</td>
<td>15.42%</td>
</tr>
<tr>
<td>Yes, 7+</td>
<td>20.67%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
Q9 Which events have you attended? How important are these events to you?

Answered: 446   Skipped: 194
Q10 For each type of housing listed below, please indicate how much new housing you feel the County needs in the next 5 - 10 years.

Answered: 640    Skipped: 0
Emmet County Master Plan 2019 Survey

<table>
<thead>
<tr>
<th></th>
<th>NO OPINION</th>
<th>NONE</th>
<th>LESS</th>
<th>SAME</th>
<th>MORE</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Single-family</td>
<td>19.87%</td>
<td>3.53%</td>
<td>1.60%</td>
<td>16.67%</td>
<td>58.33%</td>
<td>624</td>
</tr>
<tr>
<td></td>
<td>124</td>
<td>22</td>
<td>10</td>
<td>104</td>
<td>364</td>
<td></td>
</tr>
<tr>
<td>Townhouses / rowhouses</td>
<td>29.01%</td>
<td>11.35%</td>
<td>7.29%</td>
<td>17.67%</td>
<td>34.68%</td>
<td>617</td>
</tr>
<tr>
<td></td>
<td>179</td>
<td>70</td>
<td>45</td>
<td>109</td>
<td>214</td>
<td></td>
</tr>
<tr>
<td>Housing Type</td>
<td>Percentage</td>
<td>Detached Townhomes / Condos</td>
<td>Multi-family Apartment - Income Restricted</td>
<td>Multi-family Apartment - Market Rate</td>
<td>Senior Housing - Independent Living</td>
<td>Senior Housing - Assisted Living</td>
</tr>
<tr>
<td>--------------------------------------------------</td>
<td>------------</td>
<td>-----------------------------</td>
<td>------------------------------------------</td>
<td>--------------------------------------</td>
<td>------------------------------------</td>
<td>-----------------------------------</td>
</tr>
<tr>
<td>Detached Townhomes / Condos</td>
<td>29.28%</td>
<td>178</td>
<td>138</td>
<td>21.87%</td>
<td>25.74%</td>
<td>23.50%</td>
</tr>
<tr>
<td>Multi-family Apartment - Income Restricted</td>
<td>11.18%</td>
<td>68</td>
<td>50</td>
<td>7.92%</td>
<td>8.42%</td>
<td>4.86%</td>
</tr>
<tr>
<td>Multi-family Apartment - Market Rate</td>
<td>7.89%</td>
<td>48</td>
<td>16</td>
<td>2.54%</td>
<td>3.80%</td>
<td>1.62%</td>
</tr>
<tr>
<td>Senior Housing - Independent Living</td>
<td>22.86%</td>
<td>139</td>
<td>76</td>
<td>12.04%</td>
<td>19.80%</td>
<td>22.53%</td>
</tr>
<tr>
<td>Senior Housing - Assisted Living</td>
<td>28.78%</td>
<td>175</td>
<td>351</td>
<td>55.63%</td>
<td>42.24%</td>
<td>47.49%</td>
</tr>
<tr>
<td>Senior Housing - Full Service Community</td>
<td>608</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Downtown Apartments/Lofts</td>
<td>606</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Micro-housing (less than 500 sq. ft)</td>
<td>631</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Accessory Dwellings (Granny Flats, In-law Suites, etc.)</td>
<td>614</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Q11 How important are each of the following development priorities for Emmet County to address over the next five to ten years?

Answered: 640  Skipped: 0
<table>
<thead>
<tr>
<th>Action</th>
<th>Survey Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Install sidewalks</td>
<td></td>
</tr>
<tr>
<td>Increase the public trans.</td>
<td></td>
</tr>
<tr>
<td>Expand the existing infrastructure</td>
<td></td>
</tr>
<tr>
<td>Expand the existing infrastructure</td>
<td></td>
</tr>
</tbody>
</table>
Provide incentives to... Expand commercial a... Create community... Construct uniform welc...
Expand Emmet County’s...
Incorporate art (sculptu...
Improve non-motorize...
Preserve natural...
### Emmet County Master Plan 2019 Survey

#### Improving Infrastructure

<table>
<thead>
<tr>
<th>Initiative</th>
<th>No Opinion</th>
<th>Not Important At All</th>
<th>Somewhat Important</th>
<th>Important</th>
<th>Extremely Important</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Improve appearance of residential neighborhoods</td>
<td>12.20%</td>
<td>15.28%</td>
<td>33.82%</td>
<td>29.76%</td>
<td>8.94%</td>
<td>615</td>
</tr>
<tr>
<td>Address blight and vacant homes</td>
<td>11.02%</td>
<td>6.65%</td>
<td>28.85%</td>
<td>32.90%</td>
<td>20.58%</td>
<td>617</td>
</tr>
<tr>
<td>Increase supply of affordable housing</td>
<td>7.94%</td>
<td>4.13%</td>
<td>11.11%</td>
<td>23.33%</td>
<td>53.49%</td>
<td>630</td>
</tr>
<tr>
<td>Increase availability of senior housing</td>
<td>14.29%</td>
<td>4.92%</td>
<td>19.37%</td>
<td>34.76%</td>
<td>26.67%</td>
<td>630</td>
</tr>
<tr>
<td>Install sidewalks community-wide</td>
<td>14.38%</td>
<td>18.26%</td>
<td>30.86%</td>
<td>24.23%</td>
<td>12.28%</td>
<td>619</td>
</tr>
<tr>
<td>Increase the public transit program</td>
<td>11.27%</td>
<td>15.30%</td>
<td>21.26%</td>
<td>25.28%</td>
<td>26.89%</td>
<td>621</td>
</tr>
<tr>
<td>Expand the existing non-motorized network within Emmet County</td>
<td>15.65%</td>
<td>15.97%</td>
<td>30.16%</td>
<td>25.65%</td>
<td>12.58%</td>
<td>620</td>
</tr>
<tr>
<td>Expand the existing non-motorized network to connect regionally</td>
<td>17.37%</td>
<td>16.88%</td>
<td>30.52%</td>
<td>23.54%</td>
<td>11.69%</td>
<td>616</td>
</tr>
<tr>
<td>Recommendation</td>
<td>10.82%</td>
<td>22.29%</td>
<td>25.36%</td>
<td>26.49%</td>
<td>15.02%</td>
<td></td>
</tr>
<tr>
<td>--------------------------------------------------------------------------------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td>--------</td>
<td></td>
</tr>
<tr>
<td>Provide incentives to attract commercial/industrial development</td>
<td>67</td>
<td>138</td>
<td>157</td>
<td>164</td>
<td>93</td>
<td>619</td>
</tr>
<tr>
<td>Expand commercial and industrial development</td>
<td>12.46%</td>
<td>22.65%</td>
<td>26.70%</td>
<td>22.01%</td>
<td>16.18%</td>
<td>618</td>
</tr>
<tr>
<td>Create community wayfinding signage for key County assets including Downtown, trails, and parks</td>
<td>14.17%</td>
<td>25.73%</td>
<td>35.18%</td>
<td>18.89%</td>
<td>6.03%</td>
<td>614</td>
</tr>
<tr>
<td>Construct uniform welcome markers at each of the County main entrances</td>
<td>16.80%</td>
<td>47.47%</td>
<td>23.49%</td>
<td>9.95%</td>
<td>2.28%</td>
<td>100</td>
</tr>
<tr>
<td>Expand Emmet County's recreational programming and facilities</td>
<td>11.65%</td>
<td>15.21%</td>
<td>35.28%</td>
<td>23.62%</td>
<td>14.24%</td>
<td>618</td>
</tr>
<tr>
<td>Incorporate art (sculpture, statues, murals) into public spaces and onto public infrastructure</td>
<td>13.64%</td>
<td>33.93%</td>
<td>33.93%</td>
<td>13.80%</td>
<td>4.71%</td>
<td>616</td>
</tr>
<tr>
<td>Improve non-motorized accessibility (sidewalks and accessibility) to open spaces and recreational areas</td>
<td>14.50%</td>
<td>14.98%</td>
<td>36.64%</td>
<td>24.76%</td>
<td>9.12%</td>
<td>614</td>
</tr>
<tr>
<td>Preserve natural features (floodplains, woodlands, and stream shoreline)</td>
<td>4.78%</td>
<td>2.39%</td>
<td>10.53%</td>
<td>27.43%</td>
<td>54.86%</td>
<td>627</td>
</tr>
<tr>
<td>Improve road maintenance</td>
<td>4.31%</td>
<td>1.44%</td>
<td>18.18%</td>
<td>35.25%</td>
<td>40.83%</td>
<td>627</td>
</tr>
<tr>
<td>Improve broadband access to all properties</td>
<td>6.43%</td>
<td>7.56%</td>
<td>17.68%</td>
<td>26.85%</td>
<td>41.48%</td>
<td>622</td>
</tr>
</tbody>
</table>
Q12 How important are each of the following conservation and sustainability priorities for the County in the next 5-10 years?

Answered: 633   Skipped: 7

- Solar Energy
- Wind Energy
- Wildlife Corridors
- Shoreline/Beach Protection
Emmet County Master Plan 2019 Survey

<table>
<thead>
<tr>
<th>NO OPINION</th>
<th>NOT IMPORTANT AT ALL</th>
<th>SOMETHOW IMPORTANT</th>
<th>IMPORTANT</th>
<th>EXTREMELY IMPORTANT</th>
<th>TOTAL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Solar Energy</td>
<td>7.09%</td>
<td>10.31%</td>
<td>21.74%</td>
<td>27.38%</td>
<td>621</td>
</tr>
</tbody>
</table>
### Emmet County Master Plan 2019 Survey

<table>
<thead>
<tr>
<th>Category</th>
<th>8.09%</th>
<th>13.92%</th>
<th>20.55%</th>
<th>25.89%</th>
<th>31.55%</th>
<th>618</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wind Energy</td>
<td>50</td>
<td>127</td>
<td>160</td>
<td>195</td>
<td>618</td>
<td></td>
</tr>
<tr>
<td>Wildlife Corridors</td>
<td>6.94%</td>
<td>4.84%</td>
<td>21.29%</td>
<td>28.55%</td>
<td>38.39%</td>
<td>620</td>
</tr>
<tr>
<td>Shoreline/Beach Protection</td>
<td>3.34%</td>
<td>9.6%</td>
<td>30.84%</td>
<td>55.01%</td>
<td>346</td>
<td>629</td>
</tr>
<tr>
<td>Woodland Protection</td>
<td>3.69%</td>
<td>1.92%</td>
<td>10.58%</td>
<td>34.62%</td>
<td>49.20%</td>
<td>624</td>
</tr>
<tr>
<td>Farmland Protection</td>
<td>5.60%</td>
<td>3.04%</td>
<td>16.64%</td>
<td>32.96%</td>
<td>41.76%</td>
<td>625</td>
</tr>
<tr>
<td>Inland Lake Preservation</td>
<td>3.04%</td>
<td>1.60%</td>
<td>7.99%</td>
<td>32.75%</td>
<td>54.63%</td>
<td>626</td>
</tr>
<tr>
<td>Wetland Preservation</td>
<td>4.36%</td>
<td>2.10%</td>
<td>13.41%</td>
<td>31.99%</td>
<td>48.14%</td>
<td>619</td>
</tr>
<tr>
<td>Watershed Preservation</td>
<td>5.35%</td>
<td>2.11%</td>
<td>12.97%</td>
<td>30.47%</td>
<td>49.11%</td>
<td>617</td>
</tr>
<tr>
<td>Public Transportation</td>
<td>6.00%</td>
<td>15.72%</td>
<td>22.85%</td>
<td>28.36%</td>
<td>27.07%</td>
<td>617</td>
</tr>
<tr>
<td>Non-Motorized Transportation</td>
<td>10.14%</td>
<td>14.43%</td>
<td>30.58%</td>
<td>27.49%</td>
<td>17.35%</td>
<td>582</td>
</tr>
</tbody>
</table>

- **Wind Energy**
- **Wildlife Corridors**
- **Shoreline/Beach Protection**
- **Woodland Protection**
- **Farmland Protection**
- **Inland Lake Preservation**
- **Wetland Preservation**
- **Watershed Preservation**
- **Public Transportation**
- **Non-Motorized Transportation**
Q13 What new types of businesses or service providers would you like to see in the community?

Answered: 336    Skipped: 304
Q14 Please identify additional development priorities (or developments that should be discouraged!) for the County that were not addressed in the above questions.

Answered: 249    Skipped: 391
Q15 Do you own Lakefront property (on Lake Michigan or an inland lake)?

Answered: 630   Skipped: 10

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>17.30%</td>
</tr>
<tr>
<td>No</td>
<td>82.70%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
Q16 If yes, has your property been impacted by fluctuating lake levels? Describe how.
Q17 If no, have your visits to Lake Michigan or inland lakes been impacted by fluctuating lake levels? Describe how.

Answered: 303   Skipped: 337
Q18 Describe your level of support for programs to preserve lakefronts and protect watersheds

Answered: 614  Skipped: 26
Emmet County Master Plan 2019 Survey

### Strongly Oppose | Oppose | Support | Strongly Support | No Opinion | Total
--- | --- | --- | --- | --- | ---
Zoning Regulations on Lakefront Development | 2.16% | 3.81% | 32.17% | 50.25% | 11.61% | 603
Reduced housing or building density along lakefronts | 2.15% | 6.95% | 32.62% | 44.87% | 13.41% | 604
Conservation Easements along lakefronts | 1.67% | 3.67% | 32.89% | 47.91% | 13.86% | 599
Conservation Easements to protect watersheds | 1.17% | 2.34% | 33.61% | 48.83% | 14.05% | 598
Distribution of best practices information to private property owners | 1.84% | 1.50% | 37.23% | 41.40% | 18.03% | 599
Private conservation agreements between neighboring property owners | 3.23% | 5.61% | 34.52% | 27.89% | 28.74% | 588
Public or non-profit acquisition of lakefront land for preservation | 2.68% | 5.03% | 30.20% | 45.30% | 16.78% | 596
Public or non-profit acquisition of land to protect watersheds | 2.17% | 3.67% | 31.50% | 45.83% | 16.83% | 600
### Construction of public sewers in lakefront neighborhoods

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.64%</td>
<td>27</td>
</tr>
<tr>
<td>6.19%</td>
<td>36</td>
</tr>
<tr>
<td>31.44%</td>
<td>183</td>
</tr>
<tr>
<td>29.90%</td>
<td>174</td>
</tr>
<tr>
<td>27.84%</td>
<td>162</td>
</tr>
</tbody>
</table>

### Investment in Green Energy, Public Transportation, and other areas to combat climate change

<table>
<thead>
<tr>
<th>Percentage</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>6.33%</td>
<td>38</td>
</tr>
<tr>
<td>8.50%</td>
<td>51</td>
</tr>
<tr>
<td>21.00%</td>
<td>126</td>
</tr>
<tr>
<td>48.67%</td>
<td>292</td>
</tr>
<tr>
<td>15.50%</td>
<td>93</td>
</tr>
</tbody>
</table>

---

Emmet County Master Plan 2019 Survey
Q19 How would you rate the effectiveness of EMGO, the Emmet County Public Transportation system?

Answered: 585   Skipped: 55

**Answer Choices**  

<table>
<thead>
<tr>
<th>Answer Choices</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely effective</td>
<td>2.91%</td>
</tr>
<tr>
<td>Very effective</td>
<td>8.72%</td>
</tr>
<tr>
<td>Somewhat effective</td>
<td>33.85%</td>
</tr>
<tr>
<td>Not so effective</td>
<td>14.36%</td>
</tr>
<tr>
<td>Not at all effective</td>
<td>8.21%</td>
</tr>
<tr>
<td>I've never heard of EMGO, the Emmet County Public Transportation System</td>
<td>31.97%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td>100%</td>
</tr>
</tbody>
</table>
Q20 In your opinion, what would make EMGO more effective?

Answered: 281   Skipped: 359
Q21 How would you rate the importance of the Emmet County Medical Care Facility, Bay Bluffs?

Answered: 615   Skipped: 25

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Extremely important</td>
<td>40.98%</td>
</tr>
<tr>
<td>Very important</td>
<td>24.72%</td>
</tr>
<tr>
<td>Somewhat important</td>
<td>15.45%</td>
</tr>
<tr>
<td>Not so important</td>
<td>1.95%</td>
</tr>
<tr>
<td>Not at all important</td>
<td>1.95%</td>
</tr>
<tr>
<td>I've never heard of the Emmet County Medical Care Facility, Bay Bluffs</td>
<td>14.96%</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
</tr>
</tbody>
</table>
Q22 I believe parks, trails, open space, and recreational programs are vital in our community.

Answered: 626   Skipped: 14

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strongly agree</td>
<td>77.48%</td>
</tr>
<tr>
<td>Agree</td>
<td>16.13%</td>
</tr>
<tr>
<td>Somewhat agree</td>
<td>3.83%</td>
</tr>
<tr>
<td>Neither agree nor disagree</td>
<td>1.12%</td>
</tr>
<tr>
<td>Somewhat disagree</td>
<td>0.48%</td>
</tr>
<tr>
<td>Disagree</td>
<td>0.32%</td>
</tr>
<tr>
<td>Strongly disagree</td>
<td>0.64%</td>
</tr>
<tr>
<td>TOTAL</td>
<td></td>
</tr>
</tbody>
</table>
Q23 Which Emmet County parks, trails, and recreation facilities are you familiar with or have visited in the past?

Answered: 605   Skipped: 35

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Headlands dark sky park</td>
<td>69.09%</td>
</tr>
<tr>
<td>Cecil Bay Park</td>
<td>34.88%</td>
</tr>
<tr>
<td>Carp Lake Emmet County property</td>
<td>21.82%</td>
</tr>
<tr>
<td>Maple River Emmet County property</td>
<td>35.87%</td>
</tr>
<tr>
<td>Camp Petosega</td>
<td>65.45%</td>
</tr>
<tr>
<td>Non-motorized trails (county/state/local)</td>
<td>70.08%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>15.04%</td>
</tr>
</tbody>
</table>

Total Respondents: 605
Q24 What do you like best about Emmet County parks, trail, and recreation facilities?

Answered: 307  Skipped: 333
Q25 What type of recreational amenity or facility would you like to see increased in Emmet County? (select all that apply):

Answered: 605  Skipped: 35
Emmet County Master Plan 2019 Survey

**Answer Choices**

<table>
<thead>
<tr>
<th>Activity</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Annual events</td>
<td>18.51%</td>
</tr>
<tr>
<td>Bicycling trails</td>
<td>33.55%</td>
</tr>
<tr>
<td>Boat launches</td>
<td>17.02%</td>
</tr>
<tr>
<td>Campgrounds</td>
<td>22.98%</td>
</tr>
<tr>
<td>Canoeing or kayaking</td>
<td>32.56%</td>
</tr>
<tr>
<td>Community pools</td>
<td>31.40%</td>
</tr>
<tr>
<td>Disc golf</td>
<td>10.58%</td>
</tr>
<tr>
<td>Dog parks</td>
<td>36.36%</td>
</tr>
<tr>
<td>Environmental/ Nature education programs</td>
<td>34.05%</td>
</tr>
<tr>
<td>Fishing access</td>
<td>22.98%</td>
</tr>
<tr>
<td>Gathering spaces (ex: picnic, grilling, etc.)</td>
<td>25.12%</td>
</tr>
<tr>
<td>Horseback riding</td>
<td>11.07%</td>
</tr>
<tr>
<td>Mountain bike trail</td>
<td>23.14%</td>
</tr>
<tr>
<td>Nature preserves</td>
<td>39.67%</td>
</tr>
<tr>
<td>Organized sports</td>
<td>13.39%</td>
</tr>
<tr>
<td>Recreational Amenities</td>
<td>Percentage</td>
</tr>
<tr>
<td>-------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>Paired trails</td>
<td>5.62%</td>
</tr>
<tr>
<td>Pickleball courts</td>
<td>22.98%</td>
</tr>
<tr>
<td>Playground structures</td>
<td>18.84%</td>
</tr>
<tr>
<td>River tubing</td>
<td>18.02%</td>
</tr>
<tr>
<td>Splash Pad parks</td>
<td>18.02%</td>
</tr>
<tr>
<td>Swimming/ beach enjoyment</td>
<td>34.88%</td>
</tr>
<tr>
<td>Trails next to rivers</td>
<td>34.71%</td>
</tr>
<tr>
<td>Unpaved trails</td>
<td>29.09%</td>
</tr>
<tr>
<td>Walking trails</td>
<td>45.79%</td>
</tr>
<tr>
<td>Wetland/ Woodland areas</td>
<td>26.12%</td>
</tr>
<tr>
<td>Wildlife watching</td>
<td>30.58%</td>
</tr>
<tr>
<td>None, we have enough recreational amenities and facilities in Emmet County</td>
<td>7.27%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>8.76%</td>
</tr>
</tbody>
</table>

**Total Respondents: 605**
Q26 If there is a person with a disability in your household, what would make Emmet County parks and recreation more user friendly? (select all that apply):

Answered: 378  Skipped: 262

<table>
<thead>
<tr>
<th>ANSWER CHOICES</th>
<th>RESPONSES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accessibility within park spaces (connections)</td>
<td>17.72%</td>
</tr>
<tr>
<td>Accessible parking</td>
<td>19.05%</td>
</tr>
<tr>
<td>Accessible playgrounds</td>
<td>10.32%</td>
</tr>
<tr>
<td>Accessible spectators’ viewing areas</td>
<td>15.87%</td>
</tr>
<tr>
<td>Accessible waterfront access</td>
<td>21.16%</td>
</tr>
<tr>
<td>Flatter, easier grades</td>
<td>15.08%</td>
</tr>
<tr>
<td>Interpretive signage</td>
<td>6.61%</td>
</tr>
<tr>
<td>N/A (no one with a disability in our household)</td>
<td>65.08%</td>
</tr>
<tr>
<td>Paved trails</td>
<td>9.79%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>6.88%</td>
</tr>
</tbody>
</table>
Q27 What is the best way to inform you about Emmet County parks, trails, facilities, and recreational programs? (check all that apply):

Answered: 606  Skipped: 34

**Answer Choices**

<table>
<thead>
<tr>
<th>Method</th>
<th>Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Advertisements</td>
<td>24.75%</td>
</tr>
<tr>
<td>Brochures/Flyers</td>
<td>33.33%</td>
</tr>
<tr>
<td>Community calendar of events</td>
<td>44.22%</td>
</tr>
<tr>
<td>E-mail blasts</td>
<td>34.65%</td>
</tr>
<tr>
<td>Friends and neighbors</td>
<td>18.81%</td>
</tr>
<tr>
<td>Magazines</td>
<td></td>
</tr>
<tr>
<td>Municipality website</td>
<td></td>
</tr>
<tr>
<td>Newspaper articles</td>
<td></td>
</tr>
<tr>
<td>Radio</td>
<td></td>
</tr>
<tr>
<td>Social media</td>
<td></td>
</tr>
<tr>
<td>Television</td>
<td></td>
</tr>
<tr>
<td>Word of mouth</td>
<td></td>
</tr>
<tr>
<td>Other (please specify)</td>
<td></td>
</tr>
<tr>
<td>Source</td>
<td>%</td>
</tr>
<tr>
<td>-----------------------</td>
<td>------</td>
</tr>
<tr>
<td>Magazines</td>
<td>8.91%</td>
</tr>
<tr>
<td>Municipality website</td>
<td>29.21%</td>
</tr>
<tr>
<td>Newspaper articles</td>
<td>40.59%</td>
</tr>
<tr>
<td>Radio</td>
<td>24.42%</td>
</tr>
<tr>
<td>Social media</td>
<td>52.31%</td>
</tr>
<tr>
<td>Television</td>
<td>17.49%</td>
</tr>
<tr>
<td>Word of mouth</td>
<td>25.08%</td>
</tr>
<tr>
<td>Other (please specify)</td>
<td>4.62%</td>
</tr>
</tbody>
</table>

Total Respondents: 606
Q28 When you're driving your car, do you find any roadways or intersections in the County unsafe or otherwise frustrating? Which ones?

Answered: 385    Skipped: 255
Q29 Please share any additional comments and thank you again for your participation!

Answered: 195    Skipped: 445
WHEREAS: the Emmet County Planning Commission was charged with the task of preparing the Emmet County Master Plan 2020-2024, and

WHEREAS: The Planning Commission held public meetings throughout 2019 during which they reviewed the proposed updates to the Emmet County Master Plan 2020-2024, and

WHEREAS: agendas and minutes of all Planning Commission meetings have been posted to the County of Emmet website throughout the planning process, and

WHEREAS: staff completed updates to the Emmet County Master Plan and submitted the Draft Emmet County Master Plan 2020-2024 to the Planning Commission during their regular meeting of March 5, 2020, and

WHEREAS: the Emmet County Planning Commission recommended submittal of the Emmet County Master Plan 2020-2024 at their public meeting of April 30, 2020 to the Emmet County Board of Commissioners, and

WHEREAS: the Master Plan meets all the requirements of Public Act 33 of 2008, as amended,

NOW THEREFORE BE IT RESOLVED: That this Emmet County Board of Commissioners recommends distribution of the DRAFT Emmet County Master Plan 2020-2024 as required by PA 33 of 2008, and

BE IT FURTHER RESOLVED: a public hearing will be held by the Emmet County Planning Commission after the 63 day review period as described in PA 33 of 2008.

SIGNED

WILLIAM SHORTER, CHAIRMAN, Date
EMMET COUNTY BOARD OF COMMISSIONERS

ROLL CALL VOTE:

YEAS: 
NAYs: 
ABSENT: 

State of Michigan) 
County of Emmet) 

Suzanne Kanine, County Clerk

I, Suzanne Kanine, Clerk of the County of Emmet and the Emmet County Board of Commissioners, do hereby certify that the foregoing is a true and correct copy of the resolution adopted by the Board of Commissioners at a regular meeting on May 21, 2020. In witness whereof, I have hereunto set my hand and affixed the Seal of the County of Emmet, this 21st day of May, 2020 at Petoskey, Michigan.
EMMET COUNTY - Board of County Commissioners Meeting
May 21, 2020 - 6:00 PM

Additional Remonumentation Agreements

SUMMARY:
Attached are two additional contracts for monumentation and remonumentation services by various surveyors. These are standard contracts from year to year.

RECOMMENDATION:
I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:
I have reviewed the attached documents and approve as to legal form.

MOTION:
I move that the Board approve the attached contracts with the various surveyors, and authorize the Board Chairperson to sign the same:

• Contract 20-06 - Northstar Land Surveying
• Contract 20-07 - Benchmark Engineering, Inc

VOTE: Roll Call

ATTACHMENTS:
Description

0 Remonumentation Agreement 20-06 - Northstar Land Surveying
0 Remonumentation Agreement 20-07 - Benchmark Engineering
EMMET COUNTY
MONUMENTATION/REMONUMENTATION PROGRAM
CONTRACT No. 20-06

AGREEMENT

This agreement is entered into by and between:

EMMET COUNTY
COUNTY BUILDING
200 DIVISION STREET
PETOSKEY, MICHIGAN 49770

and

NORTHSTAR LAND SURVEYING
2202 MITCHELL PARK DR., SUITE 1
PETOSKEY, MICHIGAN 49770

the terms and conditions of which are as follows:

DEFINITIONS

The term Grantor shall mean the Emmet County and the State of Michigan. The term Grantee shall mean the Monumentation Surveyor (or anyone directly or indirectly employed by it). The term Peer Group shall mean a committee made up of Licensed Professional Surveyors whose duty is review all data on Government Corners and determine their correct location.

GENERAL TERMS

The Grantee shall provide and maintain public liability, property damage, and workmen's compensation insurance while working for Grantor. The insurance shall cover interests of all parties to this Agreement, and all claims which may arise out of the Grantees operations under this Agreement.

The Grantee is responsible for insure that precautions are exercised at all times for the protection of persons and property. The safety provision of all applicable laws and building construction codes shall be observed. The Grantee is responsible for compliance with all Federal and State laws and municipal ordinances and regulations in any manner affecting the work or performance of this Agreement and shall at all times carefully observe and comply with all rules, ordinances, and regulations. The Grantee shall secure all necessary certificates and permits from municipal or other public authorities as may be required in connection with the performance of work covered by this Agreement.
Unless otherwise authorized by the County Surveyor, the Monumentation Surveyor's work is to be completed, and the Land Corner Recordation Certificate(s) are to be recorded in the Register of Deeds Office with three copies of said Certificate(s), and a bill for work performed given to the Grant Administrator no later than 30 days after the work assignment is issued. If the Grantee fails to meet this deadline, payment may be withheld.

If upon inspection it is found that a Monument has been incorrectly placed (not in accordance with the Peer Group's instructions), the Monumentation Surveyor will reset said monument as instructed at no additional charge to the Grantor.

If it is found that a Monument had been correctly placed (in accordance with the Peer Group's instructions), and for some reason must be reset to make a correction, the Monumentation Surveyor will be paid the standard fee for making the change.

In accordance with the United States Constitution and all federal legislation and regulations governing fair employment practices and equal employment opportunity, and in accordance with the Michigan Constitution and all state laws and regulations governing fair employment practices and equal employment opportunity, the Grantee agrees that it will not discriminate against any person, employee, or applicant for employment with respect to their hire, tenure, terms, conditions, or privileges of employment or hire because of their religion, race, color, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

The Grantee agrees to comply with the following indemnification clause:

TO THE EXTENT THAT LIABILITIES, OBLIGATIONS, DAMAGES, CLAIMS, COSTS, CHARGES AND EXPENSES ARE CAUSED BY ANY NEGLIGENT ACT, ERROR, OR OMISSION OF THE MONUMENTATION SURVEYOR (OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY IT) ARISING FROM THE SERVICES RENDERED BY THE MONUMENTATION SURVEYOR, THE MONUMENTATION SURVEYOR AGREES TO HOLD HARMLESS AND INDEMNIFY EMMET COUNTY AND THE STATE OF MICHIGAN (AND ITS AGENTS AND EMPLOYEES) FROM AND AGAINST SAID LIABILITIES, OBLIGATIONS, DAMAGES, CLAIMS, COSTS, CHARGES, AND EXPENSES IMPOSED ON THE GRANTEE.

The Grantor, or the Monumentation Surveyor, may terminate this agreement at any time in whole or in part by the delivery of a "Notice of Termination" to the other party. Termination may be initiated due to funding reductions, the elimination of funds, or if the project in whole or in part is no longer required because of identified efficiencies and/or economies. The Monumentation Surveyor shall be compensated for the State's share of all expenditures authorized by the grant budget incurred prior to the date of the "Notice of Termination" and for those financial obligations or purchase orders authorized by the grant that cannot be canceled. In addition, this agreement can be terminated by the Grantor if the Grantee fails to comply with any of the provisions of the Agreement.
No member of the Legislature of the State of Michigan or any individual employed by the State shall be permitted to share in this Agreement or any benefit that arises therefrom. Any Monumentation Surveyor serving on the State Survey Commission is considered an exception in accordance to an Attorney General's Opinion.

The Grantee shall report to the State Contracting Officer within five days after the end of each month that this Agreement is in effect, the name(s), social security number(s), and amount of payment made to any former State of Michigan employee who:

1. Retired from the State between June 2, 1984 and September 30, 1984 under the provisions of Act 2 and Act 3 of the Public Acts of 1984; and

2. Are less than 62 years of age; and

3. Performed services purchased by the State under the provisions of this Agreement during the month.

No report is required for any month during which the grantee has no employee(s) as described above assigned to work performed under the provisions of this Agreement.

CONDITIONS FOR PAYMENT OF WORK

This Agreement requires that all survey work be performed in accordance with Act 345 of Public Acts of 1990 as amended, being Section 54.261 to 54.279 of the Michigan Compiled Laws, the County Plan as adopted by the state Survey Commission, and the Emmet County Local Requirements & Procedures for Remonumentation. From time to time the Peer Group will outline a specific procedure to recover or replace a Government Corner. It is required that these instructions be followed to the best of the Surveyor's ability.

The Monumentation Surveyor will be assigned the Government Corner(s) to be installed by the County Grant Administrator in accordance with Qualification Based Selection (QBS) as outlined in the County Plan.

The Monumentation Surveyor shall install the appropriate corner marker and cap and shall file a Land Corner Recodnation Certificate as required by Act 74 of the Public Acts of 1970, as amended, being sections 54.201 to 54.210(d) of the Michigan Compiled Laws. Three copies of said Certificate shall be given to the Remonumentation Grant Administrator together with a statement for payment of work. Said statement shall be in accordance with the schedule of fees and charges negotiated at the time the work assignment is given. Upon approval payment will be made.
SPECIFIC TERMS & SCOPE OF WORK

1) As outlined in the Local Requirements and Procedures for Remonumentation Manual, set an Emmet County Remonumentation Monument for the corners listed below. Prepare a complete Land Corner Recodation Certificate as outline in the Peer Group meeting. Submit preliminary LCRC for review. Your firm shall be paid on a time and materials basis for this work with a not to exceed cost of $8,460.00. Charge out rates shall be based upon those shown in the Local Requirements and Procedures for Remonumentation Manual.

Corners to be remonumented this Contract No.20-06 (Northstar Land Surveying)

1) 6 P.L.S.S. survey corners: #872, #873, #883, #884, #885, and #886.

2) Obtain Geodetic Coordinates for 6 P.L.S.S. survey corners #872, #873, #883, #884, #885, and #886, reported accurate to 0.01 seconds of arc with all required data submitted as page 3 of the to be recorded LCRC.

3) Present the above corners in item No. 1 at Peer Group Meeting for their acceptance. Provide pictures of each corner as noted in County Plan. Prepare final LCRC for each corner for recordation.

4) Submit itemized invoice for remonumenting the above corner to County Representative.
ACCEPTANCE

Emmet County and the Monumentation Surveyor, by signature below, acknowledge that they have read this Agreement, understand it and agree to all its terms and conditions.

Accepted:

EMMET COUNTY

BY ____________________________

Title ____________________________

Date ____________________________

BY ____________________________

Title ____________________________

Accepted:

SURVEYOR

By ____________________________

Title ____________________________

Date ____________________________

reo 28 Jan. 2020

c:\reodocs\ecrp\contract\contract.rm20
## Emmet County Remonumentation Program
### 2020 Remonumentation Corners

**Page 1 of 1**

<table>
<thead>
<tr>
<th>LCRC#</th>
<th>T</th>
<th>R</th>
<th>Index #</th>
<th>Sections</th>
<th>Township</th>
<th>Roads</th>
<th>PS</th>
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</thead>
<tbody>
<tr>
<td>868</td>
<td>34</td>
<td>4</td>
<td>K-11</td>
<td>25/26/35/36</td>
<td>Springvale</td>
<td>woods</td>
<td>BE</td>
</tr>
<tr>
<td>869</td>
<td>34</td>
<td>4</td>
<td>L-11</td>
<td>25/36</td>
<td>Springvale</td>
<td>Heaton</td>
<td>BE</td>
</tr>
<tr>
<td>870</td>
<td>34</td>
<td>4</td>
<td>K-12</td>
<td>35/36</td>
<td>Springvale</td>
<td>Heaton</td>
<td>BE</td>
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<tr>
<td>871</td>
<td>34</td>
<td>4</td>
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<td>26/35</td>
<td>Springvale</td>
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</tr>
<tr>
<td>872</td>
<td>34</td>
<td>4</td>
<td>J-9</td>
<td>23/26</td>
<td>Springvale</td>
<td>Newson</td>
<td>NS</td>
</tr>
<tr>
<td>873</td>
<td>34</td>
<td>4</td>
<td>I-10</td>
<td>26/27</td>
<td>Springvale</td>
<td>Hopper</td>
<td>NS</td>
</tr>
<tr>
<td>874</td>
<td>34</td>
<td>4</td>
<td>I-11</td>
<td>26/27/34/35</td>
<td>Springvale</td>
<td>Hopper</td>
<td>BE</td>
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<td>875</td>
<td>34</td>
<td>4</td>
<td>I-12</td>
<td>34/35</td>
<td>Springvale</td>
<td>Hopper</td>
<td>BE</td>
</tr>
<tr>
<td>876</td>
<td>34</td>
<td>4</td>
<td>H-11</td>
<td>27/34</td>
<td>Springvale</td>
<td>woods</td>
<td>BE</td>
</tr>
<tr>
<td>877</td>
<td>34</td>
<td>4</td>
<td>G-12</td>
<td>33/34</td>
<td>Springvale</td>
<td>woods</td>
<td>BE</td>
</tr>
<tr>
<td>878</td>
<td>34</td>
<td>4</td>
<td>L-13</td>
<td>36sc</td>
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<td>4</td>
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<td>Springvale</td>
<td>County Line Rd.</td>
<td>BE</td>
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<td>880</td>
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<td>Springvale</td>
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<tr>
<td>881</td>
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<td>882</td>
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<td>BE</td>
</tr>
<tr>
<td>883</td>
<td>34</td>
<td>4</td>
<td>K-8</td>
<td>23/24</td>
<td>Springvale</td>
<td>woods</td>
<td>NS</td>
</tr>
<tr>
<td>884</td>
<td>34</td>
<td>4</td>
<td>K-9</td>
<td>23/24/25/26</td>
<td>Springvale</td>
<td>Newson</td>
<td>NS</td>
</tr>
<tr>
<td>885</td>
<td>34</td>
<td>4</td>
<td>L-9</td>
<td>24/25</td>
<td>Springvale</td>
<td>Newson</td>
<td>NS</td>
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<tr>
<td>886</td>
<td>34</td>
<td>4</td>
<td>K-10</td>
<td>25/26</td>
<td>Springvale</td>
<td>woods</td>
<td>NS</td>
</tr>
</tbody>
</table>

**Totals: 19 Individual Corners, 19 LCRC’s**

28 Jan. 2020

*Bold numbers will require additional LCRC in adjoining Township*
EMMET COUNTY
MONUMENTATION/REMONUMENTATION PROGRAM

CONTRACT No. 20-7

AGREEMENT

This agreement is entered into by and between:

EMMET COUNTY
COUNTY BUILDING
200 DIVISION STREET
PETOSKEY, MICHIGAN 49770

and

BENCHMARK ENGINEERING, INC.
607 E. LAKE ST
HARBOR SPRINGS, MICHIGAN 49740

the terms and conditions of which are as follows:

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The term Grantor shall mean the Emmet County and the State of Michigan. The term Grantee shall mean the Monumentation Surveyor (or anyone directly or indirectly employed by it). The term Peer Group shall mean a committee made up of Licensed Professional Surveyors whose duty is review all data on Government Corners and determine their correct location.

GENERAL TERMS

The Grantee shall provide and maintain public liability, property damage, and workmen's compensation insurance while working for Grantor. The insurance shall cover interests of all parties to this Agreement, and all claims which may arise out of the Grantees operations under this Agreement.

The Grantee is responsible for insuring that precautions are exercised at all times for the protection of persons and property. The safety provision of all applicable laws and building construction codes shall be observed. The Grantee is responsible for compliance with all Federal and State laws and municipal ordinances and regulations in any manner affecting the work or performance of this Agreement and shall at all times carefully observe and comply with all rules, ordinances, and regulations. The Grantee shall secure all necessary certificates and permits from municipal or other public authorities as may be required in connection with the performance of work covered by this Agreement.
Unless otherwise authorized by the County Surveyor, the Monumentation Surveyor's work is to be completed, and the Land Corner Recoradation Certificate(s) are to be recorded in the Register of Deeds Office with three copies of said Certificate(s), and a bill for work performed given to the Grant Administrator no later than 30 days after the work assignment is issued. If the Grantee fails to meet this deadline, payment may be withheld.

If upon inspection it is found that a Monument has been incorrectly placed (not in accordance with the Peer Group's instructions), the Monumentation Surveyor will reset said monument as instructed at no additional charge to the Grantor.

If it is found that a Monument had been correctly placed (in accordance with the Peer Group's instructions), and for some reason must be reset to make a correction, the Monumentation Surveyor will be paid the standard fee for making the change.

In accordance with the United States Constitution and all federal legislation and regulations governing fair employment practices and equal employment opportunity, and in accordance with the Michigan Constitution and all state laws and regulations governing fair employment practices and equal employment opportunity, the Grantee agrees that it will not discriminate against any person, employee, or applicant for employment with respect to their hire, tenure, terms, conditions, or privileges of employment or hire because of their religion, race, color, national origin, age, sex, height, weight, marital status or disability that is unrelated to the individual's ability to perform the duties of a particular job or position.

The Grantee agrees to comply with the following indemnification clause:

TO THE EXTENT THAT LIABILITIES, OBLIGATIONS, DAMAGES, CLAIMS, COSTS, CHARGES AND EXPENSES ARE CAUSED BY ANY NEGLIGENT ACT, ERROR, OR OMISSION OF THE MONUMENTATION SURVEYOR (OR ANYONE DIRECTLY OR INDIRECTLY EMPLOYED BY IT) ARISING FROM THE SERVICES RENDERED BY THE MONUMENTATION SURVEYOR, THE MONUMENTATION SURVEYOR AGREES TO HOLD HARMLESS AND INDEMNIFY EMMET COUNTY AND THE STATE OF MICHIGAN (AND ITS AGENTS AND EMPLOYEES) FROM AND AGAINST SAID LIABILITIES, OBLIGATIONS, DAMAGES, CLAIMS, COSTS, CHARGES, AND EXPENSES IMPOSED ON THE GRANTEE.

The Grantor, or the Monumentation Surveyor, may terminate this agreement at any time in whole or in part by the delivery of a "Notice of Termination" to the other party. Termination may be initiated due to funding reductions, the elimination of funds, or if the project in whole or in part is no longer required because of identified efficiencies and/or economies. The Monumentation Surveyor shall be compensated for the State's share of all expenditures authorized by the grant budget incurred prior to the date of the "Notice of Termination" and for those financial obligations or purchase orders authorized by the grant that cannot be canceled. In addition, this agreement can be terminated by the Grantor if the Grantee fails to comply with any of the provisions of the Agreement.
No member of the Legislature of the State of Michigan or any individual employed by the State shall be permitted to share in this Agreement or any benefit that arises therefrom. Any Monumentation Surveyor serving on the State Survey Commission is considered an exception in accordance to an Attorney General's Opinion.

The Grantee shall report to the State Contracting Officer within five days after the end of each month that this Agreement is in effect, the name(s), social security number(s), and amount of payment made to any former State of Michigan employee who:

1. Retired from the State between June 2, 1984 and September 30, 1984 under the provisions of Act 2 and Act 3 of the Public Acts of 1984; and

2. Are less than 62 years of age; and

3. Performed services purchased by the State under the provisions of this Agreement during the month.

No report is required for any month during which the grantee has no employee(s) as described above assigned to work performed under the provisions of this Agreement.

CONDITIONS FOR PAYMENT OF WORK

This Agreement requires that all survey work be performed in accordance with Act 345 of Public Acts of 1990 as amended, being Section 54.261 to 54.279 of the Michigan Compiled Laws, the County Plan as adopted by the state Survey Commission, and the Emmet County Local Requirements & Procedures for Remonumentation. From time to time the Peer Group will outline a specific procedure to recover or replace a Government Corner. It is required that these instructions be followed to the best of the Surveyor's ability.

The Monumentation Surveyor will be assigned the Government Corner(s) to be installed by the County Grant Administrator in accordance with Qualification Based Selection (QBS) as outlined in the County Plan.

The Monumentation Surveyor shall install the appropriate corner marker and cap and shall file a Land Corner Recodnation Certificate as required by Act 74 of the Public Acts of 1970, as amended, being sections 54.201 to 54.210(d) of the Michigan Compiled Laws. Three copies of said Certificate shall be given to the Remonumentation Grant Administrator together with a statement for payment of work. Said statement shall be in accordance with the schedule of fees and charges negotiated at the time the work assignment is given. Upon approval payment will be made.
SPECIFIC TERMS & SCOPE OF WORK

1) As outlined in the Local Requirements and Procedures for Remonumentation Manual, set an Emmet County Remonumentation Monument for the corners listed below. Prepare a complete Land Corner Recoradation Certificate as outline in the Peer Group meeting. Submit preliminary LCRC for review. Your firm shall be paid on a time and materials basis for this work with a not to exceed cost of $ 18,330.00. Charge out rates shall be based upon those shown in the Local Requirements and Procedures for Remonumentation Manual.

   Corners to be remonumented this Contract No. 19-07 (Benchmark Engineering)

1) 13 P.L.S.S. survey corners: #868, #869, #870, #871, #874, #875, #877, #878, #879, #880, #881, and #882.

2) Obtain Geodetic Coordinates for 13 P.L.S.S. survey corners#868, #869, #870, #871, #874, #875, #876, #877, #878, #879, #880, #881, and #882, reported accurate to 0.01 seconds of arc, with all required data submitted as page 3 of the to be recorded LCRC.

3) Present the above corners in item No. 1 at Peer Group Meeting for their acceptance. Provide pictures of each corner as noted in County Plan. Prepare final LCRC for each corner for recordation.

4) Submit itemized invoice for remonumenting the above corner to County Representative.
ACCEPTANCE

Emmet County and the Monumentation Surveyor, by signature below, acknowledge that they have read this Agreement, understand it and agree to all its terms and conditions.

Accepted:                                                 Accepted:

EMMET COUNTY                                                  SURVEYOR

BY ____________________________  By ____________________________

Title ____________________________  Title President

Date ____________________________  Date 4/28/20

BY ____________________________

Title ____________________________
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**Totals 19 Individual Corners, 19 LCRC's**

Bold numbers will require additional LCRC in adjoining Township
Intergovernmental Agreement - Manage Floodplain Development - Friendship Township

SUMMARY:
Martie Van Berlo, as the County’s Building Code enforcing agency official, was requested by Friendship Township to enter an Intergovernmental Agreement to assist the township’s residents in the ability to apply for and receive flood insurance.

Apparently, some of the shoreline owners want to seek flood insurance. To do so, the Township needs to be part of the National Flood Insurance Program (NFIP). The Township needs to show to NFIP that there is an enforcing agency regarding buildings that reviews all permit applications and assures the amount of development in a floodplain area. Emmet County’s Construction Resources Department (Building Department) is the enforcing agency for the Township. So the Township needs to have an Intergovernmental Agreement with the County to show to NFIP that there is an enforcing agency. The Agreement does not have any cost to the County beyond the enforcement services already performed.

Attached is the Resolution of the Township which contains the Intergovernmental Agreement. It basically acknowledges that our Construction Resources Department (Building Department) is the enforcing agency for Building Code issues in Friendship Township. While it was originally set up for Martie to sign, the signature line is being changed to the Board Chair.

RECOMMENDATION:

I recommend Board approval as presented.
Michael Reaves, County Administrator

CIVIL COUNSEL REVIEW / RECOMMENDATION:

I have reviewed the attached documents and approve as to legal form.

MOTION:

I move that the Board approve the attached Michigan Community Resolution and Intergovernmental Agreement to Manage Floodplain Development for the National Flood Insurance Program between the County of Emmet and Friendship Township, and authorize the Board Chairperson to sign the same.

VOTE: Roll Call

ATTACHMENTS:

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<th>Description</th>
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<td>Intergovernmental Agreement - Flood Insurance - Friendship Township</td>
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Resolution 2020-03

MICHIGAN COMMUNITY RESOLUTION AND INTERGOVERNMENTAL AGREEMENT TO MANAGE FLOODPLAIN DEVELOPMENT FOR THE NATIONAL FLOOD INSURANCE PROGRAM

Community A (NFIP community): Friendship Township

Community/Entity B (enforcing agency): Emmet County Building Department

WHEREAS, Community A (check the appropriate following box statement) ☐ currently participates ☑ desires to participate in the Federal Emergency Management Agency’s (FEMA) National Flood Insurance Program (NFIP) by complying with the program’s applicable statutory and regulatory requirements for the purposes of significantly reducing flood hazards to persons, reducing property damage, reducing public expenditures, and providing for the availability of flood insurance and federal funds or loans within its community; and

WHEREAS, the NFIP requires that floodplain management regulations must be present and enforced in participating communities, and utilize the following definitions which also apply for the purposes of this resolution:

1. Flood or Flooding means:
   a. A general and temporary condition of partial or complete inundation of normally dry land areas from: 1) the overflow of inland or tidal waters, 2) the unusual and rapid accumulation or runoff of surface waters from any source, 3) mudflows, and
   b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding, as defined in paragraph (a)(1) of this definition.

2. Flood Hazard Boundary Map (FHBM) means an official map of a community, as may have been issued by the FEMA, where the boundaries of the areas of flood, mudslide (i.e., mudflow) related erosion areas having special hazards have been designated as Zone A, M, and/or E.

3. Floodplain means any land area susceptible to being inundated by water from any source (see definition of flooding).

4. Floodplain management means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

5. Floodplain management regulations means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power that provide standards for the purpose of flood damage prevention and reduction.

6. Structure means a walled and roofed building that is principally above ground, gas or liquid storage facility, as well as a mobile home or manufactured unit.

its Appendices (specifically Appendix G)) contains floodplain development and management regulations that comply with the FEMA NFIP minimum floodplain management criteria for flood prone areas as detailed in Title 44 of the Code of Federal Regulations (44 CFR), Section 60.3, and

WHEREAS, by the action dates of this document, Community/Entity B affirms/agrees on behalf of Community A to function as the designated enforcing agency to discharge the responsibility of administering, applying, and enforcing the construction code act and the state construction code, specifically the Michigan Residential Code and the Michigan Building Code, and the Michigan Rehabilitation Code for Existing Buildings to all development within Community A’s political boundaries, and

WHEREAS, Community/Entity B enforces floodplain regulations of the construction code act, and Community A wishes to ensure that the administration of that code complies with requirements of the NFIP, and

NOW THEREFORE, to maintain eligibility and continued participation in the NFIP,

1. Community A and Community/Entity B agree that Community/Entity B’s officially designated enforcing agency for the construction code act, Emmet County Building Department, be directed to administer, apply, and enforce on Community A’s behalf the floodplain management regulations as contained in the state construction code (including Appendix G) and to be consistent with those regulations, by:

   a. Obtaining, reviewing, and reasonably utilizing flood elevation data available from federal, state, or other sources pending receipt of data from the FEMA to identify the flood hazard area, and areas with potential flooding, and

   b. Ensuring that all permits necessary for development in floodplain areas have been issued, including a floodplain permit, approval, or letter of no authority from the Michigan Department of Environmental Quality under the floodplain regulatory provisions of Part 31, "Water Resources Protection," of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended, and

   c. Reviewing all permit applications to determine whether the proposed building sites will be reasonably safe from flooding. Where it is determined that a proposed building will be located in a flood hazard area or special flood hazard area, Community/Entity B shall implement the following applicable codes according to their terms:

      i) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Residential Code.

      ii) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Building Code.


      iv) All appropriate portions and specifically the floodplain management regulation portions and referenced codes and standards of the current Michigan Rehabilitation Code for Existing Buildings.

   d. Reviewing all proposed subdivisions to determine whether such proposals are reasonably safe from flooding and to ensure compliance with all applicable floodplain management regulations.

   e. Assisting in the delineation of flood hazard areas; provide information concerning uses and occupancy of the floodplain or flood-related erosion areas, maintain flood proofing and lowest floor construction records, and cooperate with other officials, agencies, and persons for floodplain management.

   f. Advising FEMA of any changes in community boundaries, including appropriate maps, and
g. Maintaining records of new structures and substantially improved structures concerning any certificates of floodproofing, lowest floor elevation, basements, floodproofing, and elevation to which structures have been floodproofed.

2. **Community A and Community/Entity B** assure the Federal Insurance Administrator (Administrator) that they intend to review, on an ongoing basis, all amended and revised FHBMs and Flood Insurance Rate Maps (FIRMs) and related supporting data and revisions thereof and revisions of 44 CFR, Part 60, Criteria for Land Management and Use, and to make such revisions in its floodplain management regulations as may be necessary to assure **Community A’s** compliant participation in the program.

3. **Community A** further assures the Administrator that it will adopt the current effective FEMA Flood Insurance Study (FIS), FHBMs, and/or the FIRMs by reference within its Floodplain Management Map Adoption Ordinance or similarly binding ordinance documentation.

**FURTHER BE IT RESOLVED**, both communities declare their understanding that, until this resolution is rescinded or **Community A** makes other provision to enforce the construction code act:

1. **Community/Entity B** must administer and enforce the construction code act in accordance with the terms and the conditions contained herein as long as Emmet County is the enforcing agency under the State Construction Code; and

2. For **Community A** to continue its participation in the NFIP, the construction code act must be administered and enforced according to the conditions contained herein.

**Community A:** Friendship Township

Officer Name: Fred Troup  
Signature:  
Witness Name: Janell Van Divner  
Signature:  
Date Passed: May 6, 2020  
Title: Supervisor  
Date: 5/12/2020  
Title: Clerk  
Date: 5/12/2020

**Community/Entity B:** Emmet County Building Dept

Officer Name: William L. Shorter  
Signature:  
Witness Name: Insert Name  
Signature:  
Date Passed: May , 2020  
Title: Chair Board of Commissioners  
Date:  
Title: Insert Title  
Date: 