

**CHARTER TOWNSHIP OF ALPENA
BOARD OF TRUSTEES**

REGULAR MEETING – March 27, 2023 – 6:00 PM

**CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
ADOPTION OF AGENDA
PUBLIC COMMENT**

CONSENT AGENDA

Payment of Bills

Minutes –February 27, 2023 (Regular), March 7, 2023 (Special)

Department Reports: Clerk, Treasurer, Supervisor, Building, Fire, Water

Correspondence:

- a. Thunder Bay Beacon
- b. Federal Energy Regulatory Commission Letter
- c. Alpena County Road Commission Meeting Minutes – February 6, 2023
- d. Alpena County Road Commission Report
- e. Alpena Power Newsletter

| |
|--|
| N. Skibbe R. Rhynard L. Ellery-Somers C. Kroll S. Lappan M. Palevich N. Poli |
|--|

T. Gulden

| |
|---|
| Alpena News Bay 108 WATZ WBKB - TV |
|---|

CLOSED SESSION – ATTORNEY/CLIENT PRIVILEGE – Water Litigation

OLD BUSINESS

- A. Adoption of Ordinance 152 (zoning ordinance amendment)

NEW BUSINESS

1. Fire Department - Emergency Services Consulting
2. Fire Department – Training and Recruitment Grant Purchase Amendment
3. Fire Department – AAA Traffic Safety Grant
4. Alpena County Road Commission – Dust Control Agreement
5. Budget Adjustments
6. FOPLC Tentative Agreement
7. Compensation for Township Officials and Employees
8. North Pointe Shores – Special Assessment

PUBLIC COMMENT

DISCUSSION

ADJOURNMENT

Zoom Meeting

1-646-558-8656

<https://us06web.zoom.us/j/86719651279?pwd=cXl0eQ4RERcDllrUGMzS1NTOU54Zz09>

Meeting ID: 867 1965 1279

Passcode: 032723

Recorded meetings will be available within 7 days of the meeting at: [Charter Township of Alpena - YouTube](#)

PUBLIC MEETING PARTICIPATION RULES

1. Please wait for the Supervisor to acknowledge you before you speak.
2. Begin by stating your name.
3. If participating by teleconference/video conference, please follow steps 1 & 2 for accurate minutes.
4. Give us your comments or opinions on the issues being discussed.
5. To ensure that everyone has time to speak and that we can address other items on the agenda, we may limit an individual's speaking time to 3 minutes. If time permits, we may allow you one additional time period to provide new information.
6. Please be respectful of the board, speakers, and your neighbors.

Again, thank you for attending.

Nathan Skibbe
Supervisor

**OFFICIAL PROCEEDINGS
OF
THE CHARTER TOWNSHIP OF ALPENA-BOARD OF TRUSTEES
February 27, 2023 – 6:00 p.m.
REGULAR MINUTES**

The Charter Township of Alpena Board of Trustees met in Regular session on Monday, February 27, 2023, at 6:00 p.m. at the Charter Township of Alpena Offices, 4385 US 23 North, Alpena, MI 49707.

Present: Supervisor Nathan Skibbe
Clerk Michele Palevich
Treasurer Laura Ellery-Somers
Trustee Steve Lappan
Trustee Cash Kroll
Trustee Norm Poli
Trustee Russ Rhynard

Absent: None

Others present: Attorney Tim Gulden

Supervisor Nathan Skibbe called the meeting to order at 6:00 p.m., followed by the Pledge of Allegiance.

ROLL CALL

Roll call was taken. The following board members were present: Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. Absent: None.

AGENDA

Moved by Treasurer Laura Ellery-Somers and supported by Trustee Russ Rhynard to approve the agenda as presented. Voice Vote. Motion carried by unanimous voice vote.

PUBLIC COMMENT

None.

CONSENT AGENDA

Consent Agenda included: Payment of Bills, Minutes – January 23, 2023 (Regular), February 1, 2023 (Budget), February 8, 2023 (Budget), February 9, 2023 (Special), February 21, 2023 (Special), Correspondence: Presque Isle Township Fire Department Letter, Planning Commission Minutes – January 20, 2023, Thunder Bay Island Lighthouse Preservation, DTE Gas Company – Hearing Notice, Long Lake Improvement Association Letter, Alpena County Road Commission Minutes – January 3, 2023, Alpena County Road Commission Road Report December 26, 2022 to January 29, 2023, Alpena County Road Commission Dust Control Memo, Michigan Township Participation Plan Letter, Alpena County Chamber of Commerce Letter and Department Reports. Trustee Russ Rhynard requested the F & V Operating Report for the water department be removed from the consent agenda. Moved by Trustee

Cash Kroll and supported by Clerk Michele Palevich to approve payment of the bills, approve Board of Trustee minutes and receive and file correspondence and department reports less the F & V Operations Operating Report as presented. Voice Vote. Motion carried by unanimous voice vote.

F & V OPERATIONS – WATER DEPARTMENT REPORT

Trustee Russ Rhynard inquired about the water discharge on Lowell Road and Nathan Lytle of F & V Operations informed that the leak had been fixed. Trustee Russ Rhynard also inquired about working with Veolia staff to televise the sanitary sewer behind the Bear Point Trailer Park. Nathan Lytle advised that the Township does not have the equipment to televise. Moved by Trustee Russ Rhynard and supported by Trustee Norm Poli to receive and file the Operations Report for January 2023, submitted by F & V Operations. Voice Vote. Motion carried by unanimous voice vote.

FIRE DEPARTMENT – EMS RESPONSE CARE FACILITIES

Chief Mark Hansen presented the Township Board with a breakdown of emergency response to medical care facilities, which included Medilodge of Greenview, Alcona Health Center and WellNow Urgent Care. Chief Mark Hansen did not recommend discontinuing service to care facilities. Moved by Trustee Russ Rhynard and supported by Trustee Steve Lappan to discontinue service to Medilodge of Greenview, Alcona Health Center and WellNow Urgent Care with the exception of cardiac arrest or a request from an alpha unit. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Treasurer Laura Ellery-Somers and Supervisor Nathan Skibbe. NAYES: Trustee Cash Kroll and Clerk Michele Palevich. Absent: None. Motion carried.

INTRODUCTION OF ORDINANCE NO. 152 (ZONING ORDINANCE AMENDMENT)

The Township Board was presented with Ordinance No. 152 to amend the Charter Township of Alpena Zoning Ordinance Article 2 (definitions), Article 3 (General Provisions), Article 4 (District Regulations), Article 7 (Supplemental Regulations) to address aggrieved person, child care facilities, chickens/duck/geese, solar energy, wireless facilities, wind energy, and building height. Moved by Trustee Steve Lappan and supported by Trustee Russ Rhynard to introduce Ordinance No. 152 (Zoning Ordinance Amendment). Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

NORTHEAST MICHIGAN MATERIALS MANAGEMENT AUTHORITY

Supervisor Nathan Skibbe advised that Trustee Norm Poli has requested that Trustee Russ Rhynard be appointed as Supervisor Nathan Skibbe's alternate to the Northeast Michigan Materials Management Authority. Moved by Trustee Norm Poli and supported by Treasurer Laura Ellery-Somers to appoint Trustee Russ Rhynard as Supervisor Nathan Skibbe's alternate to the Northeast Michigan Material Management Authority. Voice Vote. Motion carried by unanimous voice vote.

BUDGET ADJUSTMENTS

The Township Board was presented with budget adjustments prepared by Clerk Michele Palevich and Supervisor Nathan Skibbe. Moved by Treasurer Laura Ellery-Somers and supported by Supervisor Nathan Skibbe to approve the budget adjustments as presented. Roll call vote was taken. AYES: Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

1010 TECHNOLOGY, INC. INVOICE – SERVER BATTERY AND MICROPHONES

Supervisor Nathan Skibbe advised that the Township needed a replacement battery for the server UPS and that due to equipment failure it was necessary to order a new set of 8-channel wireless conference microphone system. Deputy Clerk Haley Birmingham informed the Township Board that the receiver for the microphones was damaged during a power surge. Moved by Trustee Steve Lappan and supported by Clerk Michele Palevich to pay 1010 Technology Center in the amount of \$1,495.69 for the replacement battery for server UPS and the 8-channel wireless conference microphone system to be paid from GL# 101-101-728.000, Computer Hardware and submit a claim to the insurance carrier for the damaged receiver and microphones. Roll call vote was taken. AYES: Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

FRANK’S KEY & LOCK SHOP

Supervisor Nathan Skibbe presented an invoice for purchasing a new keypad lock for the door from the copier room to the Treasurer’s office and to update the code for the existing key pad locks. Moved by Clerk Michele Palevich and supported by Trustee Norm Poli to pay the invoice from Frank’s Key and Lock Shop in the amount of \$894.95 for a new lock and updated codes to be paid from GL #101-265-930.010, Buildings and Improvements. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

RESOLUTION FOR UNIFORM CHART OF ACCOUNTS

Supervisor Nathan Skibbe read the resolution to adopt the Michigan Department of Treasury’s January, 2023 updated version of the Uniform Chart of Accounts. Moved by Clerk Michele Palevich and supported by Trustee Steve Lappan to adopt the resolution as presented. Roll call vote was taken. AYES: Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

TRC ROOFING PROPOSALS

Supervisor Nathan Skibbe presented the Township Board with proposals from TRC Roofing for new roofs for the Township buildings at 4385 US 23-N, Alpena, MI and 2201 US-23 S, Alpena, MI and recommended the additional insulation option to increase the R-value. Moved by Clerk Michele Palevich and supported by Trustee Cash Kroll to approve the proposals as follows: 4385 US -23 N, Alpena, - Area A at a cost of \$107,517.00 with the added 2” ISO insulation at a cost of \$16,053.00 and 2201 US US-23 S, Alpena, MI at a cost of \$39,417.00 with the added 2” IS rigid insulation in place of the FanFold at a cost of \$6,701.00 for a total project cost of \$169,688.00 to be paid with ARPA funds. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: Trustee Steve Lappan. Absent: None. Motion carried.

**NORTHEAST MICHIGAN COUNCIL OF GOVERNMENTS (NEMCOG)
RECREATION AND MASTER PLAN SERVICES INVOICE**

Supervisor Nathan Skibbe presented the Township Board with an invoice for prepayment for planned Recreation Plan and Master Plan Services. Moved by Trustee Russ Rhynard and supported by Trustee Norm Poli to approve payment of the invoice from Northeast Michigan Council of Governments for Recreation Plan and Master Plan Services in the amount of \$5,000.00 to be paid from GL #101-701-801.000, Recreation Plan Update. Roll call vote was taken. AYES: Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

DIXON ENGINEERING & INSPECTION SERVICES – M-32 WATER TOWER PROJECT

The Township Board was presented with an agreement from Dixon Engineering & Inspection Services for preconstruction meeting, project administration, weld observation, wet interior, exterior coating observation, piping, cathodic protection observation on the M-32 water tower. Moved by Trustee Steve Lappan and supported by Clerk Michele Palevich to approve the agreement with Dixon Engineering & Inspection Services in the amount of \$45,800.00 to be paid with ARPA funds as presented. Roll call vote was taken. AYES: Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

THUNDER BAY APARTMENT WATER METERS PROJECT

The Township Board was presented with a memo from Catherine Winn of F & V Operations regarding nine water meters at Thunder Bay Apartments that are failing. Two quotes for replacement were provided from Ferguson Water Works and F & V Operations recommended the approval of nine ultrasonic water meters due to cost. Moved by Clerk Michele Palevich and supported by Trustee Cash Kroll to approve the purchase of nine ultrasonic water meters from Ferguson Waterworks for \$8,451.69 to be paid the GL #592-537-931.000, Maintenance on System. Roll call vote was taken. AYES: Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

FIRE DEPARTMENT – JAWS UNITS

Chief Mark Hansen presented the Township Board with four quotes for two jaws units. Chief Hansen and the Fire Committee recommended purchase of two combination units from West Shore Fire. Moved by Trustee Steve Lappan and supported by Trustee Cash Kroll to approve the purchase of two Holmatro Pentheon Combination units, four Pentheon batteries, two battery chargers and two charging cords in the amount of \$28,992.29 to be paid from GL #205-336-974.000, Equipment. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

PUBLIC COMMENT

None.

DISCUSSION

The Township Board chose Tuesday, March 7, 2023, at 4:00 p.m. for the next budget workshop.

The Township Board discussed a Capital Improvement Plan, revenue and expenses, Brownfield Redevelopment Authority, ARPA funds, a millage committee, assessing and an updated tax assessment roll.

ADJOURNMENT

Moved by Clerk Michele Palevich and supported by Trustee Norm Poli to adjourn. Voice Vote. Motion carried unanimously. Meeting adjourned at 7:59 p.m.

Clerk Michele P. Palevich

Supervisor Nathan Skibbe

**OFFICIAL PROCEEDINGS
OF
THE CHARTER TOWNSHIP OF ALPENA-BOARD OF TRUSTEES
March 7, 2023 – 4:00 p.m.
SPECIAL MINUTES**

The Charter Township of Alpena Board of Trustees met in Special session on Tuesday, March 7, 2023, at 4:00 p.m. at the Charter Township of Alpena Offices, 4385 US 23 North, Alpena, MI 49707.

Present: Supervisor Nathan Skibbe
Clerk Michele Palevich
Trustee Steve Lappan
Trustee Russ Rhynard
Treasurer Laura Ellery-Somers
Trustee Cash Kroll
Trustee Norm Poli

Absent: None

Others present: None

Supervisor Nathan Skibbe called the meeting to order at 4:00 p.m. followed by the Pledge of Allegiance.

ROLL CALL

Roll call was taken; the following Board members were present: Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. Absent: None.

AGENDA

Moved by Clerk Michele Palevich and supported by Trustee Laura Ellery-Somers to approve the agenda as presented with the addition of Fire Committee Appointment. Voice Vote. Motion carried by unanimous voice vote.

PUBLIC COMMENT

None.

BUDGET ADJUSTMENTS

The Township Board was presented with budget adjustments prepared by Clerk Michele Palevich and Supervisor Nathan Skibbe. Moved by Treasurer Laura Ellery-Somers and supported by Trustee Norm Poli to approve the budget adjustments as presented. Roll call vote was taken. AYES: Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

1010 TECHNOLOGY CENTER, INC. – LAPTOP QUOTE

Supervisor Nathan Skibbe presented the Township Board with a quote from 1010 Technology Center, Inc. for a new laptop and advised that the current laptop he is using is over six years old and not working properly. Moved by Clerk Michele Palevich and supported by Trustee Norm Poli to approve the purchase of a new laptop from 1010 Technology Center, Inc. for the Supervisor in the amount of \$1,998.70 to be paid from GL #101-171-728.000 Computer (Hardware). Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

FIRE DEPARTMENT – SALE OF AMBULANCE

Supervisor Nathan Skibbe presented the Township Board with an email from City of Alpena Fire Chief Rob Edmonds informing that the Alpena County Courts and Public Safety Committee approved the purchase of the Township’s ambulance. Moved by Trustee Steve Lappan and supported by Clerk Michele Palevich to proceed with the sale of the 2018 McCoy Miller Ambulance with Stryker power cot in the amount of \$135,000.00 upon receipt of the 2023 Ford Rescue Pickups. Roll call vote was taken. AYES: Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

FIRE DEPARTMENT – SOUTHSIDE RENOVATION PROJECT

Chief Mark Hansen informed the Township Board the final cost of the Southside renovation was \$8,141.45, which is \$946.25 over the projected costs and requested an amendment of the original motion. Moved by Trustee Steve Lappan and supported by Treasurer Laura Ellery-Somers to amend the original motion from October 4, 2022, to increase the expenditure for the Southside renovation project from \$7,1495.17 to \$8,141.45. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Norm Poli, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: None. Absent: None. Motion carried unanimously.

FIRE DEPARTMENT – FIRE COMMITTEE APPOINTMENT

Treasurer Laura Ellery-Somers advised that she would like to be removed from the Fire Committee and Supervisor Nathan Skibbe agreed to replace her. Moved by Treasurer Laura Ellery-Somers and supported by Trustee Norm Poli to appoint Supervisor Nathan Skibbe to the Fire Committee. Voice Vote. Motion carried by unanimous voice vote.

BUDGET WORKSHOP SESSION

The Township Board reviewed the budget for the April 1, 2023, to March 31, 2024 fiscal year.

PUBLIC COMMENT

None.

DISCUSSION

None.

AJOURNMENT

Moved by Clerk Michele Palevich and supported by Trustee Steve Lappan to adjourn. Voice Vote. Motion carried unanimously. Meeting adjourned at 6:07 p.m.

Clerk Michele P. Palevich

Supervisor Nathan Skibbe

CLERK'S REPORT FOR FEBRUARY, 2023

1 FOIA Requests

Submitted insurance claim for 8 channel wireless conference microphone system damaged by power surge.

North Pointe Shores Special Assessment – petitions received.

Personnel Committee Meetings

F & V Annual Meeting

Interview for full time Fire fighter/MFR

Elections: Quality Voter File (QVF) maintained
 Voter registrations

On boarded 1 Paid-on-Call

Back up for Building Department Administrative Assistant

Answering fall through calls

Budget Adjustments

Order Office Supplies

Forward Assessing Department Mail to Berg Assessing

Processed Payroll and payroll reports/payments

Approved ACH water/sewer payments

Accounts payable

Board of Trustee agenda/packets & minutes (1 regular meeting & 2 special meetings)

Upload meetings to Youtube

Maintain website

Supervisor's Report 3.27.2023

Recycling board meeting (NMMMA) -1
Preparing to begin our update of our Master and Recreation Plans
Attended a Zoom meeting with BLM to discuss online
Met with Besser management about recycling funding
Attended several webinars
Attended the County PC meeting
Working on my Master Citizen Planner through MSUE
Conducted numerous site plan reviews in both residential and commercial developments
Attended ACRC Board meeting to request funding for a comprehensive transportation study
Attended several AWASA meetings
Preparing ITA for DWSRF request
Attended Target/EDC meeting, Chair (2023)
Working with two additional companies for cabinetry quotes
Fire Committee meeting
Negotiations FOPLC
Huron Engineering Bi-path Ripley Blvd.
Good morning Alpena breakfast
3 days of Board of Review
Presented to Tim Kuehnlein ACC class
Worked with Lt. Waterson on AAA grant
Met with M. Gombos, Par Plan
Contract negotiations FOPLC

**Charter Township of Alpena
Treasurer's Report February 2023
Board Meeting March 27, 2023**

BS&A updates

Tax disbursements

Board Meeting

Budget Meetings

Bank Reconciliations are complete

Accounts Payable/Payroll

NMMMA (Recycling) Meetings

Collect real and personal property taxes

Keep an account of township receipts revenues & expenditures

Disburse township Checks

Deposit township revenues in

MTA-Alpena Chapter Meeting

Policies & Procedures meeting with Trustee Poli

Fire Committee

approved depositories

Timesheet/PTO approval

Research

MMTA Treasurer to Treasurer

Collect delinquent personal property tax

Collect mobile home specific tax

Processed ACH water/sewer payments

Working on postings to tax roll books for summer and winter

Work with Jamie from Huntington Bank CD liquidity

*Financial reports were emailed to board members

- 1) Payment of the Bills
- 2) Revenue/Expenditure Report
- 3) Check Register
- 4) Cash Summary Report

Monthly Permit Comparison Report

| Record Type | February 2022 | | February 2023 | |
|---------------|---------------|--------------------|---------------|--------------------|
| | # | Revenue | # | Revenue |
| Building | 7 | \$ 1,809.00 | 3 | \$ 1,504.00 |
| Electrical | 10 | \$ 1,675.00 | 12 | \$ 2,561.00 |
| Mechanical | 12 | \$ 2,020.00 | 13 | \$ 2,768.00 |
| Plumbing | 3 | \$ 501.00 | 12 | \$ 2,631.00 |
| TOTALS | 32 | \$ 6,005.00 | 40 | \$ 9,464.00 |

| | | | | |
|-------------------------|--|--|----------|--------------------|
| GAIN and/or LOSS | | | 8 | \$ 3,459.00 |
|-------------------------|--|--|----------|--------------------|

YTD Permit Comparison Report

| YTD 2022 | | YTD 2023 | |
|-----------|---------------------|-----------|---------------------|
| # | Revenue | # | Revenue |
| 13 | \$ 5,254.00 | 11 | \$ 12,283.00 |
| 18 | \$ 2,988.00 | 19 | \$ 3,851.00 |
| 32 | \$ 5,140.00 | 26 | \$ 5,443.00 |
| 6 | \$ 974.00 | 14 | \$ 3,325.00 |
| 69 | \$ 14,356.00 | 70 | \$ 24,902.00 |

| | | | |
|--|--|----------|---------------------|
| | | 1 | \$ 10,546.00 |
|--|--|----------|---------------------|



March 27, 2023

Fire Department Board Report

1. Attended Fire Department Training Meeting ICS operations.
2. Chief had meeting with Presque Isle Fire Chief to discuss mutual aid and MABIS system.
3. Chief had meeting in regard to auto aid with Chief Rob Edmonds, Kimberly Elkie, Rory Sherwood and Nathan Skibbe at Central Dispatch
4. Lt. Waterson and Chief attended virtual training put on by Michigan EGLE on clean diesel grant opportunities.
5. ATFD staff assisted Michigan State Police in the Polar Plunge on Long Lake. The department provided rescue swimmers in the water and first response for the festivity.
6. Chief attended budget meeting
7. Chief participated in several meeting with Supervisor Skibbe.
8. Conducted interview of fulltime candidate with Personnel Committee.
9. Chief help instruct students on a S-215 class on Wildland Urban Interface in Montmorency County of which Lt. Stephens also attended as a student.
10. Chief Budget workshop
11. Chief attended 2 Fire Committee meetings
12. Chief attended township board meeting

Respectfully,

Mark Hansen, Fire Chief

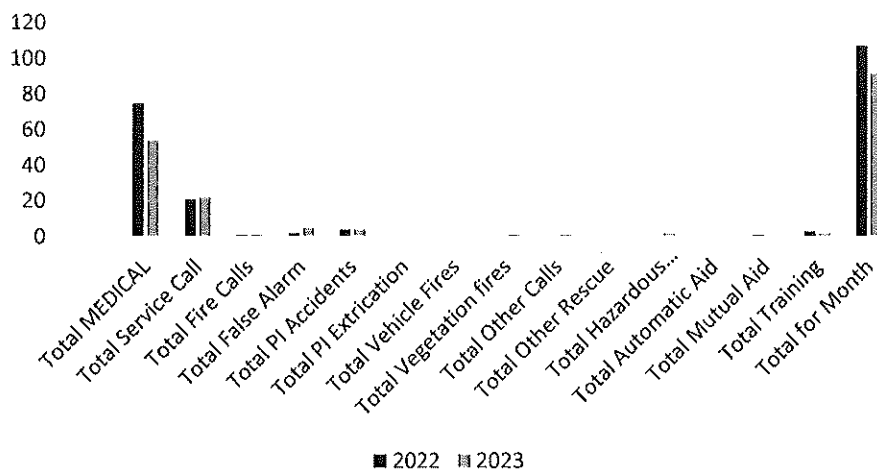


Charter Township of Alpena Fire Department

Run Totals

| February | 2022 | 2023 |
|----------------------------|------|------|
| Total MEDICAL | 75 | 54 |
| Total Service Call | 21 | 22 |
| Total Fire Calls | 1 | 1 |
| Total False Alarm | 2 | 5 |
| Total PI Accidents | 4 | 4 |
| Total PI Extrication | 0 | 0 |
| Total Vehicle Fires | 0 | 0 |
| Total Vegetation fires | 0 | 1 |
| Total Other Calls | 0 | 1 |
| Total Other Rescue | 0 | 0 |
| Total Hazardous Conditions | 0 | 2 |
| Total Automatic Aid | 0 | 0 |
| Total Mutual Aid | 1 | 0 |
| Total Training | 3 | 2 |
| Total for Month | 107 | 92 |

February 2022-2023



Submitted to

Charter Township of Alpena



Lift Station Cleaning

Operating Report for February 2023



2960 Lucerne Dr., SE Grand Rapids, MI 49546



March 22, 2023

Mr. Nathan Skibbe
4385 US-23 North
Alpena, MI 49707

SUBJECT: Charter Township of Alpena Operations Report for February 2023

Dear Mr. Skibbe:

FVOP is pleased to submit a summary of our operations in the Charter Township of Alpena for February 2023. If you have any questions or comments regarding the information in this report, please feel free to contact us.

Sincerely,

F&V OPERATIONS AND RESOURCE MANAGEMENT, INC.

A handwritten signature in blue ink that reads 'Catherine A. Winn'.

Catherine A. Winn
Regional Manager | Associate

Enclosures:

- Operations & Maintenance Summary
- Work Order Totals
- Maintenance Cap Expenditures
- Distribution System Monitoring

2960 Lucerne Drive SE, Suite 100
Grand Rapids, MI 49546
P: 616.588.2900
F: 616.977.1005
www.fv-operations.com

EXECUTIVE SUMMARY

The February 2023 operation and maintenance summary report for the Alpena Township water and wastewater systems is provided for your review. All required monitoring was performed in the water system for this period. A copy of the distribution system Monthly Operating Report (MOR) is provided for the Board's review in Attachment C.

Maintenance Allowance expenditures for the contract year September 2022 – August 2023 total \$50,609.33. The Maintenance Allowance has been adjusted from \$250,000 annually to \$125,000 annually at the request of the Township. A copy of the Maintenance Allowance report is included in Attachment B.

A tabulation of all water and sewer Work Orders completed during through February 2023 is provided in Attachment A.

OPERATIONAL HIGHLIGHTS

February 1 – FVOP staff worked with MacArthur Construction to replace a leaking service line at 721 Mac Avenue. During the course of the repair, MacArthur damaged a mailbox, necessitating replacement.

February 2 – FVOP staff pulled pump #2 at Wyndham Gardens Lift Station #2 for a seal failure alarm. FVOP staff checked the pump for signs of water intrusion, and added more hydraulic oil to the pump. The pump was returned to operation and the seal failure alarm condition cleared.

February 5 – FVOP staff responded to an alarm at Wyndham Gardens Lift Station #3. FVOP staff found pump #1 had tripped out, probably due to debris clogging the impeller. The pump was taken off-line and was scheduled to be inspected the following day (Monday).

February 6 – FVOP staff pulled pump #1 at Wyndham Gardens Lift Station #3. FVOP removed wet wipes and other debris from the pump and then returned the pump back to service.

February 8 – FVOP staff were informed of two (2) fire hydrants that were inoperable for the Alpena Township Fire Department. FVOP staff disassembled both hydrants and found the hydrants to be frozen. FVOP staff thawed and removed excess ice from the hydrants, flushed, drained, and returned the hydrants to service. The hydrants may have been used without notification to the Township, resulting in the hydrants not being properly drained, causing them to freeze.



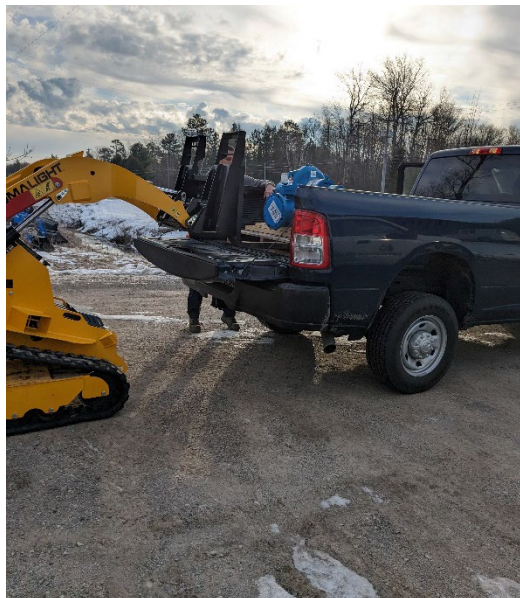
Hydrant flushing at the intersection of Paad Court and Michigan Avenue

February 10 – FVOP staff performed a permit-required confined space entry into the French Road Lift Station to perform maintenance on check valve #1. FVOP staff found the check valve to be full of rubber gloves and other debris, preventing the valve from operating properly. FVOP staff removed all debris and returned the valve to normal operation. This has been a recurring issue, and the upstream sewer user of concern had been previously notified that the Township’s Sanitary Sewer and Water Ordinance prohibits the discharge of, “any substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage disposal system.”

February 10 - FVOP staff performed a dye test on the sanitary sewer lead at 3501 Lowell Road. FVOP staff had previously observed that one sanitary sewer lead had constant discharge into the manhole at the intersection of Lowell Road and Shelly Street. The dye test revealed that the constantly discharging sanitary lead came directly from the house at 3501 Lowell. The municipal water service has been shut off at that home for years. The dye test indicates that the sanitary sewer lead may have an infiltration issue between the home and the manhole. The homeowner was on-site during the dye test, and was notified that they were responsible to repair the sewer lead.

February 12 – FVOP staff were called out to 709 Mac Avenue for a leak inside an abandoned trailer home. FVOP staff turned off the water at the curb-stop.

February 13 – FVOP staff loaded pump #1 from the M-32 Booster Station for Kennedy Industries to take back to their facility for further inspection.



FVOP staff use the Township’s mini skidsteer to load pump #1 at the M-32 Booster Station.

February 14 – FVOP staff repaired and lowered two (2) water main isolation valve boxes to grade level. The Isolation valve boxes had been hit by plow trucks, breaking the cast iron risers around the lids.

February 15 – FVOP staff tested water main pressures from Webster Road to Golf Course Road, approximately of 3,600 feet of main, to check for possible leaks in the system. This also allowed FVOP staff to exercise isolation valves and fire hydrants in the area.

February 16 – FVOP staff worked with Alcona Septic to pump out and remove grease in from lift stations located around the Township.

February 16 – FVOP staff pulled pump #1 at the French Road Lift Station. FVOP staff removed rubber gloves, wet wipes, and other debris from the pump, and then returned the pump to service.

February 16 - FVOP staff found a leak on a water service line at 1060 Pine Road. Repairs were scheduled for the following Monday.

February 20 – FVOP worked with Bedrock Contracting to replace two (2) leaking service lines at 1060 and 1059 Pine Road from the main to the curb stops.

February 20 – FVOP staff performed a permit-required confined space entry at the French Road Lift Station to remove debris from the pump check valves.

February 21 - FVOP found a leak at 2356 Woodcrest Drive while performing routine meter reading. The leak was on the private side of the curb stop. The homeowner was notified about the leak, and was informed that the Township Ordinance requires them to repair the leak within 14 days.

February 22 – FVOP staff responded to a leak inside the home at 2363 Sandy Lane. The leak was located before the water meter. FVOP staff located the curb-stop and shut off the water service. The resident contacted a plumber to perform the necessary repair. FVOP staff turned the water back on after the leak was fixed.

February 23 – FVOP staff performed a total inventory of repair materials located in the DPW garages.

February 23 – FVOP staff moved the Township dump trailer into the DPW garage in order to prep and re-paint the trailer.



Township's dump trailer after repainting

February 27 – FVOP staff worked with Kennedy Industries to reinstall pump #1 at the M-32 Booster Station.

February 27 – FVOP staff picked up a hydraulic broom, the last implement for the BaumaLight mini skidsteer.

February 28 – FVOP staff pulled pump #1 at Wyndham Lift Station #4 to inspect the pump and base due to issues with low discharge flows.



Attachment A

Work Order Summary

Attachment B

Maintenance Allowance Update

ALPENA TOWNSHIP MAINTENANCE CAP SPENDING 2022-2023

Contract Year 2022-2023: \$ 125,000.00

Remaining Fund from 2021-2022: \$ -

Beginning Total: \$ 125,000.00

Total Spent: \$ **50,609.33**

Remaining Fund: \$ **74,390.67**

September 2022

| | | | |
|-------------------------------|---|----|--------------------|
| Fitzpatrick's Hardware | 50 pound fast concrete mix (2) for Crittenden Court cut and cap | \$ | 20.67 |
| Ferguson Enterprises | 5/8" X 3/4" water meters (20) | \$ | 3,212.58 |
| Kerr Pump | 4-inch discharge gasket Princeton lift station | \$ | 216.89 |
| Kendall Electric | Alternator relay for Townsend Drive lift station | \$ | 150.12 |
| The Home Depot | Sawzall blades | \$ | 28.91 |
| Fitzpatrick's Hardware | Garden hose repair in DPW garage #2 | \$ | 6.02 |
| Fitzpatrick's Hardware | New handle for pickaxe that broke | \$ | 17.71 |
| The Home Depot | Sawzall blades | \$ | 12.96 |
| The Home Depot | Bolts and nuts for red DPW trailer jack | \$ | 14.50 |
| Harbor Freight | Wire brush kit | \$ | 13.32 |
| USA Blue Book | Blue Miss Dig flags | \$ | 109.02 |
| Total September | | | \$ 3,802.70 |

October 2022

| | | | |
|-------------------------------|---|----|---------------------|
| Alpena Supply | 2-inch water service line for Marshalls | \$ | 982.56 |
| Ferguson Enterprises | 2-inch meter flanges for Marshalls | \$ | 175.62 |
| Ferguson Enterprises | Water service corporations | \$ | 608.96 |
| Ferguson Enterprises | Water meter install parts | \$ | 80.04 |
| Fitzpatrick's Hardware | Di-electric grease for lift station meters | \$ | 13.34 |
| Huron Engineering | Density testing multiple sites (May & June 2022) | \$ | 2,020.73 |
| Ferguson Enterprises | 1.5-inch meter for Harbor Drive | \$ | 831.29 |
| Fitzpatrick's Hardware | Parts for curb stop replacement at 2733 Werth Road | \$ | 37.80 |
| Alcona Septic | Clean force main at Princeton lift station | \$ | 210.00 |
| Oudbier Instrument Co. | Replacement flow meter for Princeton lift station | \$ | 4,922.93 |
| Oudbier Instrument Co. | Annual master meter calibrations | \$ | 475.13 |
| F&V Operations | Restoration at 1237 Crestview Drive and 2651 Pearl Road | \$ | 802.50 |
| FedEx | Meter testing shipping | \$ | 12.78 |
| FedEx | Meter testing shipping | \$ | 14.68 |
| Total October | | | \$ 11,188.36 |

November 2022

| | | | |
|---------------------------------|--|----|--------|
| F&V Operations | Restoration at 2333 Sandy Lane | \$ | 642.00 |
| Alpena Supply | Replacment section of force main pipe for Princeton lift station | \$ | 161.72 |
| AIRGAS USA LLC | Acetylene for Township torch | \$ | 35.07 |
| Ferguson Enterprises | Straight 3/4" water meter | \$ | 270.08 |
| Fitzpatrick's Hardware | Snow shovels for lift stations | \$ | 28.92 |
| Fitzpatrick's Hardware | Straw for excavation site restorations | \$ | 12.24 |
| Fitzpatrick's Hardware | Hitch pin for Township trailer | \$ | 5.55 |
| FedEx | Meter testing shipping | \$ | 14.26 |
| Alcona Septic | Pump and haul Princeton lift station for pipe replacement | \$ | 945.00 |
| Bedrock Excavation | Topsoil for 2333 Sandy Lane restoration | \$ | 131.25 |
| Bisbee Infrared Services | Lift station and booster station infrared inspection | \$ | 577.50 |
| FedEx | Meter testing shipping 1142 Pine | \$ | 13.58 |
| M.E. Simpson Co. | Water meter testing (2) | \$ | 135.48 |

ALPENA TOWNSHIP MAINTENANCE CAP SPENDING 2022-2023

| | |
|--------------------------------|---------------------|
| Contract Year 2022-2023: | \$ 125,000.00 |
| Remaining Fund from 2021-2022: | \$ - |
| Beginning Total: | \$ 125,000.00 |
| Total Spent: | \$ 50,609.33 |
| Remaining Fund: | \$ 74,390.67 |

November 2022 con't

| | | | |
|-----------------------|---|----|--------------------|
| Alpena Supply | Fire hose adapter for equipment washing | \$ | 110.25 |
| Builders First Source | Mini-excavator rental | \$ | 278.25 |
| The Home Depot | Fire hose adapter for equipment washing | \$ | 9.39 |
| US Blue Book | Miss Dig flags, probing rod | \$ | 136.43 |
| Alpena Supply | Returned wrong adapters | \$ | (60.63) |
| Total November | | | \$ 3,446.34 |

December 2022

| | | | |
|--------------------------|--|----|---------------------|
| F&V Operations | 544 Michigan Avenue curb-stop repair | \$ | 749.00 |
| Alpena Diesel Service | Township dump trailer brakes and wiring | \$ | 1,665.95 |
| Builders First Source | Mini excavator rental | \$ | 333.90 |
| Builders First Source | Mini excavator rental - refund half day | \$ | (111.30) |
| Amazon Marketplace | LED replacment lights - lift stations | \$ | 77.90 |
| Alpena Supply | Water meter wire | \$ | 294.95 |
| Fitzpatrick's Hardware | Township trailer hitch pin | \$ | 5.55 |
| Fitzpatrick's Hardware | Nuts, bolts for Lay lift station | \$ | 31.34 |
| Fitzpatrick's Hardware | Nuts, bolts for Lay lift station | \$ | 7.72 |
| Fitzpatrick's Hardware | Ball valve and hinge Lay lift station | \$ | 52.66 |
| Fitzpatrick's Hardware | Butt connectors for water meters | \$ | 12.79 |
| Fitzpatrick's Hardware | Couplings | \$ | 21.79 |
| Fitzpatrick's Hardware | 20 foot section 3 1/4 inch PVC pipe | \$ | 22.71 |
| Fitzpatrick's Hardware | Piper Tower heat tape | \$ | 11.12 |
| Fitzpatrick's Hardware | Booster station mouse traps | \$ | 5.00 |
| Huron Engineering | Density testing Tamarack Road (August 2022) | \$ | 194.25 |
| Huron Engineering | Density testing Clinton & Colorado (August 2022) | \$ | 299.25 |
| M.E. Simpsons Co | 1142 Pine Road meter test | \$ | 77.23 |
| Bedrock Excavation | 1090 Crooked Tree Drive (8/13/2022) | \$ | 25,235.06 |
| State Street Wash & Lube | Oil change on Township's truck | \$ | 71.09 |
| Citgo | Diesel fuel for generators | \$ | 35.18 |
| Huron Engineering | Density testing Princeton Avenue | \$ | 207.38 |
| Huron Engineering | Density testing Sandy Lane | \$ | 165.90 |
| Total December | | | \$ 29,466.42 |

January 2023

| | | | |
|----------------------|---|----|--------------------|
| Fitzpatrick Hardware | Maintenance supplies for Township's plate compactor | \$ | 24.56 |
| Ferguson Enterprises | 2-inch meter for Marshalls | \$ | 1,195.29 |
| Ferguson Enterprises | 1-inch pit meter | \$ | 390.00 |
| Ferguson Enterprises | Meter couplings | \$ | 619.50 |
| Fitzpatrick Hardware | Red reflectors | \$ | 5.54 |
| Huron Engineering | Density testing Ferncliff | \$ | 155.40 |
| Total January | | | \$ 2,390.29 |

ALPENA TOWNSHIP MAINTENANCE CAP SPENDING 2022-2023

| | | |
|--------------------------------|----|------------------|
| Contract Year 2022-2023: | \$ | 125,000.00 |
| Remaining Fund from 2021-2022: | \$ | - |
| Beginning Total: | \$ | 125,000.00 |
| Total Spent: | \$ | 50,609.33 |
| Remaining Fund: | \$ | 74,390.67 |

February 2023

| | | | |
|-----------------------------|--|----|------------------|
| Fitzpatrick Hardware | Generator oil | \$ | 12.88 |
| Fitzpatrick Hardware | Replacement mailbox for MacArthur excavation on Mac Avenue | \$ | 36.72 |
| Fitzpatrick Hardware | Mailbox numbers Mac Avenue | \$ | 2.30 |
| Fitzpatrick Hardware | Island lift station heater | \$ | 35.61 |
| Fitzpatrick Hardware | Bri-Mar dump trailer paint | \$ | 75.86 |
| Home Depot | Replacement UPS for M-32 Booster Station | \$ | 67.32 |
| FedEx | Shipping for water meter testing | \$ | 15.55 |
| Total February | | | \$ 246.24 |

March 2023

| | | | |
|-----------------------------|----------------------------|----|-----------------|
| Fitzpatrick Hardware | Connector swivel | \$ | 4.44 |
| Fitzpatrick Hardware | Trailer paint (additional) | \$ | 64.54 |
| Total March | | | \$ 68.98 |

Attachment C

Monitoring & Reporting

ALPENA TOWNSHIP

Bacteriological Monitoring Stations mg/l

| DATE | 1234 Golf Course | | | 1318 M-32 | | | 3100 Piper | | | 2773 US-23 S | | | 8556 US-23 S | | | 2201 US-23 S | | | | | | | | | | |
|------|------------------|--|-------|-----------|--|-------|------------|--|-------|--------------|--|-------|--------------|--|-------|--------------|--|-------|--|--|--|--|--|--|--|--|
| | Free | | Total | Free | | Total | Free | | Total | Free | | Total | Free | | Total | Free | | Total | | | | | | | | |
| 1 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 3 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 4 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 5 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 6 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 7 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 9 | 0.21 | | | 0.82 | | | 0.81 | | | 0.70 | | | 0.14 | | | 1.08 | | | | | | | | | | |
| 10 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | 0.57 | | | 0.98 | | | 0.86 | | | 0.86 | | | 0.32 | | | 0.96 | | | | | | | | | | |
| 17 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 24 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 30 | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 31 | | | | | | | | | | | | | | | | | | | | | | | | | | |

| | |
|------|------|
| Avg. | 0.69 |
| Max. | 1.08 |
| Min. | 0.14 |

DISTRIBUTION SAMPLES - BACTERIOLOGICAL SUMMARY

| | | | | | |
|---|----|--|--|--|--|
| Total number of routine distribution samples analyzed | 12 | | | | |
| Total number of positive routine distribution samples | 0 | | | | |
| Total number of routine distribution samples required | 6 | | | | |

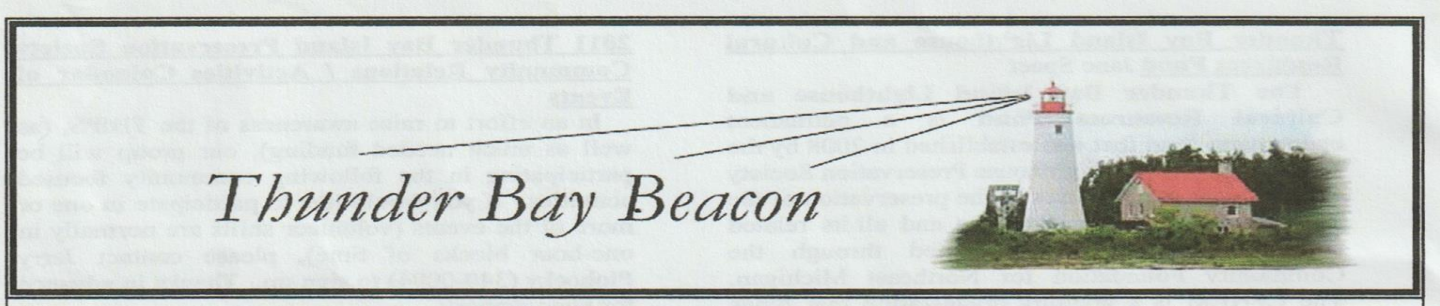
POSITIVE DISTRIBUTION SAMPLES

REPEAT SAMPLES

| Date | Monitoring Station | MF Count | MPN Count | Date | Monitoring Station | MF Count | MPN Count |
|------|--------------------|----------|-----------|------|--------------------|----------|-----------|
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |
| | | | | | | | |

HPC Results for Samples with <0.20 mg/l Free Chlorine

| Date | Location | Result |
|------|----------|--------|
| | | |
| | | |
| | | |
| | | |



SPRING 2023

Summer Activity Plans-

At the annual meeting members voted to participate, and help promote the 2023 Michigan Lighthouse Festival, to be held August 4-6th, at the New Presque Isle Lighthouse. TBIPS will have a booth there for the Aug. 5th activities. We will need volunteers to staff our display from 9 am until 5 pm. There will be a sign-up sheet for 2-hour shifts, if you are interested in helping, please contact Sue Skibbe, at 989-356-9491, or at: Thunderbayisland@outlook.com The schedule of events is included on the next page, and festival passes sell out quickly. If you would like to attend, go to the website for the festival at: www.michiganlighthousefestival.com The festival travels around the state each year, so do not miss the opportunity to attend and connect with other lighthouse enthusiasts!

Update on BLM Transfer Process



A Zoom conference was held on February 13, with representatives from BLM, Alpena Township, and TBIPS. The process of transferring the remaining island property is separate from the project of creating a kiosk/pavilion to remediate the removal of the historic boathouse. TBIPS has formed an ad hoc committee to work on the design of the kiosk, as well as develop information for the interpretative signage in the exhibit. The application for the actual property transfer is undergoing some revisions and will be assisted by the

newly installed Realty Specialist with the BLM. The Township has already submitted many of the pertinent documents and the application fee, that was required to initiate the process. We will share the latest information as it becomes known.

2023 Meeting Schedule:

The remaining meeting schedule for the year is: No regular meeting in March, July, or December. We will meet on the 4th Tuesday of April, May, June, August, September, October, and November, at 6:30 pm, in the small conference room at the Alpena County Library. If changes are made you will be notified via email or on our Facebook page.



Come join the GREAT ADVENTURE of
the MICHIGAN LIGHTHOUSE FESTIVAL!
August 4, 5 & 6, 2023 • Alpena, MI

MICHIGAN LIGHTHOUSE FESTIVAL

Friday- August 4, 2023

- 6:30 pm- Great Lakes Maritime Center
- Drinks & Hors d'oeuvres
 - Guest Speaker- *Jeff Shook*- "Lil Red"
 - Entertainment- *Dan Hall*- Musician
- Presentation- *Thunder Bay Nat'l Marine Sanctuary*

Saturday- August 5, 2023

9:00 am to 5 pm-NEW PRESQUE ISLE
LIGHTHOUSE

- Maritime Market- Vendors- Free
 - 10:00 am- *Bryan Lijewski*- SHPO, Grants for lighthouses and historic places.
 - 11:15 am- *Ginger Schultz*- Manager, Mission Point Light- "How to be a Lighthouse Keeper"
- 1:00 pm- *Patricia Majher*- Author, "Ladies of the Lights"

GREAT LAKES MARITIME HERITAGE CENTER

Saturday- August 5, 2023

- 4:30 pm-5:30 pm, Presentation- *Augustin Fresnel*- "Inventor of the Fresnel Lens for lighthouses"
- 5:45 pm- Board the *Lady Michigan* for a "special lighthouse cruise"
- 6:00 pm- Cruise begins

Sunday- August 6, 2023

9:00 am - 11:00 am

"Fare Sailing Brunch"

Say farewell to lighthouse friends

GOLD PASS- VIP Weekend pass

All-inclusive Pass- \$130.00

SILVER PASS- \$95.00- Friday night: "Meet &

Greet", Saturday-Lighthouse Cruise

Brass Pass-\$45.00- Maritime Market &

Guest Speakers at New Presque Isle

Lighthouse.

www.michiganlighthousefestival.com

Sponsored by:



Getting to know our members.-

Now that we're getting back to publishing a quarterly newsletter, this is a perfect time to get acquainted with members, so there will be an article devoted to a different member in each edition.

We start off with member Bob Hudspeth, of Goose Creek, South Carolina. Bob served with the Coast Guard on Thunder Bay Island, from April until December of 1963. He has shared many of his experiences on the island in a longer narrative than can be read in it's entirety, by going to our website at: www.thunderbayislandlight.org

When I put out an SOS last fall to enlist some help in boosting our Facebook page, Bob was the first to respond. In a recent report from FB Meta, the number of visitors to our page is up 1058% in February 2023. A big thank you, Bob!

COMMUNITY INVOLVEMENT

Person's Family Plot

In 2011, TBIPS made the decision to provide perpetual care for the Person's family gravesite at Evergreen Cemetery. First we needed to try to search out any remaining heirs for their permission. The search didn't locate anyone to contact. What it did reveal though and we haven't previously published, is the incredible history that the Person's family possessed. Captain John D. Person was a direct descendent of John Reed, a signature on the Declaration of Independence. Capt. Person's wife, Celia was a direct descendent of Nathan Hale. Hale was a American Revolutionary officer who was hanged by the British for spying in 1776. Nathan Hale has been credited with the statement, "I only regret that I have but one life to give for my country" TBIPS will continue to clean and care for the Person's plot as a part of honoring our history, both locally and nationally.

Buildings & Grounds-Dave Skibbe

With the 2022 season behind us, I look forward to the upcoming work season out on the island. In looking at the Army Corp website, it shows the water level has stopped it's seasonal drop. It remains to be seen what kind of impact the snowfall and spring rain will have on levels. Last season we saw more shoreline with the lower water, and I am hopeful that we may be able to put the old dock sections back in. We've been hampered by having to take two boats out for work trips. A larger one for transporting people, and a smaller one for ferrying to shore. Which limited what we could get out or bring back. If the first trip out reveals that we can put the dock back in place, we will need able bodied people to help with the effort. Also remember- what goes in must come out! Having a dock means that we have the ability to get more people on shore, which is one of our goals.

We also have an offer to utilize a pontoon that can be used to transport larger items. The Wheel horse rider has been rebuilt and is ready to go back to the island as a back-up mower. We have scaffolding and heavy ramp material to be moved out. There's lots of "old stuff" waiting to come back to shore. Moving all these items means we'll need people to make it all happen.

Members that are interested in taking on a project for the season, or have a boat that they're willing to transport people to the island, please contact me @: davidskibbe@hotmail.com or at 989-356-9491, with any ideas, questions, or comments. Thank You!



For those who may not be familiar with the Person's, Elonzo was the Lighthouse Service Keeper 1861-1873, his son John D. was captain at the lifesaving station 1877-1915.

FEDERAL ENERGY REGULATORY COMMISSION
Office of Energy Projects
Division of Dam Safety and Inspections - Chicago Regional Office
230 South Dearborn Street, Suite 3130
Chicago, Illinois 60604
(312) 596-4430 Office - (312) 596-4460 Facsimile

In reply refer to: P-2404

February 28, 2023

VIA ELECTRONIC MAIL

Mr. William Myers, P.E.
Chief Dam Safety Engineer
Eagle Creek Renewable Energy, LLC
ECREDamSafety.CRO@eaglecreekre.com

Re: Thunder Bay Hydroelectric Project, FERC No. 2404
November 30, 2022 – Emergency Action Plan (EAP) Reprint
December 2, 2022 – Annual EAP Status Report
December 2, 2022 – Low Hazard EAP Exemption Requirements

Dear Mr. Meyers:

We have received your referenced submittals providing an Emergency Action Plan (EAP) Reprint and the annual EAP Status Report for the Ninth Street (01), Four Mile (02), Norway Point (03), and Hubbard Lake (04) developments of the Thunder Bay Hydroelectric Project, FERC No. 2404.

The EAP reprint satisfactorily addresses comments from our November 22, 2022 letter, which requested the EAP be updated based on the Evaluation Reports from the 2022 Tabletop and Functional Exercises. The reprint complies with Section 6-2.2.4 of the FERC Engineering Guidelines and fulfills the reviewing and updating requirements of 18 C.F.R., Part 12, Subpart C, § 12.24. The signed form acknowledging receipt of the EAP reprint has been returned via email as requested in the transmittal letter. The EAP notification charts should be updated to reflect the new FERC CRO Branch Chief, Marilyn Sabido, due by **December 31, 2023**.

Chapter 6 of the FERC Engineering Guidelines (Section 6-2.2.6 EAP Status Reports) includes the following nine elements to be addressed in the annual status report. Your compliance with these is as follows:

1. Annual comprehensive EAP review – conducted May 30, 2022. The EAP was also reviewed during the tabletop exercise on August 17, 2022, and the functional exercise occurring on August 25, 2022.

2. EAP distribution – Annual update sent to plan holders on November 30, 2022.
3. Last EAP reprint – November 30, 2022.
4. Brief description of the annual seminar (orientation) – The annual seminar was held during the tabletop exercise on August 17, 2022. The seminar reviewed the downstream impacts of dam break scenarios, the roles and responsibilities within the EAP, the notification flowcharts, and the onsite surveillance and monitoring systems.
5. Annual drill/training/call down test, including any lessons learned – Operator Training took place on August 17, 2022. Operating personnel conducted the Annual EAP Phone Drill on October 7, 2022, to verify the notification flowcharts.
6. Emergency equipment testing – Status report notes the three sirens located below the Norway Point Development were tested monthly.
7. Date and results from the most current Sudden Failure Assessment – A December 19, 2011 assessment identified one property just downstream of the Norway Point Development that would be affected by a sudden failure. This residence was purchased by ECRE in 2015 and is currently vacant with no plans to sell in the future. On May 3, 2022, the Licensee met with Alpena County Emergency Services to discuss the mass notification system and determined it would take 5 minutes to send out the message. This information was used to recalculate excess response time, which is adequate.

Additionally, annual review of the inundation area was completed on October 25, 2022. During the 2021 review, the Licensee identified one new structure located at 1600 Burkholder Rd. The Licensee investigated the first-floor elevation of this new structure in 2022. This new structure is not expected to be significantly impacted during a sudden failure of either the Norway or Four Mile dams.

8. Public education – Public education information was distributed to the twenty-four residences downstream of the Norway and Four Mile dams on October 28, 2022, in the form of a letter.
9. A table indicating all parties who: (1) received EAP revisions, (2) participated in the annual seminar, and (3) participated in the annual drill and/or were contacted during the call down test – The 2022 checklist is attached to the report.

Additionally, due to the spillway capacity deficiency at the Ninth Street Development, the FERC's November 4, 2019 letter required that you submit annual testing of notification of the two affected properties downstream of the dam. The report states that representatives from the two properties, Alpena Power Company and RS Scott, participated in the annual notification drill on October 7, 2022. As stated, both organizations fully understand the potential impacts, notification procedures, and their expected actions during flooding and during a declared emergency condition. The memorandum of agreement (MOA) between Thunder Bay Power, Alpena Power, and RS

Scott outlines the triggers established for closure and evacuation. This MOA was updated in 2021 and included in the EAP update. This notification testing is adequate and must be completed annually and included in the EAP status report.

The EAP status report fulfills the reviewing and updating requirements of 18 C.F.R., Part 12, Subpart C, § 12.24, 12.25(b).

We also received the referenced submittal providing EAP exemption requirements for Upper South (05) and Hillman (06). The exemption submittals contain the information for complying with 18 C.F.R., Part 12, Subpart C, § 12.21(c)(1) Conditions of Exemptions [from an EAP]. You are reminded that if you learn of any change in circumstances in that a project emergency might endanger life, health, or property, you must inform the Chicago Regional Engineer within 60 days. Otherwise, the next review of upstream and downstream conditions and updated charts (if necessary) is due by **December 30, 2023**.

File your submittal using the Commission's eFiling system at <https://www.ferc.gov/ferc-online/overview>. When eFiling, select Hydro: Dam Safety and Chicago Regional Office from the eFiling menu. The cover page of the filing must indicate that the material was eFiled. For assistance with eFiling, contact FERC Online Support at FERCOnlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY).

If there are any questions regarding this letter, contact Mr. Chad Blackney, P.E. at (312) 596-4445 or at chad.blackney@ferc.gov or me at (312) 596-4430.

Sincerely,

KEVIN
GRIEBENOW

Digitally signed by
KEVIN GRIEBENOW
Date: 2023.02.28
08:29:01 -06'00'

Kevin Griebenow, P.E.
Regional Engineer

**OFFICIAL PROCEEDINGS
OF THE
ALPENA COUNTY ROAD COMMISSION**

February 6, 2023

The Board of County Road Commissioners of the County of Alpena met in regular session on the above date. The meeting was called to order by the Chairman, Gerald Lucas, at 1:00 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Commissioners Lucas, MacArthur, and Spaulding.
Absent: None.

Staff present: Ryan Brege, Managing Director; Curt Gonyea, Superintendent; Julia Patterson, Finance Director/Board Secretary; and Kourtney Boldrey, Assistant Finance Director.

Others Present: Dan Florip, Road Commission Attorney; County Engineer Rebecca Rivard and Mark Tolkacz of Huron Engineering and Surveying; Jesse Osmer and Burt Francisco, Alpena County Commissioners.

AGENDA

Moved by Spaulding, seconded by MacArthur, to adopt the agenda as presented. Motion carried unanimously.

MINUTES

Moved by MacArthur, seconded by Spaulding, to approve the minutes of the regular meeting of January 3, 2023. Motion carried unanimously.

COMMUNICATIONS

There were no communications.

CITIZENS APPEARING BEFORE THE BOARD/PUBLIC COMMENT

There were no citizens.

MANAGING DIRECTOR REPORT

Managing Director Ryan Brege reported the following:

- No update on Herron Road soil investigation.
- Spruce Road design is complete. Project anticipated for October bid letting. Need to set up pre-con meeting.
- Long Rapids Road Signing Project: Huron Engineering & Surveying working on the design.
- Long Rapids Road Bridge: Received RFPs for design engineering.
- Working on ongoing legal cases and met with Wayne Lewis from Lewis & Lewis Surveying on the Texley case.

COUNTY ROAD REPORT

The Superintendent presented the Board with an update on the County Roads.

DECEMBER FINANCIAL REPORT

The Finance Director presented the Cash/Cash Equivalents Financial Report for the month ended December 31, 2022.

2022 BUDGET STATUS REPORT

The Finance Director presented the Budget Status Report for the month ending December 31, 2022.

Moved by Spaulding, seconded by MacArthur, that all reports become part of the minutes.

BIDS
ANNUAL REQUIREMENTS

1. Aggregate:

| <u>Item</u> | <u>Everett Goodrich</u> | <u>Spec. Stone</u> | <u>Team Elmer's</u> |
|-----------------------|-------------------------|----------------------------|---------------------|
| Tailgate Spread Agg.: | | | |
| County-Wide | \$17.50/Ton | \$17.65 22A \$17.20 23A | \$13.20/Ton |
| Pit Loaded Agg.: | | | |
| 22A | No Bid | \$ 8.50/Ton | \$7.00/Ton |
| 23A | No Bid | \$ 8.00/Ton | \$6.85/Ton |
| 21AA | No Bid | \$ 8.25/Ton | \$7.00/Ton |
| 29A | No Bid | \$12.30/Ton | No Bid |

2. Bituminous Patching Materials:

| <u>Item</u> | <u>Saginaw Paving</u> | <u>Everett Goodrich</u> | <u>Unique Paving</u> |
|------------------|---------------------------|---------------------------|---|
| | <u>Delivered/At Plant</u> | <u>Trucking</u> | <u>Materials</u> |
| | | <u>Delivered/At Plant</u> | <u>Delivered/At Plant</u> |
| CP-6 | No Bid | No Bid | No Bid |
| CP-7 | No Bid | No Bid | No Bid |
| CP-7 Appr. Equal | No Bid | No Bid | \$144.47-train /\$122.00/ton \$163.61-lead |
| QPR | \$138.00/\$120.00/ton | 113.00/\$110.00/ton | No Bid |

3. Emulsified Asphalts:

| <u>Item</u> | <u>Bit-Mat Products</u> | <u>Michigan Paving</u> |
|---------------|-------------------------|------------------------|
| | <u>Unit Price/Gal.</u> | <u>Unit Price/Gal.</u> |
| AE-90 | \$2.4500 | |
| AE-90 Alt. | | \$2.2800 |
| HFRS2 | \$2.4500 | \$2.3100 |
| HFRS-2m | | |
| SS-1h or | | |
| Alt. fog seal | | \$1.8100 |

4. Brine Application for Dust Control:

Mineral Well-24-26%:

| | |
|---|--------------|
| American Waste, Inc. DBA: Northern A-1 Services . . | \$0.300/gal. |
| D & J Bowen, Sterling, MI | \$0.300/gal. |
| Bay Dust Control | \$0.627/gal. |

Moved by MacArthur, seconded by Spaulding, to accept all the bids received for furnishing annual requirements allowing staff the option to purchase material from the firm offering the most economical cost and timely delivery of the product desired. Motion carried unanimously.

5. Liquid Calcium Chloride, Applied:

Bay Dust/Liquid Calcium Chloride Sales. \$0.714/gal.

35% Calcium Chloride Solution,
Applied, Continuous Application

Moved by Spaulding, seconded by MacArthur, to accept the bid from Bay Dust Control for liquid calcium chloride application at a cost of \$0.714 per gallon. Motion carried unanimously.

AGGREGATE PRODUCTION

The following bids were received and opened on February 6, 2023, for the production of 22A Modified Aggregate:

50,000 Tons @ Weiss Pit:

| | <u>Unit Price</u> | <u>Total Price</u> |
|--------------------------|-------------------|--------------------|
| Alpena Aggregate | NO BID | NO BID |
| Reith-Riley Construction | \$0.00 | \$ 0.00 |
| Team Elmer's | \$3.55 | \$177,500 |

35,000 tons @ Flanders Pit:

| | | |
|--------------------------|--------|-----------|
| Alpena Aggregate | NO BID | NO BID |
| Reith-Riley Construction | \$0.00 | \$ 0.00 |
| Team Elmer's | \$3.55 | \$124,250 |

40,000 tons @ Rayburn Pit:

| | | |
|--------------------------|--------|-----------|
| Alpena Aggregate | NO BID | NO BID |
| Reith-Riley Construction | \$0.00 | \$ 0.00 |
| Team Elmer's | \$3.25 | \$130,000 |

Moved by Spaulding, seconded by MacArthur, to award the bid for the gravel production to low bidder, Team Elmer's of Hillman, Michigan. Motion carried unanimously.

TANDEM AXLE TRUCK BIDS

The following bids were opened Tuesday, January 31, 2023, for furnishing one 66,000 lb. GVWR Truck Chassis:

Stoops Western Star of Michigan

| | |
|--|--------------|
| 2024 Western Star Truck 47X | \$158,000.00 |
| EW4 7 Yr.250K Miles Warranty (included in price) | |
| Transmission=Detroit DT12 | |
| Engine = Detroit DD13 | |
| Delivery Date = 400 days | |
| Total Bid | \$158,000.00 |

Alternate Bid: #2

Stoops Western Star of Michigan

| | |
|--|--------------|
| 2024 Western Star Truck 47X | \$159,000.00 |
| EW4 7 Yr.250K Miles Warranty (included in price) | |
| Transmission=Eaton Fuller Ultra Shift | |
| Engine = Cummins | |
| Delivery Date = 400 days | |
| Total Bid | \$159,000.00 |

Alternate Bid: #3

Stoops Western Star of Michigan

2024 Western Star Truck 47X \$161,000.00
EW4 7 Yr.250K Miles Warranty (included in price)
Transmission=Allison Auto 4500 RDS
Engine = Detroit DD13
Delivery Date = 400 days
Total Bid \$161,000.00

Alternate Bid: #4

Stoops Western Star of Michigan

2024 Western Star Truck 47X \$162,000.00
EW4 7 Yr.250K Miles Warranty (included in price)
Transmission=Allison Auto 4500 RDS
Engine = Cummins
Delivery Date = 400 days
Total Bid \$162,000.00

Zaremba Equipment

2024 International HV613 SBA \$ 145,665.00
7Yr/250K Miles Warranty 6,516.00
Transmission=Eaton Fuller Ultra Shift
Engine = International A26
Delivery Date = 365 days
Total Bid \$ 152,181.00

Alternate Bid: #2

Zaremba Equipment

2024 International HX520 SFA \$ 165,523.00
7Yr/250K Miles Warranty 3,470.00
Transmission=Eaton Fuller Ultra Shift
Engine = Cummins
Delivery Date = 365 days
Total Bid \$ 168,993.00

Following a review of the bids, the staff recommended awarding the bid to Stoops Western Star of Michigan.

Moved by MacArthur, seconded by Spaulding, to award the bid to Stoops Western Star of Michigan, as recommended, for furnishing one 2024 Western Star 47X truck, with an EW4 7 yr./250K mile warranty for a cost of \$\$158,000.00, per their bid dated January 31, 2023. Motion carried unanimously.

AUDITOR QUOTATIONS

Three quotations were received for auditing services for year-end financial statements:

| | <u>2022</u> | <u>2023</u> | <u>2024</u> |
|------------------------------------|-------------|-------------|-------------|
| Berthiaume & Company | \$10,900 | \$ 11,300 | \$ 11,700 |
| Department of Treasury | \$11,500 | \$ 11,500 | \$ 11,750 |
| Schulze, Oswald, Miller, & Edwards | \$11,645 | \$ 11,645 | \$ 11,900 |

Moved by Spaulding, seconded by MacArthur, to award the auditing services to Schulze, Oswald, Miller, & Edwards, PC of Alpena, Michigan, based upon the recommendation of the Finance Director. Motion carried unanimously.

WALK-BEHIND CUTOFF SAW

Moved by MacArthur, seconded by Spaulding, to receive the quote from AIS, Traverse City, Michigan for a Husqvarna FS400 20" Walk-behind Cutoff Saw for a price of \$2,595.00 Motion carried unanimously.

SKID STEER QUOTES

Six quotations were received for skid steer to be purchased through MiDeal or Sourcewell:

| | |
|---|--------------|
| Ginop Sales-Kubota: SVL 75-2 | \$ 70,554.00 |
| Bobcat T76 | \$ 83,723.95 |
| Bobcat T76 (upgraded model) | \$ 85,618.36 |
| AIS John Deere 333G | \$ 95,546.00 |
| Michigan CAT 279D3. | \$102,728.02 |
| Don's Ford Tractor: C332 (unsolicited quote). | \$ 79,300.00 |

Moved by MacArthur, seconded by Spaulding, to accept the quote from Ginop Sales of Hillman, Michigan for the Kubota SVL 75-2 at a price of \$70,554.00. Motion carried unanimously.

RECEIVE PICKUP QUOTES

Moved by Spaulding, seconded by MacArthur, to receive the quote from Berger Chevrolet (MiDeal state bidding program) for a total cost of \$118,954.00 for three pickups to replace the Managing Director's vehicle and two foremen pickups. Motion carried unanimously.

Commissioner Lucas suggested that for future purchases, bids on Ford, Dodge, and GMC vehicles should be obtained.

PURCHASES

Moved by Spaulding, seconded by MacArthur, to approve the following purchases in the amount of \$207,979.10:

9H. PURCHASES

| Item | PO/Inv. | Date | Description | Amount |
|------|------------|---------|---|-------------|
| 1 | T94171 | 1/18/23 | AIS Construction Equipment, walk-behind cut off saw. | \$2,595.00 |
| 2 | 63 | 2/3/23 | Berger Chevrolet, 2023 Chevrolet Silverado Pickup | \$40,646.00 |
| 3 | 64 | 2/3/23 | Berger Chevrolet, 2023 two (2)Chevrolet Silverado Pickup at \$39,154 per pickup. | \$78,308.00 |
| 4 | 62 | 2/1/23 | Blarney Castle Oil Co., 12,000 diesel fuel winter-blend at \$3.228 per gallon. | \$38,736.00 |
| 5 | CRA0008401 | 2/1/23 | CRASIF (County Road Association Self-Insurance Fund, 4th Quarter Workers' Comp premium. | \$12,783.00 |
| 6 | 60 | 1/4/23 | Gary Oil & Propane Co., 2,602 gallons no lead gas at \$2.394 per gallon. | \$6,229.19 |
| 7 | 61 | 2/1/23 | Gary Oil & Propane Co., 2,800 gallons no lead gas at \$2.467 per gallon. | \$6,907.60 |
| 8 | 83734 | 1/23/23 | Northern Energy, Inc., 216 gallons EC15W40 bulk oil at \$11.63 per gallon and 140 gallons AW46 hydraulic oil at \$10.63 per gallon. | \$4,000.28 |

| | | | | |
|------------------------|---------|---------|--|---------------------|
| 9 | 118956 | 1/9/23 | St. Regis Culvert Inc., Ten 9-foot wing plow @ \$950.00 per blade (Presque Isle bought 2 & Alcona bought 5 blades) | \$9,500.00 |
| 10 | 10272 | 1/23/23 | Ted Festerling LLC, new floor chain for #307 hopper spreader. | \$2,570.00 |
| 11 | 22385 | 1/26/23 | Weinkauf Plumbing & Heating, boiler repair. | \$2,686.82 |
| 12 | 171459S | 1/16/23 | Zaremba Equipment Inc., coolant fan for Truck #093. | \$3,017.21 |
| TOTAL PURCHASES | | | | \$207,979.10 |

Motion carried unanimously.

CONTRACT PAYMENTS

Moved by MacArthur, seconded by Spaulding, to approve the following purchases in the amount of \$20,885.53:

9I. CONTRACT PAYMENTS

| Item | PO/Inv | Date | Description | Amount |
|--------------------------------|--------|---------|---|--------------------|
| 1 | 2641 | 1/27/23 | L.S. Engineering, Inc., Final construction engineering invoice for Bagley Street Bridge. | \$9,200.00 |
| 2 | 2642 | 1/27/23 | L.S. Engineering, Inc., construction engineering for Long Rapids Road/Bagley Street Traffic Signal. | \$2,520.00 |
| 3 | 010423 | 1/4/23 | Michigan Department of Transportation, Contract payment #6 for Long Rapids Rd Traffic Signal. | \$9,165.43 |
| TOTAL CONTRACT PAYMENTS | | | | \$20,885.43 |

Motion carried unanimously.

JANUARY BILLS

Moved by MacArthur, seconded by Spaulding, to approve the January 2023 bills in the amount of \$418,363.86. Motion carried unanimously.

COMMISSIONERS COMMENTS

Commissioner Spaulding commended Road Superintendent and the crew for a great job during the last snowstorm.

Commissioner MacArthur inquired if there was an update to the Herron Road soil investigation. Managing Director Ryan Brege responded that he has contacted Soils and Structures who did the testing, but the results have not been completed as of today. Mr. MacArthur requested the Herron Road boring logs, Jake's inspection notes on the elevation, and any emails, sent or received, of the problems during the Herron Road project. Mr. Brege will compile the documents for Commissioner MacArthur.

LONG RAPIDS ROAD BRIDGE DESIGN ENGINEERING PROPOSAL

Moved by MacArthur, seconded by Spaulding, to accept the proposal submitted by Scott Civil Engineering Company of Grand Rapids, Michigan to perform the design engineering of Long Rapids Road Bridge over Thunder Bay River, for a not-to-exceed fee of \$42,540. Motion carried unanimously.

2022
COUNTY-WIDE AND URBAN-AREA MILEAGE
ANNUAL CERTIFICATION

Moved by Commissioner Spaulding, supported by Commissioner MacArthur, to adopt the following resolution

In accordance with the provisions of Act 51, Public Acts of 1951, as amended, the Board of County Road Commissioners of Alpena County, Michigan, does hereby certify to the Michigan Department of Transportation that, as of December 31, 2022, the Alpena County Road System included 209.52 miles in the County-Wide Primary Road System, of which 11.28 miles are Urban Primary Roads, and included 450.78 miles in the County-Wide Local Road System, of which 43.11 miles are Urban Local Roads; and does further certify that said County-Wide Primary and Local Road Systems are under the jurisdiction of the Alpena County Road Commission and are normally open to automobile traffic during the months of May through October.

Motion carried by vote as follows:

Ayes: Commissioners Lucas, MacArthur, Spaulding.
Nays: None
Absent: None

COUNTY ROAD ASSOCIATION OF MICHIGAN BOARD OF DIRECTORS BALLOT

Moved by MacArthur, seconded by Spaulding, to cast a vote for Burt Thompson, Antrim County, Northern Michigan Association of Road Commissions, as a candidate to serve on the Board of Directors of the County Road Association of Michigan. Motion carried unanimously.

NEXT MEETING DATE

The next regular meeting of the Alpena County Road Commissioners will be held on Monday, March 7, 2023, 3:00 p.m. in the lower level of the Alpena County Road Commission.

There being no further business to come before the Board, the Chairman declared the meeting adjourned at 2:45 p.m.

Gerald Lucas, Chairman

Julia G. Patterson,
Board Secretary

**ALPENA COUNTY ROAD COMMISSION
COUNTY ROAD REPORT
JANUARY 30, 2023 - FEBRUARY 26, 2023**

I. PROJECTS:

1. A459.426 Maple Lane Road - continued Winter Fill Project. Hauled and placed 2,540 tons of Sand Rayburn Pit, and 861 ton from Elmer's pit.

II. ROUTINE MAINTENANCE:

- A. Gravel Maintenance - none this period.
- B. Sign Maintenance - three days this period.
- C. Inventory maintenance - Hauled 80 tons of 23A from Elmer's Pit to Yard Inventory. Delivered 8 tons of bulk salt to Airport.
- D. Safety Training - Safety Committee Meeting.
- E. Gravel spot patching - one day this period. Hauled 207 tons of 23A to Local Roads from Elmer's Pit, and 36 tons of 23A to Primary Roads 23A to Primary Roads Elmer's Pit.
- F. Berms - none this period.
- G. Brush Hog Roadsides - four days this period.
- H. Drainage Maintenance - two days cleaning culvert ends this period.
- I. Asphalt Maintenance - cold patch four days using 1 ton of CP-7.
- J. Building, Housekeeping and Equipment Maintenance as needed (routine) this period.
- K. Tree Maintenance - seven days of tree maintenance with crew including pole saw work.
- L. Winter Maintenance - 21 days this period using 355 tons of salt and 539 ton of salt-mixed Ballast sand.

Equipment Maintenance:

1. #048 2005 Freightliner Bucket Truck, re-braked rear axle; replaced recap tire on drivers' side and replaced passenger side front tire.
2. #012 GMC Sierra Pickup, replaced wheel bearings.
3. #098 2018 Western Star Tandem Truck, replaced broken maxi-brake chambers.

Equipment serviced as scheduled.

III. STATE TRUNKLINE MAINTENANCE:

- A. Roadside Cleanup - as needed this period.
- B. Winter maintenance - 21 days using 636 tons of salt.

IV. SURVEY, DESIGN AND ENGINEERING:

- A. Herron Road. Project is completed and open. Additional soil investigation conducted on 12/9/22. Report from Soils & Structures complete.
- B. Spruce Road Design. Project in October Bid Letting. Low bidder Elmer's Crane and Dozer, Inc. \$1,186,197.95. Precon to be held soon.
- C. Long Rapids Road HSIP Signing Project. Received notice of grant award via e-mail. \$100,000 funded 90/10. Design awarded to Huron Engineering.
- D. Long Rapids Road over North Branch of the Thunder Bay River. Project funding awarded for FY 2025. 1.8 million dollars funded at 95% State and Federal and 5% Local. Design awarded to Scott Civil Engineering Co.



ALPENA POWER OUTAGE TEXT MESSAGING

This is an **OPTIONAL** program. Customers can still report outages by calling our office at 989-358-4900, 24/7.

TO OPT-IN TO THE TEXT MESSAGING PROGRAM

Your cell phone number **must** be listed on your account to use the texting options. If your phone number is not recognized you will be directed to call our office at 989-358-4900.

We offer 2 opt-in options. 1.) You can text the word, **Alpena**, to 989-358-4900 or
2.) Scan the QR code to the left



You will be directed to our text phone number 989-358-4900 with the word **Alpena** populated in the message box.

When you press send you have opted-in.


Once you are opted-in to the texting program:

- You can send messages to Alpena Power by typing the phone number 989-358-4900
 - **OUT** – will allow you to report an outage
 - Your address(es) will show up, if correct, reply with the letter associated with the address where the outage is located
 - You will get a confirmation text that your outage has been received
 - **STATUS** – will allow you to get an update on outages in your area
 - **QUIT** – to opt out of the texting program
- You will receive messages automatically when there is a verified outage in your area
- You will receive outage restored messages

INTERACTIVE VOICE RESPONSE (IVR) SYSTEM

Alpena Power Company has installed a new IVR phone and Outage Management System. When customers call our main number, 989-358-4900, they can choose options to report power outages, make payments, or get account information without having to wait to speak to a representative.

If your current phone number is on file and you are calling from that number, the outage management system will recognize it and let you know immediately if you are affected by a current outage. You can request call backs or text messages for restoration notifications.



Alpena Power Company
MAIN: 989-358-4900
Toll Free: 1-866-358-4900

**** IMPORTANT ****
Changes to our phone menu options

Press/say 1 for: To report a power outage
Press/say 2 for: For an electrical emergency
Press/say 3 for: Acct services, payment arrangements, phone # update
Press/say 4 for: Automated bill payment
Press/say 5 for: New construction, transfer service, technical questions
Press/say 6 for: Vegetation management or tree concerns
Press/say 7 for: Information on Energy Thrift Certificates
Press/say 8 for: Customer Service



PAYMENT OPTIONS

- Visit www.alpenapower.com Click on “Pay my bill”, sign into your account, OR use “Guest Pay”.
- Call 989-358-4900:
 - Choose option 4, *automated bill payment* to access our IVR system
 - Choose option 8, and request to sign up for *pay by text*. A link to your account will be texted to your cell phone, click on the link and it will direct you to your account information.
- Sign up for automatic monthly withdrawal from your savings/checking or debit/credit card. Forms are available on the back of your statement and on our website
- Use the after-hour payment drop box located at the office on 9th Avenue, left of the main entrance
- Use any of our collection agencies:
 - Alpena Alcona Area Credit Union
 - Bagley Street
 - US 23 North
 - Wolverine State Credit Union
 - Bagley Street
 - Chisholm Street
 - Alpena Community Credit Union
 - Miller Street

REFRESHED WEBSITE

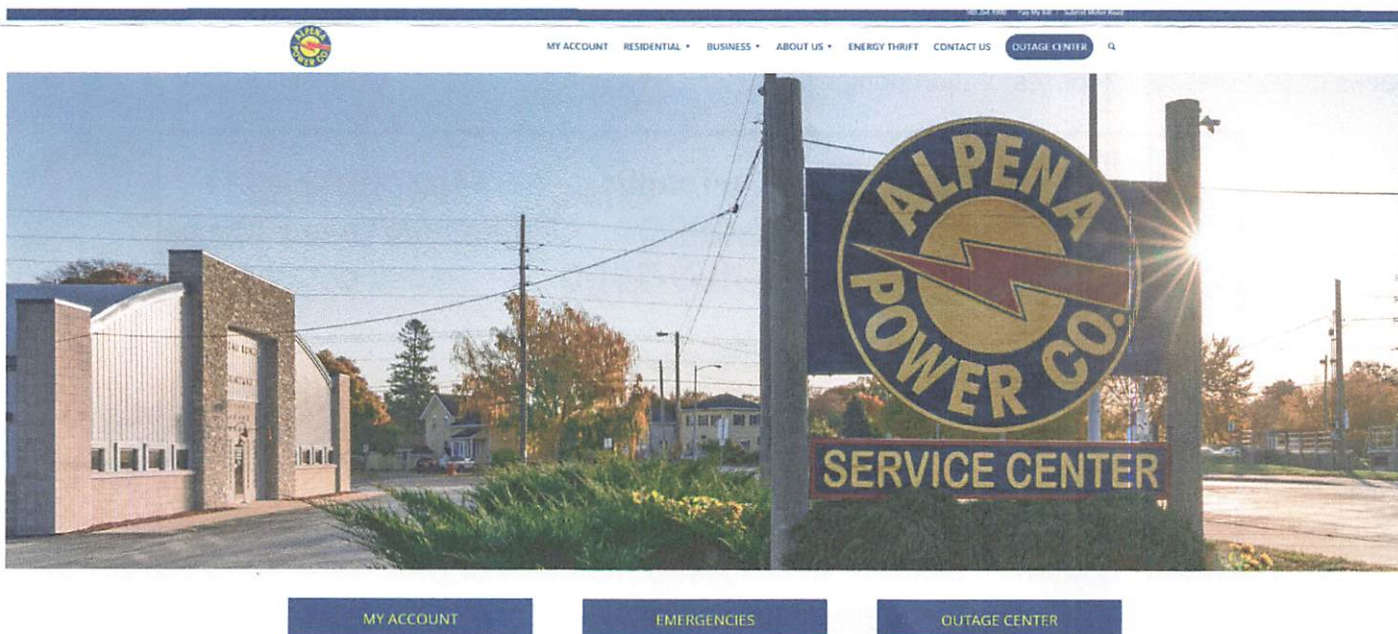
This week Alpena Power Company launched a refreshed website that takes advantage of the latest design technologies and incorporates the capabilities of its newly installed outage management system. The refreshed website can be viewed at:

www.alpenapower.com

A top priority of Alpena Power is to leverage technology to provide reliable and cost-effective electric service to our nearly 17,000 customers. The new website will provide a customer friendly, easy-to-use, and intuitive experience where our customers can find information on; billing and payment services, how to get help with your energy bill, energy waste reduction and rebate programs, rates and tariffs, and customer services such as how to start, stop, or transfer service, as well as information on our vegetation management programs.

One of the largest improvements is our revised Outage Center which gives quick and easy instructions on how to report an outage or electrical emergency and is the easiest way to check on the status of an outage or recent outage history through our interactive outage map. The outage center can be accessed from any internet connected device at:

www.alpenapower.com/outage-center/



**Charter Township of Alpena
Ordinance No. 152**

**An ordinance to amend the Charter Township of Alpena Zoning Ordinance
Article 2 (Definitions), Article 3 (General Provisions), Article 4 (District
Regulations), Article 7 (Supplemental Regulations) to address aggrieved person,
child care facilities, chickens/duck/geese, solar energy, wireless facilities, wind
energy, and building height.**

Charter Township of Alpena, Alpena County, Michigan ordains:

Section 1: Amendment to the Charter Township of Alpena Zoning Ordinance

That the Charter Township of Alpena Zoning Ordinance, Section 201 (Definitions) is hereby amended to read as follows:

Aggrieved Party Person. ~~A person who has suffered a substantial damage from a zoning decision not in common to other property owners similarly situated and who has actively opposed the decision in question.~~

To be aggrieved, a party must meet the following three (3) criteria:

- A. The appellant must have participated in the challenged proceedings by taking a position on the contested decision, such as through a letter or oral public comment.
- B. The appellant must claim some legally protected interest or protected personal, pecuniary (financial), or property right that is likely to be affected by the challenged decision.
- C. The appellant must provide some evidence of special damages arising from the challenged decision in the form of an actual or likely injury to or burden on their asserted interest or right that is different in kind or more significant in degree than the effects on others in the local community.

Child Care Home, Family. A State-licensed, owner-occupied private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year. ~~A family child care home does not include an individual providing babysitting services for another individual. "Providing babysitting services" means caring for a child on behalf of the child's parent or guardian if the annual compensation for providing those services does not equal or exceed \$600.00 or an amount that would according to the internal revenue code of 1986 obligate the child's parent or guardian to provide a form 1099-MISC to the individual for compensation paid during the calendar year for those services. Family Child Care Home includes a private home with increased capacity. "Increased capacity" means one (1) additional child added to the total number of minor children received for care and supervision in a family child care home. The definition of Family Child Care Home in 1973 PA 116, as amended, supersedes this definition if a difference in definition exists.~~

Child Care Home, Group. A State-licensed, owner-occupied private home in which more than six (6) but not more than (12) minor children are given care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year. Group child care home includes a private home with increased capacity. “Increased capacity” means two (2) additional children added to the total number of minor children received for care and supervision in a group child care home. The definition of Group Child Care Home in **1973 PA 116**, as amended, supersedes this definition if a difference in definition exists.

Solar Energy Definitions:

- A. **Solar Collection Device.** A photovoltaic panel, solar thermal collector, or collection of panels or collectors in a solar energy system that collects solar radiation.
- B. **Solar Energy Facility (Utility Scale).** A facility designed to capture and utilize the energy of the sun to generate electrical power primarily to be used off-site. A solar energy collection facility consists of an array of solar collection devices used to collect solar rays and all associated ancillary and structural devices needed to support and convert/transmit the energy collected.
- C. **Solar Energy Panels (Accessory).** Solar collection devices designed to capture and utilize the energy of the sun to generate electrical power primarily for use on-site. A solar collection device is the actual material(s) used to collect solar rays and all associated ancillary and structural devices needed to support and convert/transmit the energy collected.
 - 1. **Building-Integrated Accessory Solar Energy Panels.** Accessory solar energy panels that are an integral part of a primary or accessory building or structure (rather than a separate mechanical device), replacing or substituting for an architectural or structural component of the building or structure. Building-integrated systems include, but are not limited to, photovoltaic or hot water solar energy systems that are contained within roofing materials, windows, skylights, and awnings.
 - 2. **Building-Mounted Accessory Solar Energy Panels.** A solar energy system mounted on racking that is attached to or ballasted on the roof or wall of a building or structure.
 - 3. **Ground-Mounted Accessory Solar Energy Panels.** Accessory solar energy panels mounted on support posts, like a rack or pole, that are attached to or rest on the ground.
- D. **Maximum Tilt.** The maximum angle of a solar panel (i.e., most vertical position) for capturing solar radiation as compared to the horizon line.
- E. **Minimum Tilt.** The minimal angle of a solar panel (i.e., most horizontal position) for capturing solar radiation as compared to the horizon line.
- F. **Non-Participating Lot(s).** One (1) or more lots for which there is not a signed lease or easement for the development of a solar energy facility associated with the applicant project.

- G. **Participating Lot(s)**. One (1) or more lots under a signed lease or easement for the development of a solar energy facility associated with the applicant project.
- H. **Repowering**. Reconfiguring, renovating, or replacing a solar energy facility to maintain or increase the power rating of the solar energy facility within the existing project footprint.

Wireless Communications (Telecommunication Towers and Facilities Definitions)

Wireless Communication Facility (Ground-Mounted) – also called “Earth Station or Ground Station”. A wireless communication facility in which the antenna array is mounted to the ground or other surface and which does not use a Wireless Communications Support Structure (tower).

That the Charter Township of Alpena Zoning Ordinance, Section 309 (Pets, Domestic Animals, & Chickens/Duck/Geese) is hereby amended as follows:

C. Chickens, Ducks, Turkeys, Guineafowl, and Geese – Special Use in R-1, R-2, R-3 and WR Districts.

Chickens, ducks, turkeys, guineafowl, or geese may be kept on lots in the R-1, R-2, R-3 and WR Districts which are classified as Category 4 sites by the Michigan Department of Agriculture and Rural Development’s “GAAMP for Site Selection and Odor Control for New and Expanding Livestock Facilities.” This shall be considered a Permitted Use with Zoning Administrator approval in the R-2 and R-3 Districts and upon issuance of a Special Land Use Permit in the R-1 and WR Districts. and according to The following conditions shall apply:

1. Roosters are prohibited.
2. Chickens, ducks, turkeys, guineafowl, or geese must be kept in and confined in a properly designed and constructed coop or a fenced and covered enclosure, which may be located only in the rear yard of the property.
3. Each fenced and covered enclosure shall be designed with adequate yard space for each bird, and the coop and the fenced and covered enclosure combined shall not cover more than fifty (50%) percent of the rear yard. Enclosures must be clean and resistant to predators and rodents.
4. Enclosures shall be located at least twenty-five (25’) feet from any dwelling on a neighboring parcel.
5. No chickens, ducks, turkeys, guineafowl, or geese shall be kept on parcels with more than one (1) dwelling.

That the Charter Township of Alpena Zoning Ordinance, Section 403 (Conservation District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for C District

1. Lot and Structure Standards
 - c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 404 (Forest Recreation District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for FR District

1. Lot and Structure Standards
 - c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 405 (Agricultural District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for A District

1. Lot and Structure Standards
 - c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 406 (Waterfront District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for WR District

1. Lot and Structure Standards
 - c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 407 (One-Family Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-1 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 408 (Rural Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-2 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 409 (Mixed Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-3 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 410 (Office Service District) is hereby amended to read as follows:

C. Development Standards for OS District

1. Lot and Structure Standards

c. Building Height (max): 4 stories ~~or 45 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 411 (Restricted Business District) is hereby amended to read as follows:

C. Development Standards for B-1 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories ~~or 30 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 412 (General Business District) is hereby amended to read as follows:

C. Development Standards for B-2 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories ~~or 45 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 413 (Community Business District) is hereby amended to read as follows:

C. Development Standards for B-3 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories ~~or 45 feet~~ *(Add the following)* Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 414 (Light Manufacturing District) is hereby amended to read as follows:

C. Development Standards for M-1 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories ~~or 45 feet~~ *(Planned development involving three (3) acres or more under one (1) ownership shall be subject to the approval of the Planning Commission,*

after public hearing, regarding modifications with respect to height regulations. (Add the following) Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 416 (Full Table of Permitted & Special Land Uses) is hereby amended as follows:

Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

Under “Communications”, add the following:

| Table of Permitted Uses & Special Land Uses | | | | | | | | | | | | | |
|---|----|-----|-----|-----|----|-----|-----|-----|----|----|----|-----|-----|
| <i>*supplemental development regulations</i> | | | | | | | | | | | | | |
| P = Permitted by right S = Permitted with a Special Use Permit | WR | R-1 | R-2 | R-3 | OS | B-1 | B-2 | B-3 | A | FR | C | M-1 | M-2 |
| Communications | | | | | | | | | | | | | |
| Antenna towers and masts (residential accessory use) | S | S | S | S | S | S | S | S | S | S | S | S | S |
| Small Cell Wireless Facilities - §730 | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* |
| Television/Radio Broadcasting Stations (with tower) | | | | | | | S | S | | | | | |
| Wireless Communications Facility: Ground-Mounted | | | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* |
| Wireless Communications Support Structures (cell towers) - §730 | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* |

That the Charter Township of Alpena Zoning Ordinance, Section 417 (Schedule of Regulations) is hereby amended as follows:

Under “Maximum Height of Structure” – remove the column titled “In Feet”. In column titled “In Stoires”, add footnote “q”

q. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 402 (Application of District Regulations) is hereby amended as follows:

B. Application of Area and Width Regulations.

1. The area or width of a lot shall not be reduced below the minimum requirements herein established for the district in which such lot is located **except as indicated in subsection B.1.a.**

- a. **Creation of a Nonconforming Lot.** A lot may be split which results in a nonconforming lot (a lot that does not meet the minimum lot width or area standards) only in the event that the resulting portion of the lot that does not meet standards is legally combined with another existing abutting lot. Until the lot is legally combined with another existing abutting lot, that newly created nonconforming lot shall not be developed.

That the Charter Township of Alpena Zoning Ordinance, Section 732 (Solar Energy) is hereby amended as follows:

A. Solar Energy Facilities (Utility Scale).

1. **Reflection/Glare.** Attached, building-integrated or freestanding solar collection devices, or combination of devices, shall be designed and located to avoid glare or reflection onto adjacent properties and adjacent roadways and shall not interfere with traffic or create a safety hazard. This may be accomplished by both the placement and angle of the collection devices as well as human-made or environmental barriers. ~~Glare intensity is considered an issue if it measures more than twenty (20%) percent of the incident sun intensity.~~ Plans to reduce glare may be required in the initial materials submitted.
2. **Impervious Surface/Stormwater.** If more than eight thousand (8,000) square feet of impervious surface will be located on the site, the application shall include a drainage plan prepared by a registered civil engineer showing how stormwater runoff will be managed. If detergents will be used to clean solar panels, details on the type of detergent, frequency, and quantity of use, and stormwater quality protection measures shall be provided. Any necessary permits from outside agencies for off-site discharge shall be provided.
3. **Screening.** Solar devices shall be screened **year-round** from view from any residential district or residential use by use of a masonry screen wall, evergreen vegetation, or other screening of a similar effectiveness and quality, as determined by the Planning Commission. **Screening shall be installed which screens the facility fully from view from the time of planting or installation. Screening shall be maintained throughout the life of the facility including replacing dead vegetation within six (6) months or at the earliest feasible time of year dependent on the weather.**
4. **Setbacks.** The setbacks of all solar collection devices and ancillary equipment shall be at least fifty (50') feet from all property lines **of non-participating lots.**
5. **Wiring.** Wiring (including communication lines) may be buried underground. Any above-ground wiring within the footprint of the solar energy facilities shall not exceed the height of the solar array at maximum tilt.

6. **Lighting:** Lighting shall be limited to inverter and/or substation locations only. Light fixtures shall have downlit shielding and be placed to keep light on-site and glare away from adjacent properties, bodies of water, and adjacent roadways. Flashing or intermittent lights are prohibited.
7. **Sound.** The sound pressure level of a solar energy facility and all ancillary solar equipment shall not exceed fifty-five (55) dBA (Leq (1 hour)) at the property line of an adjacent non-participating lot. The site plan shall include modeled sound isolines extending from the sound source to the property lines to demonstrate compliance with this standard.
8. **Land Clearing:** Land disturbance or clearing shall be limited to what is minimally necessary for the installation and operation of the system and to ensure sufficient all-season access to the solar resource given the topography of the land. Topsoil distributed during site preparation (grading) on the property shall be retained on site.
9. **Access Drives:** New access drives within the Solar Energy Facility shall be designed to minimize the extent of soil disturbance, water runoff, and soil compaction on the premises. The use of geotextile fabrics and gravel placed on the surface of the existing soil for temporary roadways during the construction of the Solar Energy Facility is permitted, provided that the geotextile fabrics and gravel are removed once the Solar Energy Facility is in operation.
10. **Fencing:** Solar Energy Facilities may be secured with perimeter fencing to restrict unauthorized access. Fencing is not subject to setbacks in subsection A.4.
11. **Battery Storage.** Sufficient space shall be reserved on the property for battery storage, if applicable, and such storage area shall be indicated on the site plan.
12. **Lot Coverage:** Solar collection devices shall not count toward the maximum lot coverage standards in Article 4.
13. **Agricultural Protection:** For sites where agriculture is a permitted use in a district, solar energy facilities shall be sited to minimize impacts to agricultural production through site design and accommodations including:
 - a. The ground mounting of panels by screw, piling, or a similar system that does not require a footing, concrete, or other permanent mounting in order to minimize soil compaction.
 - b. Siting panels to avoid disturbance and compaction of farmland by siting panels along field edges and in nonproduction areas to the maximum extent practicable and financially feasible.
 - c. Maintaining all drainage infrastructure on-site, including drain tile and ditches, during the operation of the solar energy facility.
 - d. Siting the solar energy facility, if feasible, to avoid isolating areas of the farm operation such that they are no longer viable or efficient for agricultural production, including, but not limited to, restricting the movement of agricultural vehicles/equipment for planting, cultivation, and

harvesting of crops, and creating negative impacts on support infrastructure such as irrigation systems or drains.

- e. Voluntarily purchasing agricultural conservation easements from an equivalent number of prime farmland acres if the township has adopted a purchase of development rights ordinance.

- 14. **Repowering:** In addition to repairing or replacing solar energy components to maintain the system, a solar energy facility may at any time be repowered, without the need to apply for a new Special Land Use permit, by reconfiguring, renovating, or replacing the solar energy components to increase the power rating within the existing project footprint.

A proposal to change the project footprint of an existing solar energy facility shall be considered a new application, subject to the ordinance standards at the time of the request. Expenses for legal services and other studies resulting from an application to modify a Solar Energy Facility will be reimbursed to the Township by the Solar Energy Facility owner in compliance with established escrow policy.

- 15. **Reports.** Solar energy production summary reports by month shall be provided annually for each Solar Energy Facility to the Planning Commission and the Township Clerk, by January 31st each year, for the preceding year.

- 16. **Abandonment.** Any freestanding solar collection site or device which is not used for six (6) **continuous** months shall be deemed to be abandoned. The applicant/permit holder will be so notified in writing by the Township and requested to dismantle the site and return it to its original state. If there are mitigating circumstances as to why the site has not been used, the applicant/permit holder may contact the Township and request a three (3) month extension. If a site has been deemed abandoned and no request for an extension is received, the applicant/permit holder will again be notified to dismantle the site and return it to its original state. If the applicant/permit holder does not do this, the Township will have the removal and restoration done at the owner/applicant's expense. Removal shall include removing posts, equipment, panels, foundations, and other items so that the ground is restored to its preconstruction state and is ready for development as another land use.

- 17. **Performance Guarantee:** As a condition of approval, prior to construction, the Planning Commission may require an owner to deposit funds in escrow with the Township or provide a performance guarantee (pursuant to **Section 905**) satisfactory to the Planning Commission to assure the removal of the solar energy facility. If required, such escrow deposit or insurance bond shall be in an amount equal to 1.25 times the cost of removal of the facility. The deposit or bond shall be maintained by successor owners of the facility.

- 18. **Decommissioning Plan:** A decommissioning plan is required at the time of application.

- a. The decommissioning plan shall include:

- 1. The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.

2. The projected decommissioning costs for removal of the solar energy facility (net of salvage value in current dollars) and soil stabilization, less the amount of the surety bond posted with the State of Michigan for decommissioning of panels installed on PA 116 lands.
 3. The method of ensuring that funds will be available for site decommissioning and stabilization (in the form of surety bond, irrevocable letter of credit, or cash deposit).
- b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five (5) years, for the life of the project, and approved by the Township Board. A solar energy facility owner may at any time:
- (1) Proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan; or
 - (2) Amend the decommissioning plan with Planning Commission approval and proceed according to the revised plan.

B. Solar Energy Panels (as Accessory Use).

Solar energy panels shall be allowed as an accessory use in all zoning districts subject to the requirements below. A building permit is required.

1. **Submittal Requirements.** Applicants shall submit a plot plan that shows the location of the system on the property, height, tilt features (if applicable), the primary structure, accessory structures, and setbacks to property lines. Accessory use applications that meet the ordinance requirements shall be granted administrative approval by the Zoning Administrator.
2. **Height.**
 - a. Ground-mounted ~~or pole-mounted~~ accessory solar energy panels shall not exceed the allowable height of detached accessory buildings pursuant to **Section 305** when oriented at maximum tilt.
 - b. Building-mounted ~~or roof-mounted~~ accessory solar energy systems shall not exceed **three (3) feet above the highest point of the roof** ~~maximum allowed building height in any zoning district.~~
3. **Setbacks.**
 - a. Ground-mounted ~~or pole-mounted~~ accessory solar energy panels shall adhere to setbacks established for detached accessory buildings pursuant to **Section 305**.
 - b. Building-mounted ~~or roof-mounted~~ accessory solar energy panels shall adhere to district setbacks for a principal building but may encroach into designated main building setbacks by twelve (12") inches.

- c. Setbacks are measured from the lot line to the nearest portion of the structure when oriented at minimum tilt.
 - d. If no solar access is available in the location required by this subsection, the Planning Commission may approve ground-mounted solar energy panels in an alternate location on a case-by-case basis. Screening from the road or neighboring property may be required.
4. **Glare.** Panels shall not result in glare onto adjoining properties or public rights of way.
5. **Nonconformities.**
- a. A building-mounted accessory solar energy panel installed on a nonconforming building or nonconforming use shall not be considered an expansion of the nonconformity.
 - b. Ground-mounted accessory solar energy panels installed on a nonconforming lot or nonconforming use shall not be considered an expansion of the nonconformity.
6. **Building-Integrated Solar Panels.** Building-Integrated solar energy panels are subject only to zoning regulations applicable to the structure or building and not subject to standards in subsections 1 through 5 above.

That the Charter Township of Alpena Zoning Ordinance, Section 731 (Wind Energy) is hereby amended as follows:

B. Wind Turbine Generator (Utility-Grid or Commercial).

- 9. Lighting.** Lighting shall consist of the minimum required by the **Federal Aviation Administration** or the **Michigan Aeronautics Commission** or other applicable authority, or otherwise necessary for the reasonable safety and security thereof. If lighting is required, the lighting alternatives and design chosen:
- a. Shall be the intensity required under State or Federal regulations.
 - b. Shall not be strobe lighting or other intermittent white lighting fixtures, unless expressly required by State or Federal regulations. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to State or Federal regulations.
 - c. All tower lighting required by State or Federal regulations shall be shielded to the extent possible to reduce glare and visibility from the ground.
 - d. **Radar-activated obstruction lighting system shall be utilized, if available.**
- 15. Decommissioning Plan.** ~~The owner shall furnish the Township with an approved decommissioning plan indicating the anticipated life of the project, the estimated decommissioning costs net of salvage value in current dollars, the method of ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the project will be decommissioned and the site restored.~~

A decommissioning plan is required at the time of application.

a. The decommissioning plan shall include:

- (1) The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.
- (2) The projected decommissioning costs for removal of the Wind Turbine Generator and soil stabilization.
- (3) The method of ensuring that funds will be available for site decommissioning and stabilization (performance guarantee in the form of surety bond, irrevocable letter of credit, or cash deposit).

b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five (5) years, for the life of the project, and approved by the Township Board. A wind energy facility owner may at any time:

- (1) Proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan; or
- (2) Amend the decommissioning plan with Planning Commission approval and proceed according to the revised plan.

16. Removal of Abandoned Wind Turbine Generators or Anemometer Towers. Any Wind Turbine Generator or anemometer tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such Wind Turbine Generator or anemometer tower shall remove the same within one hundred eighty (180) days of receipt of notice from the Township of such abandonment. In addition to removing the Wind Turbine Generator or anemometer tower, the owner shall restore the site of the Wind Turbine Generator or anemometer tower to its original condition prior to location of the Wind Turbine Generator or anemometer tower, subject to reasonable wear and tear. Any foundation associated with a Wind Turbine Generator or anemometer tower shall be removed to a minimum depth of five (5) feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned Wind Turbine Generator or anemometer tower within the one hundred eighty (180) day period provided in this subsection shall be grounds for the Township to remove the Wind Turbine Generator or anemometer tower at the owner's expense. The Planning Commission shall require the applicant to file a performance guarantee (pursuant to **Section 905**) equal to one and a quarter (1.25) times the estimated cost of the removal of the Wind Turbine Generator or anemometer at time of approval. Such escrow deposit or bond shall be maintained by successor owners and shall be a condition of a Special Land Use given pursuant to this Section.

That the Charter Township of Alpena Zoning Ordinance, Section 730 (Wireless Communication Facilities) is hereby amended as follows:

A. Uses Allowed.

1. **Co-location - Permitted Use.** Pursuant to Section 3514 of **2006 PA 110, as amended** (Michigan Zoning Enabling Act, being MCL 125.3101 et.seq.), co-location of wireless communications equipment is a permitted use of property.
2. **New Support Structure (also called “Tower”) or Ground-Mounted Wireless Facility (Earth Station or Ground Station).** New support structures and Ground-Mounted Wireless Facilities are a Special Land Use and shall be evaluated using the procedures stated in **Subsection B and C** below. **In addition, any other wireless facility that does not fall under the definition of a Support Structure or Ground-Mounted Wireless Facility shall be a Special Land Use and subject to Subsection B and C below.**
3. **Residential Towers.** Antenna towers and masts erected and operated as a residential accessory use and not more than fifty (50’) feet in height as measured between the tower's base at grade and its highest point are exempt from these regulations.
4. **Small Cell Wireless Facilities.** See **Subsection E.**

B. Procedures for Support Structure (Tower) Special Land Use Approval.

1. An application for Special Land Use approval ~~of wireless communications support structures~~ shall include all information required by **Section 503 (Site Plan Data Required)** and **601.**
2. After an application for a Special Land Use approval is filed, the Zoning Administrator shall determine whether the application is administratively complete. The application shall be considered to be administratively complete when the Zoning Administrator makes that determination or fourteen (14) business days after the Zoning Administrator receives the application, whichever is first.
3. If, before the expiration of the fourteen (14) day period under **Subsection B.2**, the Zoning Administrator notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the fourteen (14) day period under **Subsection B.2** is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.
4. The Planning Commission shall approve or deny the application not more than ninety (90) days after the application is considered to be administratively complete. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved and the Planning Commission shall be considered to have made any determination required for approval.

5. In considering **each Special Land Use** authorization of such towers and masts, the Planning Commission shall apply the standards of **Section 504, Section 602**, and the following standards in **Subsection C**.

C. **Standards for Special Land Uses Support Structure (Tower).**

1. **Ownership.** The applicant shall provide documentation to the Planning Commission that clearly establishes the legal ownership of the **wireless communications facility tower**. The applicant, its agents, successors, and assigns shall report to the Planning Commission any changes in the legal ownership of the **wireless communications facility tower** within thirty (30) days of the effective date of the change.
2. **Leases on a Portion of the Parcel.** Where a **wireless communications facility tower** is to be located on leased property, and the lease extends beyond one (1) year, and the lease arrangement is for only a portion of the parent parcel, the property owner shall obtain a land division (lot split) for the **wireless communications facility tower** site in conformance with the **State's Land Division Act**.
3. **Visual Impact Analysis.** The application for Special Land Use approval for ~~the a~~ tower shall include a visual impact analysis, prepared by the applicant, which includes graphic depiction of the anticipated visual appearance of the tower from important vantage points in the surrounding area.
4. **Height.** A communications tower shall be exempt from building height limits established by zoning district regulations, provided that the tower height shall not exceed the minimum height necessary to serve its intended functions or two hundred (200') feet, whichever is less.
5. **Co-Location.** Documentation shall be required showing whether or not it is feasible to provide equivalent service by co-locating the antenna on an existing tower or alternative tower structure in the Township, or on an existing tower or other existing alternative tower structure located in neighboring communities.
6. **Compatibility and Screening.** The **wireless communications facility tower** and any ancillary building or buildings housing equipment needed for operation of the **wireless communications facility tower** shall not exceed the floor area and height minimally necessary for such equipment, and shall be of a size, type, color, and exterior materials which are aesthetically and architecturally compatible with the surrounding area. Landscape screening may be required by the Planning Commission to accomplish screening of ancillary equipment buildings.
7. **Setbacks of Cables/Anchors.** Guy cables and anchors shall comply with applicable zoning district setback requirements.
8. **Setback of Tower.**
 1. **Towers.** The tower shall be set back a distance **at least** equal to the height of the tower measured from the base of tower to all points on each property line. If adjacent parcels are under the same ownership as the parcel proposed for the development of a tower and not

separated by a right-of-way, the properties may be considered in combination in determining setback of the tower. The tower and any supporting or appurtenant structures shall be no closer to any dwelling than the distance equal one and one half (1.5) times the height of the tower measured from its base at grade to its highest point.

2. **Ground-Mounted Wireless Communications Facilities.** Ground-Mounted Wireless Communications Facilities shall be set back at least one hundred seventy-five (175') feet from the outside edge of the equipment enclosure to each property line. The Planning Commission may reduce the required setbacks if it is determined that such reduction will not adversely affect neighboring property. If adjacent parcels are under the same ownership as the parcel proposed for the development of a ground-mounted wireless communications facility and not separated by a right-of-way, the properties may be considered in combination in determining setback of the facility.
9. **Fence.** A fence not less than six (6') feet in height, plus anti-climb features in addition to the six (6') feet, shall be constructed around the base of the tower. **Fencing not less than six (6') in height shall be constructed around ground-mounted wireless communications facility.**
10. **Lighting.** The applicant shall provide documentation of any lighting to be installed on the site. If tower lighting is required or proposed, the tower may not be approved unless the Planning Commission determines that it will not have a significant adverse impact on properties and residents of the surrounding area. Towers shall not be artificially lighted, unless required by the **Federal Aviation Administration (FAA)** or other applicable authority. If lighting is required, the lighting alternatives and design must cause the least disturbance to the surrounding views. **Radar-activated obstruction lighting system shall be utilized, if available.**
11. **Color.** Towers in alternate bands of orange and white shall be permitted only if specifically required by **Federal Communications Commission (FCC)** or **Federal Aviation Administration (FAA)** regulations. If alternate band painting is required by FCC or FAA regulations, the applicant shall provide documentation of such requirements and regulations. The antenna and/or array installed on a tower structure and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the tower structure, so as to make the antenna and related equipment as visually unobtrusive as possible.
12. **Signs.** No signs other than signs required pursuant to Federal, State or local law and ordinance shall be allowed on ~~an antenna or tower or site~~ **wireless communications facility.**
13. **FCC and FAA Conformance.** The applicant shall provide documentation of conformance with any **Federal Communications Commission** and **Federal Aviation Administration** regulations.
14. **Use of Tower.** The owner/operator of the tower shall agree to permit use of the tower by other personal or business communications services providers, including local government agencies, on reasonable terms, so long as such use does not interfere with the owner/operator's reasonable use of the tower. The addition of other user's equipment to the tower shall be permitted so long as the engineered design capacity of the tower or mast is not exceeded.

15. **Height Decrease.** If the height required for the a tower to serve its intended function decreases from such height as installed due to technological advancement, additional tower installations at other locations, or other factors, the Township may order that the tower be lowered to such decreased minimum height.

16. **Decommissioning.** ~~The owner shall furnish the Township with an approved decommissioning plan indicating the anticipated life of the project, the estimated decommissioning costs net of salvage value in current dollars, the method of ensuring that funds will be available for decommissioning and restoration, and the anticipated manner in which the project will be decommissioned and the site restored.~~ **A decommissioning plan is required at the time of application.**

a. The decommissioning plan shall include:

(1) The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.

(2) The projected decommissioning costs for removal of the wireless communication facility and soil stabilization, if applicable.

(3) The method of ensuring that funds will be available for site decommissioning and stabilization (performance guarantee in the form of surety bond, irrevocable letter of credit, or cash deposit).

b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five (5) years, for the life of the project, and approved by the Township Board. A wireless communication facility owner may at any time:

(1) Proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan; or

(2) Amend the decommissioning plan with Planning Commission approval and proceed according to the revised plan.

17. **Removal of Abandoned Wireless Communications Facilities** Any wireless communication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such wireless communication facility shall remove the same within one hundred eighty (180) days of receipt of notice from the Township of such abandonment. In addition to removing the wireless communication facility, the owner shall restore the site of the wireless communication facility to its original condition prior to location of the wireless communication facility, subject to reasonable wear and tear. Any foundation associated with a wireless communication facility shall be removed to a minimum depth of five (5) feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned wireless communication facility within the one hundred eighty (180) day period provided in this subsection shall be grounds for the Township to remove the wireless communication facility at the owner's expense. The Planning Commission shall require the applicant to file a performance guarantee (pursuant to **Section 905**) equal to one and a quarter (1.25) times the

estimated cost of the removal of the wireless communication facility at time of approval. Such escrow deposit or bond shall be maintained by successor owners and shall be a condition of a Special Land Use given pursuant to this Section.

Subsections D and E shall remain unchanged.

Section 2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Charter Township of Alpena Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Charter Township of Alpena Supervisor Charter Township of Alpena Clerk

I, _____, Clerk for the Charter Township of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. ___ of 2022 of Charter Township of Alpena, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the Charter Township of Alpena Offices, at 4385 US 23 North, Alpena MI 49707.

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.

**Charter Township of Alpena
Ordinance No. 152**

**An ordinance to amend the Charter Township of Alpena Zoning Ordinance
Article 2 (Definitions), Article 3 (General Provisions), Article 4 (District
Regulations), Article 7 (Supplemental Regulations) to address aggrieved person,
child care facilities, chickens/duck/geese, solar energy, wireless facilities, wind
energy, and building height.**

Charter Township of Alpena, Alpena County, Michigan ordains:

Section 1: Amendment to the Charter Township of Alpena Zoning Ordinance

That the Charter Township of Alpena Zoning Ordinance, Section 201 (Definitions) is hereby amended to read as follows:

Aggrieved Party. To be aggrieved, a party must meet the following three (3) criteria:

- A. The appellant must have participated in the challenged proceedings by taking a position on the contested decision, such as through a letter or oral public comment.
- B. The appellant must claim some legally protected interest or protected personal, pecuniary (financial), or property right that is likely to be affected by the challenged decision.
- C. The appellant must provide some evidence of special damages arising from the challenged decision in the form of an actual or likely injury to or burden on their asserted interest or right that is different in kind or more significant in degree than the effects on others in the local community.

Child Care Home, Family. A State-licensed, owner-occupied private home in which one (1) but fewer than seven (7) minor children are received for care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year. A family child care home does not include an individual providing babysitting services for another individual. “Providing babysitting services” means caring for a child on behalf of the child’s parent or guardian if the annual compensation for providing those services does not equal or exceed \$600.00 or an amount that would according to the internal revenue code of 1986 obligate the child’s parent or guardian to provide a form 1099-MISC to the individual for compensation paid during the calendar year for those services. Family Child Care Home includes a private home with increased capacity. “Increased capacity” means one (1) additional child added to the total number of minor children received for care and supervision in a family child care home. The definition of Family Child Care Home in **1973 PA 116**, as amended, supersedes this definition if a difference in definition exists.

Child Care Home, Group. A State-licensed, owner-occupied private home in which more than six (6) but not more than (12) minor children are given care and supervision for periods less than twenty-four (24) hours a day, unattended by a parent or legal guardian, except children related to an adult member of the

family by blood, marriage, or adoption. Care is given for more than four (4) weeks during a calendar year. Group child care home includes a private home with increased capacity. "Increased capacity" means two (2) additional children added to the total number of minor children received for care and supervision in a group child care home. The definition of Group Child Care Home in **1973 PA 116**, as amended, supersedes this definition if a difference in definition exists.

Wireless Communications (Telecommunication Towers and Facilities Definitions)

Wireless Communication Facility (Ground-Mounted) – also called "Earth Station or Ground Station". A wireless communication facility in which the antenna array is mounted to the ground or other surface and which does not use a Wireless Communications Support Structure (tower).

That the Charter Township of Alpena Zoning Ordinance, Section 309 (Pets, Domestic Animals, & Chickens/Duck/Geese) is hereby amended as follows:

C. Chickens, Ducks, Turkeys, Guineafowl, and Geese – Special Use in R-1, R-2, R-3 and WR Districts.

Chickens, ducks, turkeys, guineafowl, or geese may be kept on lots in the R-1, R-2, R-3 and WR Districts which are classified as Category 4 sites by the **Michigan Department of Agriculture and Rural Development's "GAAMP for Site Selection and Odor Control for New and Expanding Livestock Facilities."** This shall be considered a Permitted Use with Zoning Administrator approval in the R-2 and R-3 Districts and a Special Land Use in the R-1 and WR Districts.

1. Roosters are prohibited.
2. Chickens, ducks, turkeys, guineafowl, or geese must be kept in and confined in a properly designed and constructed coop or a fenced and covered enclosure, which may be located only in the rear yard of the property.
3. Each fenced and covered enclosure shall be designed with adequate yard space for each bird, and the coop and the fenced and covered enclosure combined shall not cover more than fifty (50%) percent of the rear yard. Enclosures must be clean and resistant to predators and rodents.
4. Enclosures shall be located at least twenty-five (25') feet from any dwelling on a neighboring parcel.
5. No chickens, ducks, turkeys, guineafowl, or geese shall be kept on parcels with more than one (1) dwelling.

That the Charter Township of Alpena Zoning Ordinance, Section 403 (Conservation District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove "6 or less" from Child Care Home, Family and "7 – 12" from Child Care Home, Group.

C. Development Standards for C District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 404 (Forest Recreation District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for FR District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 405 (Agricultural District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for A District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 406 (Waterfront District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for WR District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 407 (One-Family Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-1 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 408 (Rural Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-2 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 409 (Mixed Residential District) is hereby amended to read as follows:

B. Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

C. Development Standards for R-3 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 410 (Office Service District) is hereby amended to read as follows:

C. Development Standards for OS District

1. Lot and Structure Standards

c. Building Height (max): 4 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 411 (Restricted Business District) is hereby amended to read as follows:

C. Development Standards for B-1 District

1. Lot and Structure Standards

c. Building Height (max): 2 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 412 (General Business District) is hereby amended to read as follows:

C. Development Standards for B-2 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 413 (Community Business District) is hereby amended to read as follows:

C. Development Standards for B-3 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 414 (Light Manufacturing District) is hereby amended to read as follows:

C. Development Standards for M-1 District

1. Lot and Structure Standards

c. Building Height (max): 4 stories. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 416 (Full Table of Permitted & Special Land Uses) is hereby amended as follows:

Under Human Care & Social Assistance, remove “6 or less” from Child Care Home, Family and “7 – 12” from Child Care Home, Group.

Under “Communications”, add the following:

| Table of Permitted Uses & Special Land Uses | | | | | | | | | | | | | |
|---|----|-----|-----|-----|----|-----|-----|-----|----|----|----|-----|-----|
| <i>*supplemental development regulations</i> | | | | | | | | | | | | | |
| <i>P = Permitted by right S = Permitted with a Special Use Permit</i> | WR | R-1 | R-2 | R-3 | OS | B-1 | B-2 | B-3 | A | FR | C | M-1 | M-2 |
| Communications | | | | | | | | | | | | | |
| Antenna towers and masts (residential accessory use) | S | S | S | S | S | S | S | S | S | S | S | S | S |
| Small Cell Wireless Facilities - §730 | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* | P* |
| Television/Radio Broadcasting Stations (with tower) | | | | | | | S | S | | | | | |
| Wireless Communications Facility: Ground-Mounted - §730 | | | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* |
| Wireless Communications Support Structures (cell towers) - §730 | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* | S* |

That the Charter Township of Alpena Zoning Ordinance, Section 417 (Schedule of Regulations) is hereby amended as follows:

Under “Maximum Height of Structure” – remove the column titled “In Feet”. In column titled “In Stoires”, add footnote “q”

q. Only stories that are designed to be livable space shall be counted toward the maximum number of stories. Attics and basements which are not designed as livable space shall not count toward the maximum number of stories. The Planning Commission may permit a building to exceed the maximum number of stories listed in each district upon issuance of a Special Land Use permit.

That the Charter Township of Alpena Zoning Ordinance, Section 402 (Application of District Regulations) is hereby amended as follows:

B. Application of Area and Width Regulations.

1. The area or width of a lot shall not be reduced below the minimum requirements herein established for the district in which such lot is located except as indicated in subsection B.1.a.

- a. **Creation of a Nonconforming Lot.** A lot may be split which results in a nonconforming lot (a lot that does not meet the minimum lot width or area standards) only in the event that the resulting portion of the lot that does not meet standards is legally combined with another existing abutting

lot. Until the lot is legally combined with another existing abutting lot, that newly created nonconforming lot shall not be developed.

That the Charter Township of Alpena Zoning Ordinance, Section 731 (Wind Energy) is hereby amended as follows:

B. Wind Turbine Generator (Utility-Grid or Commercial).

9. Lighting. Lighting shall consist of the minimum required by the **Federal Aviation Administration** or the **Michigan Aeronautics Commission** or other applicable authority, or otherwise necessary for the reasonable safety and security thereof. If lighting is required, the lighting alternatives and design chosen:

- a. Shall be the intensity required under State or Federal regulations.
- b. Shall not be strobe lighting or other intermittent white lighting fixtures, unless expressly required by State or Federal regulations. Such intermittent lighting shall be alternated with steady red lights at night if acceptable to State or Federal regulations.
- c. All tower lighting required by State or Federal regulations shall be shielded to the extent possible to reduce glare and visibility from the ground.
- d. Radar-activated obstruction lighting system shall be utilized, if available.

15. Decommissioning Plan. A decommissioning plan is required at the time of application.

- a. The decommissioning plan shall include:
 - (1) The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.
 - (2) The projected decommissioning costs for removal of the Wind Turbine Generator and soil stabilization.
 - (3) The method of ensuring that funds will be available for site decommissioning and stabilization (performance guarantee in the form of surety bond, irrevocable letter of credit, or cash deposit).
- b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five (5) years, for the life of the project, and approved by the Township Board. A wind energy facility owner may at any time:
 - (1) Proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan; or
 - (2) Amend the decommissioning plan with Planning Commission approval and proceed according to the revised plan.

16. **Removal of Abandoned Wind Turbine Generators or Anemometer Towers.** Any Wind Turbine Generator or anemometer tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such Wind Turbine Generator or anemometer tower shall remove the same within one hundred eighty (180) days of receipt of notice from the Township of such abandonment. In addition to removing the Wind Turbine Generator or anemometer tower, the owner shall restore the site of the Wind Turbine Generator or anemometer tower to its original condition prior to location of the Wind Turbine Generator or anemometer tower, subject to reasonable wear and tear. Any foundation associated with a Wind Turbine Generator or anemometer tower shall be removed to a minimum depth of five (5) feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned Wind Turbine Generator or anemometer tower within the one hundred eighty (180) day period provided in this subsection shall be grounds for the Township to remove the Wind Turbine Generator or anemometer tower at the owner's expense. The Planning Commission shall require the applicant to file a performance guarantee (pursuant to **Section 905**) equal to one and a quarter (1.25) times the estimated cost of the removal of the Wind Turbine Generator or anemometer at time of approval. Such escrow deposit or bond shall be maintained by successor owners and shall be a condition of a Special Land Use given pursuant to this Section.

That the Charter Township of Alpena Zoning Ordinance, Section 730 (Wireless Communication Facilities) is hereby amended as follows:

A. Uses Allowed.

1. **Co-location - Permitted Use.** Pursuant to Section 3514 of **2006 PA 110, as amended** (Michigan Zoning Enabling Act, being MCL 125.3101 et.seq.), co-location of wireless communications equipment is a permitted use of property.
2. **New Support Structure (also called "Tower") or Ground-Mounted Wireless Facility (Earth Station or Ground Station).** New support structures and Ground-Mounted Wireless Facilities are a Special Land Use and shall be evaluated using the procedures stated in **Subsection B** and C below. In addition, any other wireless facility that does not fall under the definition of a Support Structure or Ground-Mounted Wireless Facility shall be a Special Land Use and subject to Subsection B and C below.
3. **Residential Towers.** Antenna towers and masts erected and operated as a residential accessory use and not more than fifty (50') feet in height as measured between the tower's base at grade and its highest point are exempt from these regulations.
4. **Small Cell Wireless Facilities.** See **Subsection E**.

B. Procedures for Support Structure (Tower) Special Land Use Approval.

1. An application for Special Land Use approval shall include all information required by **Section 503 (Site Plan Data Required)** and **601**.
2. After an application for a Special Land Use approval is filed, the Zoning Administrator shall determine whether the application is administratively complete. The application shall be

considered to be administratively complete when the Zoning Administrator makes that determination or fourteen (14) business days after the Zoning Administrator receives the application, whichever is first.

3. If, before the expiration of the fourteen (14) day period under **Subsection B.2**, the Zoning Administrator notifies the applicant that the application is not administratively complete, specifying the information necessary to make the application administratively complete, or notifies the applicant that a fee required to accompany the application has not been paid, specifying the amount due, the running of the fourteen (14) day period under **Subsection B.2** is tolled until the applicant submits to the body or official the specified information or fee amount due. The notice shall be given in writing or by electronic notification.
4. The Planning Commission shall approve or deny the application not more than ninety (90) days after the application is considered to be administratively complete. If the Planning Commission fails to timely approve or deny the application, the application shall be considered approved and the Planning Commission shall be considered to have made any determination required for approval.
5. In considering each Special Land Use, the Planning Commission shall apply the standards of **Section 504**, **Section 602**, and the following standards in **Subsection C**.

C. Standards for Special Land Uses.

1. **Ownership.** The applicant shall provide documentation to the Planning Commission that clearly establishes the legal ownership of the wireless communications facility. The applicant, its agents, successors, and assigns shall report to the Planning Commission any changes in the legal ownership of the wireless communications facility within thirty (30) days of the effective date of the change.
2. **Leases on a Portion of the Parcel.** Where a wireless communications facility is to be located on leased property, and the lease extends beyond one (1) year, and the lease arrangement is for only a portion of the parent parcel, the property owner shall obtain a land division (lot split) for the wireless communications facility site in conformance with the **State's Land Division Act**.
3. **Visual Impact Analysis.** The application for Special Land Use approval for ~~the~~ a tower shall include a visual impact analysis, prepared by the applicant, which includes graphic depiction of the anticipated visual appearance of the tower from important vantage points in the surrounding area.
4. **Height.** A communications tower shall be exempt from building height limits established by zoning district regulations, provided that the tower height shall not exceed the minimum height necessary to serve its intended functions or two hundred (200') feet, whichever is less.
5. **Co-Location.** Documentation shall be required showing whether or not it is feasible to provide equivalent service by co-locating the antenna on an existing tower or alternative tower structure in the Township, or on an existing tower or other existing alternative tower structure located in neighboring communities.

6. **Compatibility and Screening.** The wireless communications facility and any ancillary building or buildings housing equipment needed for operation of the wireless communications facility shall not exceed the floor area and height minimally necessary for such equipment, and shall be of a size, type, color, and exterior materials which are aesthetically and architecturally compatible with the surrounding area. Landscape screening may be required by the Planning Commission to accomplish screening of ancillary equipment buildings.
7. **Setbacks of Cables/Anchors.** Guy cables and anchors shall comply with applicable zoning district setback requirements.
8. **Setback of Tower.**
 1. **Towers.** The tower shall be set back a distance at least equal to the height of the tower measured from the base of tower to all points on each property line. If adjacent parcels are under the same ownership as the parcel proposed for the development of a tower and not separated by a right-of-way, the properties may be considered in combination in determining setback of the tower. The tower and any supporting or appurtenant structures shall be no closer to any dwelling than the distance equal one and one half (1.5) times the height of the tower measured from its base at grade to its highest point.
 2. **Ground-Mounted Wireless Communications Facilities.** Ground-Mounted Wireless Communications Facilities shall be set back at least one hundred seventy-five (175') feet from the outside edge of the equipment enclosure to each property line. The Planning Commission may reduce the required setbacks if it is determined that such reduction will not adversely affect neighboring property. If adjacent parcels are under the same ownership as the parcel proposed for the development of a ground-mounted wireless communications facility and not separated by a right-of-way, the properties may be considered in combination in determining setback of the facility.
9. **Fence.** A fence not less than six (6') feet in height, plus anti-climb features in addition to the six (6') feet, shall be constructed around the base of the tower. Fencing not less than six (6') in height shall be constructed around ground-mounted wireless communications facility.
10. **Lighting.** The applicant shall provide documentation of any lighting to be installed on the site. If tower lighting is required or proposed, the tower may not be approved unless the Planning Commission determines that it will not have a significant adverse impact on properties and residents of the surrounding area. Towers shall not be artificially lighted, unless required by the **Federal Aviation Administration (FAA)** or other applicable authority. If lighting is required, the lighting alternatives and design must cause the least disturbance to the surrounding views. Radar-activated obstruction lighting system shall be utilized, if available.
11. **Color.** Towers in alternate bands of orange and white shall be permitted only if specifically required by **Federal Communications Commission (FCC)** or **Federal Aviation Administration (FAA)** regulations. If alternate band painting is required by FCC or FAA regulations, the applicant shall provide documentation of such requirements and regulations. The antenna and/or array installed on a tower structure and supporting electrical and mechanical equipment must be of a

neutral color that is identical to, or closely compatible with, the color of the tower structure, so as to make the antenna and related equipment as visually unobtrusive as possible.

12. **Signs.** No signs other than signs required pursuant to Federal, State or local law and ordinance shall be allowed on wireless communications facility.
13. **FCC and FAA Conformance.** The applicant shall provide documentation of conformance with any **Federal Communications Commission** and **Federal Aviation Administration** regulations.
14. **Use of Tower.** The owner/operator of the tower shall agree to permit use of the tower by other personal or business communications services providers, including local government agencies, on reasonable terms, so long as such use does not interfere with the owner/operator's reasonable use of the tower. The addition of other user's equipment to the tower shall be permitted so long as the engineered design capacity of the tower or mast is not exceeded.
15. **Height Decrease.** If the height required for the a tower to serve its intended function decreases from such height as installed due to technological advancement, additional tower installations at other locations, or other factors, the Township may order that the tower be lowered to such decreased minimum height.
16. **Decommissioning.** A decommissioning plan is required at the time of application.
 - a. The decommissioning plan shall include:
 - (1)The anticipated manner in which the project will be decommissioned, including a description of which above-grade and below-grade improvements will be removed, retained (e.g. access drive, fencing), or restored for viable reuse of the property consistent with the zoning district.
 - (2)The projected decommissioning costs for removal of the wireless communication facility and soil stabilization, if applicable.
 - (3)The method of ensuring that funds will be available for site decommissioning and stabilization (performance guarantee in the form of surety bond, irrevocable letter of credit, or cash deposit).
 - b. A review of the amount of the performance guarantee based on inflation, salvage value, and current removal costs shall be completed every five (5) years, for the life of the project, and approved by the Township Board. A wireless communication facility owner may at any time:
 - (1) Proceed with the decommissioning plan approved by the Planning Commission and remove the system as indicated in the most recent approved plan; or
 - (2) Amend the decommissioning plan with Planning Commission approval and proceed according to the revised plan.

17. **Removal of Abandoned Wireless Communications Facilities** Any wireless communication facility that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such wireless communication facility shall remove the same within one hundred eighty (180) days of receipt of notice from the Township of such abandonment. In addition to removing the wireless communication facility, the owner shall restore the site of the wireless communication facility to its original condition prior to location of the wireless communication facility, subject to reasonable wear and tear. Any foundation associated with a wireless communication facility shall be removed to a minimum depth of five (5) feet below the final grade and site vegetation shall be restored. Failure to remove an abandoned wireless communication facility within the one hundred eighty (180) day period provided in this subsection shall be grounds for the Township to remove the wireless communication facility at the owner's expense. The Planning Commission shall require the applicant to file a performance guarantee (pursuant to **Section 905**) equal to one and a quarter (1.25) times the estimated cost of the removal of the wireless communication facility at time of approval. Such escrow deposit or bond shall be maintained by successor owners and shall be a condition of a Special Land Use given pursuant to this Section.

Subsections D and E shall remain unchanged.

Section 2: Severability

If any clause, sentence, paragraph or part of this Ordinance shall for any reason be finally adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this Ordinance but shall be confined in its operation to the clause, sentence, paragraph or part thereof directly involved in the controversy in which such judgment is rendered.

Section 3: Saving Clause

The Charter Township of Alpena Zoning Ordinance, except as herein or heretofore amended, shall remain in full force and effect. The amendments provided herein shall not abrogate or affect any offense or act committed or done, or any penalty or forfeiture incurred, or any pending fee, assessments, litigation, or prosecution of any right established, occurring prior to the effective date hereof.

Section 4: Effective Date

The ordinance changes shall take effect upon the expiration of seven days after the publication of the notice of adoption.

Charter Township of Alpena Supervisor Charter Township of Alpena Clerk

I, _____, Clerk for the Charter Township of Alpena, hereby certify that the foregoing is a true and correct copy of Ordinance No. _____ of 2022 of Charter Township of Alpena, adopted by at a meeting of the Township Board of Trustees held on _____.

A copy of the complete ordinance text may be inspected or purchased at the Charter Township of Alpena Offices, at 4385 US 23 North, Alpena MI 49707.

Adopted: _____ Published: _____ Effective: _____, subject to PA 110 of 2006 as amended.



[. \(https://michigantownships.org\)](https://michigantownships.org)

How To Hire A Township Contractor Or Consultant

Welcome, Nathan

Quick Links

[Bidding and Purchasing \(https://michigantownships.org/bidding-and-purchasing\)](https://michigantownships.org/bidding-and-purchasing)

[Contracting for Public Works \(https://michigantownships.org/contracting-for-public-works\)](https://michigantownships.org/contracting-for-public-works)

[How to Hire a Township Contractor or Consultant \(https://michigantownships.org/how-to-hire-a-township-contractor-or-consultant\)](https://michigantownships.org/how-to-hire-a-township-contractor-or-consultant)

[MiDEAL Extended Purchasing Program \(https://www.michigan.gov/dtmb/procurement/mideal\)](https://www.michigan.gov/dtmb/procurement/mideal)

[Qualifications Based Selection Coalition \(https://www.qbs-mi.org/\)](https://www.qbs-mi.org/)

Large or small, rural or urban, every township needs the services of professional consultants at one time or another. For example, all townships are required to have audits and most townships will likely need legal counsel at some time. Townships involved in planning and zoning often contract with a professional planner, and townships may need architectural or engineering services for planning, building or repairing community improvements and structures. Although elected township officials have the ultimate responsibility for determining their township's programs and services, it is often appropriate for them to consult with professionals whose specialized knowledge will best serve the community's interests.

Independent contractor or employee?

- ' a township hires an independent contractor, the arrangement should be documented in
- ten contract or letter of agreement—a contract. In some cases, even if it is an employee

Statutory Requirements

Public Act 170 of 1933, the Bidders on Public Works Act, MCL 123.501, et seq

_____, authorizes a township to require any person proposing to bid on the construction, maintenance and/or repair of public works other than public buildings to submit a sworn statement at least 10 days before bids are opened setting forth his or her qualifications to satisfactorily carry out the work to be performed within the time specified for the project. The act allows the township to judge the bidder's qualifications based on his or her past performance on work of a similar nature, financial resources, and the construction equipment and facilities proposed for use on the project. Any person determined not to be a suitable person to bid on the proposed work must be notified of that determination in writing five days before bids are opened.

Welcome, Nathan

Under MCL 339.2011

_____, a township may not engage in a public works project costing \$15,000 or more, unless the plans and specifications for the project are prepared by a licensed architect or licensed professional engineer, the land is surveyed by a licensed professional surveyor and the work is supervised by either a licensed professional architect or engineer.

Under MCL 129.201

_____, if the public works project exceeds \$50,000, the principal contractor is required to furnish both a performance bond and a payment bond to the township for the completion of the project in accordance with the plans and specifications and for the payment of all subcontractors, laborers and material suppliers.

Public Act 517 of 2012, the Iran Economic Sanctions Act, MCL 129.311, et seq

_____, requires townships to require a person submitting a bid on a request for proposal (RFP) to certify that it is not an Iran-linked business. The act prohibits individuals who have economic relations with Iran from submitting bids on RFPs with the state, any political subdivision of the state or any other public entities. The act also includes penalty provisions for those who submit false certification and is scheduled to take effect April 1, 2013.

Contracts: The Art of the Deal, Michigan Township Focus, Jan/Feb 2014, Fahey

(PDF)

Topics

Topics A-F

Topics G-L

Topics M-P

Topics Q-Z

Welcome, Nathan

Ethics & Conduct

FOIA Compliance

Marihuana-Marijuana Regulation

Resource Toolkits

Salary Survey

Serving as a Board Member

Township of Excellence

Township Laws

MTA Headquarters

512 Westshire Dr, Lansing, MI 48917
Phone: 517.321.6467 | Fax: 517.321.8908

MTA Mailing Address

Box 3078, Lansing, MI 48908-0078

[Contact us \(https://michigantownships.org/contact-us/\)](https://michigantownships.org/contact-us/)



Contracts: The art of the deal



What is a contract? The law generally defines a contract as a “meeting of the minds” that the law enforces with binding effect. We’ve all experienced or heard of situations where someone was able to “get out of a contract,” or didn’t think they had a contract but were bound anyway. Many arrangements that appear to be contracts are not, and vice versa.

Contracts may be either express or implied. Contracts also may be written or unwritten, or even partially written. The “meeting of the minds” needed to form the contract can be by words, action or even inaction. But if there has been an “offer” and an “acceptance,” a binding contract has likely been formed. For example, if a vendor provides services to the township that the township needs and the township receives and uses the services without objection, a contract has likely been formed even though no contract document was ever signed.

Whether a contract will be enforced will often depend on the definiteness and certainty of the language used, and enforcement may be affected if the contract contains missing or vague terms. Formation of a contract also requires “consideration”—an exchange of value between the parties.

In some cases, a contract obligation may be avoided if a mutual mistake, fraud or duress can be demonstrated. Even though a contract may be executed and appear valid on its face, it is not enforceable if it is illegal because it is (1) in violation of specific statute or constitution; (2) against public

policy; or (3) made without authority. The township generally cannot waive illegality.

In a township, only the township board has authority to enter into binding contracts. Although it is possible for the board to delegate its authority to one of its officials, such delegations are strictly construed. For example, if a third party enters into a contract that is only approved by the township supervisor, and there is no clear record of the township board granting authority to the supervisor to enter into that contract, then a valid contract with the township likely does not exist.

Best practices for township contracts

A contract should be written in clear and unambiguous language. All terms should be set out in sufficient detail so that future misunderstandings will be avoided. A clear and unambiguous contract will discourage litigation in resolving a contract dispute.

In a dispute, if the contract language is clear, a court is required to interpret the contract based on its plain language. It is not permitted to look beyond the “four corners” of the contract to interpret the parties’ intent. A court cannot look at discussions during negotiations, or the personal opinions of one of the signing parties in interpreting the meaning of the contract.

If reasonable minds could differ on the meaning of a particular word or phrase in a contract, the clause is ambiguous, and only then may the court may look beyond the plain language of the contract to interpret the parties’ intent. This means a court could consider any outside evidence to interpret the parties’ understanding of the particular clause or phrase.

Service contracts among municipalities

A township may lawfully enter into a contract with another local government or government agency to do virtually anything the township has authority to do on its own. Two Michigan constitutional provisions give wide authority for intergovernmental agreements. Article 3, § 5 provides authority for townships to enter into intergovernmental agreements and joint authorities. Article 7, § 28 allows townships to enter into contracts with other public entities for the joint administration of any of the functions or powers they would otherwise have the power to perform individually.

There are also some general statutes that implement the constitutional intent to allow broad intergovernmental contracting. These broad statutes include:

- The Urban Cooperation Act (Public Act 7 of 1967), which provides that public agencies (including townships, counties, cities, villages, school districts, single and multipurpose special districts, or single and multipurpose public authorities) may collaborate to exercise any power or authority that each party could exercise separately on its own. This includes providing a mutual exchange of services (without any payment other than the exchange of services).

Important contract clauses

Purpose: Explains why the parties are entering into a contract and what they hope to accomplish. Can help define a missing term or provide a reasonable interpretation of the contract if a dispute arises.

Authority: A municipal contract should set forth the source of authority for entering into the contract, and for the undertaking for which the contract is necessary to accomplish.

Term: The contract should specify a term during which the contract will be valid. In the absence of a defined period of time, the contract will be valid for “a reasonable time.”

Duties and rights: These set forth what each party’s obligations are under the contract and what each party’s rights are under the contract, so they should be explained in reasonable detail.

Terms of payment: If one party is expected to make periodic payments to another party, the terms must be specified; i.e., how much, how payment will be made, when payment will be made. A provision for “interest” or “costs of delay” should be included to account for late payments.

Termination: Provision should be made in the contract to specify when a party may unilaterally terminate the agreement, i.e., when one party fails to comply with other terms of the agreement or one party fails to perform their obligations within the time specified in the agreement.

Renewal: Normally a contract may be renewed upon the agreement of both parties. In some circumstances, it is advisable to provide for automatic renewal, or renewal at the option of one of the parties.

Indemnification: One contracting party agrees to protect another party against resulting lawsuits, liabilities and costs associated with the work performed pursuant to the contract.

Dispute resolution: The contract may provide for a method by which the contracting parties will resolve disputes, short of court litigation. Litigation is costly. Requiring mediation or arbitration can sometimes provide a faster and less costly means of resolving a dispute.

Governing law: Each contract should specify which state’s laws will apply in governing the contract, and in which jurisdiction a legal action may be brought to resolve a dispute.

Assignment: Frequently such clauses prohibit the assignment of a contract by one party without the express consent of the other party.

Severability: This protects the enforceability of other clauses of a contract if one provision is found invalid.

Amendments: A contract should provide that amendments may be made only upon the written authorization of both parties. Some contracts may require periodic changes to contract terms, and the procedure for making these amendments should be specified in the contract.

Remedies: Each contract should provide the specific type of relief a party may receive if the other party breaches or fails to perform its duties under the contract. Examples include automatic rescission of the contract, liquidated damages, attorney fees for enforcement, etc.

- PA 35 of 1951, which authorizes municipal corporations to enter into contracts with other municipal corporations for the operation of a facility, performance of a service or ownership of property.
- The Intergovernmental Transfers of Functions and Responsibilities Act (PA 8 of 1967), which authorizes townships to enter into contracts to transfer functions or responsibilities to other municipalities, other political subdivisions or combinations thereof.

Joint fire, police and ambulance arrangements

Single-township fire departments are becoming less common, and multi-unit departments are becoming standard. These multi-unit fire departments are governed by service contracts and/or joint authorities. There are many legal tools available to townships to provide shared fire service, allowing townships to choose the option(s) that best fit their needs, including:

- The Township Police and Fire Protection Act (PA 33 of 1951), which provides authority to adjoining townships, villages and qualified cities to jointly purchase fire protection vehicles, equipment and buildings, and to provide funding to maintain and operate fire, police and ambulance services. PA 33 also allows townships to contract with an adjoining municipality to obtain fire, police and ambulance service (or a non-adjoining municipality if no adjoining municipality provides such services). Each individual participating entity may also enact an ordinance to collect fees for providing fire protection services.
- The Municipal Emergency Services Act (PA 57 of 1988), which allows two or more municipalities (including townships) to incorporate an authority to provide emergency fire, police and ambulance services. A participating municipality may transfer its existing department employees, buildings and equipment to the authority. Contracts for fire, police and ambulance services with participating and non-participating municipalities are limited to a term of no longer than 30 years. However, contracts with non-participating municipalities may include higher fees.
- The Urban Cooperation Act (PA 7 of 1967), which is a broad enabling statute. It permits townships to enter into interlocal agreements for all or part of the township's fire, police or ambulance services. The participating municipalities may also contract for the mutual exchange of services without any other type of compensation.
- The Intergovernmental Contracts Act (PA 35 of 1951), another enabling statute that allows townships (and other municipal corporations) to contract or join with other municipal corporations for the operation

continued on page 23

Financing joint municipal services

When local units join together to provide a service to their combined populations, there are alternative ways to finance the cost of those services. There may be an area-wide tax in some cases, or each unit may choose its own method of raising its share of the service costs. Here are the main options:

Authority-wide millage: This requires special statutory authority, such as is contained in the Municipal Emergency Services Act.

Independent millages: When costs are divided among municipalities and each chooses different approaches to raising their share of the total costs, this may be an option.

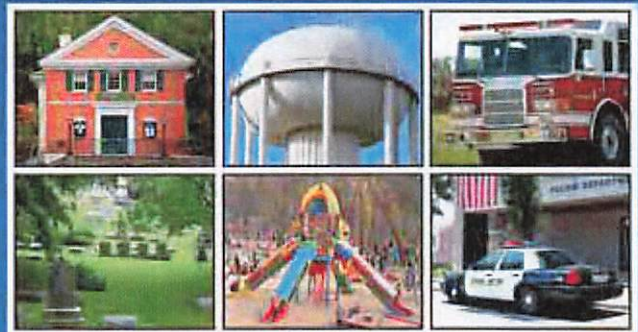
Special assessments: This is more common when a portion of the township benefits from the joint service. Some statutes, such as the Township Police and Fire Protection Act, authorize township-wide special assessments for services.

Service rates: Typical for sewer and water systems, these rates must be based on cost of service. Questions remain regarding higher rates for some municipalities than others.

Fees for service: These are common for building inspection, fire and ambulance. Fees must reflect costs.

2014 MTA Conference Sponsor

Municipal Insurance You Can Count On



COUNT ON
EMC
INSURANCE

ALLIED
SERVICE PROVIDERS
MTA

TED
Hartleb

AGENCY

geofflansky@hartlebagency.com jonathankoets@hartlebagency.com
5840 King Highway Kalamazoo, MI 49048
phone: 269.385.5911 fax: 269.385.3370

or performance of fire, police or ambulance services, or any other services that either contracting municipal corporation would have the power to operate or perform individually. Since townships have the authority to operate fire departments, they may contract under PA 35 with any other municipal corporation to operate a fire department.

- Townships and other municipalities may enter into contracts to provide mutual police assistance to each other in emergency situations pursuant to MCL 123.811.

Joint water and sewer service arrangements

The Legislature has also provided many alternative means for joint contracts between townships and other municipalities to provide sewer or water service in a regional or multi-unit manner. These include:

- MCL 124.251, *et seq.*, which provides authority to two or more townships, cities or villages, or any combination thereof, to incorporate an authority to acquire, own, and/or operate a water supply system or systems.
- MCL 121.1, *et seq.*, allows two or more townships, cities or villages, or any combination thereof, to incorporate an authority for the purpose of acquiring, constructing, purchasing, operating, and maintaining a water supply and transmission system.
- MCL 124.282 provides authority for any two or more municipalities to incorporate an authority for the purpose of acquiring, owning, improving, enlarging, extending and operating a sewage disposal system, a water supply system, a solid waste management system, or any combination of those systems. As used in this act, the term "municipality" includes each county, township, city, or village.
- MCL 123.381, *et seq.* (specifically, MCL 123.382) authorizes townships, alone or in conjunction with other units of government, to construct, maintain and operate waste disposal systems and water supply systems through agreements with local units of government located in another state.

Spalding DeDecker Associates, Inc.



Engineering & Surveying Consultants
Infrastructure | Land Development
Surveying | Landscape Architecture
(800) 598-1600 | www.sda-eng.com



How to negotiate a contract

Not everyone is a "born negotiator," but with practice and care, almost anyone can learn to negotiate contracts effectively. A good negotiator is not a bully or a dictator. As is so often said, "you catch more flies with honey than vinegar." The following skills are more effective and far more important than coercion or threats:

- **Begin with the end in mind.** Imagine what a successful agreement will look like. That will help you move discussions in that direction.
- **Listen to what the other side says.** We so often have misconceptions about what the other side really wants, or what is really bothering them. We can minimize this liability by listening.
- **Consider whether you can meet the other side's expressed needs within the zone of your own needs.** Remember that the area where your needs and those of the other side meet is the only area where an agreement can be reached.
- **Building relationships is an essential negotiating skill.** People are naturally resistant to reaching deals with people they distrust or dislike.
- **Avoid attacking the other side.** Even if you think it might make you feel better, it will not further your cause and will surely set you back.
- **Avoid highly charged emotional arguments and responses,** like "that's absurd," "what a rip-off," etc. But don't be afraid to say that a particular proposal makes you "unhappy" or "unsatisfied."
- **Appealing to "reason" is usually unproductive.** It comes across as condescending, and the other side will often have its own firm ideas of what is "reasonable."
- **Ask questions about the other side's proposal to clarify the proposed deal.** This will help you and the other side to understand all the consequences of the contemplated agreement.
- **Make a few alternative proposals.** If you let the other side know that your needs parameters are flexible, you will be more likely to find an area of common ground.
- **Seek continuous feedback from the other side** to be sure you are being heard and understood.
- **Be observant of nonverbal cues and certain phrases.** (For example, "to be honest" often precedes a statement that is not entirely true.) And be aware that your own nonverbal cues are being observed by the other side.
- **Never appear very eager for a deal.**
- **If the other side is not behaving well, don't be afraid to walk away from the table that day.** But let the other side know that you are willing to continue negotiations when they can treat you civilly.
- **Frequently summarize points on which both sides agree.** Use a whiteboard to keep track of the progress of the negotiations, and what concessions each side has made.

- Pursuant to MCL 123.231, *et seq.*, townships may contract with any one or more political subdivisions for the joint ownerships, use and/or operation of sewers and/or sewage disposal facilities. Townships may also contract with any one or more political subdivisions regarding furnishing sewage disposal services by one (or more) of the participating entities. Such agreements must be approved by the legislative body of each participating entity and cannot exceed a term of 50 years.

Allocating costs of joint services among municipalities

Service agreements or joint authorities between two or more municipalities rarely involve completely equal partners. One unit may require a majority or a large percentage of the services, and others may not have a similar demand. Therefore, it is crucial to develop a method to divide up the cost of the services that is perceived by all the members as fair. Here are some options:

- **Formula for allocation:** Various formulas have been devised to allocate costs among municipalities. For example, data on population, state equalized value, and historical fire runs are often blended to determine the allocation of total costs of a joint fire authority.
- **Owner or renter:** Cost allocation may be different depending on if each municipality has made a capital investment in the authority or is just buying service.
- **Millage:** An authority-wide millage essentially results in dividing the costs among the municipalities according to taxable values.

See the sidebar on page 18 for more on financing joint services.

Control and governance of joint authorities

One way to provide joint services is to create a joint authority to provide services to all the members. A joint authority is a separate legal entity created specially as a service provider to its members. Instead of one municipality providing the services to others by contract, the authority is responsible for the services and for providing them to all the members. This can often take some of the “politics” out of local services, but it also involves some municipalities giving up the direct control they once had over the services. To optimize the operation of a joint board, consider some of these ideas:

- **Size of joint board:** If the joint board is too large, there is a potential for numerous differing opinions, making a final decision on an issue more difficult. However, remember that a larger board generally means that no one entity will dominate the decision-making process.
- **Representation on joint board:** Although most joint boards have equal representation from the participating entities, some boards apportion membership based on financial contributions or commitment.
- **Staggered terms:** Many joint services agreements will provide for staggered terms for board members. This helps ensure continuity and stability on the joint board.

- **Budget oversight:** Most “parent” boards want to retain the authority to adopt or approve a budget for the joint program. This is especially important where the governing bodies provide financing for the program.
- **Veto power:** Some joint authority agreements also vest veto power and/or ratification power in the member governing bodies. In such agreements, certain joint board actions would have to be reviewed and approved by the parent boards (by majority, supermajority or unanimous consent), and could be vetoed by one or more of the parent boards.

A tricky contracting decision

Few contracting decisions can be trickier than whether to hire an employee or an independent contractor to perform particular township services. There are different requirements and responsibilities for the township, depending on whether a person is an employee or independent contractor, including the person’s status under federal and state wage, hour and benefit laws, payroll reporting and withholding, workers’ compensation, and liability insurance coverage. There are also tax penalties if the township incorrectly classifies an employee as an independent contractor.

But how do you know if the person providing the services is an employee or an independent contractor? A contract is not enough. A simple label like “independent contractor” is not enough. Instead, the law requires you to use the “economic realities test,” which considers the totality of the circumstances surrounding the relationship between the parties. Under the economic realities test, the following factors are balanced to determine if an individual is an employee or an independent contractor:

- What liability, if any, does the employer incur if the individual is terminated at-will?
- Is the work being performed an integral part of the employer’s business that contributes to the accomplishment of a common objective?
- Is the position or job of such a nature that the individual primarily depends upon the income from the employer for payment of living expenses?
- Does the individual furnish his/her own equipment and materials?
- Does the individual hold himself/herself out to the public as ready and able to perform tasks of a given nature?
- Is the work or undertaking in question customarily performed by an independent contractor?
- Does the employer have the right to control the means by which the individual achieves the end result?

Good tips to follow

No single factor can determine whether a person doing a service for the township is an employee or an independent

contractor. But to increase the likelihood that the person will be found to be correctly classified an independent contractor, here are some good rules for townships to follow:

- Don't regulate the hours of the independent contractor. Someone in their own business sets their own hours.
- It would be ideal if the independent contractor had his or her own employees. This is not always practical in most real-world situations and is not mandatory.
- Payment should be by the job rather than by unit of time (i.e., an hourly wage).
- Repairs to tools should be paid for by the independent contractor.
- Don't supply liability and health insurance to your independent contractors.
- Don't pay the expenses of your independent contractors. If someone is in their own business, they should pay their own business expenses.
- A true independent contractor will often have his/her own office lease and office help.
- Don't have an independent contractor wear a uniform with your township's logo.
- The independent contractor should arrange for his/her own materials and do his/her own clean-up.
- You may control the ends but not the details of the work.

- That the independent contractor spent money on advertising is an excellent factor to have on your side.
- Independent contractors don't generally get bonuses.
- Your independent contractors should have any and all licenses that are needed to perform the work they are hired to perform. Construction is an area especially prone to the problem of work being done by unlicensed persons.

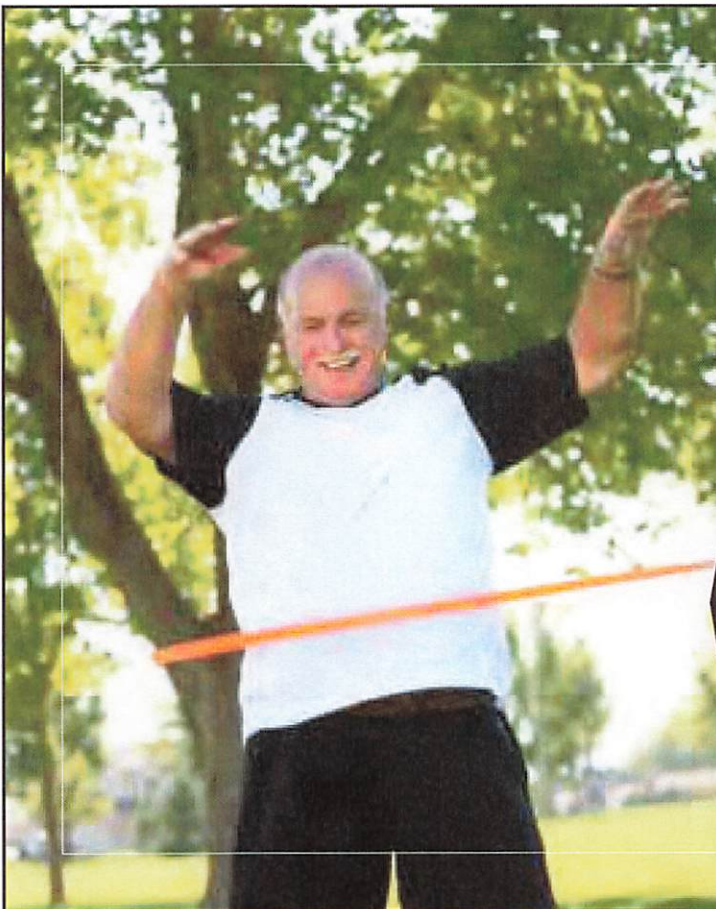
The art of the deal

Being knowledgeable of the authorizing statutes, and being proactive during contract negotiations, can allow townships to realize the exceptional services that their residents want—and deserve.



William Fahey, Township Attorney
Fahey Schultz Burzych Rhodes PLC, Okemos

Hear more from Fahey at "Living With Your Joint Service Agreement," on Wednesday, Jan. 29, from 2:45 to 4 p.m., at MTA's 2014 Annual Educational Conference at the Grand Traverse Resort, and learn how to work with difficulties you may be encountering in your current intergovernmental agreements.



OFFER YOUR EMPLOYEES AN ALL-AROUND GREAT BENEFIT.

With the MERS 457 Supplemental Retirement Program, your employees can have greater retirement security, with no cost to your township. That makes the MERS 457 Program a great way to offer or add benefits for your employees, without adding to your bottom line. That's called a win-win situation, there's no other way around it.

THINK ABOUT TOMORROW TODAY

just call us at 800.767.2308,
or visit www.mers457.com.



Michele Palevich

From: Nathan Skibbe
Sent: Monday, March 20, 2023 11:36 AM
To: Michele Palevich
Subject: Fwd: FD Committee DO NOT REPLY ALL

Sent via the Samsung Galaxy S22 5G, an AT&T 5G smartphone
Get [Outlook for Android](#)

From: Nathan Skibbe
Sent: Tuesday, February 28, 2023 8:45:06 AM
To: Laura Ellery-Somers <ellerysomersl@alpenatownship.com>; 'Cash Kroll (krollc@alpenatownship.com)' <krollc@alpenatownship.com>; 'npoli2@frontier.com' <npoli2@frontier.com>; Russ Rhynard <rhynardr@alpenatownship.com>
Subject: FD Committee DO NOT REPLY ALL

Fire Committee members,

Please bring forward 2 more entities that provide similar services, and then the BOT can set perimeters to deliverables that we will need. We have to find a direction and at this time we don't have any in-house. I look at this as an acceptable ARPA expense, and we as a Board have to hear actual options. If anyone has questions, please contact me individually and do not reply all. This has been previously sent to both Steve and Michele, hence they aren't included in this email.

Best,

Nathan W. Skibbe, Supervisor
Charter Township of Alpena
skibben@alpenatownship.com
Office 989.356.0297 ext. 7
Cell 989.464.0029



From: Nathan Skibbe
Sent: Wednesday, February 22, 2023 7:54 AM
To: Michele Palevich <palevichm@alpenatownship.com>
Subject: FW: Information needed

From: Joe Powers <joe.powers@esci.us>
Sent: Tuesday, February 21, 2023 10:36 PM

To: Nathan Skibbe <skibben@alpenatownship.com>

Cc: Andrea Hobi <andrea.hobi@esci.us>

Subject: RE: Information needed

CAUTION: **EXTERNAL EMAIL** This email originated from outside of The Charter Township of Alpena. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Mr. Skibbe,

Thanks for reaching out to ESCI. I'd love to talk with you more about your community's needs. Is there a time this week that we can meet? I have availability Wednesday and Thursday.

Let me know if either day works for you.

-Joe



From: Nathan Skibbe <skibben@alpenatownship.com>

Sent: Friday, February 17, 2023 1:31 PM

To: Info <info@esci.us>

Subject: Information needed

I am reaching out to see what services we may be in need of to understand the variables in providing the best service to our community. We are in need of operational support and best practice, and so I don't know how to start a conversation moving forward. We broached the topic of consolidation prior, but unfortunately it failed by a single vote and we have been floundering since and our Chief has brought no internal options forward thus far.

In the meantime our community needs us to find a data driven direction. I would appreciate further discussion as to what potential service(s) that we may benefit from your group.

Best,

Nathan W. Skibbe, Supervisor
Charter Township of Alpena
skibben@alpenatownship.com
Office 989.356.0297 ext. 7
Cell 989.464.0029





Fire & EMS

You are here [Home](#) > [Fire & EMS](#)

Administrative

City / County / State

Community Development

Corrections

Emergency Communications

Financial

Fire & EMS

Fleet

Higher Education

Law Enforcement

Parks & Recreation

Public Works & Utilities

The Matrix Consulting Group has worked with over 150 fire/EMS agencies over the firm's 15-year history, conducting studies of staffing, management, standard of coverage, and feasibility studies, among others.

Click on a subject area below to learn more about the services we provide and view samples of our work:

Master and strategic plans

Develop long-range master and strategic plans to guide planning efforts for fire and EMS services as communities grow

Comprehensive planning by working with local and regional stakeholders to forecast growth in the community and surrounding region, and how it will impact the need for fire and EMS services in the future.

The planning process begins with analysis of current capabilities and builds to allow for a phased process of change.

Station location planning

Staffing analysis

Scheduling and deployment

Standard of coverage

Regionalization and consolidation feasibility

Management studies

Contract compliance audits



FIRE · EMS · POLICE
consulting services

HUMAN RESOURCES
consulting services

PUBLIC
speaking

ABOUT
mcgrath



Consolidation Studies

Fire · EMS · Police

- Department Audits
- Consolidation Studies
- Master Planning
- and more

**LEARN
MORE**

Human Resources

- Human Resource Audits
- Comp & Benefit Analysis
- Recruitment Services
- and more

**LEARN
MORE**

How It Works

- Proposal
- Scope
- Methodology
- Results

**LEARN
MORE**

About Us

- Company Profile
- Our Clients
- Public Speaking
- and more

**LEARN
MORE**

Citizens have high expectations of what fire, EMS, and police departments should provide. These expectations are often based on scenes from television, movies, or hearsay rather than industry standards or budget constraints. The McGrath Consulting Group's methodology helps define proper levels of response and services as well as the dollars needed to provide that service.

Public safety is not only necessary, it's a major cost center. McGrath helps cities, towns, villages, townships, counties, and states by identifying ways to improve public safety, facilities, labor, and equipment issues. Most challenges involve a complex mix of vision and mission, operating policies and procedures, higher expectations by the public, increasing regulatory mandates, and sometimes decreasing revenues.

McGrath's full repertoire of management assessment tools and training materials are used by a multi disciplinary team of consultants, each of whom possess decades of experience.

Featured Consultants:

Gregg A. Cleveland



Chief Cleveland has improved fire service by working extensively with dozens of state and legislative councils, boards, committees, and associations.

[FULL BIO](#)

Craig A. Haigh



Chief Haigh is an innovative, award winning fire chief who speaks internationally and has authored more than 30 fire service journal articles.

[FULL BIO](#)

Ask McGrath



[Contact Us Online](#)

[Click to Call Us](#)

BATHROOM READER FOR FIRE OFFICERS

More valuable than toilet paper



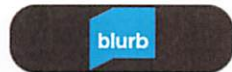
Tom McGrath, Ph.D. & Victoria McGrath, Ph.D.

OUR NEW BOOK

Bathroom Reader for Fire Officers
and EMS, Police, Public Safety providers

This entertaining book will challenge and inspire you to become a better leader. More than three dozen articles — gleaned from decades of experience serving departments across America — cover communication, change, diversity, career considerations, finances, goal setting, leadership, performance, planning, training, and trust.

AVAILABLE AT



FIRE · EMS · POLICE
consulting services

HUMAN RESOURCES
consulting services

PUBLIC
speaking

ABOUT
mcgrath



Consulting Emergency Service Organizations



VFIS is committed to meeting the needs of emergency service organizations and recognizes that our clients may need support beyond our traditional Education and Training programs. We offer you access to a wide range of consulting services. These services are nationally recognized for their quality and real-life applicability. All programs are designed to keep pace with the latest issues, newest equipment and best practices.

VFIS offers:

- Management Consulting
- Department Evaluation
- Strategic Focus
- Mergers and Consolidations

- Recruitment and Retention
- Risk Assessments
- Growth Management/Impact Studies
- Assessment Centers
- Customized Training

CONTACT US TODAY!

Have specific issues, needs or concerns that you would like to address? Contact us today!

Call 800.233.1957 or email inquiries@vfis.com (mailto:inquiries@vfis.com)

Quick Tools

[Training \(/fire-department-training\)](#)

[VFIS University \(/vfis-university-online-fire-classes\)](#)

[Online Store \(http://shop.vfis.com?](http://shop.vfis.com?)

[utm_source=vfis.com&utm_medium=weblink&utm_campaign=footerlink\)](#)

[VFIS HR Help \(/human-resources-help\)](#)

[Cyber Security - eRisk Hub \(/eriskhub-introduction\)](#)

[Safety Self-Assessment \(/risk-control-safety-self-assessment\)](#)

[Agent & Broker Login \(https://producer.glatfelters.com/?](https://producer.glatfelters.com/?)

[utm_source=vfis.com&utm_medium=weblink&utm_campaign=footerlink&__hstc=135067182.ecb331d98ce9ed58653a5](#)

[Visit our Agent Blog \(https://blog.glatfelters.com/?](https://blog.glatfelters.com/?)

[utm_source=vfis.com&utm_medium=weblink&utm_campaign=footerlink&__hstc=135067182.ecb331d98ce9ed58653a5](#)

[Visit the Passion Project Blog \(https://insurance.glatfelters.com/?](https://insurance.glatfelters.com/?)

[utm_source=vfis.com&utm_medium=weblink&utm_campaign=footerlink&__hstc=135067182.ecb331d98ce9ed58653a5](#)

[Site Map \(/Website-Map\)](#)

Join the VFIS Community

Sign up for the latest news from VFIS



(816) 431-2600 (tel:8164312600)

ABOUT ([HTTPS://FITCHASSOC.COM/ABOUT/](https://fitchassoc.com/about/))

SERVICES ([HTTPS://FITCHASSOC.COM/SERVICES/](https://fitchassoc.com/services/))

EDUCATION & CONFERENCES
([HTTPS://FITCHASSOC.COM/SERVICES/LEADERSHIP-EDUCATION/](https://fitchassoc.com/services/leadership-education/))

RESOURCES ([HTTPS://FITCHASSOC.COM/REPORTS-RESOURCES/](https://fitchassoc.com/reports-resources/))

CONTACT ([HTTPS://FITCHASSOC.COM/CONTACT/](https://fitchassoc.com/contact/))

Fire & Rescue

It's no secret: The fire service is changing. At Fitch & Associates, we help fire departments become agile organizations that function well in uncertain times.



Fire & Rescue Feature Resource

Good fire chiefs understand the importance of assessing risk in their communities. But the most progressive chiefs are actively working to reduce that risk by implementing Community Risk Reduction programs. They are shifting their stance on risk from reactive to proactive—all in the name of better service to their communities.

View Full Article (<https://fitchassoc.com/chief-concerns-community-risk-reduction/>)



Fire & Rescue Consulting

Today's fire departments face an ever-growing number of challenges like never before in their history. As a result, the value an outside expert can deliver is unprecedented. Fitch & Associates provides expert fire consulting services to local governments, as well as career, combination and volunteer fire departments of all sizes.

Our team of consultants brings decades of experience at all levels of the fire service. Fitch & Associates experts have:

- Developed master plans and standards of cover
- Objectively evaluated consolidation opportunities
- Led implementations of new communications and data systems
- Assessed deployment and staffing models
- Provided strategic planning services for departments all over the world
- Directed risk evaluation projects and developed mitigation strategies
- Performed compliance evaluations and improved EMS reimbursement levels
- Conducted leadership development and coaching at the individual and organizational levels

At Fitch & Associates, we work with our U.S. and international clients using a scientific approach that combines measurement and modeling with our experience and their community's needs. In addition to improving overall system performance, our fire service clients have successfully implemented deployment changes, upgraded EMS first response and initiated EMS/critical care transport.

We've been helping fire departments become more efficient for more than three decades. To see how we can help you, call us today at 816-431-2600.

Resources

- Fire Service Fatigue: A Problem You Can't Afford to Ignore (<https://fitchassoc.com/fire-service-fatigue-problem-cant-afford-ignore/>)
- Chief Concerns: Preparing for Scrutiny (<https://fitchassoc.com/chief-concerns-preparing-scrutiny/>)
- Building Organizational Agility in Fire & EMS Agencies (<https://fitchassoc.com/building-organizational-agility-fire-ems-agencies/>)

What Fire & Rescue Experts Are Saying



([https://player.vimeo.com/video/256818866?](https://player.vimeo.com/video/256818866?autoplay=1&&title=0&&byline=0&&portrait=0)

[autoplay=1&&title=0&&byline=0&&portrait=0](https://player.vimeo.com/video/256818866?autoplay=1&&title=0&&byline=0&&portrait=0))

Dudley Wait

Executive Director
City of Schertz
Schertz, Texas



([https://player.vimeo.com/video/256819783?](https://player.vimeo.com/video/256819783?autoplay=1&&title=0&&byline=0&&portrait=0)

[autoplay=1&&title=0&&byline=0&&portrait=0](https://player.vimeo.com/video/256819783?autoplay=1&&title=0&&byline=0&&portrait=0))

Norman Seals

Ret. Assistant Chief of EMS Bureau
Dallas Fire-Rescue Department
Dallas, Texas

Follow Us

[f](https://www.facebook.com/fitchandassoc/?fref=ts) (<https://www.facebook.com/fitchandassoc/?fref=ts>) [in](https://www.linkedin.com/company/1528927) (<https://www.linkedin.com/company/1528927>)

Employment Opportunities

We post employment opportunities for a select group of leading organizations

[View Employment Listings \(/employment/\)](#)

Michele Palevich

From: Nathan Skibbe
Sent: Monday, March 20, 2023 11:39 AM
To: Michele Palevich
Subject: FW: [MMTA LISTserv] Fire Department Service Consultants
Attachments: Fire Study 1.pdf; Fire Study 2.pdf

From: Laura Ellery-Somers <ellerysomersl@alpenatownship.com>
Sent: Wednesday, March 1, 2023 8:16 AM
To: Nathan Skibbe <skibben@alpenatownship.com>
Subject: FW: [MMTA LISTserv] Fire Department Service Consultants

Nathan,

I am forwarding you a response regarding Fire Department Service Consultants that I received from the MMTA-Michigan Municipal Treasurer's Association.

Laura

From: Anthony Moggio <amoggio@rochestermi.org>
Sent: Wednesday, March 1, 2023 8:02 AM
To: Laura Ellery-Somers <ellerysomersl@alpenatownship.com>
Subject: RE: [MMTA LISTserv] Fire Department Service Consultants

CAUTION: **EXTERNAL EMAIL** This email originated from outside of The Charter Township of Alpena. DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Hey Laura, attached is the study we did in 2018 for our city it might give you some ideas in the meantime. Aside from my city role I've been a firefighter, currently captain, for 20 years. I also have been doing municipal consulting for a while now with access to many subject matter experts on various topics, including this. I'd be happy to talk with you further about your needs and see if there is a proposal we could put together for you and your team to review. Also if it is something we cannot help you with we will be able to at least give you some ideas on where to look or maybe some new ideas to think about.

Anthony Moggio
Finance Director / Treasurer



Address: 400 Sixth Street, Rochester, MI 48307
Direct: (248)-963-0750
Phone: (248) 733-3700
Email: amoggio@rochestermi.org
Website: www.rochestermi.org

This email message, and any attached files (collectively, this "Email Message"), is intended solely for the individuals or entities to whom it is addressed and may contain information that is proprietary, confidential, and/or exempt from disclosure under applicable law, including protected health information. If you are not the intended recipient, or an agent or employee of the intended recipient who is authorized to receive this Email Message, please notify the sender immediately and delete this Email Message from your computer. Do not read, view, or copy this Email Message, and do not disclose it to anyone else. Reading, viewing, copying, or disclosing this Email Message may be prohibited, restricted, and/or punishable by law. The statements, opinions, and views expressed by the author in this Email Message are the personal statements, opinions, and views of the author only, and they should not be construed, deemed, or interpreted to be those of the City of Rochester or any other elected or appointed official, officer, agent, or employee of the City of Rochester. All email messages, and any attached files, sent to and from the City of Rochester may be public records obtainable by the public under the Michigan Freedom of Information Act.

From: mmta@memberclicks-mail.net <mmta@memberclicks-mail.net> **On Behalf Of** Laura Ellery-Somers
Sent: Tuesday, February 28, 2023 4:31 PM
To: Anthony Moggio <amoggio@rochestermi.org>
Subject: [MMTA Listserv] Fire Department Service Consultants

[EXTERNAL]

MMTA Members:

I am reaching out to see what Fire Department services we may be in need of to understand the variables in providing the best Fire Department service to our community. We are in need of operational support and best practice, and so I don't know how to start a conversation moving forward. We broached the topic of consolidation prior, but unfortunately it failed by a single vote and we have been floundering since and our Chief has brought no internal options forward thus far.

In the meantime our community needs us to find a data driven direction. I would appreciate further discussion as to what potential service(s) that we may benefit from your group.

Does anyone have a fire department consultant they would recommend?

Thank you in advance.

Laura L. Ellery-Somers, MiCPT
Treasurer
ellerysomersl@alpenatownship.com

Charter Township of



4385 US-23 N.
Alpena, MI 49707
989-356-0297 ext. 205
www.alpenatownship.com

▪

This message was sent via the MMTA Listserv. To send a message to the entire Listserv, address your email to: LIST@mmta-mi.org. For the MMTA Listserv policy, [click here](#). To change your settings, login to your profile at MMTA-MI.org or email info@mmta-mi.org for further assistance.

Michigan Municipal Treasurers Association

[Remove My Email](#) • [Privacy Policy](#)

▪

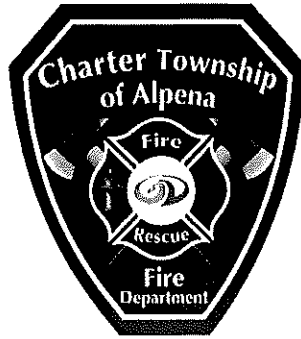


Fire Department 2018 Strategic Study Frequently Asked Questions



| | |
|---|--|
| What is driving this request for the fire department | <i>Over the last four to five years the response times to fire has slowly increased and it is anticipated to continue to increase unless some corrective actions are taken</i> |
| What is the current staffing model for the fire department? | <i>One fulltime fire chief, 3 fulltime fire fighter paramedics and average of 32 paid on call (POC) fire fighters.</i> |
| What is the fire department budget? | <i>Fire department budget for 2019 is approximately \$1.5 million with \$420k for medical re-imbursement.</i> |
| Where does the 9 minute response time come from | <i>The 9 minute response time is contained in NFPA 1720 under response guidelines</i> |
| How do other departments comply with the response time | <i>Our immediate neighbors are full time fire department and are in compliance with the response standards</i> |
| What is the average distance that the POC travels to arrive at the fire station? | <i>The average POC travels 3.0 miles from their home to the fire station</i> |
| What is the trend for POC's distance | <i>Over the last 4 to 5 years the distance that the average POC's travels has increase in line with the increase of response time to incidents</i> |
| How does travel distance affect response times | <i>The current POC's travel time to the station is around 6 minutes</i> |
| What effect does this have on the residents of Rochester | <i>With a POC travel time average of 6 minute the majority of the resident's response time is over 12 minutes.</i> |
| How does response time affect fire safety for the residents | <i>Studies conducted by the National Institute of Science and Technology have shown that fire doubles in size every minute</i> |
| What is the logic for the hybrid staffing model of three fulltime and three part time | <i>The blending of fulltime and part time makes fiscal sense and provides the maximum stability for staffing for the smallest investment</i> |
| What affect does the hybrid staffing model have on response times? | <i>The hybrid staffing model eliminates the POC travel time to the station. This would reduce the response time to 9 minutes or less for the entire city.</i> |
| What are best practices and lessons learned from other fire departments | <i>In fact finding with other fire department it is important to value the POC's and to keep them engaged. Their participation is still needed to provide the best service</i> |
| How do the current POC's fit into the plan | <i>The current POC's will be given priority for placement in both the fulltime and part-time positions</i> |
| Would a rental stiffen help to improve response time | <i>Discussion with POC's did not result in a commitment of improved response time</i> |
| Does the City Charter need to be changed to move forward with the hybrid staffing model | <i>Based on discussion the City Charter does not need to be changed to move forward with the hybrid staffing model</i> |
| Do POC's still have a function in the fire department | <i>The POC's are vital to the overall emergency response plan. The hybrid staffing model will be supported by POC's and mutual aid.</i> |
| What is the difference in pay rates between the hybrid, part time and POC's | <i>Each one of the groups will receive the same pay for the same work. The only difference will be full time positons will receive benefits.</i> |

| | |
|--|---|
| Can this be addressed just by Pay? If we paid more/hour (still no full time) could that fix the issue? | <i>The impact on response time is location POC's are coming from and a not a function of pay</i> |
| Does the City Charter need to be changed? | <i>The City Charter may need to be updated but the updates would not improve the response times</i> |
| What are the funding options? 1. Ballot 2. Contain in City Budget | <i>Response to funding options</i> 1. <i>Contain in the City budget, budget should be inclusive of critical services based on discussion from Council</i> |
| What are the funding sources? | <i>Possible funding sources</i> 1. <i>Increased tax revenue due to increasing property values (estimated at \$350k)</i> 2. <i>Increased tax revenue from new construction in progress (estimated at \$250k)</i> 3. <i>Increased tax revenue from new construction that is approval process</i> 4. <i>Increase tax revenue from new construction that is approved but not yet started (\$300k)</i> |
| Are there any expense need at the station for the Hybrid staffing model | <i>No changes are needed at the station for the hybrid staffing model, The station is currently set up with 6 dorm rooms</i> |
| What if any are the benefits of contracting the fulltime and part time positions | All administrative functions would be completed by the contractor including; 1. Background checks 2. Pre-employment testing 3. Ongoing administration of benefits |
| What is the additional cost to contract the services | <i>There is a 6% fee for administration of the services.</i> |
| Are there any savings to contract services | <i>The contractor will be responsible for Worker's Comp cost</i> 1. <i>Reduction of City's Worker's Comp cost</i> 2. <i>Comp cost based on payroll would estimate a 60% reduction in comp cost (estimated at 13k per year)</i> |
| | |
| | |
| Updated: July 2018 | |



March 27, 2022

To: Charter Township of Alpena Board of Trustees

From: Fire Chief, Mark Hansen

RE: First Responder Training and Recruitment Grant Purchase (amendment)

On December 14, 2022, the board approved a request to purchase training supplies for a State of Michigan First Responder Training and Recruitment Grant. The original request was for this grant was \$39,590.36 funded from Equipment GL #205-336-974.000. Due to changes in availability of certain items, we are asking for an amendment to the original motion to include other training supplies in the amount not to exceed the original approved grant total.

RECOMMENDED MOTION:

Moved by _____ and supported by _____ to ammend purchases of training supplies for the State of Michigan's First Responder Training and Recruitment Grant in the amount not to exceed the original motion.



Charter Township of Alpena Fire Department

To Nathan Skibbe Supervisor

Charter Township of Alpena Board of Trustees

From: Jim Stachlewitz

Training Officer

Re: First Responder Training Grant Purchases

At the December 14, 2022 special board meeting, the Board of Trustees approved the purchase of training supplies in the amount of \$ 39,411.04 received from the State of Michigan as a reimbursement grant to the fire department. This amount was after utilizing \$ 1836.30 to purchase the Lexipol online training. At that time there were presented items listed below.

Adult airway trainer

Pediatric Airway Trainer

CPR/AED Mannequins

Meter Dose Inhaler Trainers

Auto Injector Trainers

Forceable Entry Door Prop

Thermal energy sleeve pullover

Lion Smart Dummy

Lion Pilot Module

Lion Gas Meter Prop

VES Window prop



Due to the unavailability, we did not purchase the pilot module or gas meter prop. This then freed up monies that, after consultation with Supervisor Skibbe, Chief Hansen and Dave Fink from the State of Michigan, the decision was made to purchase the following items.

Lion Laser Extinguisher training prop

Ceiling training prop

Hemorrhage control trainer

Gabled Barn to be used as storage for the training material

Building permit

Bag valve masks for training

Renew Lexipol online training

These purchases and the previous purchases total \$ 41,280.79 which leaves \$ 316.57 remaining from the original grant award of \$ 41,597.36.

Since these items are different from the original board motion, we are requesting a motion to amend the motion from 12-14-22 to reflect these changes. These purchases were made from GL# 205-336-974-000.

I have enclosed information regarding the additional purchases.

Respectfully,

Jim Stachlewitz

Training Officer



STATE OF MICHIGAN
DEPARTMENT OF TREASURY
LANSING

GRETCHEN WHITMER
GOVERNOR

RACHAEL EUBANKS
STATE TREASURER

May 19, 2022

Chief Executive Officer
Alpena Township
skibbon@alpenatownship.com

VIA EMAIL

Congratulations on being a successful applicant for a grant from the State of Michigan's First Responder Training and Recruitment Grant program!

With more than 400 municipal governments submitting nearly \$30,000,000 in requests and funding limited to \$5,000,000, competition among the many worthwhile proposals was extraordinary. We are pleased to announce Alpena Township has been chosen to receive a grant award in the amount of \$41,597.36.

To accept this grant, an acceptance must be submitted through the State of Michigan E-Signature process, which you will receive further instructions about accessing in a separate e-mail within two business days. The acceptance must be signed by the award recipient's chief executive officer and acknowledge the following:

- The amount of the award listed in this letter.
- The grant will be distributed on a reimbursement basis only after adequate documentation has been provided to the Michigan Department of Treasury in accordance with procedures that can be found on the [First Responder Training and Recruitment Grants web page](#).
- The grant proceeds will be used only in accordance with the purposes for which they are awarded.

The Michigan Department of Treasury looks forward to receiving your acceptance letter and working with you toward the successful implementation of your First Responder Training and Recruitment Grant program activities.

If you have questions regarding the award or need additional information or clarification, please contact Dave Fluks at fluksd1@michigan.gov or Jim Mills at millsj@michigan.gov.

Bound Tree

Correspondence Address:
5000 Tuttle Crossing Blvd
Dublin, OH 43016
PHONE: (800) 633-0523
FAX: (800) 267-5713
www.boundtree.com

Copy

BOUND TREE MEDICAL, LLC
23537 Network Place
Chicago, IL 60673-1235

Invoice

MH

| | |
|-----------|-----------|
| Invoice | 84829377 |
| Date | 1/18/2023 |
| Page | 1 of 1 |
| Account # | 203011 |

TIN# 31-1739407

Customer DEA License No:



3 / 478 000000478 01 MB 0.515
ALPENA TWP
ACCTS PAYABLE
4385 US HIGHWAY 23 N
ALPENA, MI 49707-7920

Ship To: SHIP001
ALPENA TWP
4385 US 23 N
RECEIVING
ALPENA, MI 49707-7920

| Purchase Order # | Sales Order # | Sales Person | Ship Via | Ship Date | Payment Terms | | |
|------------------|--|--------------|---------------|------------|---------------|-----|------------|
| | 104264644 | T BORGHESE | >\$150 NO FRT | 01/18/2023 | NET 30 | | |
| Item # | Description | Ordered | Shipped | B/O | Unit Price | UOM | Ext. Price |
| 2442-03005 | <p>THE FOLLOWING ITEMS SHIPPED FROM: 13 1033 COLLINS RD SUITE A GREENWOOD, IN 46143 BTM Distributor License No: 5306007111</p> <p>BVM, SPUR II, PEDIATRIC, BAG RESERVOIR, TODDLER MASK, W/MANOMETER, FULLY EXTENDED 6EA/BX</p> <p style="text-align: center;">RECEIVED JAN 23 2023 ALPENA TOWNSHIP CLERK</p> <p style="text-align: center;"><i>205-336-9774-0220</i></p> <p>Tracking Numbers: 629426723604 Note: * Indicates taxable item</p> | 1 | 1 | 0 | \$19.29 | EA | \$19.29 |

Correspondence and inquiries
can be sent to:
5000 Tuttle Crossing Blvd
Dublin, OH 43016

| | |
|----------------|--------------|
| Merchandise | 19.29 |
| Misc | 0.00 |
| Tax | 0.00 |
| Freight | 0.00 |
| Trade Discount | 0.00 |
| Payment Recv'd | 0.00 |
| Total | 19.29 |

Bound Tree

Correspondence Address:
 5000 Tuttle Crossing Blvd
 Dublin, OH 43016
 PHONE: (800) 533-0523
 FAX: (800) 267-5713
 www.boundtree.com

copy

BOUND TREE MEDICAL, LLC
 23537 Network Place
 Chicago, IL 60673-1235

Invoice

MM

| | |
|-----------|-----------|
| Invoice | 84827348 |
| Date | 1/17/2023 |
| Page | 1 of 1 |
| Account # | 203011 |

TIN# 31-1739487

Customer DEA License No:



3 / 648 000000648 01 MB 0.515
 ALPENA TWP
 ACCTS PAYABLE
 4385 US HIGHWAY 23 N
 ALPENA, MI 49707-7920

Ship To: SHIP001
 ALPENA TWP
 4385 US 23 N
 RECEIVING
 ALPENA, MI 49707-7920

| Purchase Order # | Sales Order # | Sales Person | Ship Via | Ship Date | Payment Terms | | |
|---|---|--------------|---------------|------------|---------------|-----|------------|
| | 104284644 | T BORGHESE | >\$150 NO FRT | 01/17/2023 | NET 30 | | |
| Item # | Description | Ordered | Shipped | B/O | Unit Price | UOM | Ext. Price |
| ***** THE FOLLOWING ITEMS SHIPPED FROM: 12 1605 ZEAGER RD SUITE 101 ELIZABETHTOWN, PA 17022 BTM Distributor License No: 5306003885 ***** | | | | | | | |
| 2442-BVM1600 | Curaplex BVM, Adult, Mask Size 5, Universal Connector, 7FT O2 Tubing 1/EA 10EA/CS | 6 | 6 | 0 | \$10.71 | EA | \$64.26 |
| 2442-03005 | BVM, SPUR II, PEDIATRIC, BAG RESERVOIR, TODDLER MASK, W/MANOMETER, FULLY EXTENDED 6EA/BOX | 0 | 0 | 1 | \$19.29 | EA | \$0.00 |
| <h2>RECEIVED</h2> <p>JAN 23 2023</p> <p>ALPENA TOWNSHIP CLERK</p> <p><i>205-336-974.000</i></p> <p>Tracking Numbers: 393546203650</p> <p>Note: * Indicates taxable item</p> | | | | | | | |

| | |
|----------------|--------------|
| Merchandise | 64.26 |
| Misc | 0.00 |
| Tax | 0.00 |
| Freight | 9.00 |
| Trade Discount | 0.00 |
| Payment Rec'd | 0.00 |
| Total | 73.26 |

Correspondence and Inquiries
 can be sent to:
 5000 Tuttle Crossing Blvd
 Dublin, OH 43016

AED Superstore
 1800 US Hwy 51 N
 Woodruff, WI 54568
Date Ordered: 3/15/2023
Order Number: 621752

Billing Address

Jim Stachlewitz
 CHARTER TOWNSHIP OF ALPENA FIRE DEPT
 4385 US 23 NORTH
 ALPENA, MI 49707 - US
 9893560712
 stachlewitzj@alpenathowship.com

SHIPPING ADDRESS

Jim Stachlewitz
 CHARTER TOWNSHIP OF ALPENA FIRE DEPT
 4385 US 23 NORTH
 ALPENA, MI 49707 - US
Shipping Method: Standard Shipping - 5-7 business days
Payment Type: Purchase Order (Government or Schools ONLY)

| Item ID | ITEMS | PRICE | QTY | TOTAL |
|---------|---|----------|-----|----------|
| 384 | Hemorrhage Control Training Kit w/Combat Gauze LE by Z-Medica | \$400.00 | 1 | \$400.00 |

Order Comments:

My organization is exempt from sales tax; please remove sales tax from this order.

| | |
|---------------------|---------------------|
| Subtotal: | \$400.00 |
| Discount(s): | \$0.00 |
| Taxes: | \$24.00 |
| Shipping: | \$0.00 |
| TOTAL: | \$424.00 |
| Payments: | \$0.00 |
| Balance: | \$424.00 |

400⁰⁰

MAR



TRAIN ONLINE, ANYTIME, AT NO COST!

POLICE

HANDY WITH JUDICIAL COMBAT GAUZE™

Training program includes access to the court room of your local court house
Printable certificate available upon completion

Quikrete

GAUZE

King Training Innovations LLC
5041 n neva ave
Chicago, IL 60656 US
flremanck@yahoo.com

Invoice

| BILL TO |
|--|
| James Stachlewitz Charter Township of Alpena Fire Department 4385 U.S. 23 North Alpena, MI 49707 |

| SHIP TO |
|--|
| James Stachlewitz Charter Township of Alpena Fire Department 4385 U.S. 23 North Alpena, MI 49707 |

| INVOICE # | DATE | TOTAL DUE | DUE DATE | TERMS | ENCLOSED |
|-----------|------------|------------|------------|--------|----------|
| 1147 | 03/15/2023 | \$8,095.65 | 04/14/2023 | Net 30 | |

| DATE | ACTIVITY | DESCRIPTION | QTY | RATE | AMOUNT |
|------|-------------------|---|-----|----------|----------|
| | King Ceiling Prep | Aluminum Firefighter Overhaul Training Prop | 1 | 7,500.00 | 7,500.00 |
| | Shipping | Ground Freight By RL Carriers w/lt Liftgate Delivery | 1 | 595.65 | 595.65 |

BALANCE DUE

\$8,095.65



Firefighter Truck Operations Training Props

King Ceiling Prop: Aluminum Overhaul Training Prop, 100 % realistic overhaul training. Durable, lightweight, and portable. Teach techniques and muscle memory along with construction methods. Uses ½" drywall or O.S.B.

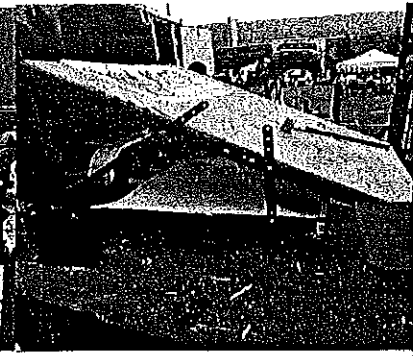
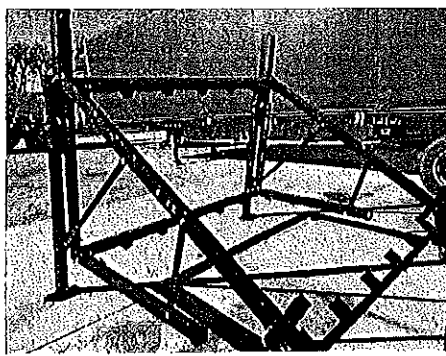
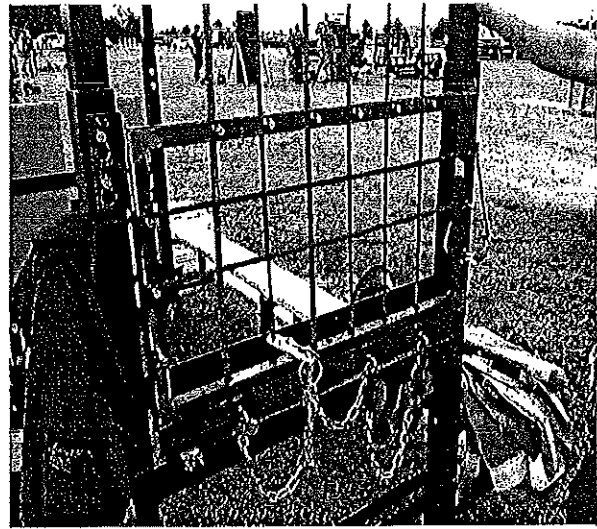
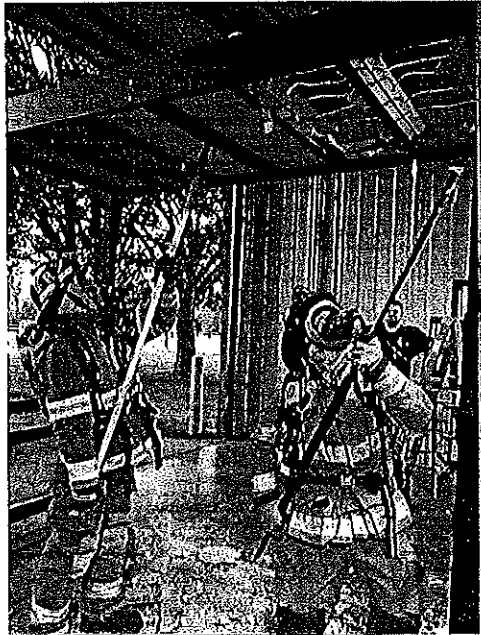
Roof Prop: Peaked or flat roof prop 8x8 with replaceable 2x4 rafters. Stand-alone, lightweight, durable, and portable.

Double Roof Prop: True gable peak roof prop. All the same benefits and features as the original roof prop but twice the size and a true adjustable gable.

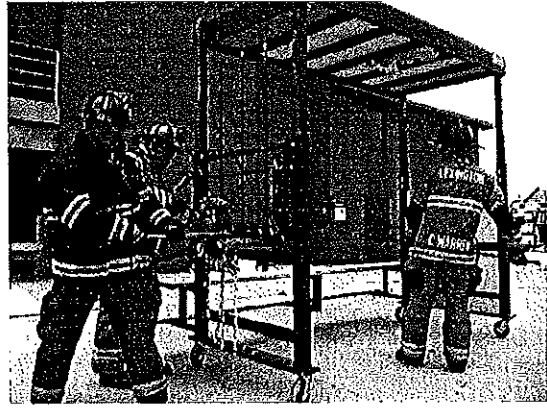
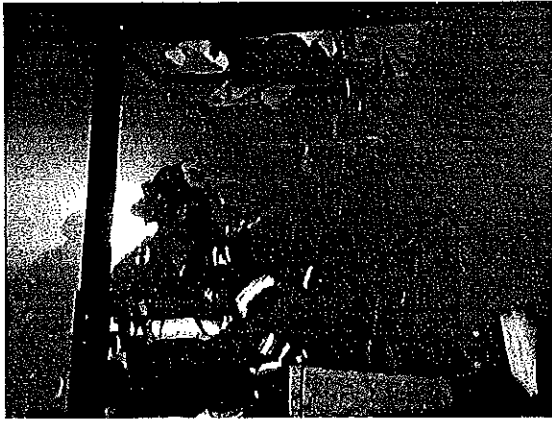
Re-Bar Cut Station: 3 directional re-bar cutting prop to gain saw proficiency. Chain, cable and padlock capabilities as well to teach various means of cutting and gaining access. Mounts to the side of Overhaul prop

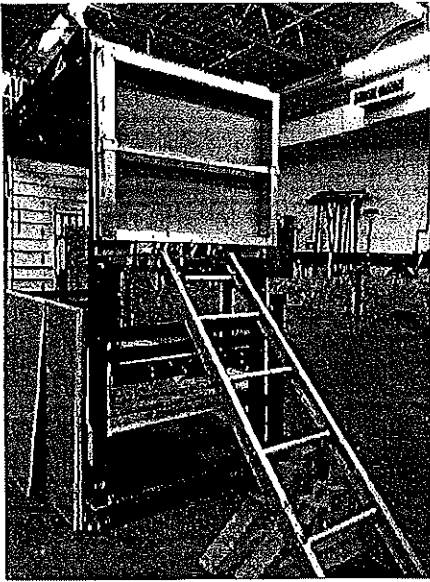
Garage Door Prop: The ability to cut garage door, corrugated steel or any material available to gain techniques and skill. Mounts to front of ceiling prop.

Handwritten signature or mark

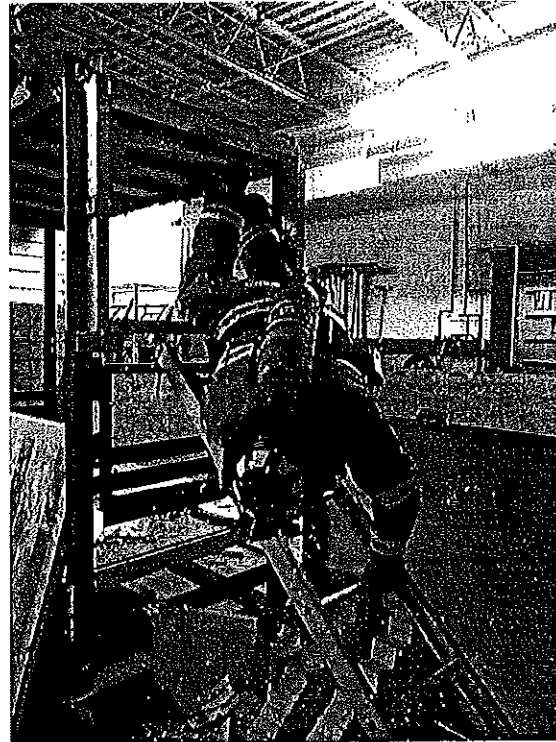


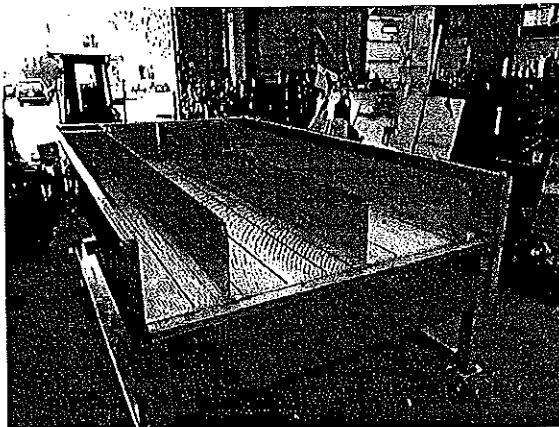
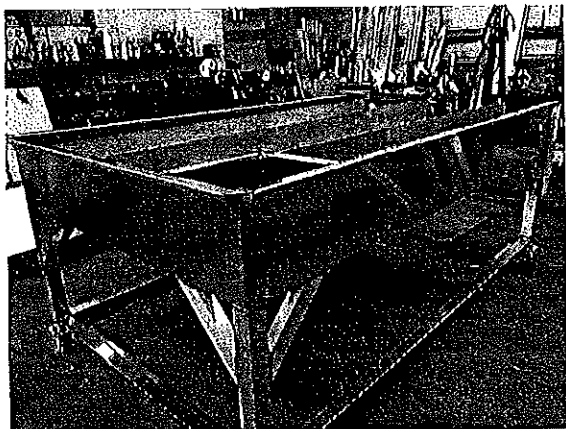
MAH





[Handwritten signature]





MS

Custom props and classes available

2022 Prop Pricing shipping not included

Original Overhaul Prop \$7500

Re Bar Cut Add On \$1150

Roof Prop \$6400

Garage Door Prop \$2000

Sprinkler Prop \$1250

Cut Jig \$650

Complete training system \$18,950

Add Ons

VEIS Window with subfloor attachment \$3450

Double roof prop \$12,800

Double Roof prop retro add on \$5500

Hose Bed Prop \$12,000

Crosslay add on for hose bed \$5750
Stand alone Cut Tree \$1200

1/2 size props

Overhaul prop \$5500
Roof prop \$4400

Partition Brackets: \$300 each. Can be ordered in any amount or configuration.

www.kingceilingprop.com

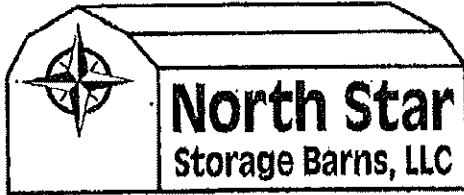
262-989-0453

chris@kingceilingprop.com



Made in The USA

By Firefighters for Firefighters



(989) 826-1000

398 N. Mt. Tom Rd. - Mio, MI 48847

3 miles north of Mio on M-33

Closed Sundays

OFFICE USE ONLY

Roof 3-16

Siding _____

ID # 23212

CUSTOMER NAME ALPENA TWP. FIRE DEPT DATE 3-15-23

ADDRESS 4385 US 23 N CELL. 989 766 0378 JIM

CITY, STATE, ZIP ALPENA MI 49707 PHONE 989 356 0712 EXT 8

BARN STYLE CABLE BARN

METAL ROOF; COLOR BLACK

BARN SIZE 12x20

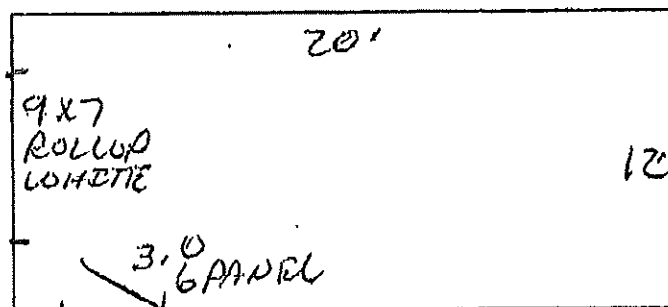
SHINGLE ROOF; COLOR _____

APPROX. DELIVERY DATE ASAP

SIDING; STYLE SMART SIDE

SIDING; COLOR JT RED

TRIM; COLOR _____



SPECIAL INSTRUCTIONS: _____

Homeowner is responsible for the following:
ALL PERMITS, CORRECT LOCATION OF PROPERTY LINES, PROVIDING ENOUGH ROOM TO MOVE BARN FROM ROAD TO SITE, PROVIDE A PROPERLY PREPARED SITE.

CUSTOMER SIGNATURE: _____

DIRECTIONS TO SITE:

23 NORTH OF LONG RAPIDS
APPROX 7 MI. ON RIGHT
(PAST HAMILTON RD)
GOES BEHIND FIRE
STATION

| | |
|------------------|----------------|
| Base Price | <u>6055</u> |
| 5% DISCOUNT | <u>-302.75</u> |
| 8' SIDEWALLS | <u>150</u> |
| 9x7 ROLLUP DOOR | <u>625</u> |
| 3.0 6 PANEL DOOR | <u>360</u> |
| Subtotal | <u>6887.25</u> |
| Sales Tax | <u>EXEMPT</u> |
| Delivery | _____ |
| Gravel Pad | _____ |
| Total Due | <u>6887.25</u> |
| Deposit | _____ |
| Balance Due | _____ |

RENT TO OWN:

_____ Monthly Payment _____

Sales Tax _____

Liability Damage Waiver _____

Sales Tax _____

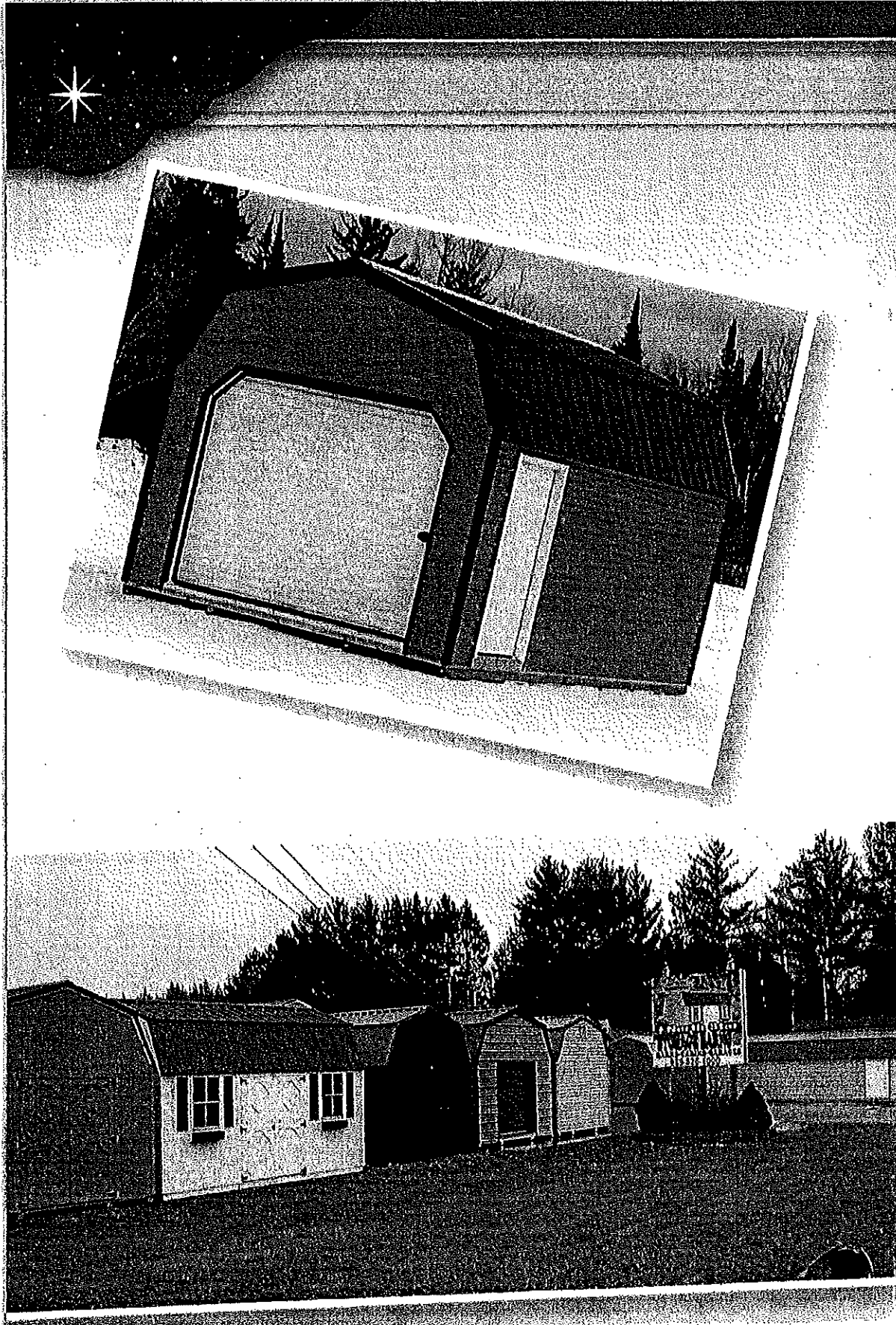
Monthly Payment _____

Security Deposit _____

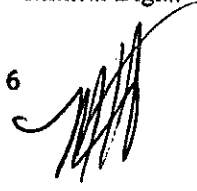
Deposit Required _____

Deposit Paid _____

COPY



X
AK



(/)

Search

HOME (/) > LION BULLSEYE DRY CHEMICAL DIGITAL LASER EXTINGUISHER



\$1,773.71

List: \$2,128.45 | Save: \$354.74

LION BULLSEYE Dry Chemical Digital Laser Extinguisher

(0)

QUESTION & ANSWER

Options : , , , , , , TheFireStore , F , 5 Lb , F , , , , , >

Quantity

| Training Grant Purchases | | | Totals |
|--|-------------|-------------------|-------------|
| AED Superstore | | | |
| Adult Airway Trainer aed superstore | | \$1,334.95 | |
| Peds Airway Trainer aed superstore | | \$791.95 | |
| CPR mannequins 6 adult/6 peds/6 aed trainers | | \$2,610.00 | |
| shipping | | \$0.00 | |
| | | \$4,736.90 | \$4,736.90 |
| Bound Tree | | | |
| MDI Inhaler training device x1 | | \$371.99 | |
| Auto injector trainer epi x10 | | \$78.90 | |
| Auto injector trainer vallum x10 | | \$499.90 | |
| shipping | | \$0.00 | |
| | | \$950.79 | |
| Bag Valve Masks | | \$83.55 | |
| | | \$1,034.34 | \$1,034.34 |
| The Fire Store | | | |
| Staubs All purpose forcible entry prop | | \$7,500.00 | |
| Internal energy thermal pullover | | \$481.25 | |
| Lion Smart Rescue Dummy | | \$2,688.75 | |
| shipping | | \$691.00 | |
| | | \$11,361.00 | \$11,361.00 |
| Forcible Entry Inc. | | | |
| VES Window with bar prop | | \$2,995.00 | |
| shipping approximate | | \$495.14 | |
| | | \$3,490.14 | \$3,490.14 |
| Laser Extinguisher | | \$1,677.70 | |
| shipping | | \$15.00 | |
| | | \$1,692.70 | \$1,692.70 |
| AED Superstore | | | |
| Hemorrhage Control Trainer | | \$400.00 | \$400.00 |
| Lexipol renewel | | \$1,587.51 | \$1,587.51 |
| Northstar Stoorage Barns | | | |
| 12x20 Gabled Barn | | \$6,887.25 | \$6,887.25 |
| Building Permit | | \$159.00 | \$159.00 |
| King Ceiling Props | | | |
| Ceiling Overhaul Prop | | \$7,500.00 | |
| Shlpping | | \$595.65 | |
| | | \$8,095.65 | \$8,095.65 |
| Total Grant | \$41,597.36 | 39581.42 | \$39,444.49 |
| Lexipol | \$1,836.30 | | \$1,836.30 |
| Amt after lexipol | \$39,761.06 | | \$41,280.79 |
| | | remaining balance | \$316.57 |

PAYMENT OF BILLS

Trustee Russ Rhynard inquired regarding a payment of \$5,932.68 to R & R Fire Truck Repair, LLC. Clerk Michele Palevich advised it has been approved at a prior meeting for a deck gun for the 2021 Smeal Engine. Moved by Trustee Russ Rhynard and supported by Trustee Steve Lappan to approve the payment of bills as presented. Roll call vote was taken. AYES: Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Steve Lappan, Clerk Michele Palevich and Supervisor Nathan Skibbe. NAYES: None. Absent: Trustee Norm Poli. Motion carried unanimously.

FIRE DEPARTMENT – FIRST RESPONDER TRAINING & RECRUITMENT GRANT EXPENDITURES

Chief Mark Hansen presented a list of training equipment that could be reimbursed through the State of Michigan’s First Responder Training and Recruitment Grant program and recommended approval of the purchase. Moved by Clerk Michele Palevich and supported by Trustee Russ Rhynard to approve the purchase of training equipment in the amount of \$39,411.04 to be paid from GL #205-336-974.000. Equipment as presented. Roll call vote was taken. AYES: Trustee Cash Kroll, Trustee Russ Rhynard, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers and Supervisor Nathan Skibbe. NAYES: None. Absent: Trustee Norm Poli. Motion carried unanimously.

FIRE DEPARTMENT – AUTHORITY INTEREST LETTER

Trustee Steve Lappan presented the Township Board with a letter to review regarding interest in a fire authority to be sent to all municipalities in the County of Alpena.

BUDGET ADJUSTMENTS

The Township Board was presented with budget adjustments prepared by Clerk Michele Palevich and Supervisor Nathan Skibbe. Moved by Trustee Cash Kroll and supported by Treasurer Laura Ellery-Somers to approve the budget adjustments as presented with the following addition: GL #592-537-973.000, Communications Equipment, decrease \$2,500.00 and GL #592-537-974.010, Equipment, increase \$2,500.00. Roll call vote was taken. AYES: Trustee Russ Rhynard, Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll and Supervisor Nathan Skibbe. NAYES: None. Absent: Trustee Norm Poli. Motion carried unanimously.

BOARD OF REVIEW APPOINTMENTS

Supervisor Nathan Skibbe recommended the approval of the following as members of the Board of Review: Kathleen Muszynski, Steve Dean and Matt Kitzman. Moved by Trustee Steve Lappan and supported by Trustee Russ Rhynard to approve the appointment of Kathleen Muszynski, Steve Dean and Matt Kitzman to a 2-year term to the Board of Review effective January 1, 2023. Roll call vote was taken. AYES: Trustee Steve Lappan, Clerk Michele Palevich, Treasurer Laura Ellery-Somers, Trustee Cash Kroll, Trustee Russ Rhynard and Supervisor Nathan Skibbe. NAYES: None. Absent: Trustee Norm Poli. Motion carried unanimously.



March 27, 2022

To: Charter Township of Alpena Board of Trustees

From: Fire Chief, Mark Hansen

RE: AAA Grant Application

A handwritten signature in black ink, appearing to be "M. Hansen", written over the "From" line.

I would like to receive approval to proceed with an application of a AAA Traffic Safety Grant. This grant does allow up to \$15,000.00 if awarded. In this grant application, we will apply for extrication type equipment such as auto cribbing for vehicle stabilization and spreading rams. If awarded, this grant requires a ten percent match which would come from GL#205-336-974.000 Equipment in the upcoming budget year of 2023/2024.

RECOMMENDED MOTION:

Moved by _____ and supported by _____ to allow the application of an AAA Traffic Safety Grant.

**CHARTER TOWNSHIP OF ALPENA COMPREHENSIVE PROPOSAL
TO FOPLC
March 23, 2023**

Alpena Charter Township proposes the following changes to the current FOPLC contract. The Township reserves the right to amend, withdraw, or add to these proposals.

1. **Wages** – Year 1 – 5%, Year 2 – 4%, Year 3- 3%
2. **Classifications** – agree to delete Field Assessor / Administrative Assistant / Liquor Inspector
3. **Longevity** – Decline.
4. **Deputies' compensation** – counter – increase to \$1.00 per hour extra.
5. **Duration** – Agree to 3 years
6. Amend introduction to **Article V – Seniority** – change “MCLA” to “MCL” for consistency.
7. Amend **Article V, Section 5(A)**:

“If, in the Employer’s discretion, two or more candidates are judged to be relatively equal after the above consideration, the most senior employee shall be given preference.”
8. Amend **Article V, Section 7(A)(i)**:

“If, in the Employer’s discretion, the aforementioned factors are relatively equal, the least senior employee shall be laid off.”
9. Remove “Paul Glendon” from Article VI’s list of arbitrators.
10. **Article VIII – Holidays** – Add **Juneteenth** to be observed June 19th each year.
11. **Amend Article VIII, Section 2(A)**. Eligibility for holiday pay begins at ninety (90) days after hire instead of thirty (30) days.
12. Strike **Article VIII, Section 2(D)** in its entirety.
13. Strike **Article VIII, Section 3** in its entirety.
14. Amend **Article IX, Section 6(E)** final sentence. Adjust payout of hours in excess of 168 hours to **50%**.



**CHARTER TOWNSHIP OF ALPENA COMPREHENSIVE PROPOSAL
TO FOPLC
March 23, 2023**

15. Amend **Article IX, Section 6(H)**. Adjust payout to **50%**.

16. Strike **Article IX, Section 8** in its entirety.

17. **Article IX, Section 10** – extend Letter of Agreement through term of successor contract.

18. Amend **Article XI, Section 1**:

“A wage progression schedule listing job classifications and pay grade ~~for each department~~ is attached hereto as Appendix A and forms a part of this Agreement.”

19. Strike **Article XV, Section 6** in its entirety.

20. Amend **Article XVIII, Section 5** to reduce notice period from ten (10) days to “five (5) working days,”

21. Strike **Article XVIII, Section 7** in its entirety.

22. Amend **Article XVIII, Section 9**, final sentence.

“The policy will terminate upon the end of the calendar month in which any separation of employment occurs. ~~either by layoff, discharge, or voluntary resignation, except that coverage will continue for 3 months after an employee who separates because of a leave of absence or lay-off.~~”

23. Article XVI, Section 3 – remove references to “Grievance Committee”

24. Discussion Items

- a. Notice to the Union that the Administrative Assistant positions will begin conducting liquor license inspections. Minimal change to duties, and no change to hours. Roughly 3 days per month.

Understanding

Compensation

for Township Officials
and Employees



Prepared by the

Michigan Townships Association

P.O. Box 80078

Lansing, MI 48908-0078

www.michigantownships.org

Table of Contents

| | |
|--|-----------|
| Introduction | 3 |
| Elected Official's Salaries | 3 |
| 1. Township Board Resolution and Referendum | 3 |
| Resolution to Establish Township Officers Salary (<i>no annual meeting</i>).... | 4 |
| 2. Electors at the Annual Meeting | 5 |
| The Politics of Public Officials' Salaries | 5 |
| Resolution to Establish Township Officers Salary (<i>with annual meeting</i>) .. | 7 |
| 3. Salary Compensation Commission | 8 |
| Establishing a Salary Compensation Commission | 8 |
| Commission Membership | 8 |
| Authority | 9 |
| Meeting Schedule | 9 |
| Determination of Salary Compensation Commission / Effective Date | 9 |
| Board Member Compensation Issues | 10 |
| Separating the Supervisor / Assessor Salary | 10 |
| Decreases in Salary | 11 |
| Paying Trustees | 11 |
| Per Diem vs. Per Meeting Compensation | 12 |
| Board Member Compensation for Other Meetings | 12 |
| Board Member Compensation for Additional (Non-Statutory) Duties | 12 |
| A Note on Additional Duties and Incompatible Offices | 13 |
| Compensating Non-Elected Officials and Employees | 14 |
| Compensating Deputies | 14 |
| Compensating Non-Elected Officials | 14 |
| Compensating Employees | 15 |
| Payment of Wages | 16 |
| How often must a township official or employee be paid? | 16 |
| Is it illegal to pay officials or employees in advance? | 16 |
| Can a township board authorize retroactive payment of salary for services already rendered? | 16 |

Introduction

While some townships have fewer employees and a less complicated organization and structure than others, all township board members are directly involved in compensation issues. Keeping up with changing laws affecting the workplace can be a full-time job for all townships. The job of setting salaries and keeping apprised of changing federal and state laws often falls on the shoulders of the elected township officials. This material was prepared to serve as a guide and to assist township officials with making some of these compensation decisions.

Elected Officials' Salaries

Setting the salaries of township officials is a political issue for elected officials and residents alike. It is also a sensitive issue for employers and employees. Experienced township officials know that laws governing the setting of salaries are not always clear. Quite often, townships are faced with vague and conflicting statutes.

This first section will address the various methods by which salaries may be set in general law and charter townships. Each method has its own procedural requirements and limitations, as well as advantages and disadvantages.

1. Township Board Resolution and Referendum

Michigan law provides that, in townships where the township board has not passed a resolution to hold an annual meeting, the township board may set salaries of township officials by resolution. (MCL 41.95(3)) Attorney General Opinion 6422 of 1987 requires the township board to adopt a separate resolution for each official. Salary resolutions are not required to be adopted annually when the board sets the salaries of the office. A board is only required to adopt a salary resolution when it intends to change the salary. See page 2 for sample salary resolutions where no annual meeting is held.

A township board resolution to increase salaries is subject to referendum if a citizen petition, signed by at least 10 percent of the registered township electors, is filed with the township clerk within 30 days after the township board passes the resolution to increase salaries. If a petition is filed with the township clerk, the township board must call a special election and submit the question to the voters. The salary is paid at the increased rate in the interim.

If the voters approve the resolution, the officer continues to receive the salary increase. If the resolution is not approved, going forward the official's salary reverts to the salary for that office in effect before the township board adopted the resolution. The salary is adjusted as of the date the board of canvassers certifies the election results.

It is important to note the electors' authority to vote is limited to the salary question only. The electors do not have the authority to determine non-taxable fringe benefits or whether the township will participate in a pension plan.

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when **NO ANNUAL MEETING** is held.

A separate resolution must be adopted for each office (Attorney General Opinion 6422).

WHEREAS, according to MCL 41.95(3), in a township that does not hold an annual meeting, the salary for officers composing the township board shall be determined by the township board; and

WHEREAS, the township board deems that an adjustment in the salary of the office of (*supervisor, clerk, treasurer OR trustee*) is warranted;

THEREFORE BE IT RESOLVED, that as of (*effective date*), the salary of the office of (*supervisor, clerk, treasurer OR trustee*) shall be as follows:

Supervisor: \$_____ salary (not directly performing assessing)
\$_____ salary if properly certified as assessor and directly performing assessing

OR:

Clerk: \$_____ salary

OR:

Treasurer: \$_____ salary

OR:

Trustee: \$_____ (*If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.*)

The foregoing resolution offered by board member _____.

Supported by board member _____.

Upon a roll call vote, the following voted: ___Aye ___No.

The supervisor declared the resolution adopted.

_____, Clerk

NOTE: This resolution uses **optional two-part salary language** that a board may choose to adopt. If a board does not use the two-part salary format, it should adopt a single, fixed salary per office.

This resolution assumes that there is no annual meeting. It assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), a salary resolution cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

If, within 30 days after the township board votes, a petition signed by 10% of the qualified electors of the township is filed requesting that the question be submitted to the electorate, the township board shall call a special election and submit the question of salary to the electors.

Revised by MTA Staff, September 2016

2. Electors at the Annual Meeting

Public Act 187 of 1988 eliminated the requirement that general law townships hold an annual meeting of the electors. However, if the township board adopts a resolution to hold an annual meeting and has not created a compensation commission, the electors at the annual meeting are authorized to set the salaries of the township supervisor, clerk and treasurer and trustees who are paid by salary (MCL 41.95). If the township compensates trustees on a per diem or per meeting basis, the compensation is established by township board action and is not subject to the annual meeting of the electors' authority.

The electors at the annual meeting are not authorized to set the salaries for any other official or employee of the township. In addition, the electors have no authority to decide fringe benefits for any township official or employee, including board members.

It is the opinion of MTA Legal Counsel that if a township holds an annual meeting, the township is required to pass a salary resolution for each of the four board positions (if the trustee position is paid salary) at least 30 days prior to the date set for the annual meeting. This resolution may provide that salaries remain the same during the ensuing fiscal year or that salaries for some or all officials be increased during the ensuing fiscal year; it may also provide for a reduction in the salaries of board members to commence with the beginning of the next term of office.

The resolution must be adopted by the township board at least 30 days prior to the date set for the annual meeting. The resolution must state the date within the next fiscal year upon which the salaries shall be effective. Sample salary resolutions for townships holding an annual meeting are located on page 5.

The electors at the annual meeting may alter the amount of the salary established by township board resolution. Because state law prohibits reducing an elected official's salary during the official's term of office, the electors may only alter this resolution by approving an alternative salary amount that is equal to or greater than the salary authorized the prior year. If the electors fail to act on the salary resolution, the officers are entitled to the salaries established in the resolution.

Assuming that the compensation established by the electors was properly adopted, the township board does not have the authority to override the electors' decision on compensation made at an annual meeting. For instance, if the electors at the annual meeting determine the salaries of certain board members will be frozen at current levels while the salaries of other officials will be increased, the township board cannot increase the frozen salaries of the board members at a subsequent township board meeting.

The Politics of Public Officials' Salaries

Some township officials have experienced annual meetings where a few township residents routinely reject salary increases proposed in the board's resolution and thus freeze the salaries of township board members or authorize only a small increase. Their reasons may vary. Some residents simply do not want to pay for higher salaries; others may bear a political or personal grudge against township board members. In addition, the average

township resident may have little knowledge as to the elected officials' duties. Consequently, the citizens may have no reason to support any proposed salary increase. This may be particularly true when little explanation is offered as to why salary increases were requested in the first place.

How can a township board gain the support of the electors for salary increases? Admittedly, there is little a township board can do to change the minds of those electors who vote down salary increases on principle. However, many citizens are willing to listen to sound reasons as to why a salary increase is reasonable.

Educating township residents before the township board's salary resolution is altered by the electors at the annual meeting goes a long way toward gaining the electors' support. Township residents should be informed about the duties of each township official, the time involved in carrying out the duties of the office, including after-hours commitments, the overall township operations, salaries of other officials in similar townships, any major and minor achievements of the township board during the past year and the history of salary increases (or lack thereof) for township officials. You may think of other items to add to the list.

Information about township board accomplishments can be made available at the township hall and annual meeting. If the township has a regular newsletter circulated to township residents that contains information about township events, information about township achievements and challenges can also be included. However, the township official must walk a fine line between informing township residents and crusading for a higher salary through the township newsletter.

RESOLUTION TO ESTABLISH TOWNSHIP OFFICERS SALARY

This resolution is used when **HOLDING AN ANNUAL MEETING**.

A separate resolution must be adopted for each office (Attorney General Opinion 6422).

WHEREAS, MCL 41.95 authorizes the township board of _____ Township to determine the salaries for the offices of supervisor, clerk, treasurer, and trustee for fiscal year _____ by adopting a resolution at least 30 days prior to the township annual meeting of the electors; and

WHEREAS, the township board deems that an adjustment in the salary of the office of (*supervisor, clerk, treasurer OR trustee*) is warranted;

THEREFORE BE IT RESOLVED, that as of (*effective date in next fiscal year*), the salary of the office of (*supervisor, clerk, treasurer OR trustee*) shall be as follows:

Supervisor: \$ _____ salary (not directly performing assessing)
\$ _____ salary if properly certified as assessor and directly performing assessing

OR:

Clerk: \$ _____ salary

OR:

Treasurer: \$ _____ salary

OR:

Trustee: \$ _____ (*If paid by salary. Per diem/per meeting compensation is NOT subject to the annual meeting.*)

BE IT ALSO RESOLVED, that this resolution shall be submitted to the electors at the annual meeting to be held on _____, at which time the electors may modify these amounts. Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction. In the event that the electors fail to act on this resolution, the officer shall be entitled to the salary as established in this resolution, in accordance with state law.

BE IT FURTHER RESOLVED, that this resolution, adopted on _____, is properly adopted by _____ Township Board at least 30 days prior to the annual meeting, as required by law.

The foregoing resolution offered by board member _____.

Supported by board member _____.

Upon a roll call vote, the following voted: ___ Aye ___ No.

The supervisor declared the resolution adopted.

_____, Clerk

NOTE: *This resolution uses **optional two-part salary language** that a board may choose to adopt. If a board does not use the two-part salary format, it should adopt a single, fixed salary per office.*

This resolution assumes that there is no salary compensation commission established by MCL 41.95(4).

Pursuant to MCL 41.95(7), such modification(s) that may be made by the electors cannot result in a reduction of salary during an official's term of office unless the responsibilities and requirements of that office are diminished, and the official agrees in writing to that reduction.

Revised by MTA Staff, September 2016

3. Salary Compensation Commission

Establishing a compensation commission to set the salaries of elected officials is another option available to charter and general law townships. (MCLs 41.95 and 42.6a) If a compensation commission is created, neither the township board nor the electors at the annual meeting determine the salaries of any elected officials, although the township board can determine any per diem or per meeting compensation.

Establishing a Salary Compensation Commission

In both charter and general law townships, a township board intending to create a compensation commission must do so by adopting an ordinance by resolution and determining the date for convening the commission. Township citizens have 60 days following the effective date of the ordinance to file a petition for referendum on establishing the commission with the township clerk containing signatures of at least 5 percent of the township's registered electors.

If a petition is filed, an election must be called in accordance with Michigan general election laws. If there is no general election to be held within the time normally required for notices and registration, the township board must call a special election on the question. When a petition is filed with the township clerk, determinations made by the commission are not effective until the township's electorate votes to approve the ordinance establishing the commission at an election.

For a general law township, the law does not specify that a compensation commission may be abolished, but under the "equal dignity doctrine," MTA Legal Counsel advise that the argument may be made that a township could follow the same procedures to adopt an ordinance repealing the ordinance that created the commission, including the potential for referendum.

The Charter Township Act provides that the procedure for establishing compensation may be changed by ordinance after one year following the effective date of the initial ordinance. (MCL 42.6a) MTA has interpreted this statute to mean that the township's procedures, outlined in its ordinance creating the commission, may be modified, or the commission can be abolished by township board ordinance, but only after one year, and also subject to referendum.

Commission Membership

In both charter and general law townships, a compensation commission is comprised of five township electors, chosen by the supervisor and confirmed by a majority of the township board. Each term of office is for five years, except for the first appointed members. Each of these members serve one, two, three, four and five years, respectively, and must be appointed within 30 days after the effective date of the township ordinance establishing the commission.

After the commission is established in a general law township, members must be appointed within 30 days after a term expires or a vacancy occurs. In a charter township, compensation commission members must be appointed prior to October 1 of the year of the appointment.

An officer or employee of a governmental agency or unit and immediate family members of an officer or employee shall not be appointed to the commission (MCLs 41.95 and 42.6a). MTA interprets this provision broadly to exclude any person connected with any other governmental unit or agency, as well as those connected with the township. Immediate family members include spouse, father, mother, children, grandparents and grandchildren. If there any doubts about an individual becoming a member of the commission due to a possible conflict of interest, MTA recommends the membership issue be resolved against the person serving as a member.

Authority

The key to an effective compensation commission is to include in the compensation commission ordinance such items as the procedural rules to be followed, as well as the limitations and authorities of the commission, or to require the commission itself to establish these rules. Procedural rules should address the meeting times and locations, what constitutes a quorum (a majority of the total membership), what records and/or testimony will be reviewed in making a decision, whether or not the commission will follow *Robert's Rules of Order* or other parliamentary procedures, the requirement that any meeting will comply with the Open Meetings Act and any other matters concerning procedure.

Meeting Schedule

Since a compensation commission can meet no more than 15 days a year and only during odd-numbered years, the commission's determinations should cover a two-year period. MTA recommends the ordinance specify whether the commission is authorized to decide whether incremental increases will be authorized at various times during the two-year period.

The compensation commission can only determine the salaries of the elective offices and not per diem compensation. If certain elected officials will be compensated on a per diem basis, MTA legal counsel recommends the ordinance specify the commission's authority does not extend to elected officials who are paid on a per diem or per meeting basis.

Determination of Salary Compensation Commission / Effective Date

The commission is required to make its salary determinations within 45 days of its first meeting, and its determinations are effective 30 days after they are filed with the township clerk. This provision does not necessarily mean the salaries are effective on that 30-day date; the salaries are effective at the beginning of the next fiscal year.

State law provides the decision is final 30 days after it has been filed with the township clerk unless two-thirds of the township board (four on a five-member board or five on a seven-member board) rejects the salary determination. If the township board rejects a determination, the salary of that office remains the same.

The township board is not required to accept the commission's determinations as a package. The board could choose to reject one or more recommendation or reject all of the determinations. A two-thirds vote of the township board is required to reject any or all of the commission's determinations. Any determination not rejected by the township board stands as determined by the commission.

There are advantages and disadvantages to instituting a formal compensation commission. Proposed salary increases may be politically acceptable to township residents since the commission is comprised of unaffected township taxpayers. In addition, the fact that individuals are appointed to the commission on a staggered basis offers continuity in the decision-making process.

On the other hand, a township board is limited to accepting or rejecting the recommendations of the compensation commission. If the board rejects the commission's proposals, the board members continue to receive the current salary. There is no authority for the electors or the township board to take any other action to increase salaries. In deciding whether or not to establish a compensation commission, the board should recognize that commission members bring with them their own biases and prejudices in terms of functions they feel are most important for the success of the township. There are no guarantees that salaries established by a compensation commission will be any more just or equitable than salaries determined by the electors or by the board itself.

However, careful selection of residents who are recognized for fairness and are also not politically aligned will generally result in salaries the entire community can accept. Compensation commission members should be oriented to the duties of each township officer, including time spent serving the public. If commission members do not have an overall understanding of township operations, the commission may be ineffective. Since a compensation commission meets every two years, there may be a lack of flexibility and immediacy in salary decisions.

Board Member Compensation Issues

Separating the Supervisor/Assessor Salary

Why do many townships split the salary of the township supervisor for assessing and non-assessing duties?

If certified as an assessor at the proper level for the township, the supervisor has the statutory duty of assessor. If not properly certified, the supervisor is the chief assessing officer, but does not assess. MTA recommends separating the salary received by the supervisor for assessing and non-assessing duties for purposes of economy and efficiency. This kind of compensation arrangement gives townships the necessary authority and flexibility to regulate the salary of the supervisor who subsequently may not perform assessing duties.

The language of the split salary resolution can be similar to the following:

"BE IT RESOLVED, that as of (effective date), the salary of the supervisor shall be as follows:

\$ _____ base salary (not currently certified as assessor at proper level)

\$ _____ salary if currently certified as assessor at proper level."

The split salary establishes a higher level of compensation for a supervisor who performs assessing duties and a lower level of compensation for a supervisor who does not assess.

Should there be a mid-term change, either in the office of supervisor or in the supervisor's certification, the proper salary rate can be paid.

Without such a split salary, a supervisor whose salary level was based on his or her certification as an assessor—and who subsequently is no longer properly certified—cannot have his or her salary adjusted down to recognize the reduced workload unless the supervisor agrees to the reduction in writing.

Townships wishing to establish two separate salaries for performing the supervisor's non-assessing and assessing duties should not simply designate a specific amount to be paid to the supervisor and another to be paid to whomever does the assessing. The attorney general has determined that a township supervisor cannot receive additional compensation that is not included in the salary resolution for that office for performing assessing duties (Attorney General Opinion 6083 of 1982).

Township officials should be aware that action to split the salary must be made prior to the beginning of the term of office. Otherwise, it is inappropriate for a township to establish a supervisor's salary and subsequently attempt to decrease that salary because the official does not qualify to perform assessing duties. Without the prior adoption of the split salary resolution, it would be illegal to decrease the salary of the office of supervisor during that official's term of office, unless the supervisor consents to the reduction in writing.

If the salary is split, it is still considered one salary for the purpose of salary increases, according to MTA legal counsel. It is illegal for an official to receive two separate salaries for performing the functions of his or her office.

Decreases in Salary

State law provides that the salary of an elected official cannot be decreased during the official's term of office, unless the duties of the office have been diminished and the official consents in writing to the reduction. However, the salary of a township board member could be reduced beginning with the next term of office.

Paying Trustees

Trustees in either a general law or charter township may draw both salary and per diem or per meeting compensation for performing statutorily related duties.

For general law townships, MCL 41.95(2) states, "A trustee may receive, in addition to the annual salary for his or her service to the township, a sum for each meeting of the board actually attended by the trustee, as established by the township board, to be paid upon authorization of the township board. The supervisor, clerk and treasurer shall receive no additional compensation for attending meetings of the township board."

The Charter Township Act states, "A trustee may receive, in addition to other emoluments provided by law for his service to the township, a sum per meeting of the board actually attended by him, as established by the township board to be paid upon authorization of the board" (MCL 42.6). MTA interprets this provision to allow a trustee of a charter township to be paid on a per meeting basis for attending township board meetings in addition to a base annual salary when authorized by the township board.

It should be noted that the Charter Township Act specifically directs that a township supervisor, clerk and treasurer cannot receive any additional compensation for attending township board meetings (MCL 42.6).

The township board could choose to limit the number of meetings per day for which a trustee could be compensated. This policy should be established prior to the trustee attending any meetings, however.

Per Diem vs. Per Meeting Compensation

Occasionally, confusion arises regarding the use of per diem and per meeting compensation when determining compensation to be paid for attending township meetings. Per meeting compensation is simply compensating an official for the number of meetings attended.

The attorney general has advised that the definition of per diem is compensation to be paid for a day (Attorney General Opinion 5273 of 1978). Pursuant to that opinion, it is inappropriate to compensate a township official more than one per diem per day for attending township meetings. However, MTA believes that an official could receive one or more per meeting compensations per day for attending one or more township meetings. The township board can limit the number of meetings per day for which an official could be compensated. The policy should be instituted prior to an official attending the meetings.

Board Member Compensation for Other Meetings

For general law townships, MCL 41.95(2) states, "The supervisor, clerk and treasurer shall receive no additional compensation for attending meetings of the township board."

The Charter Township Act specifically directs that a township supervisor, clerk and treasurer cannot receive any additional compensation for attending township board meetings (MCL 42.6).

However, a township official may be paid a per diem or per meeting compensation by the board, in addition to receiving a base annual salary, for attending meetings that are not meetings of the township board, with prior approval. For example, a township board member who has been asked by the board to attend road commission meetings may be paid for those meetings and also draw his or her regular salary as an official.

Board Member Compensation for Additional (Non-Statutory) Duties Michigan law allows township boards to assign additional, non-statutory duties to elected township officials and to authorize payment for those services as the township board deems reasonable (MCL 41.96).

In *Burton Township v Speck*, (1 Mich App 339, 1965; affirmed 378 Mich 213, 1966), the Michigan Court of Appeals determined that state law vests wide latitude in township boards to decide not only what services are compensable but also to determine the amount of compensation.

Before an official can be compensated for performing any non-statutory related duties, the township board must review the additional duties of the official. MTA attorneys strongly

suggest that any additional duties taken on by board members be explicitly authorized by board action only after the board has determined that no incompatibility of offices exists.

A Note on Additional Duties and Incompatible Offices

Note that townships with a population of 40,000 or more cannot assign additional duties to a township board member that would constitute an incompatible office or a contract with the township. Townships under 40,000 in population may assign additional duties that would otherwise constitute an incompatible office or a contract with the township, subject to one exception.

The Incompatible Public Offices Act, Public Act 566 of 1978 (MCL 15.181, *et seq*), states that a public officer shall not hold two or more incompatible offices at the same time. (MCL 15.182) "Incompatible offices" are public offices held by a public official which, when the official is performing the duties of any of the public offices held by the official, results in: (1) the subordination of one public officer to another; (2) the supervision of one public office by another; or (3) a breach of duty of public office. (MCL 15.181(b)) Since the township board is the employer, any employment position with the township would result in that position being subordinate to and under the supervision of the township board.

The Contracts of Public Servants with Public Entities Act, PA 317 of 1968 (MCL 15.321, *et seq*), prohibits, among other things, a public servant from being a party, directly or indirectly, to any contract between himself or herself and the public entity of which he or she is an officer. (MCL 15.322(1)).

However, the Contracts of Public Servants Act and the Incompatible Public Offices Act both go on to create exceptions to allow a township board member to be assigned an additional duty that would otherwise not be allowed under those acts.

In a township with a population of less than 40,000, the township board may authorize a township official to perform other additional services for the township such as emergency medical services personnel or part-time or on-call firefighter. However, a township official may not serve as a person who negotiates with the township on behalf of the firefighters.

A township board is never required to give a board member additional duties, and many township boards feel it is inappropriate to do so. However, some townships with small populations have a limited pool of candidates who are qualified, available and willing to serve the township as on-call firefighters, EMTs or in other township positions. The statutory exceptions were enacted to help remedy that situation.

Compensating Non-Elected Officials and Employees

Fortunately for township officials, state law is neither as explicit nor as confusing regarding compensation for non-elected officials and employees. Note that all of the following (deputies, members of statutory or advisory boards and commissions, and employees) are considered employees in the context of paying wages and reporting and withholding appropriate payroll taxes.

Compensating Deputies

State law provides that each township supervisor may appoint a deputy supervisor, and each township clerk and treasurer is required to appoint a deputy clerk and deputy treasurer, respectively, to assist them in carrying out the duties of their offices.

The township board is authorized to determine whether the compensation of the deputy supervisor, deputy clerk or deputy treasurer will be paid by salary or by some other method, as well as the level of compensation. As employees of the township, deputies are paid from the general fund of the township, not by the officer who appointed the deputy.

The manner of compensating deputies varies from township to township, as some deputies are full-time employees or may hold other jobs with the township, while other deputies hold the title but perform few regular duties. A deputy position is not subject to the Fair Labor Standards Act or minimum wage. If a person who is a deputy also holds an employment position with the township unrelated to deputy statutory duties, then that position is likely subject to the FLSA and minimum wage.

Compensating Non-Elected Officials

Compensation for members of statutory township boards and commissions, such as a planning commission, zoning board, zoning board of appeals, board of review, or fire/police administrative board, etc., is guided by the statute that authorizes the specific board or commission.

For example, the Michigan Planning Enabling Act states, "Members of a planning commission may be compensated for their services as provided by the legislative body." (MCL 125.3823)

The Michigan Zoning Enabling Act states, "A member of the zoning board of appeals may be paid a reasonable per diem and reimbursed for expenses actually incurred in the discharge of his or her duties." (MCL 125.3601)

Township boards should refer to the authorizing statute for any board or commission before establishing compensation for that body.

Advisory committees or bodies established by the township board (not by statute) may be compensated as determined by the township board.

Compensating Employees

As a general rule, compensation for employees is determined solely by the township board. Because employee compensation can often comprise 60 to 80 percent of the budget, salary determinations should be a major focus in budget development.

Salaries and wages in smaller townships are often reviewed annually on a case-by-case basis. In larger townships with many employees, the board may adopt a compensation system that incorporates a salary range for different job classifications. Under such a merit system, the board does not decide individual salaries, but adjusts the overall compensation levels for changes in the prevailing wages paid in the labor market for similar positions. A merit system attempts to also maintain salary equity among township employees as well.

A philosophical argument often arises over salaries: Should the board attempt to pay employees the lowest wages possible, in order to keep personnel costs at a minimum, or should the board attempt to keep employee compensation equitable with the labor market? This issue has no right answer, but townships do need to balance economy with the costs incurred from turnover, lower morale, the possibility of union representation, and an inability to attract and retain good employees.

Modern personnel administration places great importance on establishing compensation levels that are equitable with the labor market (what other employers pay employees with similar positions) and that maintain "internal equity" among the various township offices. Internal equity means that positions within the township that require similar training, education and place similar demands on employees are paid similar wages. And, where positions in the township have differing requirements and demands, the compensation differential between those positions commensurately reflects the difference in job requirements.

Job requirement factors that are often considered in establishing compensation include:

- education and work experience necessary to perform the job,
- interpersonal and communication skills,
- written communication skills,
- supervisory or managerial responsibility,
- job complexity,
- impact on township programs, services and operations,
- demands for mental concentration,
- physical demands, and
- adverse working environment.

Payment of Wages

How often must a township official or employee be paid? Is it permissible to pay an official or employee once a year, twice a year or some other frequency?

There is a great deal of misunderstanding surrounding the frequency of payment for township officials as well as township employees. Many townships pay their cemetery sexton, volunteer firefighters and other individuals on a biannual or annual basis. Many employers may not realize that the timing of employee payments are governed by at least two statutes:

The **Workforce Opportunity Wage Act**, Public Act 138 of 2014, MCL 408.411, et seq., governs the Michigan minimum wage and overtime. Because the Michigan minimum wage is currently higher than the federal minimum wage, PAs 390 of 1978 and 138 of 2014 apply instead of the FLSA.

Elective offices and deputies (for statutory deputy duties) are not subject to minimum wage and overtime rules.

The **Payment of Wages and Fringe Benefits Act**, Public Act 390 of 1978, MCL 408.471, et seq., governs the payment of wages for all employers in Michigan. This act regulates the time and manner of payment of wages and fringe benefits to employees, requires certain recordkeeping procedures and prescribes penalties and remedies for non-compliance.

- An employer who has established a regularly scheduled weekly or bi-weekly payday is in compliance if wages are paid to the employee on the established regularly recurring payday, and the payday occurs within 15 days after the work period ends.
- An employer who has established a monthly payday will be in compliance provided that the employee receives payment on or before the first day of each calendar month of all wages earned during the preceding calendar month.
- An employer may pay wages to employees more often than required but not less than at least once a month

Elected officials and independent contractors are not covered by PA 390. Appointed officials and employees of the township are covered by the act, however. The LARA will rely upon the rulings of the U.S. Department of Labor when questions arise regarding the status of individuals as bona fide independent contractors, volunteers and employees of the township.

Is it illegal to pay officials or employees in advance?

Yes, it is illegal to pay employees or officials in advance of completion of their duties. MCL 750.490 directs that it is illegal to loan monies to anyone or to any organization from public funds. Since an official or employee has not yet earned the money, paying in advance would be considered a loan.

Can a township board authorize retroactive payment of salary for services already rendered?

It is illegal to authorize retroactive payment of salary to **elected officials, other public officers, agents or contractors** of a township.

It is **not** illegal to retroactively pay **employees**.

The 1963 Constitution, Article 11, Section 3, says, "Neither the Legislature nor any political subdivision of this state shall grant or authorize extra compensation to any public officer, agent or contractor after the service has been rendered or the contract entered into."

But, according to Attorney General Opinions 4818 of 1974 and 6329 of 1985, the 1908 Constitution specifically added the word "employee" in that section. Then the Constitutional Convention of 1961 specifically removed the word "employee" with the intention of removing employees from the prohibition on "the gratuitous grant of further compensation to contractors, agents and officers of the government after the fact." (2 Official Record, Constitutional Convention 1961, p. 2493.)

Also according to Attorney General Opinion 4818 of 1974, the attorney general has determined there is no "extra compensation" within the meaning of Section 3 where an increase in compensation is paid prospectively and not retroactively, pursuant to agreement. An incremental salary contract for a public official, entered into prior to the performance of the services and providing for additional compensation at set intervals during the contractual period, is valid.

It should be noted that under MCL 141.431, a provision is made for recovery of public monies that are found to be illegally expended: "The attorney general or the prosecuting attorney shall institute civil action in any court of competent jurisdiction for the recovery of any public monies, disclosed by any examination to have been illegally expended." (Attorney General Opinion 6329 of 1985).

CHARTER TOWNSHIP OF ALPENA

NORTH POINTE SHORES DRIVE MAINTENANCE SPECIAL ASSESSMENT – 2023

CERTIFICATION OF SUFFICIENCY OF PETITION

To the Clerk and Township Board
Charter Township of Alpena
Alpena County, Michigan

I, NATHAN SKIBBE, the Supervisor and Chief Assessing Officer of the Charter Township of Alpena, County of Alpena, State of Michigan, being the person having charge of the assessment roll of said Township, hereby certify that I have checked the attached petition for North Pointe Shores Drive road maintenance, and I do hereby certify that said petition has been signed by the record owners of _____ percent of the total North Pointe Shores Drive road frontage within the proposed special assessment district.

I further hereby certify that the total North Pointe Shores Drive road frontage within the proposed special assessment district is approximately 9,036 lineal feet; and that the total lineal footage signed for by record owners within the proposed special assessment district is _____ lineal feet.

I further hereby certify that the assessment roll and all assessment records used to make the above certifications have been verified with the records of the Register of Deeds for the County of Alpena as of the day of filing the petition.

DATED: March 27, 2023

NATHAN SKIBBE
Supervisor and Chief Assessing Officer,
Charter Township of Alpena

CHARTER TOWNSHIP OF ALPENA

NORTH POINTE SHORES DRIVE MAINTENANCE SPECIAL ASSESSMENT – 2023

RESOLUTION OF INTENT
(SPECIAL ASSESSMENT RESOLUTIONS 1 & 2)

Done at a regular meeting of the Township Board of Trustees of the Charter Township of Alpena, County of Alpena, State of Michigan, held in the Township Hall in the said Township on March 27, 2023, at 6:00 o'clock PM.

PRESENT: Members _____

ABSENT: Members _____

The following preamble and resolution were offered by Member _____ and seconded by Member _____:

1. WHEREAS, the Supervisor has reported to the Board of Trustees that a petition had been filed by owners of the lakefront lots fronting on proposed maintained portions of North Pointe Shores Drive, a private road, approximately 3.5 miles in length in the Township of Alpena, Town 30 North, Range 9 East, lying in Sections 20, 28, 29, and 33, described approximately as follows:

Commencing approximately at the Northwest corner of the Northeast 1/4 of the Northeast 1/4 of Section 20, being the shoulder of the right-of-way of the Misery Bay Road, thence running in Southwesterly directions to Section 29, then near the lake shore in a Southeasterly direction to the Southeasterly corner of Section 28 and Northeasterly corner of Section 33, then to the Holcim gate on the South side of the cul-de-sac;

to conduct an annual snow removal, grading, and maintenance and improvement program including, but not limited to, grading and graveling, and specially assess the cost thereof to the benefitting lakefront property owners, all in accordance with Act 188 of the Public Acts of 1954, being MCL 41.721 *et seq.*; and,

2. WHEREAS, the Supervisor has certified that he has reviewed the names of petitioning lakefront property owners along the above described private road and within the proposed special assessment district and has found that the petitioning lakefront property owners own, in total, more than 50% of the road frontage on the above described private road within the proposed special assessment district; and
3. WHEREAS, the petition does grant to this Board the authority to establish a special assessment district to conduct an annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, and to assess the benefitting property owners for the cost of the annual program; and
4. WHEREAS, it is estimated that a five-year annual maintenance and improvement program, including incidental fees and other costs, would cost approximately as follows:

| | |
|----------|-------------|
| 1st year | \$57,600.00 |
| 2nd year | \$57,600.00 |
| 3rd year | \$57,600.00 |
| 4th year | \$57,600.00 |
| 5th year | \$57,600.00 |

which would be funded by an assessment of \$600.00 each year per each of the approximately 96 lakefront tax-parcel lots included within the boundaries of the proposed special assessment district; and

5. WHEREAS, the Supervisor has reported that the lands to be included in a proposed special assessment district are those as described in Appendix A attached hereto; and
6. WHEREAS, this Board must tentatively declare its intent to conduct an annual snow removal, grading, and maintenance improvement program on the above described private road;

NOW, THEREFORE, BE IT HEREBY RESOLVED:

1. That the above referenced petition be received by the Township Board and filed with the Clerk.
2. That this Board does hereby tentatively declare its intent to conduct an annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, along the above described private road or designated portion thereof.
3. That a description of the annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, together

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Township Board of the Charter Township of Alpena, County of Alpena, State of Michigan, at a regular meeting held on March 27, 2023, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, Act 267 of the Public Acts of 1976, being MCL 15.261 *et seq.*, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

MICHELE PALEVICH
Clerk, Charter Township of Alpena

APPENDIX A

BOUNDARIES OF PROPOSED SPECIAL ASSESSMENT DISTRICT

The proposed special assessment district includes the approximately 96 lakefront tax-parcel lots located in Sections 28, 29, and 33 of Town 31 North, Range 9 East, fronting on Lake Huron to the West and Southwest and on North Pointe Shores Drive to the East and Northeast, including the following properties:

1. Six (6) lakefront lots of approximate widths between 100 and 120 feet situated within the following parcel:

Town 31 North, Range 9 East, Section 29, the North 1/2 of the Northeast 1/4 of the Southeast 1/4 and Government Lots 1, 2, 3, 4, 5, and 6, excepting North Pointe Shores Subdivision, and also excepting: Commencing at the Northwest corner of Lot 43 of North Pointe Shores Subdivision, the Point of Beginning; thence North 58° East 164 feet; thence North 30.25° West 161.7 feet; thence North 8.5° East 302.9 feet; thence North 13.5° West 202.1 feet; thence North 46° West 132 feet; thence North 59° West 351.8 feet; thence North 13° West 102 feet; thence North 1° West 139.1 feet; thence North 22° West 500.4 feet; thence North 20° West 331.5 feet; thence North 29° West 309.4 feet; thence North 144.3 feet; thence South 66° West 225.5 feet to the shore of Thunder Bay, and Southeasterly along the shoreline to the Point of Beginning.

2. Twenty-Six (26) lakefront lots of approximate widths between 110 and 140 feet between the North line of the North Pointe Shores subdivision and those lakefront lots included in Paragraph 1 above.
3. Forty-three (43) lakefront lots (nos. 1 through 43) of the North Pointe Shores subdivision.
4. Twenty (20) lakefront lots of approximate width of 100 feet between the East line of the North Pointe Shores subdivision and to and including the following parcel:

Town 31 North, Range 9 East, Section 33, commencing on the Southwesterly line of road at the Northeast corner of Lot 1, North Point Shores subdivision; thence South 34°45' East 257.4 feet; thence South 17° East 685.5 feet; thence South 24.5° East 944.7 feet; thence South 38°25' East 262.6 feet, the Point of Beginning; thence South 65.5° West 264 feet to the shore of Lake Huron; thence

Southeasterly along shore 100 feet; thence North 65.5° East 264 feet to road; thence North 38°45' West along road 100 feet to the Point of Beginning; being part of the Northwest 1/4.

APPENDIX B

FORM OF NOTICE OF HEARING

**CHARTER TOWNSHIP OF ALPENA BOARD OF TRUSTEES
NOTICE OF PUBLIC HEARING ON OBJECTIONS**

NORTH POINTE SHORES DRIVE PRIVATE ROAD SPECIAL ASSESSMENT

TO: The residents and property owners of the lakefront lots fronting both on the private road known as North Pointe Shores Drive and on Lake Huron, Charter Township of Alpena, County of Alpena, State of Michigan; and to any other interested persons.

PLEASE TAKE NOTICE that a petition requesting a special assessment private road annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, has been received from property owners who own, in total, more than 50% of the road frontage on North Pointe Shores Drive within the proposed North Pointe Shores Drive Special Assessment District, and the Township proposes to conduct an annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, and to create a special assessment district for a period of five years for the recovery of the cost thereof by special assessment against the lakefront property lot owners benefitted thereby.

PLEASE TAKE FURTHER NOTICE that the proposed special assessment district within which the foregoing private road annual snow removal, grading, and maintenance and improvement program, including, but not limited to, grading and graveling, would be conducted and within which the cost thereof is proposed to be assessed, includes the following parcels:

The approximately 96 lakefront tax-parcel lots fronting on North Pointe Shores Drive and on Lake Huron, located in Sections 28, 29, and 33, Town 31 North, Range 9 East, Alpena Township, Alpena County, Michigan.

PLEASE TAKE FURTHER NOTICE that the Board of Trustees estimates that the annual snow removal, grading, and maintenance improvement program will have an approximate cost, including incidental fees and other costs, as follows:

| | |
|----------|-------------|
| 1st year | \$57,600.00 |
| 2nd year | \$57,600.00 |

| | |
|----------|-------------|
| 3rd year | \$57,600.00 |
| 4th year | \$57,600.00 |
| 5th year | \$57,600.00 |

which would result in an assessment of \$600 each year per each approximately 100-foot tax-parcel lot within the proposed special assessment district, and that the Board has placed on file a description of the program and the estimated cost thereof with the Township Clerk, and has passed a Resolution tentatively declaring its intention to conduct the program and to create the aforementioned special assessment district and has tentatively found the petition to be in compliance with statutory requirements.

PLEASE TAKE FURTHER NOTICE that a description of the annual program, estimated costs, proposed special assessment district, and petition may be examined at the office of the Township Clerk from the date of this Notice until and including the date of the public hearing thereon, and may further be examined at the public hearing.

PLEASE TAKE FURTHER NOTICE that a public hearing on the petition, annual program, estimate of costs, and proposed special assessment district will be held by the Township Board at the Alpena Township Hall at 4385 US-23 North, Alpena, Michigan, within the Township, at 6:00 PM on April 24, 2023.

PLEASE TAKE FURTHER NOTICE that at the hearing the Board will receive and consider any comments in objection to or in support of the project as well as any revision, corrections, amendments, or changes to the program, estimate of costs, or the special assessment district.

PLEASE TAKE FURTHER NOTICE that appearance and protest at the hearing is required in order to appeal the amount of the special assessment to the state tax tribunal. An owner or party in interest, or his or her agent, may appear in person at the hearing or protest by letter. The Township will maintain a record of parties who appear to protest at the hearing.

PLEASE TAKE FURTHER NOTICE that an owner or party in interest in the real property may file a written appeal of the special assessment with the state tax tribunal within thirty days after the confirmation of the special assessment roll if that special assessment was protested at the hearing held for the purpose of confirming the roll.

March 27, 2023
Michele Palevich
Clerk, Charter Township of Alpena