

BENZIE COUNTY BOARD OF COMMISSIONERS

448 COURT PLACE – BEULAH, MI 49617 – (231) 882-9671

www.benzieco.net

MEETING AGENDA

December 28, 2021

Frank F. Walterhouse Meeting Room, Governmental Center, Beulah, Michigan

Join Zoom Meeting

<https://us02web.zoom.us/j/82619072792>

Or Telephone:

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PLEASE TURN OFF ALL CELL PHONES OR SWITCH THEM TO VIBRATE

9:00 a.m. CALL TO ORDER
 ROLL CALL
 INVOCATION AND PLEDGE OF ALLEGIANCE
 APPROVAL OF AGENDA
 APPROVAL OF MINUTES – 12/14/2021
 PUBLIC INPUT
 ~~FINANCE~~——
 ~~A) Approval of Bills~~
 ELECTED OFFICIALS & DEPT HEAD COMMENTS
 ACTION ITEMS –
 A) 7 – Recycling Leases
 B) MMRMA Member Rep Resignation Letter – Dawn Olney
 COMMISSIONER REPORTS –
 COUNTY ADMINISTRATOR’S REPORT – Katie Zeits
 COMMITTEE OF THE WHOLE – 12/14/2021 Consent
 COMMITTEE APPOINTMENTS – EMS; Parks & Rec; EDC/BRA Resignation
 UNFINISHED BUSINESS – FOIA Appeal
 NEW BUSINESS –
10:00 Marty Blank – MERS Purchase Time
10:15

 PRESENTATION OF CORRESPONDENCE
 PUBLIC COMMENT
 ADJOURNMENT

Times Subject to Change

The County of Benzie will provide necessary reasonable auxiliary aids and services for individuals with disabilities at the meeting upon five (5) working days’ notice to the County. Individuals with disabilities requiring auxiliary aids or services should contact the County in writing or by calling the following:

BENZIE COUNTY CLERK
448 COURT PLACE
BEULAH MI 49617
(231) 882-9671

This notice was posted by Dawn Olney, Benzie County Clerk, on the bulletin board in the main entrance of the Benzie County Governmental Center, Beulah, Michigan, at least 18 hours prior to the start of the meeting. This notice is to comply with Sections 4 and 5 of the Michigan Open Meetings Act (PA 267 of 1976).

PUBLIC INPUT

Purpose: The Benzie County Board of Commissioners is a public policy setting body and subject to the Open Meetings Act (PA 267 of 1976). The Board also operates under a set of “Benzie County Board Rules (section 7.3)” which provides for public input during their meetings. It continually strives to receive input from the residents of the county and reserves two opportunities during the monthly scheduled meeting for you the public to voice opinions, concerns and sharing of any other items of common interest. There are however, in concert with meeting conduct certain rules to follow.

Speaking Time: Agenda items may be added or removed by the board but initially at least two times are devoted to Public Input. Generally, however, attendees wishing to speak will be informed how long they may speak by the chairman. All speakers are asked to give their name, residence and topic they wish to address. This and the statements/comments will be entered into the public record (minutes of the meeting). Should there be a number of speakers wishing to voice similar opinions, an option for a longer presentation may be more appropriate for the group and one or more speakers may talk within that time frame. The Board will not be accepting public comment via zoom/online.

Group Presentations – 15 minutes
Individual Presentations – 3 minutes

Board Response: Generally, as this is an “Input” option, the board will not comment or respond to presenters. Silence or non-response from the board should not be interpreted as disinterest or disagreement by the board. However, should the board individually or collectively wish to address the comments of the speaker(s) at the approval of the Chair and within a time frame previously established, responses may be made by the board. Additionally, the presenter may be in need of a lengthier understanding of an issue or topic and may be referred to a committee appropriate to address those issues.

Public Input is very important in public policy settings and is only one means for an interchange of information or dialogue. Each commissioner represents a district within the county, and he/she may be individually contacted should greater depth or understanding of an issue be sought. Personal contact is encouraged and helpful to both residents and the board.

Commissioner Contacts:

District I – Bob Roelofs (Almira East of Reynolds Road).....	231-645-1187
District II - Art Jeannot (Almira Twp West of Reynolds Road, Platte and Lake Townships)	231-920-5028
District III – Andy Miller (Crystal Lake, Frankfort)	231-920-8300
District IV – Rhonda Nye (Benzonia).....	231-510-8804
District V – Tim Markey (Homestead)	231-871-1399
District VI - Evan Warsecke (Colfax, Inland)	231-275-3375
District VII - Gary Sauer (Blaine, Gilmore, Joyfield, Weldon)	231-651-0647

January 29, 2021

THE BENZIE COUNTY BOARD OF COMMISSIONERS
December 14, 2021

The Benzie County Board of Commissioners met in a regular session on Tuesday, December 14, 2021 in the Frank Walterhouse Board Room, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Chair Bob Roelofs.

Present were: Commissioners Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke

The invocation was given by Commissioner Roelofs and the Pledge of Allegiance was recited.

Agenda:

Motion by Warsecke, seconded by Miller, to approve the agenda as amended, adding FOIA Appeal to New Business. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Jeannot, seconded by Warsecke, to approve the regular session minutes of November 23, 2021 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Miller, to approve the closed session minutes of November 23, 2021 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:03 a.m. Public Input – None

FINANCE

Bills: Motion by Miller, seconded by Markey, to approve payment of the bills in the amount of \$553,947.68, as presented. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Kathy Dube, former Director with the Maples, introduces the new Administrative, Nathaniel “Nate” Loop. She says thank you to all for your assistance during her time at the Maples.

Nate Loop introduced himself and the board welcomed him; look forward to working with you.

U/S Hubers reported that staff is doing well and with their health also; Promoted Cody Kastl to Detective/Lieutenant; during the recent power outage he reported that some of the toilets did not work with the generator on – will be working to get everything hooked to the generator.

Rebecca Hubers, 911/Emergency Mgt, reported that during the power outage they could still function, but lost the internet – she has a ticket into IT Right to review and get issues resolved; offer of employment for 911 open position was given last Friday and she has successfully filled her roster. On the Emergency Management side, David Hanchett, the CERT Coordinator, has contracted COVID in Arizona and is in ICU and on a ventilator since Thanksgiving. He is a very vital part of our CERT program. Prayers to his family.

COMMISSIONERS

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ACTION ITEMS

2021-025 Allocation of Settlement Proceeds re Opioid Litigation: Motion by Warsecke, seconded by Sauer, to adopt resolution 2021-025 Authorizing Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds in the National Opioids Litigation, as presented. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

2021-026 Authorize Participation Agreements re Opioid Litigation: Motion by Warsecke, seconded by Miller, to adopt resolution 2021-026 Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation, as presented. Roll call. Ayes: Jeannot Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Livescan Palm Scanner: Motion by Jeannot, seconded by Markey, to accept the quote from ID Networks in the amount of \$9,995.00 for a LSCAN 500 Palm Scanner and authorizes its purchase with funds available in General Fund Contingency, with fund to be reimbursed by the State of Michigan, Michigan State Police. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMISSIONER REPORTS

Chair Roelofs reported on Buildings/Grounds; Networks Northwest for Eclipse Grant; Veterans Affairs.

Comm Jeannot provided a written report (attached).

Comm Miller reported on Human Services Collaborative; Point Betsie Lighthouse; Frankfort Housing Commission; Frankfort Area Land Trust; Village of Elberta; Frankfort Elberta School Board; Toys for Tots.

Comm Nye reported on MAC transportation; Land Bank; Village of Benzonia; Benzonia Township; Centra Wellness Board; Village of Beulah; Parks/Rec; Township of Benzonia, Village of Benzonia and Village of Beulah has all passed resolution showing collaboration for a sewer feasibility study.

Comm Markey reported on Centra Wellness; Village of Honor.

Comm Warsecke reported on Conservation District; Inland township; Benzie Central Christmas Concert this Thursday; Bill Kennis is making his rounds with his Annual Report.

Comm Sauer reported on Joyfield Twp; Building/Grounds; Blaine Twp; Court security; Road Commission; Elberta project; Village of Thompsonville.

Chris Spence, Chief Lozowski, JoAnn Holwerda, present information to the Board regarding the Frankfort portion of the School Resource Officer funding.

10:20 a.m. Break

10:27 a.m. Reconvene

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10:27 a.m. Tad Peacock, Conservation District, 2021 Annual Report

10:50 a.m. Doug Durand, Benzie Senior Resources, provided the 2021 Annual Report

COUNTY ADMINISTRATOR'S REPORT – No report

COMMITTEE OF THE WHOLE

Motion by Warsecke, seconded by Jeannot, to approve items 1 & 2 of the November 23, 2021, Committee of the Whole Consent Calendar as presented. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMITTEE APPOINTMENTS

Construction Board of Appeals: Motion by Sauer, seconded by Markey, to reappoint Roger Papineau and Rodney Moore to the Construction Board of Appeals for a 2-year term to expire on December 31, 2023. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

EDC/BRA: Motion by Jeannot, seconded by Nye, to suspend the board rules and appoint Betsy Evans to the EDC board to fill a vacancy with a term to expire on December 31, 2022. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Land Bank Authority: Motion by Sauer, seconded by Miller, to suspend the board rules and appoint Jason Barnard to the Land Bank Authority to fill a vacancy with a term to expire April 5, 2022. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Parks & Recreation: Motion by Sauer, seconded by Jeannot, to reappoint Charles Kraus to the Parks & Recreation Commission for a 3-year term to expire on December 31, 2024. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Solid Waste Advisory Committee: Motion by Sauer, seconded by Warsecke, to reappoint Marlene Wood, Annie Browning and Christopher Cote to the Solid Waste Advisory Committee for a 2-year term to expire on December 31, 2023. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Veterans Affairs: Motion by Roelofs, seconded by Jeannot, to reappoint Gary Fender and Kirt Giddis to the Veterans Affairs for a 4-year term to expire on December 31, 2025. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

UNFINISHED BUSINESS – None

NEW BUSINESS

2022 Organizational Meeting: January 4, 2022 at 9:00 a.m.

FOIA Appeal: Motion by Warsecke, seconded by Sauer, pursuant to MCL15.240(2)(d) this board is requesting an extension. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

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December 14, 2021

PRESENTATION OF CORRESPONDENCE

- Alpena County resolution Supporting ARP State Match Programs received.
- Alpena County resolution Supporting American Rescue Plan State of Michigan programs.
- Benzie-Leelanau Health Dept minutes of November 17, 2021 received.
- Benzie Transportation Authority financial report for October 2021 received.
- Cheboygan County resolution Opposing Senator Shirkey's Gearing Toward Integration Proposal and Supporting Pathways Community Mental Health Services Program received.
- Crystal Lake and Little Platte Lake Elevation Reports for November 2021 received.
- NMRE Response to SB 597 & 598 received.
- Ogemaw County resolution to Oppose Senate Bills 597 and 598 received.

11:28 a.m. Public Input – None

Motion by Warsecke, seconded by Markey, to adjourn at 11:29 a.m. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Bob Roelofs, Chair

Dawn Olney, Benzie County Clerk

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1. Approved the agenda as amended.
2. Approved the regular session minutes of November 23, 2021 as presented.
3. Approved the closed session minutes of November 23, 2021 as presented.
4. Approved payment of the bills in the amount of \$553,947.68, as presented.
5. Adopted resolution 2021-025 Authorizing Entry of State Local Government Intrastate Agreement Concerning Allocation of Settlement Proceeds in the National Opioids Litigation, as presented.
6. Adopted resolution 2021-026 Authorizing Entry of Participation Agreements in Partial Settlement of the National Prescription Opiate Litigation, as presented.
7. Accepted the quote from ID Networks in the amount of \$9,995.00 for a LSCAN 500 Palm Scanner and authorizes its purchase with funds available in General Fund Contingency, with fund to be reimbursed by the State of Michigan, Michigan State Police.
8. Tad Peacock, Conservation District, 2021 Annual Report
9. Doug Durand, Benzie Senior Resources, provided the 2021 Annual Report
10. Approved items 1 & 2 of the November 23, 2021, COTW Consent Calendar as presented.
11. Reappointed Roger Papineau and Rodney Moore to the Construction Board of Appeals for a 2-year term to expire on December 31, 2023.
12. Suspended the board rules and appointed Betsy Evans to the EDC board to fill a vacancy with a term to expire on December 31, 2022.
13. Suspended the board rules and appointed Jason Barnard to the Land Bank Authority to fill a vacancy with a term to expire April 5, 2022.
14. Reappointed Charles Kraus to the Parks & Recreation Commission for a 3-year term to expire on December 31, 2024.

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15. Reappointed Marlene Wood, Annie Browning and Christopher Cote to the Solid Waste Advisory Committee for a 2-year term to expire on December 31, 2023.
16. Reappointed Gary Fender and Kirt Giddis to the Veterans Affairs for a 4-year term to expire on December 31, 2025.
17. 2022 Organizational Meeting: January 4, 2022 at 9:00 a.m.
18. Pursuant to MCL15.240(2)(d) this board is requesting an extension of the FOIA Appeal from Mr. Jim Meredith.

DRAFT

Art Jeannot
Commissioner Report
December 14, 2021

- Participated in 6 meetings on behalf of the County since our November 23rd meeting.
- **11/24 EDC Business Retention –**
 - Discussed working through EGLE to have one or two sites in Benzie County be project ready for developers/investors. This may have the potential to use grants from the State for brownfield clean up.
 - Consider hiring a professional to guide us through the complexities of brownfield requirements. This has been done previously with the Counties first project. There may be two opportunities for projects in the near future.
 - Developing a plan to partner with the Benzie County Chamber on business development efforts. This includes a job description, goals for the first 3 years and a budget to make this investment.
- **12/2 Platte Township –**
 - I meet monthly with the Supervisor and Clerk to discuss local events. No issues or concerns. Next scheduled trustee meeting is January 4th.
- **12/2 Lake Township –**
 - Bill Kennis gave an update for Benzie Bus. He represented the authority well.
 - Discussion regarding the local match from the BC Road Commission that was re-instated in 2019. Local match has not been announced yet.
 - Discussion regarding their master plan and the need to work with Crystal Lake Township. Both units of government have properties around Crystal Lake and the need/desire to be consistent is important.
- **12/6 Northern MI Counties Associations –**
 - Senator VanderWall, Representative John Roth, Chip Johnson and Don Tanner participated in the meeting.
 - A lengthy discussion regarding SB 597/598. This has been in Lansing legislation for some time and discussed multiple times locally. The bills would change funding for mental health providers and affect Centra Wellness negatively. In summary, it would take money from community mental health agencies and potentially put them with private providers. In northern MI we do not have private sector providers. The bills should have exclusions for rural communities.
 - \$50M will be available for the next fiscal year to help fund school resource officers. We will want to consider applying for the funding right after January 1st.
- **12/6 Networks Northwest –**
 - Council of Governments – Discussed use of ARPA funds. It appears other counties are taking the same strategy as Benzie, waiting to develop strategy and fully understand rules.
 - Approved a resolution to help Thompsonville and northern Manistee Townships apply for converting and improving historical rail corridors in the Manistee County Trail system.
- **12/13 Almira Township –** I will share any relevant information at our meeting.

- **Other –**

- **December 3** – I attended the Counties “Holiday Feast”.
- **December 8** – Attended update from BLDH via remote access. Lisa Peacock, Michelle Klien and Betsy Hardy gave reports.
- Worked with the County Administrator regarding the Maples “Document of Understanding”. This is a trailing task from several months ago to document the use of surplus from the Maples bond mileage. This should be ratified at the next board meeting for the Maples (DHHS).

Elected Officials And Department Heads

**BENZIE SENIOR RESOURCES
BOARD OF DIRECTORS MEETING
DECEMBER 15, 2021
4:30 P.M.**

The Gathering Place Senior Center & Conference Call-In

Agenda

Conference Call-In Information

1-866-809-6529 with the guest code of 3401609 followed by the # key.

Call to Order

Welcome New Board Member Victor Dinsmoore

Prayer of Invocation

Pledge of Allegiance

Roll Call

Approval of the December 15, 2021 Agenda

Approval of Minutes from the previous meeting – November 17, 2021

Public Input – Those attending In-person are permitted to participate. (Limit of 3 minutes for individual presentation and 15 minutes for group presentation)

Information Items

- A. Executive Committee Report
- B. Fund Development Report
- C. Directors Report – November 2021/December 2021
- D. Program/Services Report – November 2021
- E. Board of Commissioners Update

Action Items

- 1. Finance Committee Report on the November 2021 Financials and Approval of the November 2021 Financials
- 2. Board Resolution to apply to the Benzie County Community Chest Grant to fund the Senior Essential Needs Fund
- 3. Approval on the update to the Home Healthcare Mileage Reimbursement

New Business

- 1. Review/Discussion on the Draft of the 2022-2026 Strategic Plan
- 2. Fiscal Year 2021 Annual Report

Old Business

None

Board Round Table Discussion/Evaluation of Meeting – Christmas Potluck Meal

Adjournment – Board Approval

Benzie Senior Resources Mission Statement – To provide exceptional services, resources and trusted care to support Benzie seniors.

NEXT MEETING – January 19, 2022 @ 4:30 pm

Location: The Gathering Place Senior Center, 10579 Main Street, Honor

**BENZIE SENIOR RESOURCES
BOARD OF DIRECTORS MEETING Minutes
NOVEMBER 17, 2021
4:30 P.M.
The Gathering Place Senior Center & Conference Call-In**

Conference Call-In Information

1-866-809-6529 with the guest code of 3401609 followed by the # key.

Call to Order 4:32pm

Prayer of Invocation No volunteers to say prayer

Pledge of Allegiance said by all

Roll Call Nancy Mullen Call; Linda Ringleka; Deb Rogers; Rosemary Russell; Pam Howe-Perry; Ingrid Turner and Paul Turner. Excused: Leo Hughs.

Also present: Doug Durand, Chris Cooke will call in to the meeting later.

Approval of the November 17, 2021 Agenda Motion was made by Linda Ringleka and Seconded by Pam.

Approval of Minutes from the previous meeting – October 20, 2021 A motion to approve the minutes was made by Rosemary and seconded by Ingrid.

Public Input – No public present.

Those attending In-person are permitted to participate. (Limit of 3 minutes for individual presentation and 15 minutes for group presentation)

Information Items

- A. Executive Committee Report. Nancy presented the board with a report submitted by the executive committee and the board accepted the report.
- B. Fund Development Report. Nancy submitted a report on the fund development and gave an update on the trifold. They are ready and will be mailed tomorrow and our Shop and save day went very well. Kudos to everyone who helped with these projects.
- C. Directors Report – Doug submitted his directors report to the board and it was accepted by the board. He also gave some highlights. Staffing continues to be an issue, but our Kitchen is fully staffed at this time.
- D. Program/Services Report – October 2021 Doug submitted the report to the board and it was accepted. HDM rose 6%; Lawn Chore went up 62%, Information and assistance was up 20%, foot care assisted 51 clients total last month, and the gathering place saw a 15% increase from the previous month. We are busy!!
- E. Board of Commissioners Update; No one was present to update us.

Action Items

- 1. Finance Committee Report on the October 2021 Financials and Approval of the October 2021 Financials
 - a. A report was submitted and accepted by the board. Deb gave reference to the committee report and asked if anyone had. No questions were voiced.
 - i. A motion to approve the financial committee report was made by Ingrid and seconded by Deb. All Ayes were heard and motion was passed.
- 2. Approval consideration of new board member application: Victor Dinsmoore 3
 - a. The board was previously given an application for review.
 - b. The board members took some time and together reviewed the application.
 - c. A motion was made by Pam to accept this applicant to the board of directors. This was seconded by Linda and all ayes being heard. Victor Dinsmoore will be offered a position on the board of directors. Nancy is to call him and let him know.
- 3. December 15, 2021 Christmas Potluck Meal the board discussed this and are all in favor of having a

Christmas potluck following the December 15, 2021 board meeting. Nancy passed out a sign up sheet and board members signed up for what they wanted to bring. BSR to provide table service and entree.

New Business

5:18 pm Conference Call In – Attorney report on investigation of complaint made by former employee, Megan Francis

- Chris Cooke, Attorney, gave a verbal report to the board regarding his investigation subsequent to a letter sent to Board President, Nancy Call, on August 19, 2021.
- He met with all employees who were involved in the complaint.
- Cooke stated that, based upon his investigation, he determined that there was not a stated basis for a hostile workplace claim.
- He did offer the suggestion that BSR include sensitivity training for all BSR staff as part of an ongoing staff education program. Rosemary/ Linda will check on some online training for the staff at BSR.

Old Business

None

Board Round Table Discussion/Evaluation of Meeting

Adjournment – Board Approval A motion to adjourn was made by Deb and seconded by Linda. All ayes being heard.

Meeting adjourned at 6:36pm.

Benzie Senior Resources Mission Statement – To provide exceptional services, resources and trusted care to support Benzie seniors.

NEXT MEETING – December 15, 2021 @ 4:30 pm

Location: The Gathering Place Senior Center, 10579 Main Street, Honor

**Benzie Senior Resources
Executive Directors Report
November 2021 – December 2021**

Special Events – Holiday Christmas Bag Program

So far, we have put together 230 bags and started delivery them on Wednesday, 12/8 and will continue through 12/17. We had 4 volunteers and TGP staff sort and put together the bags on 12/6 & 12/7. In total we had 8 churches collaborate with BSR with purchasing items for the bags. Shop-n-Save allowed staff and volunteers to come out on Wednesday, November 17 for the day to pass out slips of items to their customers and that brought in a carload of items and monetary donations. Numerous items were donated from individuals, and they will be acknowledged as well. A final report will be submitted in January 2022.

Items of Information

- The Fiscal Year 2021 on site Financial Audit was completed. Exit interview/report went well and draft of the financials and findings will be sent back for review in the next 30 days.
- Dawn & Susan have now held 2 meetings with the newly formed Gathering Place Advisory Council Group. This group is made up of volunteers who are interested in the wellbeing of seniors in Benzie County and operations of The Gathering Place and Benzie Senior Resources. Updated reports will be forthcoming from Dawn in the future.

Subaru of America Share The Love Event/Meals on Wheels America

Progress continues to be made by Dawn to earn “points” in the promotion of the Share The Love Event and that will generate funding for BSR. This promotional event ends on January 3, 2022.

Staff Development

- I will be working on revising the agency’s annual training materials by the end of the 2nd Quarter (March 31st) with implanting these trainings starting in April 2022.

Upcoming Planning

- I am looking forward to implementing the 5-Year Strategic Plan once the Board of Directors gives their seal of approval. The Strategic Focus Areas are:
 - Broaden and deepen the services we provide, aligned with our mission.
 - Enhance our communications, marketing, and engagement capabilities.
 - Strengthen and deepen our physical, financial, and operation capacity.

Programs/Services

- The Snow Removal Program is off and running. Compared to the last several December’s, this December has been more active with snowfall and snowplowing needs for our seniors. As of 12/9/2021, we have signed up 138 clients. Last year we peaked at 151 clients.
- I am pleased with the current state of our programs and services as we continue to maneuver around COVID-19, the quarantine concerns, etc.

Compliance/Review Update

- The next Area Agency on Aging of Northwest Michigan Programmatic and Fiscal Assessment Visit will be in April 2022. Date to be announced later.

Staffing Concerns/Updates

- We have an interview scheduled for the Senior Center Coordinator position.
- The Part time RN position looks to be filled. Tentative start date is June 17, 2022.
- Not much to report on filling 2-3 Homemaker Contractor Positions. Job posting ads continue to be run weekly.

Volunteer Report

New front desk TGP volunteers are doing well through their orientation/training. For HDM, no new volunteers have been trained, but several applications are going through the initial background checks. We have seen the usual departure of volunteers that have moved to their winter residence.

Legislative News

Federal – Congress extended current funding with another Continuing Resolution through February 18, 2022.

I will be advocating with our Federal Representative and two Senators to pass all Fiscal Year 2022 Appropriations Bills before February 18, 2022. Continuing Resolutions only extend current funding levels with no increases in funding. The senior network nutritional programs need additional funding to meet the growing number of seniors needing home delivered meals.

Program Report for November 2021

Nutritional Programs

In November 2021 we distributed 150 produce bags that consists of 30+ vegetables, fruit and dairy products in each bag. Currently we have 277 seniors in the Fresh Produce Bag Program

Home Delivered Meals

Home Delivered Meals – 6,074 meals were provided to 191 clients in November 2021. This represents an increase of 4.5% in the number of meals delivered as compared to October 2021. For the month of November 2021, 9 new clients sign up for HDM and 13 clients were discharged from HDM.

Congregate Meals

In November 2021, we provided 1,324 congregate and pick up meals. We served 68 less meals in November as compared to October.

Guardian Medical Monitoring - Thirty-eight clients receive this service at no cost to them. Currently we have no one on the waiting list.

Benzie Bus Senior Rides – In November 2021, we paid for 1,155 senior rides and for 22 package deliveries. Fourteen new clients signed up in November 2021.

Lawn Chore – For November 2021, a total of 115 mowings and fall clean up were provided.

Snow Removal Program – Started on November 15th and as of 12/10, we have signed up 138 individuals. Which is on par with the last seasons.

Information & Assistance - The agency handled 1,288 calls in November 2021 regarding Information and Assistance for services and questions related to older adults. **This represents a 18% in the volume of calls as compared to October 2021. This increase is related to number of calls regarding signing up for the COVID-19 booster injection and registering snow removal program.**

Senior Companion Program – The Senior Companion Program provided services to 1 senior clients in Benzie County in November 2021. Helping Catholic Human Services recruit new volunteers in Benzie County for the SCP.

Dental Program – We did not receive any invoices for any client receiving dental services November 2021. We still have 8 outstanding voucher letters that have not been used in 2021.

Estate Planning – Five individuals received services in November 2021 at no cost.

Medicare/MMAP's – 50 Clients received services in November 2021 at no cost. This was our highest recorded number of clients that was assisted in the last 5 years.

Foot Care – Seven clients received in-home foot care and 44 clients attended the foot care clinic at the administration office in November 2021.

Emergency Senior Essential Needs Fund – BSR assisted 3 clients in November for a new hot water heater, furnace repair and electric mobility scooter repair.

The Gathering Place Senior Center – The Gathering Place Senior Center offered twelve core activities that 598-cumulative number of individuals participated in November 2021. This represents an 7.5% increase in number of participates compared to October 2021. The center was open 20 days in November. Closed for November 25th and 26th.

In-Home Services for November 2021 – In November 2021, the number of clients continues to remain stable. Adjustments continues to be made with staffing. Several part-time home healthcare aides have been moved to full-time to meet the demand for client/family needs.

Number of Home Health Care Clients

Month	Medicaid Waiver Care Management PACENorth	Sliding Scale Fee	Private Pay	Total Clients
October 2021	23	64	3	90
November 2021	23	70	3	96
December 2021				
January 2022				
February 2022				
March 2022				
April 2022				
May 2022				
June 2022				
July 2022				
August 2022				
September 2022				

Client Total Hours

Month	Medicaid Waiver Care Management PACENorth	Sliding Scale Fee	Private Pay	Assessments RN Hours	Total Hours
October 2021	316.75	434.75	31	50	832.50
November 2021	342.25	414	11.75	51	819
December 2021					
January 2022					
February 2022					
March 2022					
April 2022					
May 2022					
June 2022					
July 2022					
August 2022					
September 2022					
TOTALS	659	848.75	42.75	101	1651.50

Client Total Visits

	RN Assessments	RN Med Management	Personal Care	Respite	Homemaking	Foot Care- in home	Totals
October 2021	50	56	293	69	9	11	488
November 2021	51	52	266	56	8	7	440
December 2021							
January 2022							
February 2022							
March 2022							
April 2022							
May 2022							
June 2022							
July 2022							
August 2022							
September 2022							
Totals	101	108	559	125	17	18	928

BENZIE SENIOR RESOURCES
Statement of Financial Position
As of November 30, 2021

	Nov 30, 21
ASSETS	
Current Assets	
Checking/Savings	
001 · STATE SAVINGS BANK CHECKING	198,114.17
003 · STATE SAVINGS BANK HRA	2,191.67
011 · AMERICAN DEPOSIT MANAGEMENT	600,371.93
Total Checking/Savings	<u>800,677.77</u>
Accounts Receivable	
1200 · Accounts Receivable	13,329.50
Total Accounts Receivable	<u>13,329.50</u>
Other Current Assets	
109 · INVENTORY	11,466.27
Total Other Current Assets	<u>11,466.27</u>
Total Current Assets	<u>825,473.54</u>
Fixed Assets	
150 · BUILDING	480,375.70
151 · VEHICLES	173,363.00
152 · EQUIPMENT	144,434.03
157 · LAND IMPROVEMENTS	1,800.00
160 · ACCUMULATED DEPRECIATION	(400,022.44)
Total Fixed Assets	<u>399,950.29</u>
TOTAL ASSETS	<u><u>1,225,423.83</u></u>
LIABILITIES & EQUITY	
Liabilities	
Current Liabilities	
Accounts Payable	
2000 · Accounts Payable	40,803.61
Total Accounts Payable	<u>40,803.61</u>
Other Current Liabilities	
205 · PREPAID TRIP/INS EXPENSE	1,406.00
2100 · Payroll Liabilities	2,794.16
223 · JOHN HANCOCK PAYABLE	1,509.33
232 · AFLAC PAYABLE	1,565.52
Total Other Current Liabilities	<u>7,275.01</u>
Total Current Liabilities	<u>48,078.62</u>
Long Term Liabilities	
250 · MORTGAGE PAYABLE	108,355.91
253 · LEASE PAYABLE	7,075.37
260 · NET PENSION LIABILITY	490,826.00
Total Long Term Liabilities	<u>606,257.28</u>
Total Liabilities	<u>654,335.90</u>
Equity	
3900 · FUND BALANCE	513,668.45
Net Income	57,419.48
Total Equity	<u>571,087.93</u>
TOTAL LIABILITIES & EQUITY	<u><u>1,225,423.83</u></u>

BENZIE SENIOR RESOURCES
Statement of Financial Income & Expense
November 2021

	Nov 2021	Budget	\$ Change
ORDINARY INCOME/EXPENSE			
INCOME			
519.03 · TITLE III C2 INCOME	8,611.00	8,915.00	(304.00)
540 · GRANTS	0.00	9,580.00	(9,580.00)
561 - HDM WAIVER	1,129.00	985.00	144.00
642 · CHARGES FOR SERVICES/CONT	186.00	260.00	(74.00)
642.01 · FEE FOR SERVICE/CHORE	(317.00)	0.00	(317.00)
642.02 · FEE FOR SERVICE/HOMEMAKER	2,316.00	2,500.00	(184.00)
642.03 - FEE FOR SERV/SNOW REMOVAL	8,844.00	11,500.00	(2,656.00)
642.1 - FEE FOR SLIDING SCALE CLIENTS	5,930.50	5,600.00	330.50
642.05 - FEE FOR PRIVATE PAY & INS	0.00	80.00	(80.00)
670 - CLIENT INCOME	7,210.70	8,000.00	(789.30)
671 - PACE NORTH Client Income	1,014.00	800.00	214.00
673 · NEWSLETTER SUB	30.00	30.00	0.00
675 · DONATIONS	14,624.95	11,450.00	3,174.95
676 · MILLAGE	96,453.33	98,196.00	(1,742.67)
677· FUNDRAISING INCOME	6,247.00	16,000.00	(9,753.00)
680 · VOLUNTEER WAGES (IN-KIND).	6,385.00	6,320.00	65.00
TOTAL INCOME	158,664.48	180,216.00	(21,551.52)
GROSS PROFIT	158,664.48	180,216.00	(21,551.52)
EXPENSE			
705 · SALARY AND WAGES	71,729.99	74,000.00	(2,270.01)
708 · PAYROLL TAX EXPENSE	5,411.31	5,500.00	(88.69)
709 · EDUCATION/TRAINING	46.00	250.00	(204.00)
710 · EVENTS	0.00	225.00	(225.00)
711 · TGPSC ACTIVITIES	278.71	225.00	53.71
717 · DUES/SUBSCRIPTIONS	0.00	1,600.00	(1,600.00)
721 · COMPUTER EXPENSES	2,074.61	2,058.00	16.61
725 · FRINGE BENEFITS	10,466.31	13,000.00	(2,533.69)
726 - FUNDRAISING/MARKETING EXP	1,553.11	1,200.00	353.11
727 · SUPPLIES	3,781.62	2,750.00	1,031.62
727.2 · OFFICE EXP	1,632.53	1,040.00	592.53
727.3 - POSTAGE	61.64	800.00	(738.36)
727.4 - ADVERTISING	613.00	1,000.00	(387.00)
740 · FOOD	21,734.35	18,000.00	3,734.35
819 · CONTRACTUAL	16,924.42	13,425.00	3,499.42
820 · VOLUNTEER WAGES (IN-KIND)	6,385.00	6,320.00	65.00
825 · VOLUNTEER EXPENSES	2,194.34	605.00	1,589.34
850 · TELEPHONE	406.30	480.00	(73.70)
861 · TRAVEL/MILEAGE/GAS	2,670.60	2,500.00	170.60
900 · INTEREST EXPENSE	281.15	290.00	(8.85)
910 · INSURANCE	2,061.00	3,800.00	(1,739.00)
915 · PROJECTS	1,965.46	960.00	1,005.46
920 · UTILITIES	2,138.33	1,600.00	538.33

BENZIE SENIOR RESOURCES
Statement of Financial Income & Expense
November 2021

	Nov 2021	Budget	\$ Change
940 · DEPRECIATION EXPENSE	2,499.50	3,665.00	(1,165.50)
980 · EQUIPMENT/REPAIRS	2,367.85	1,550.00	817.85
980.1 - OUTDOOR MAINTENANCE	14.99	340.00	(325.01)
980.2 - INDOOR MAINTENANCE	14.98	180.00	(165.02)
981-HDM FLEET MAINTENANCE/GAS	2,545.40	1,250.00	1,295.40
TOTAL EXPENSE	161,852.50	158,613.00	3,239.50
NET ORDINARY INCOME	(3,188.02)	21,603.00	(24,791.02)
OTHER INCOME/EXPENSES			
OTHER INCOME			
990 · INTEREST/DIVIDEND INCOME	23.59	120.00	(96.41)
999 - OTHER INCOME	80.20	250.00	(169.80)
TOTAL OTHER INCOME	103.79	370.00	(266.21)
OTHER EXPENSE			
999.1 · OTHER EXPENSE	0.00	85.00	(85.00)
99999 - LEGAL EXPENSE	464.00	800.00	(336.00)
TOTAL OTHER EXPENSE	464.00	885.00	(421.00)
NET OTHER INCOME	(360.21)	(515.00)	154.79
NET INCOME	(3,548.23)	21,088.00	(24,636.23)

BENZIE SENIOR RESOURCES
Statement of Financial Income & Expense
October - November 2021

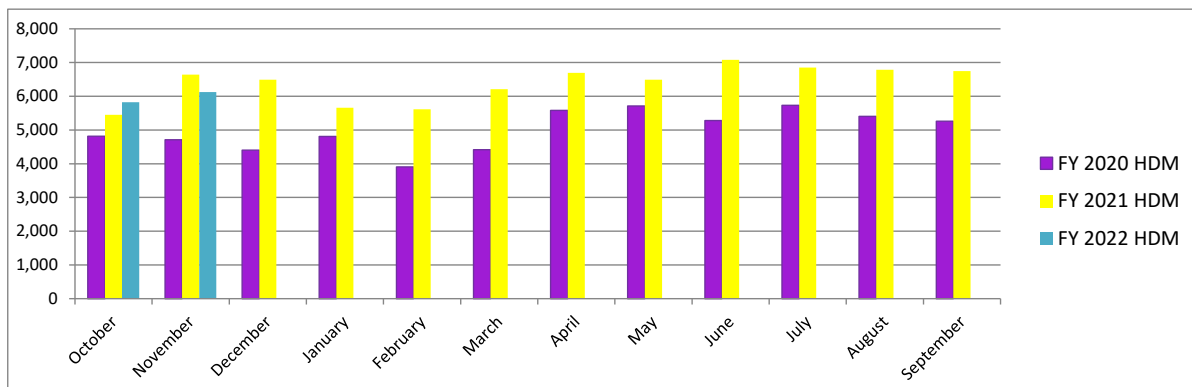
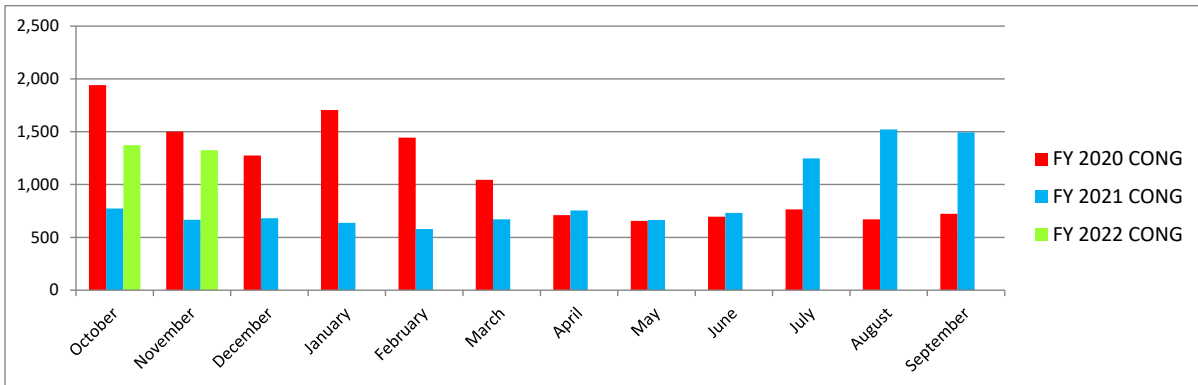
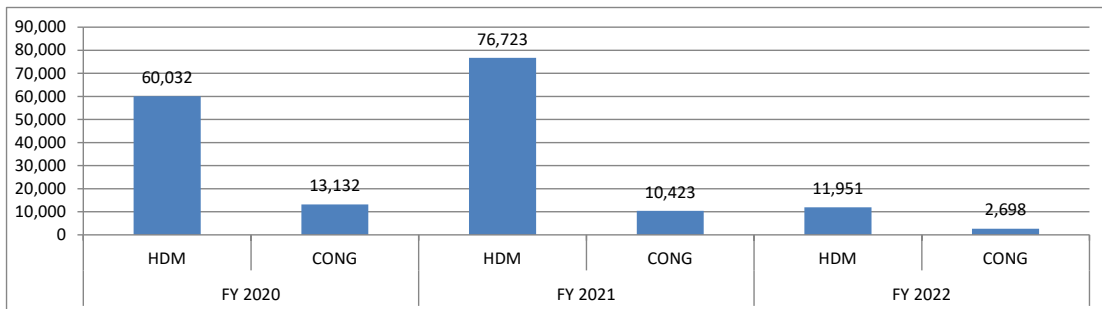
	Oct-Nov 2021	Budget	\$ Change
ORDINARY INCOME/EXPENSE			
INCOME			
519.03 · TITLE III C2 INCOME	17,222.00	17,830.00	(608.00)
519.05 MIPPA (MMAF)	150.00	0.00	150.00
540 · GRANTS	25,000.00	19,160.00	5,840.00
561 - HDM WAIVER	1,129.00	985.00	144.00
642 · CHARGES FOR SERVICES/CONT	489.19	520.00	(30.81)
642.01 · FEE FOR SERVICE/CHORE	1,050.00	700.00	350.00
642.02 · FEE FOR SERVICE/HOMEMAKER	3,776.00	5,000.00	(1,224.00)
642.03 - FEE FOR SERV/SNOW REMOVAL	8,844.00	11,500.00	(2,656.00)
642.1 - FEE FOR SLIDING SCALE CLIENTS	5,930.50	5,600.00	330.50
642.05 - FEE FOR PRIVATE PAY & INS	0.00	80.00	(80.00)
670 - CLIENT INCOME	7,937.72	8,000.00	(62.28)
671 - PACE NORTH Client Income	1,014.00	1,600.00	(586.00)
673 · NEWSLETTER SUB	100.00	60.00	40.00
675 · DONATIONS	26,160.11	22,900.00	3,260.11
676 · MILLAGE	192,906.66	196,391.00	(3,484.34)
677 · FUNDRAISING INCOME	6,247.00	16,000.00	(9,753.00)
680 · VOLUNTEER WAGES (IN-KIND).	12,088.30	12,640.00	(551.70)
TOTAL INCOME	310,044.48	318,966.00	(8,921.52)
GROSS PROFIT	310,044.48	318,966.00	(8,921.52)
EXPENSE			
705 · SALARY AND WAGES	109,826.25	121,000.00	(11,173.75)
708 · PAYROLL TAX EXPENSE	4,535.20	9,500.00	(4,964.80)
709 · EDUCATION/TRAINING	215.95	500.00	(284.05)
710 · EVENTS	331.04	450.00	(118.96)
711 · TGPSC ACTIVITIES	408.77	450.00	(41.23)
717 · DUES/SUBSCRIPTIONS	1,899.00	1,700.00	199.00
721 · COMPUTER EXPENSES	3,702.02	4,116.00	(413.98)
725 · FRINGE BENEFITS	(20,108.97)	(21,000.00)	891.03
726 - FUNDRAISING/MARKETING EXP	1,553.11	1,300.00	253.11
727 · SUPPLIES	6,321.71	5,500.00	821.71
727.2 · OFFICE EXP	3,421.57	2,080.00	1,341.57
727.3 - POSTAGE	327.98	900.00	(572.02)
727.4 - ADVERTISING	2,871.53	1,800.00	1,071.53
740 · FOOD	39,984.46	36,000.00	3,984.46
819 · CONTRACTUAL	31,857.92	23,650.00	8,207.92
820 · VOLUNTEER WAGES (IN-KIND)	12,088.30	12,640.00	(551.70)
825 · VOLUNTEER EXPENSES	4,294.34	2,710.00	1,584.34
850 · TELEPHONE	783.70	960.00	(176.30)
861 · TRAVEL/MILEAGE/GAS	5,175.10	5,000.00	175.10

BENZIE SENIOR RESOURCES
Statement of Financial Income & Expense
October - November 2021

	Oct-Nov 2021	Budget	\$ Change
900 · INTEREST EXPENSE	562.30	585.00	(22.70)
910 · INSURANCE	8,701.86	7,600.00	1,101.86
915 · PROJECTS	2,965.46	1,920.00	1,045.46
920 · UTILITIES	5,583.89	4,800.00	783.89
940 · DEPRECIATION EXPENSE	4,999.00	7,330.00	(2,331.00)
980 · EQUIPMENT/REPAIRS	12,246.61	3,100.00	9,146.61
980.1 - OUTDOOR MAINTENANCE	45.97	640.00	(594.03)
980.2 - INDOOR MAINTENANCE	124.96	360.00	(235.04)
981-HDM FLEET MAINTENANCE/GAS	5,112.69	2,500.00	2,612.69
TOTAL EXPENSE	249,831.72	238,091.00	11,740.72
NET ORDINARY INCOME	60,212.76	80,875.00	(20,662.24)
OTHER INCOME/EXPENSES			
OTHER INCOME			
990 · INTEREST/DIVIDEND INCOME	131.28	240.00	(108.72)
999 - OTHER INCOME	105.20	500.00	(394.80)
TOTAL OTHER INCOME	236.48	740.00	(503.52)
OTHER EXPENSE			
999.1 · OTHER EXPENSE	0.00	170.00	(170.00)
99999 - LEGAL EXPENSE	3,029.76	800.00	2,229.76
TOTAL OTHER EXPENSE	3,029.76	970.00	2,059.76
NET OTHER INCOME	(2,793.28)	(230.00)	(2,563.28)
NET INCOME	57,419.48	80,645.00	(23,225.52)

Benzie Senior Resources
HDM/Cong comparison
Units Served 2019-2020-2021

	FY 2020		FY 2021		FY 2022	
	HDM	CONG	HDM	CONG	HDM	CONG
October	4,814	1,942	5,451	774	5,827	1,374
November	4,711	1,500	6,644	666	6,124	1,324
December	4,404	1,275	6,490	682		
January	4,812	1,706	5,658	638		
February	3,903	1,445	5,616	579		
March	4,416	1,044	6,212	671		
April	5,582	710	6,695	754		
May	5,711	657	6,495	664		
June	5,281	696	7,079	731		
July	5,735	765	6,853	1,247		
August	5,403	670	6,786	1,522		
September	5,260	722	6,744	1,495		
total meals	60,032	13,132	76,723	10,423	11,951	2,698



November 2021 Journal Entry Summary

- 927. JE to record monthly depreciation expense (non-cash transaction) *
- 930. JE to record November AAANM contractor payment
- 931. JE to record payroll wages/taxes across all programs – original payroll entry posts to one class *
- 932. JE to adjust monthly inventory to actual after physical inventory done at TGP *
- 933. JE to reclass payroll mileage reimbursements from “uncategorized” to appropriate class, i.e. Home Health and Admin *
- 934. JE to reclass payroll health insurance deductions from “uncategorized” to appropriate class, i.e. Home Health and Admin *
- 935. JE to record 401K payroll deferrals across all programs - original payroll entry posts to one class *
- 936. JE to reclass payroll reimbursements for TGP craft/activities
- 937. JE to record volunteer hours in-kind wages *

* **Monthly recurring Journal Entries.**

BENZIE SENIOR RESOURCES
Monthly Journal Entries
November 2021

[illegible]

BENZIE SENIOR RESOURCES

Monthly Journal Entries

November 2021

Trans #	Type	Date	Num	Memo	Debit	Credit
				reclass ER MATCH 401k	51.02	
				reclass ER MATCH 401k	411.95	
				reclass ER MATCH 401k	94.42	
					1,173.22	1,173.22
120406	General Journal	11/30/2021	936	reclass payroll reimbursements		35.00
				reclass payroll reimbursements - crafts/activities	35.00	
					35.00	35.00
120445	General Journal	11/30/2021	937	TO RECORD INKIND WAGES	5,885.00	
				TO RECORD INKIND WAGES		5,885.00
				TO RECORD INKIND WAGES	500.00	
				TO RECORD INKIND WAGES		500.00
					6,385.00	6,385.00
TOTAL					57,461.49	57,461.49

ACTION ITEMS

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and Almira Township, 7276 Ole White Drive, Lake Ann, Michigan 49650 ("Lessor").

1. Leased Premises.

The Lessor hereby leases to the County that property located at 7276 Ole White Drive, Lake Ann, Michigan (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term") pursuant to Paragraph 13.

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased Premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. The County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting and maintaining the condition of the Leased Premises as well as removing any recycling

containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless.

All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be the responsibility of the Lessor, and not the responsibility of the County. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly

by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities. Nothing herein shall be construed as a waiver of any governmental immunity by the County, the Lessor, or their employees, respectively, as provided by statute or court decisions.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

Mark E. Roper
Supervisor, Almira Township
7276 Ole White Drive
Lake Ann, MI 49650

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second (2nd) day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this Paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premises in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments.

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of both parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Mark E. Roper
Almira Township Supervisor

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

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Benzie Co. #18-028

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and The City of Frankfort, East Side of the Public Boat Launch, 924 Main Street, Frankfort, Michigan 49635 ("Lessor").

1. Leased Premises.

The Lessor hereby leases to the County that property located at East Side of the Public Boat Launch, 924 Main Street, Frankfort, Michigan 49635, (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term") pursuant to Paragraph 13.

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased Premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. The County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting

and maintaining the condition of the Leased Premises as well as removing any recycling containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless.

All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be

the responsibility of the Lessor, and not the responsibility of the County. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities. Nothing herein shall be construed as a waiver of any governmental immunity by the County, the Lessor, or their employees, respectively, as provided by statute or court decisions.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

Administrator, City of Frankfort
Address: _____
Frankfort, MI 49635

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second (2nd) day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this Paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premises in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments.

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of both parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Josh Mills, Administrator
City of Frankfort

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

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Benzie Co. #18-028

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and Homestead Township, 11508 Honor Highway, Honor Michigan, 49640 ("Lessor").

1. Leased Premises.

The Lessor hereby leases to the County that property located at 11508 Honor Highway, Honor, Michigan, 49640, (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term"), pursuant to Paragraph 13.

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased Premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. The County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting and maintaining the condition of the Leased Premises as well as removing any recycling

containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless.

All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be the responsibility of the Lessor, and not the responsibility of the County. In the event that

liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities. Nothing herein shall be construed as a waiver of any governmental immunity by the County, the Lessor, or their employees, respectively, as provided by statute or court decisions.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

Supervisor, Homestead Township
11508 Honor Highway
Honor, MI 49640

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second (2nd) day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this Paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premises in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments.

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of both parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Tia Kurina-Cooley
Homestead Township Supervisor

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

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Benzie Co. #18-028

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and The Benzie County Central Board of Education, property located at Lake Ann Elementary School, 19375 Bronson Lake Road, Interlochen, Michigan 49643 ("Lessor")

1. Leased Premises.

Lessor hereby leases to the County that property located at, Lake Ann Elementary School, 19375 Bronson Lake Road, Interlochen, Michigan 49643 (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term").

3. Rent.

The Count shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. For this purpose, the County shall cause the Leased Premises to be visited at least two (2) times per week for

purposes of inspecting and maintaining the condition of the Leased Premises as well as removing any recycling containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premised for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless

All liability to third parties, loss of damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be

the responsibility of the Lessor and not the responsibility of the County. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

President
Benzie County Central
Board of Education
9222 Homestead Road
Benzonia, MI 49616

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' written notice of such termination. Upon this Lease, whether by notice under this paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premise in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court rules.

15. Amendments

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of the parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Brian Childs, President
Benzie County Central
Board of Education

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and Subhash Kapur Living Trust, 1765 Hillwood Drive, Bloomfield Hills, Michigan 48304 ("Lessor").

1. Leased Premises.

Lessor hereby leases to the County that property located at 1579 Benzie Highway, Benzonia, Michigan 49616, (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term").

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. For this purpose, the County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting and maintaining the condition of the Leased Premises as well as

removing any recycling containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

Subject to Lessor's triple net lease agreement Freeman Family Enterprises dated _____, _____, the Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless

All liability to third parties, loss of damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be

the responsibility of the Lessor and not the responsibility of the County. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

Attn: Subhash Kapur, TTEE
Subhash Kapur Living Trust
1765 Hillwood Drive
Bloomfield Hills, MI 48304
Office: 248-594-5800
Mobile: 248-277-8545
Email: subhash@aol.com
Alt. Email: alisonkapur@gmail.com

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premise in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of the parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Subhash Kapur, TTEE
Subhash Kapur Living Trust

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021

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Benzie Co. #18-028

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and The Village Of Beulah, located at Village Property, Municipal Parking Lot, Beulah, Michigan 49617 ("Lessor").

1. Leased Premises.

The Lessor hereby leases to the County that property located at Village Property, Municipal Parking Lot, Beulah, Michigan 49617, (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term") pursuant to Paragraph 13.

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased Premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. The County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting and maintaining the condition of the Leased Premises as well as removing any recycling

containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e. seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless.

All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be the responsibility of the Lessor, and not the responsibility of the County. In the event that

liability to third parties, loss, or damage arises as a result of activities conducted jointly by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities. Nothing herein shall be construed as a waiver of any governmental immunity by the County, the Lessor, or their employees, respectively, as provided by statute or court decisions.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

President, Village of Beulah
Address: _____
Beulah, MI 49617

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second (2nd) day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this Paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premises in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments.

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of both parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Jeri VanDePerre, President
Village of Beulah

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

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Benzie Co. #18-028

**BENZIE COUNTY
RECYCLING SITE LEASE**

This Lease Agreement (the "Lease") is entered into as of the _____ day of _____, 20____, by and between Benzie County, a Michigan public body corporate, with principal offices at 448 Court Place, Beulah, Michigan 49617 (the "County") and the Village of Thompsonville, located at the DPW Maintenance Building property at 7458 Michigan St., Thompsonville, Michigan 49683 ("Lessor").

1. Leased Premises.

The Lessor hereby leases to the County that property located at the DPW Maintenance Building property at 7458 Michigan St. Thompsonville, Michigan 49683, (the "Leased Premises").

2. Lease Term.

This Lease shall be for a term of two (2) years, commencing on January 1, 2022 and terminating on December 31, 2023, unless terminated earlier (the "Term") pursuant to Paragraph 13.

3. Rent.

The County shall pay the Lessor rent in the amount of \$1.00 per year.

4. Use of Leased Premises.

The County shall use the Leased Premises solely for the purpose of operating a recycling center for recyclable waste products. In that regard, the County will place, or cause to be placed, one (1) or more recycling containers, for the collection of recyclable materials. The County will not knowingly allow any hazardous materials to be placed on the Leased Premises.

5. Recycling Hours.

Unless otherwise posted for by the County, the Leased Premises shall be open to the general public for recycling purposes twenty-four (24) hours per day, seven (7) days per week.

6. Maintenance of Leased Premises.

The County shall cause the recycling containers to be removed when they are full and shall maintain the grounds on the Leased Premises in a neat and clean condition free from loose paper, plastic, metals or other recyclable materials. The County shall cause the Leased Premises to be visited at least two (2) times per week for purposes of inspecting and maintaining the condition of the Leased Premises as well as removing any recycling

containers that are full. Relocation, removal, or moving of the recycling containers will only occur by County authorized employees or agents.

The County shall take any action necessary to remove any hazardous materials illegally placed on the Leased Premises.

7. Signage.

The County shall place signage on and about the Leased Premises directing the users of the recycling center to use the proper recycling containers and to otherwise maintain the Leased Premises in a neat and clean manner.

Such signage will also advise the general public that placing hazardous materials of any kind on the Leased Premises is prohibited.

8. Access to Leased premises.

Except as may be otherwise agreed to by the parties in writing, the Lessor shall not do anything to interfere with, or to cause an interference in access to the Leased Premises for recycling purposes by the County and by the general public. The Lessor shall provide adequate maintenance of the property to allow for safe use of the recycling containers at no cost to the County (i.e., seasonal snow plowing, etc.).

9. Insurance – County.

The County shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the Leased Premises and the County's activities thereon by including the Leased Premises in those properties covered by the County's general liability insurance policy.

10. Insurance – Lessor.

The Lessor shall maintain general liability insurance in such amounts as determined reasonable from time to time by the parties covering the land owned by the Lessor on which the Leased Premises are located, and which is accessible by the County and the general public when using the recycling facilities.

11. Hold Harmless.

All liability to third parties, loss, or damage as a result of claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the County in the performance of this Lease shall be the responsibility of the County, and not the responsibility of the Lessor. All liability to third parties, loss or damage as a result of the claims, demands, costs, or judgements arising out of activities, such as direct service delivery, to be carried out by the Lessor in the performance of this Lease shall be the responsibility of the Lessor, and not the responsibility of the County. In the event that liability to third parties, loss, or damage arises as a result of activities conducted jointly

by the County and the Lessor in fulfillment of their responsibilities under this Lease, such liability, loss, or damage shall be borne by the County and the Lessor in relation to each party's responsibilities under these joint activities. Nothing herein shall be construed as a waiver of any governmental immunity by the County, the Lessor, or their employees, respectively, as provided by statute or court decisions.

12. Notices.

Whenever it is necessary for one (1) party to this Lease to give notice to the other party, such notice shall be in writing and shall be sent to the other party by First Class mail postage prepaid and shall be sent to:

The Lessor:

President, the Village of Thompsonville
7458 Michigan St.
Thompsonville, MI 49683

The County:

County Administrator
448 Court Place
Beulah, MI 49617

Such written notice shall be deemed to have been received on the second (2nd) day after mailing.

13. Termination.

This Lease may be terminated by either party at any time, with or without cause, by giving the other party thirty (30) calendar days' prior written notice of such termination. Upon this Lease, whether by notice under this Paragraph or by the expiration of the Term, the County shall cause all recycling containers and signage to be removed from the Leased Premises and shall leave the Leased Premises in "broom clean" condition.

14. Breach.

If either party commits an act which can be considered a breach of this Lease, the other party may avail itself of any remedy permitted by law, including termination of this Lease, as a result of said breach. Before any legal action is brought in any court to enforce any of the terms and conditions set forth in this Lease, the party alleging a breach by the other party shall advise the other party of such claim in writing and both parties shall agree to a mediation of said dispute to be conducted by a mediator chosen by mutual agreement of the parties.

If the parties cannot agree on a mediator, they shall ask the Circuit Court Clerk to randomly select a mediator who is listed on the Circuit Court's list of mediators maintained under the Michigan Court Rules.

15. Amendments.

Any amendments to this Lease shall only be valid when they have been reduced to writing and signed by the authorized representatives of both parties.

THIS LEASE is effective and binding on both parties as of the date first written above.

LESSOR

BENZIE COUNTY

Eugene Allen, President
Village of Thompsonville

Bob Roelofs, Chairman
Benzie County Board of Commissioners

Date: _____

Date: _____

<p>APPROVED AS TO FORM FOR COUNTY OF BENZIE: COHL, STOKER & TOSKEY, P.C. By: COURTNEY A. GABBARA On: December 9, 2021</p>

N:\Client\Benzie\Ags\Recycling Lease Agrs\2022\Village of Thompsonville Recycling Lease Agr 2022.doc
Benzie Co. #18-028

DAWN OLNEY
BENZIE COUNTY CLERK

448 COURT PLACE – BEULAH, MI 49617 – (231) 882-9671
www.benzieco.net

To: Bob Roelofs, Board Chair

From: Dawn Olney
County Clerk

Date: December 21, 2021

Re: MMRMA Member Rep

During the past 21 years while serving as County Clerk, I have been the Member Representative for MMRMA, the county liability and property insurance carrier.

I have attended a number of Annual Meetings, been involved in the RAP grant process, been involved in numerous county lawsuits and have overseen 21 renewals of our insurance policies.

It has been an honor to serve in this capacity, but it is time to allow someone else to step in to handle these matters.

Effective January 1, 2022, I would ask that you name a new individual to hold this position as member rep for the MMRMA and take over the entire process related to MMRMA, but not limited to, claim filing, renewal process, contact with legal counsel that relate to the county.

Commissioner Reports

**Art Jeannot
Commissioner Report
December 28, 2021**

- Participated in 2 meetings on behalf of the County since our December 14th meeting.
- **12/15 EDC Business Retention –**
 - Discussed a draft document that details a relationship with the Benzie County Chamber for EDC activities. This would include calls to our business community, access to resources for growth and development and taking a leadership role in positioning the County to be eligible for potential grants for economic development. This document will be presented to the BOC for consideration sometime in the first quarter of 2022.
- **12/17 EDC/BRA –**
 - Welcomed Betsie Evans as our newest member.
 - Developed a plan to recruit new members to fill vacant seats. Currently we have 4 open seats. One is being held for a potential Benzie County Chamber representative. We have had difficulties getting a quorum for meetings.
 - Discussed potential business opportunities to include contracting with a firm to help us with brownfield requests.
- **Other –**
 - **December 20 –** I observed a meeting for the Broadband Committee. There have been in excess of 1100 surveys returned. Many have come on paper. The surveys will continue to be collected through January 15, 2022. At that time Merit will put together a report of the findings. We still need to get more surveys from Colfax, Joyfield and parts of Platte Townships. The committee will work on next steps at their January meeting.

MERRY CHRISTMAS / HAPPY NEW YEAR

RECEIVED

DEC 21 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617

County Administrator Report

Memorandum



To: Board of Commissioners

From: Katie Zeits, County Administrator *Katie Zeits*

Date: December 21, 2021

Subject: **Administration Update**

Capital Budget

It was requested at the October 26th meeting, that a running total be given of the capital expenditures approved by the board for this current fiscal year. With the 2021/2022 budget approval, a total of \$390,000 was budgeted in the 401 General Fund Capital Budget. The corresponding capital plan accounted for \$297,500 in General Fund capital expenditures and an additional \$68,495 in jail expenditures.

As of December 21, the Board has approved a total of \$185,472 in expenditures. This has included the BS&A Timesheet upgrade, stairwell tread and riser replacement (amended amount), HVAC upgrades in the jail, blind purchase, and the approval of two vehicles for Sheriff's Department operational use. The Committee of the Whole has recommended approval of additional blinds and once approved, the total of Capital expenditures committed/spent will be \$195,864.

With the recent power outages, we have identified the areas in the Governmental Center that are not on the generator. We will be requesting approval to spend additional planned for Capital dollars soon to bring all departments onto the generator. It's important no one is left in the dark in the future. The following departments/locations of the building are not on the generator: Prosecutors Office, Board room, District Court, MSU Extension, Public Defender, DHS, Probation/Parole, Mail Room, lower level bathrooms and hallway, Dawn's office, and the polycom systems in the Court room.

Finally, I have attached the most recent Capital Plan to this memo which accounts for the changes approved on December 14th related to the jail swapping project years.

Planning Commission

I have spoken with Tim Perrone at Cohl, Stoker and Toskey regarding the Planning Commission. It is Tim's opinion that because the Townships handle their own zoning, the County does not need a Planning Commission. The County can proceed with working with the regional entity (Networks Northwest) to review their Master Plan and can continue to operate without a Planning Commission. The Board of Commissioners can decide to have a Planning Commission, but it would be fine and quite frankly, easier to move forward without one. As far as the

Townships submitting their zoning changes to the County for review, this is not a requirement, just an ask. The Board of Commissioners can waive this ask of the Township.

Technology

Administration is working through some internet bandwidth issues with IT Right. We are utilizing more internet than allowed in our agreement and will be experiencing overages. We will be weighing out options for potentially switching internet vendors.

Broadband Survey

We have obtained well over 1000 responses to the internet survey! We are now working to obtain response in specific areas of the county. I recently forwarded on an email to the Board as well as many others which details areas of the County that need additional responses. Below is a copy of that email –

The Southern border of the County:

Manistee County Line Road needs speed tests

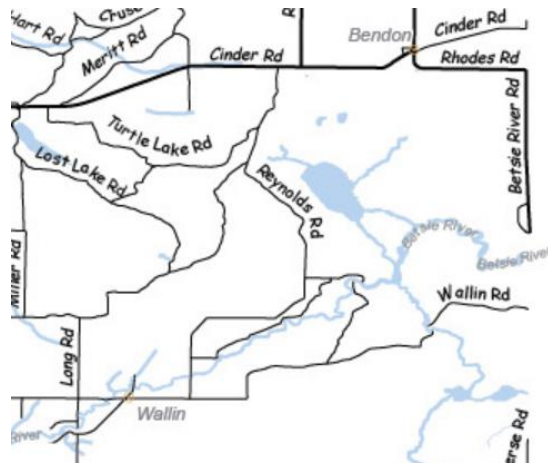
Joyfield Road needs speed tests

EAST of Nessen City: Carlon, Stanton, & Traverse Roads

Thompsonville is less robust than the other cities - maybe shake the Thompsonville tree a little

East Central:

The area between Bendon and Wallin - basically the area south of Cinder Road and North of Wallin Road do not have a lot of speed tests or returned surveys. I am guessing this might be where lots of folks have cabins or vacation houses?

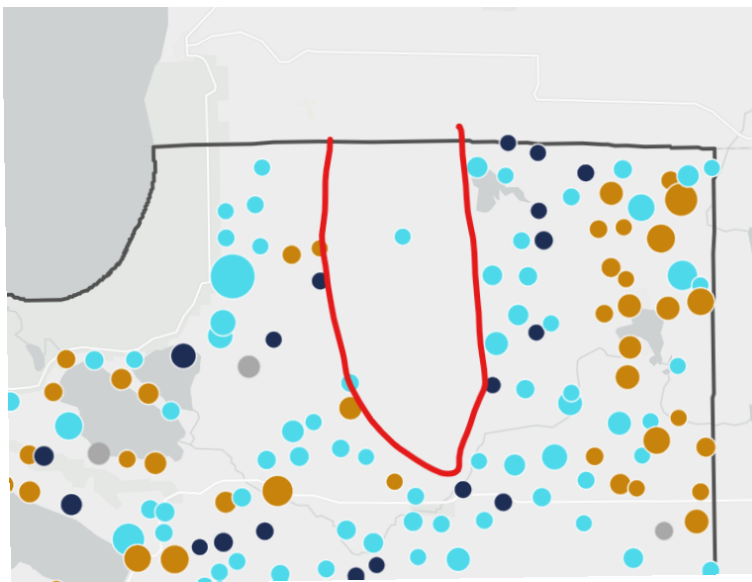


South of Platte Township

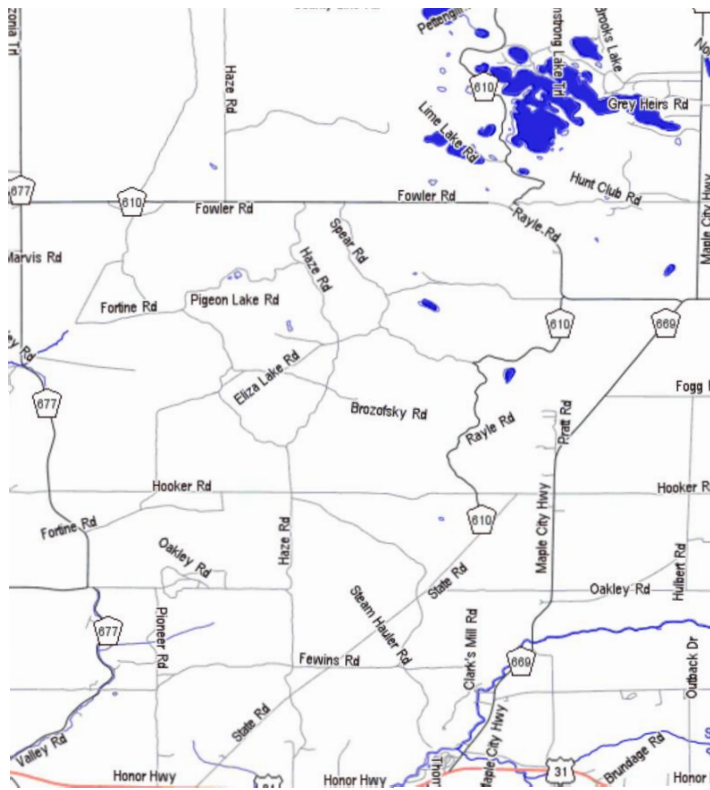
There is a long pocket/U-shaped gap from the top of the county, including Platte Township, down to HWY 31. I'm looking at the satellite image of that area and it seems heavily wooded with some tree farms and some ag here and there. If anyone knows anyone personally who's

there year-round in that area, speed tests and surveys are VERY important because those folks are most likely the people who have the biggest connectivity challenges. I'm sure it's only a handful of people, but, getting them on the map is critical.

Spear Road
Haze Road
Eliza Lake Road
Brozofsky Road
Hooker Road
Oakley Road
CTY Road 677



Here are the roads in that zone:



FOIA Appeal

There was a recent FOIA appeal to a response given for a request from Jim Meredith. Our office has provided Mr. Meredith all the documents we hold aside from a few emails which are protected by Attorney-Client privilege. County Treasurer Shelley Thompson has indicated she is not willing to waive this privilege and I support her decision.

Mail Changes

The mail room is now in use on the first floor of the Governmental Center. This new system seems to be going well. We are still waiting on new mailboxes, but the old ones have been working in the meantime.

Administration will now be sorting the mail going forward for the County. Laura in my office has set up a PO Box and all items will be sorted there at the post office. The Treasurer's Office will serve as backup for mail sorting if for some reason our office cannot perform the duty on a given day.

ARPA Funding

As you may have guessed, the Federal Government has not published final rules for the ARPA Funding. I do believe we should start talking about the funds meantime. I have attached a matrix prepared by Mitch before he retired as well as the updated FAQ's regarding the funds. Please review these items and be prepared to have a discussion at the second meeting in January, Committee of the Whole.

Animal Control

Director Kyle Maurer and I are working on a document of understanding with the Animal Welfare League. A draft document has been prepared by our legal counsel and has been sent to the League for their review and comment. This document will be coming to the Board for final approval soon. Human Resources Director Kristine Bosley is working with Kyle on the Department's staffing makeup and levels, with the end goal of having the shelter open more hours.

On another note, the Animal Welfare League has published the Shelter's address and phone number as their official contact information. I'd like to know the Board's take on this. Is this something the Board wants corrected?

Holiday Fun

The graze fest went great, and many staff persons attended! The Court offices won the holiday sweater contest, but the decision was hard. Our next staff event is planned for the spring.

The Mitten Tree has been a great success, again! Items will be donated to both the Benzie Central Schools and BACN.

Please let me know if there are any questions.

Thank you!

Projected Capital Improvements - 5 Year Plan*****This plan does not constitute project or purchase approval. All projects and purchase need individual approval by the Board of Commission.*****

General Fund		FY 21/22	FY 22/23	FY 23/24	FY 24/25	25/26	Total
Security/Emergency:							
Generator onboarding		\$ 10,000.00					\$ 10,000.00
Card Door Access System (2 doors/year)		\$ 6,000.00	\$ 6,000.00	\$ 6,000.00			\$ 18,000.00
Service Counter Security Glass (Equalization)		\$ 13,000.00					\$ 13,000.00
Equalization/Planning Remodel					\$ 30,000.00		\$ 30,000.00
							\$ -
Building/Grounds:							\$ -
Designated mail/supply room		\$ 5,000.00					\$ 5,000.00
Carpet (foyer, prosecutor, boc, closed session and 209)		\$ 20,000.00					\$ 20,000.00
Shades (Admin)		\$ 10,000.00					\$ 10,000.00
Expand west parking lot (court entrance)				\$ 35,000.00			\$ 35,000.00
Multi-stall restroom remodel, including doors		\$ 10,000.00					\$ 10,000.00
Stair treads		\$ 11,000.00					\$ 11,000.00
Governmental Center roof evaluation, ceiling tile replacement		\$ 25,000.00					\$ 25,000.00
Governmental Center sign replacement		\$ 20,000.00					\$ 20,000.00
Governmental Center irrigation		\$ 25,000.00					\$ 25,000.00
Governmental Center Entrance			\$ 5,000.00				\$ 5,000.00
Governmental Center wood refinishing				\$ 15,000.00			\$ 15,000.00
Parole Office Renovation			\$ 55,000.00				\$ 55,000.00
Concrete steps to Sheriff's Department (heated)				\$ 100,000.00			\$ 100,000.00
							\$ -
Sheriff's Department:							\$ -
Fully Equipped Patrol Cars		\$ 110,000.00	\$ 99,000.00	\$ 99,000.00	\$ 99,000.00		\$ 407,000.00
Rear employee entrance door		\$ -	\$ 6,000.00				\$ -
							\$ -
Technology:							\$ -
BSA-Timesheets Implementation		\$ 20,000.00					\$ 20,000.00
BSA-NET Server Replacement			\$ 9,000.00				\$ 9,000.00
Computer replacement (7)		\$ 6,500.00	\$ 6,500.00	\$ 7,000.00	\$ 7,000.00		\$ 27,000.00
Replace "head-in" server room (Sheriff)			\$ 10,000.00				\$ 10,000.00
							\$ -
Total General Fund		\$ 291,500.00	\$196,500	\$262,000	\$136,000	\$ -	\$ 886,000.00

Special Millage Funds		FY 21/22	FY 22/23	FY 23/24	FY24/25	25/26	Total
Jail:							
Replacement of rooftop units (5)						15,000	15,000
Booster coil zone valves & actuators (4)		5,200					5,200
Control system for HVAC		38,295					38,295
Replace Sallyport Service Door (B16)		25,000					25,000
Replace dishwasher			13,212				13,212
Replace refrigerator/ice maker		6,656					6,656
Replace door to POD yard			25,000				
Replace boiler room pump & motor				13,923			13,923
Replace air exhaust sustem, kitchen				20,000			
Resurface parking area (TBD)				85,000			85,000
Total Jail		75,151	38,212	118,923	0	15,000	202,286
911/Emergency Mgmt:							
Building			1,000,000				1,000,000
Fully Equipped Com Unit				100,000			100,000
Total 911/Emergency Mgmt		0	1,000,000	100,000	0	0	1,100,000
EMS:							
Heart Monitors (replace every 7 years)						50,000	50,000
Ambulance		224000		224,000			448,000
Director unit (replace every 5 years/E61)				70,000			70,000
Furnace/AC for Station 2		15,000					15,000
Improvements/addition to Frankfort station (\$10k - 150k)				15,000			15,000
Total EMS		239,000	0	309,000	0	50,000	598,000
Animal Control:							
HVAC System							0
Replace cat kennels			15,000				15,000
Vehicle Replacement				60,000			60,000
Total Animal Control		0	15,000	60,000	0	0	75,000
Total for Fiscal Year		\$605,651	\$1,249,712	\$849,923	\$136,000	\$65,000	\$2,861,286

Benzie County Departmental Capital Projects

Department	Priority	Request	Amount \$	One Time Expense Y/N	Eligible Expense	Budgeted Funds?	Timeline
Administration	1	Commission iPad's	\$13,000	Y	TBD	N	21/22
Administration	2	BOC Room Technology Upgrade	\$23,000	Y	TBD	Y	20/21
Administration	3	Broadband Data Collection Survey	\$40,000+	y	TBD	N	20/21
Administration	4	Broadband Engineering Feasibility Study	\$100-125,000	Y	TBD	N	21/22
Sheriff	1	Storage Barn for Sheriff Boats	\$50-150,000	y	TBD	N	21/22
Sheriff	2	Policy & Procedures Maintenance Software	\$30-60,000	N	TBD	N	21/22
Sheriff	3	Additional Training Funds	\$10,000	Y	TBD	Y	21/22
Sheriff	4	Resurface Sheriff Parking Asphalt Lot	\$30-60,000	Y	TBD	N	22/23
Sheriff	5	Building Signage	\$5,000	Y	TBD	N	21/22
Sheriff	6	Replacing Security Pass Card System	\$10-20,000	Y	TBD	N	21/22
Sheriff	7	Dedicated Truck for Marina/Snow Patrol (Outfitted)	\$60,000	Y	TBD	N	21/22
Clerk	1	Imaging Old Court Documents / Vitals	\$100,000	Y	TBD	N	TBD
Clerk	2	Rolling Storage Shelving Units	\$100,000	Y	TBD	N	TBD
Clerk	3	Converting Court Records to E-File	TBD	Y	TBD	N	TBD
Clerk	4	Office Equipment (Desk, Computers, etc.)	\$15,000	Y	TBD	N	TBD
Clerk	5	Off Site Storage	TBD	N	TBD	N	TBD

Circuit Court	1	Replacement of Shared Court Server	\$30,000	Y	TBD	N	21-22
Circuit Court	1	Security Locks on All Court Doors	\$15,000	Y	TBD	N	2021
Circuit Court	2	Workstation Scanners – E-filing	\$10-20,000	Y	TBD	N	22-23
Circuit Court	2	Replacement of Seating in Both Court Rooms	\$30-50,000	Y	TBD	N	21-23
District Court	1	Judicial Information Service Software	\$30,300	Y	TBD	Y (partially)	21-22
District Court	2	Scanning Software	\$100,000	Y	TBD	N	22/23
District Court	3	Hallway Security Door	\$10,000	Y	TBD	N	Fall 21
District Court	4	Judge Courtroom Door	\$5,000	Y	TBD	N	2021
District Court	5	Judge Bathrooms	TBD	Y	TBD	N	2022
EMS	1	EMS Station	\$200-300,000	Y	TBD	N	1-3 yrs.
EMS	2	Ambulance	\$225-250,000	Y	TBD	Y	Fall 21
EMS	3	Furnace/AC	\$7-15,000	Y	TBD	Y	2022
EMS	4	Heart Monitors	\$175-200,000	Y	TBD	Y	Fall 23
Equalization	1	Scanning Services convert paper documents to digital content	TBD	Y	TBD	N	TBD
Animal Control	1	Relocation of Kennel Yard	\$15-40,000	Y	TBD	N	Fall 21
Animal Control	2	Connect to City Sewer	TBD	Y	TBD	N	21-22
Animal Control	3	Connect to City Water	TBD	Y	TBD	N	21-22
Animal Control	4	Entrance Sign Upgrades	\$3-5,000 +/-	Y	TBD	N	TBD
Emergency Management	1	Relocated EM Office and EOC to new dispatch center	\$300,000	Y	TBD	N	22-24

Emergency Management	2	Storage Building – Com Van & CERT Trailer	\$200,000	Y	TBD	N	22-24
Central Dispatch	1	Relocate / Build new dispatch center	\$1,000,000	Y	TBD	Partial	22-24
Central Dispatch	2	Radio Tower Upgrade Frankfort Coverage	\$500,000	Y	TBD	Partial	22-23
Solid Waste	1	Recycling lighting / Camera	\$10-15,000	y	TBD	N	Fall 21
Solid Waste	2	Solid Waste Management Plan	\$15-30,000	Y	TBD	N	21-22
Solid Waste	2	Land Acquisition	\$25-50,000	Y	TBD	N	21/22
Solid Waste	3	County Recycling Facility	\$100-150,000	Y	TBD	B	22/23

Other Community Requests for Benzie County ARPA Funding

Agency	Request	Funding Request
Benzie County Road Commission	Reimbursement for MTF lost Revenue	\$185,249.17
Benzie County Road Commission	COVID-19 Employees Cost	\$49,996.82
Benzie/Leelanau District Health Dept.	New Facility	TBD
Village of Benzonia	TBD	TBD

Coronavirus State and Local Fiscal Recovery Funds

Frequently Asked Questions

AS OF NOVEMBER 15, 2021

This document contains answers to frequently asked questions regarding the Coronavirus State and Local Fiscal Recovery Funds (CSFRF / CLFRF, or Fiscal Recovery Funds). Treasury will be updating this document periodically in response to questions received from stakeholders. Recipients and stakeholders should consult the [Interim Final Rule](#) for additional information.

- For overall information about the program, including information on requesting funding, please see <https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments>
- For general questions about CSFRF / CLFRF, please email SLFRP@treasury.gov

Questions added 5/27/21: 1.5, 1.6, 2.13, 2.14, 2.15, 3.9, 4.5, 4.6, 10.3, 10.4 (noted with “[5/27]”)

Questions added 6/8/21: 2.16, 3.10, 3.11, 3.12, 4.7, 6.7, 8.2, 9.4, 9.5, 10.5 (noted with “[6/8]”)

Questions added 6/17/21: 6.8, 6.9, 6.10, 6.11 (noted with “[6/17]”)

Questions added 6/23/21: 1.7, 2.17, 2.18, 2.19, 2.20, 3.1 (appendix), 3.13, 4.8, 6.12 (noted with “[6/23]”)

Question added 6/24/21: 2.21 (noted with “[6/24]”)

Questions added 7/14/21: 1.8, 3.14, 3.15, 4.9, 4.10, 4.11, 4.12, 6.13, 6.14, 6.15, 6.16, 6.17, 10.3 updated (noted with “[7/14]”)

Question added 11/15/21: 12.1; Questions updated 11/15/21: 9.2

Answers to frequently asked questions on distribution of funds to non-entitlement units of local government (NEUs) can be found in this [FAQ supplement](#), which is regularly updated.

1. Eligibility and Allocations

1.1. Which governments are eligible for funds?

The following governments are eligible:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities
- Non-entitlement units, or smaller local governments

1.2. Which governments receive funds directly from Treasury?

Treasury will distribute funds directly to each eligible state, territory, metropolitan city, county, or Tribal government. Smaller local governments that are classified as non-entitlement units will receive funds through their applicable state government.

1.3. Are special-purpose units of government eligible to receive funds?

Special-purpose units of local government will not receive funding allocations; however, a state, territory, local, or Tribal government may transfer funds to a special-purpose unit of government. Special-purpose districts perform specific functions in the community, such as fire, water, sewer or mosquito abatement districts.

1.4. How are funds being allocated to Tribal governments, and how will Tribal governments find out their allocation amounts?¹

\$20 billion of Fiscal Recovery Funds was reserved for Tribal governments. The American Rescue Plan Act specifies that \$1 billion will be allocated evenly to all eligible Tribal governments. The remaining \$19 billion will be distributed using an allocation methodology based on enrollment and employment.

There will be two payments to Tribal governments. Each Tribal government's first payment will include (i) an amount in respect of the \$1 billion allocation that is to be divided equally among eligible Tribal governments and (ii) each Tribal government's pro rata share of the Enrollment Allocation. Tribal governments will be notified of their allocation amount and delivery of payment 4-5 days after completing request for funds in the Treasury Submission Portal. The deadline to make the initial request for funds was June 21, 2021.

The second payment will include a Tribal government's pro rata share of the Employment Allocation. There is a \$1,000,000 minimum employment allocation for Tribal governments. In late-June, Tribal governments will receive an email notification to re-enter the Treasury Submission Portal to confirm or amend their 2019 employment numbers that were submitted to the Department of the Treasury for the CARES Act's Coronavirus Relief Fund. To receive an Employment Allocation, including the minimum employment allocation, Tribal governments must confirm employment numbers by July 23, 2021. Treasury will calculate employment allocations for those Tribal governments that confirmed or submitted amended employment numbers by the deadline. In August, Treasury will communicate to Tribal governments the amount of their portion of the Employment Allocation and the anticipated date for the second payment.

¹ The answer to this question was updated on July 19, 2021.

1.5. My county is a unit of general local government with population under 50,000. Will my county receive funds directly from Treasury? [5/27]

Yes. All counties that are units of general local government will receive funds directly from Treasury and should apply via the [online portal](#). The list of county allocations is available [here](#).

1.6. My local government expected to be classified as a non-entitlement unit. Instead, it was classified as a metropolitan city. Why? [5/27]

The American Rescue Plan Act defines, for purposes of the Coronavirus Local Fiscal Recovery Fund (CLFRF), metropolitan cities to include those that are currently metropolitan cities under the Community Development Block Grant (CDBG) program but also those cities that relinquish or defer their status as a metropolitan city for purposes of the CDBG program. This would include, by way of example, cities that are principal cities of their metropolitan statistical area, even if their population is less than 50,000. In other words, a city that is eligible to be a metropolitan city under the CDBG program is eligible as a metropolitan city under the CLFRF, regardless of how that city has elected to participate in the CDBG program.

Unofficial allocation estimates produced by other organizations may have classified certain local governments as non-entitlement units of local government. However, based on the statutory definitions, some of these local governments should have been classified as metropolitan cities.

1.7. In order to receive and use Fiscal Recovery Funds, must a recipient government maintain a declaration of emergency relating to COVID-19? [6/23]

No. Neither the statute establishing the CSFRF/CLFRF nor the Interim Final Rule requires recipients to maintain a local declaration of emergency relating to COVID-19.

1.8. Can non-profit or private organizations receive funds? If so, how? [7/14]

Yes. Under section 602(c)(3) of the Social Security Act, a State, territory, or Tribal government may transfer funds to a “private nonprofit organization . . . , a Tribal organization . . . , a public benefit corporation involved in the transportation of passengers or cargo, or a special-purpose unit of State or local government.” Similarly, section 603(c)(3) authorizes a local government to transfer funds to the same entities (other than Tribal organizations). The Interim Final Rule clarifies that the lists of transferees in sections 602(c)(3) and 603(c)(3) are not exclusive, and recipients may transfer funds to constituent units of government or private entities beyond those specified in the statute. A transferee receiving a transfer from a recipient under sections 602(c)(3) and 603(c)(3) will be considered to be a subrecipient and will be expected to comply with all subrecipient reporting requirements.

The ARPA does not authorize Treasury to provide CSFRF/CLFRF funds directly to non-profit or private organizations. Thus, non-profit or private organizations should seek funds from CSFRF/CLFRF recipient(s) in their jurisdiction (e.g., a State, local, territorial, or Tribal government).

2. Eligible Uses – Responding to the Public Health Emergency / Negative Economic Impacts

2.1. What types of COVID-19 response, mitigation, and prevention activities are eligible?

A broad range of services are needed to contain COVID-19 and are eligible uses, including vaccination programs; medical care; testing; contact tracing; support for isolation or quarantine; supports for vulnerable populations to access medical or public health services; public health surveillance (e.g., monitoring case trends, genomic sequencing for variants); enforcement of public health orders; public communication efforts; enhancement to health care capacity, including through alternative care facilities; purchases of personal protective equipment; support for prevention, mitigation, or other services in congregate living facilities (e.g., nursing homes, incarceration settings, homeless shelters, group living facilities) and other key settings like schools; ventilation improvements in congregate settings, health care settings, or other key locations; enhancement of public health data systems; and other public health responses. Capital investments in public facilities to meet pandemic operational needs are also eligible, such as physical plant improvements to public hospitals and health clinics or adaptations to public buildings to implement COVID-19 mitigation tactics.

2.2. If a use of funds was allowable under the Coronavirus Relief Fund (CRF) to respond to the public health emergency, may recipients presume it is also allowable under CSFRF/CLFRF?

Generally, funding uses eligible under CRF as a response to the direct public health impacts of COVID-19 will continue to be eligible under CSFRF/CLFRF, with the following two exceptions: (1) the standard for eligibility of public health and safety payrolls has been updated; and (2) expenses related to the issuance of tax-anticipation notes are not an eligible funding use.

2.3. If a use of funds is not explicitly permitted in the Interim Final Rule as a response to the public health emergency and its negative economic impacts, does that mean it is prohibited?

The Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. The Interim Final Rule also provides flexibility for recipients to use Fiscal Recovery Funds for programs or services that are not identified on these non-exclusive lists but which meet the objectives of section

602(c)(1)(A) or 603(c)(1)(A) by responding to the COVID-19 public health emergency with respect to COVID-19 or its negative economic impacts.

2.4. May recipients use funds to respond to the public health emergency and its negative economic impacts by replenishing state unemployment funds?

Consistent with the approach taken in the CRF, recipients may make deposits into the state account of the Unemployment Trust Fund up to the level needed to restore the pre-pandemic balances of such account as of January 27, 2020, or to pay back advances received for the payment of benefits between January 27, 2020 and the date when the Interim Final Rule is published in the Federal Register.

2.5. What types of services are eligible as responses to the negative economic impacts of the pandemic?

Eligible uses in this category include assistance to households; small businesses and non-profits; and aid to impacted industries.

Assistance to households includes, but is not limited to: food assistance; rent, mortgage, or utility assistance; counseling and legal aid to prevent eviction or homelessness; cash assistance; emergency assistance for burials, home repairs, weatherization, or other needs; internet access or digital literacy assistance; or job training to address negative economic or public health impacts experienced due to a worker's occupation or level of training.

Assistance to small business and non-profits includes, but is not limited to:

- loans or grants to mitigate financial hardship such as declines in revenues or impacts of periods of business closure, for example by supporting payroll and benefits costs, costs to retain employees, mortgage, rent, or utilities costs, and other operating costs;
- Loans, grants, or in-kind assistance to implement COVID-19 prevention or mitigation tactics, such as physical plant changes to enable social distancing, enhanced cleaning efforts, barriers or partitions, or COVID-19 vaccination, testing, or contact tracing programs; and
- Technical assistance, counseling, or other services to assist with business planning needs

2.6. May recipients use funds to respond to the public health emergency and its negative economic impacts by providing direct cash transfers to households?

Yes, provided the recipient considers whether, and the extent to which, the household has experienced a negative economic impact from the pandemic. Additionally, cash transfers must be reasonably proportional to the negative economic impact they are intended to address. Cash transfers grossly in excess of the amount needed to address the negative economic impact identified by the recipient would not be considered to be a response to the COVID-19 public health emergency or its negative impacts. In particular, when

considering appropriate size of permissible cash transfers made in response to the COVID-19 public health emergency, state, local, territorial, and Tribal governments may consider and take guidance from the per person amounts previously provided by the federal government in response to the COVID crisis.

2.7. May funds be used to reimburse recipients for costs incurred by state and local governments in responding to the public health emergency and its negative economic impacts prior to passage of the American Rescue Plan?

Use of Fiscal Recovery Funds is generally forward looking. The Interim Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021.

2.8. May recipients use funds for general economic development or workforce development?

Generally, not. Recipients must demonstrate that funding uses directly address a negative economic impact of the COVID-19 public health emergency, including funds used for economic or workforce development. For example, job training for unemployed workers may be used to address negative economic impacts of the public health emergency and be eligible.

2.9. How can recipients use funds to assist the travel, tourism, and hospitality industries?

Aid provided to tourism, travel, and hospitality industries should respond to the negative economic impacts of the pandemic. For example, a recipient may provide aid to support safe reopening of businesses in the tourism, travel and hospitality industries and to districts that were closed during the COVID-19 public health emergency, as well as aid a planned expansion or upgrade of tourism, travel and hospitality facilities delayed due to the pandemic.

Tribal development districts are considered the commercial centers for tribal hospitality, gaming, tourism and entertainment industries.

2.10. May recipients use funds to assist impacted industries other than travel, tourism, and hospitality?

Yes, provided that recipients consider the extent of the impact in such industries as compared to tourism, travel, and hospitality, the industries enumerated in the statute. For example, nationwide the leisure and hospitality industry has experienced an approximately 17 percent decline in employment and 24 percent decline in revenue, on net, due to the COVID-19 public health emergency. Recipients should also consider whether impacts were due to the COVID-19 pandemic, as opposed to longer-term economic or industrial trends unrelated to the pandemic.

Recipients should maintain records to support their assessment of how businesses or business districts receiving assistance were affected by the negative economic impacts of the pandemic and how the aid provided responds to these impacts.

2.11. How does the Interim Final Rule help address the disparate impact of COVID-19 on certain populations and geographies?

In recognition of the disproportionate impacts of the COVID-19 virus on health and economic outcomes in low-income and Native American communities, the Interim Final Rule identifies a broader range of services and programs that are considered to be in response to the public health emergency when provided in these communities. Specifically, Treasury will presume that certain types of services are eligible uses when provided in a Qualified Census Tract (QCT), to families living in QCTs, or when these services are provided by Tribal governments.

Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic. In identifying these disproportionately-impacted communities, recipients should be able to support their determination for how the pandemic disproportionately impacted the populations, households, or geographic areas to be served.

Eligible services include:

- Addressing health disparities and the social determinants of health, including: community health workers, public benefits navigators, remediation of lead paint or other lead hazards, and community violence intervention programs;
- Building stronger neighborhoods and communities, including: supportive housing and other services for individuals experiencing homelessness, development of affordable housing, and housing vouchers and assistance relocating to neighborhoods with higher levels of economic opportunity;
- Addressing educational disparities exacerbated by COVID-19, including: early learning services, increasing resources for high-poverty school districts, educational services like tutoring or afterschool programs, and supports for students' social, emotional, and mental health needs; and
- Promoting healthy childhood environments, including: child care, home visiting programs for families with young children, and enhanced services for child welfare-involved families and foster youth.

2.12. May recipients use funds to pay for vaccine incentive programs (e.g., cash or in-kind transfers, lottery programs, or other incentives for individuals who get vaccinated)?

Yes. Under the Interim Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds to respond to the COVID-19 public health emergency, including

expenses related to COVID-19 vaccination programs. See 31 CFR 35.6(b)(1)(i). Programs that provide incentives reasonably expected to increase the number of people who choose to get vaccinated, or that motivate people to get vaccinated sooner than they otherwise would have, are an allowable use of funds so long as such costs are reasonably proportional to the expected public health benefit.

2.13. May recipients use funds to pay “back to work incentives” (e.g., cash payments for newly employed workers after a certain period of time on the job)? [5/27]

Yes. Under the Interim Final Rule, recipients may use Coronavirus State and Local Fiscal Recovery Funds to provide assistance to unemployed workers. See 31 CFR 35.6(b)(4). This assistance can include job training or other efforts to accelerate rehiring and thus reduce unemployment, such as childcare assistance, assistance with transportation to and from a jobsite or interview, and incentives for newly employed workers.

2.14. The Coronavirus Relief Fund (CRF) included as an eligible use: "Payroll expenses for public safety, public health, health care, human services, and similar employees whose services are substantially dedicated to mitigating or responding to the COVID-19 public health emergency." What has changed in CSFRF/CLFRF, and what type of documentation is required under CSFRF/CLFRF? [5/27]

Many of the expenses authorized under the Coronavirus Relief Fund are also eligible uses under the CSFRF/CLFRF. However, in the case of payroll expenses for public safety, public health, health care, human services, and similar employees (hereafter, public health and safety staff), the CSFRF/CLFRF does differ from the CRF. This change reflects the differences between the ARPA and CARES Act and recognizes that the response to the COVID-19 public health emergency has changed and will continue to change over time. In particular, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, including first responders, to the extent that the employee's time that is dedicated to responding to the COVID-19 public health emergency.

For administrative convenience, the recipient may consider a public health and safety employee to be entirely devoted to mitigating or responding to the COVID-19 public health emergency, and therefore fully covered, if the employee, or his or her operating unit or division, is primarily dedicated (e.g., more than half of the employee's time is dedicated) to responding to the COVID-19 public health emergency.

Recipients may use presumptions for assessing whether an employee, division, or operating unit is primarily dedicated to COVID-19 response. The recipient should maintain records to support its assessment, such as payroll records, attestations from supervisors or staff, or regular work product or correspondence demonstrating work on the COVID-19 response. Recipients need not routinely track staff hours. Recipients should periodically reassess their determinations.

2.15. What staff are included in “public safety, public health, health care, human services, and similar employees”? Would this include, for example, 911 operators, morgue staff, medical examiner staff, or EMS staff? [5/27]

As discussed in the Interim Final Rule, funds may be used for payroll and covered benefits expenses for public safety, public health, health care, human services, and similar employees, for the portion of the employee’s time that is dedicated to responding to the COVID-19 public health emergency.

Public safety employees would include police officers (including state police officers), sheriffs and deputy sheriffs, firefighters, emergency medical responders, correctional and detention officers, and those who directly support such employees such as dispatchers and supervisory personnel. Public health employees would include employees involved in providing medical and other health services to patients and supervisory personnel, including medical staff assigned to schools, prisons, and other such institutions, and other support services essential for patient care (e.g., laboratory technicians, medical examiner or morgue staff) as well as employees of public health departments directly engaged in matters related to public health and related supervisory personnel. Human services staff include employees providing or administering social services; public benefits; child welfare services; and child, elder, or family care, as well as others.

2.16. May recipients use funds to establish a public jobs program? [6/8]

Yes. The Interim Final Rule permits a broad range of services to unemployed or underemployed workers and other individuals that suffered negative economic impacts from the pandemic. That can include public jobs programs, subsidized employment, combined education and on-the-job training programs, or job training to accelerate rehiring or address negative economic or public health impacts experienced due to a worker’s occupation or level of training. The broad range of permitted services can also include other employment supports, such as childcare assistance or assistance with transportation to and from a jobsite or interview.

The Interim Final Rule includes as an eligible use re-hiring public sector staff up to the government’s level of pre-pandemic employment. “Public sector staff” would not include individuals participating in a job training or subsidized employment program administered by the recipient.

2.17. The Interim Final Rule states that “assistance or aid to individuals or businesses that did not experience a negative economic impact from the public health emergency would not be an eligible use under this category.” Are recipients required to demonstrate that each individual or business experienced a negative economic impact for that individual or business to receive assistance? [6/23]

Not necessarily. The Interim Final Rule allows recipients to demonstrate a negative economic impact on a population or group and to provide assistance to households or businesses that fall within that population or group. In such cases, the recipient need only

demonstrate that the household or business is within the population or group that experienced a negative economic impact.

For assistance to households, the Interim Final Rule states, “In assessing whether a household or population experienced economic harm as a result of the pandemic, a recipient may presume that a household or population that experienced unemployment or increased food or housing insecurity or is low- or moderate-income experienced negative economic impacts resulting from the pandemic.” This would allow, for example, an internet access assistance program for all low- or moderate-income households, but would not require the recipient to demonstrate or document that each individual low- or moderate income household experienced a negative economic impact from the COVID-19 public health emergency apart from being low- or -moderate income.

For assistance to small businesses, the Interim Final Rule states that assistance may be provided to small businesses, including loans, grants, in-kind assistance, technical assistance or other services, to respond to the negative economic impacts of the COVID-19 public health emergency. In providing assistance to small businesses, recipients must design a program that responds to the negative economic impacts of the COVID-19 public health emergency, including by identifying how the program addresses the identified need or impact faced by small businesses. This can include assistance to adopt safer operating procedures, weather periods of closure, or mitigate financial hardship resulting from the COVID-19 public health emergency.

As part of program design and to ensure that the program responds to the identified need, recipients may consider additional criteria to target assistance to businesses in need, including to small businesses. Assistance may be targeted to businesses facing financial insecurity, with substantial declines in gross receipts (e.g., comparable to measures used to assess eligibility for the Paycheck Protection Program), or facing other economic harm due to the pandemic, as well as businesses with less capacity to weather financial hardship, such as the smallest businesses, those with less access to credit, or those serving disadvantaged communities. For example, a recipient could find based on local data or research that the smallest businesses faced sharply increased risk of bankruptcy and develop a program to respond; such a program would only need to document a population or group-level negative economic impact, and eligibility criteria to limit access to the program to that population or group (in this case, the smallest businesses).

In addition, recognizing the disproportionate impact of the pandemic on disadvantaged communities, the Interim Final Rule also identifies a set of services that are presumptively eligible when provided in a Qualified Census Tract (QCT); to families and individuals living in QCTs; to other populations, households, or geographic areas identified by the recipient as disproportionately impacted by the pandemic; or when these services are provided by Tribal governments. For more information on the set of presumptively eligible services, see the Interim Final Rule section on *Building Stronger Communities through Investments in Housing and Neighborhoods* and FAQ 2.11.

2.18. Would investments in improving outdoor spaces (e.g. parks) be an eligible use of funds as a response to the public health emergency and/or its negative economic impacts? [6/23]

There are multiple ways that investments in improving outdoor spaces could qualify as eligible uses; several are highlighted below, though there may be other ways that a specific investment in outdoor spaces would meet eligible use criteria.

First, in recognition of the disproportionate negative economic impacts on certain communities and populations, the Interim Final Rule identifies certain types of services that are eligible uses when provided in a Qualified Census Tract (QCT), to families and individuals living in QCTs, or when these services are provided by Tribal governments. Recipients may also provide these services to other populations, households, or geographic areas disproportionately impacted by the pandemic.

These programs and services include services designed to build stronger neighborhoods and communities and to address health disparities and the social determinants of health. The Interim Final Rule provides a non-exhaustive list of eligible services to respond to the needs of communities disproportionately impacted by the pandemic, and recipients may identify other uses of funds that do so, consistent with the Rule's framework. For example, investments in parks, public plazas, and other public outdoor recreation spaces may be responsive to the needs of disproportionately impacted communities by promoting healthier living environments and outdoor recreation and socialization to mitigate the spread of COVID-19.

Second, recipients may provide assistance to small businesses in all communities. Assistance to small businesses could include support to enhance outdoor spaces for COVID-19 mitigation (e.g., restaurant patios) or to improve the built environment of the neighborhood (e.g., façade improvements).

Third, many governments saw significantly increased use of parks during the pandemic that resulted in damage or increased maintenance needs. The Interim Final Rule recognizes that "decrease[s to] a state or local government's ability to effectively administer services" can constitute a negative economic impact of the pandemic.

2.19. Would expenses to address a COVID-related backlog in court cases be an eligible use of funds as a response to the public health emergency? [6/23]

The Interim Final Rule recognizes that "decrease[s to] a state or local government's ability to effectively administer services," such as cuts to public sector staffing levels, can constitute a negative economic impact of the pandemic. During the COVID-19 public health emergency, many courts were unable to operate safely during the pandemic and, as a result, now face significant backlogs. Court backlogs resulting from inability of courts to safely operate during the COVID-19 pandemic decreased the government's ability to administer services. Therefore, steps to reduce these backlogs, such as implementing COVID-19 safety measures to facilitate court operations, hiring additional court staff or

attorneys to increase speed of case resolution, and other expenses to expedite case resolution are eligible uses.

2.20. Can funds be used to assist small business startups as a response to the negative economic impact of COVID-19? [6/23]

As discussed in the Interim Final Rule, recipients may provide assistance to small businesses that responds to the negative economic impacts of COVID-19. The Interim Final Rule provides a non-exclusive list of potential assistance mechanisms, as well as considerations for ensuring that such assistance is responsive to the negative economic impacts of COVID-19.

Treasury acknowledges a range of potential circumstances in which assisting small business startups could be responsive to the negative economic impacts of COVID-19, including for small businesses and individuals seeking to start small businesses after the start of the COVID-19 public health emergency. For example:

- A recipient could assist small business startups with additional costs associated with COVID-19 mitigation tactics (e.g., barriers or partitions; enhanced cleaning; or physical plant changes to enable greater use of outdoor space).
- A recipient could identify and respond to a negative economic impact of COVID-19 on new small business startups; for example, if it could be shown that small business startups in a locality were facing greater difficulty accessing credit than prior to the pandemic, faced increased costs to starting the business due to the pandemic, or that the small business had lost expected startup capital due to the pandemic.
- The Interim Final Rule also discusses eligible uses that provide support for individuals who have experienced a negative economic impact from the COVID-19 public health emergency, including uses that provide job training for unemployed individuals. These initiatives also may support small business startups and individuals seeking to start small businesses.

2.21. Can funds be used for eviction prevention efforts or housing stability services? [6/24]

Yes. Responses to the negative economic impacts of the pandemic include “rent, mortgage, or utility assistance [and] counseling and legal aid to prevent eviction or homelessness.” This includes housing stability services that enable eligible households to maintain or obtain housing, such as housing counseling, fair housing counseling, case management related to housing stability, outreach to households at risk of eviction or promotion of housing support programs, housing related services for survivors of domestic abuse or human trafficking, and specialized services for individuals with disabilities or seniors that supports their ability to access or maintain housing.

This also includes legal aid such as legal services or attorney’s fees related to eviction proceedings and maintaining housing stability, court-based eviction prevention or

eviction diversion programs, and other legal services that help households maintain or obtain housing.

Recipients may transfer funds to, or execute grants or contracts with, court systems, non-profits, and a wide range of other organizations to implement these strategies.

3. Eligible Uses – Revenue Loss

3.1. How is revenue defined for the purpose of this provision? [appendix added 6/23]

The Interim Final Rule adopts a definition of “General Revenue” that is based on, but not identical, to the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances.

General Revenue includes revenue from taxes, current charges, and miscellaneous general revenue. It excludes refunds and other correcting transactions, proceeds from issuance of debt or the sale of investments, agency or private trust transactions, and revenue generated by utilities and insurance trusts. General revenue also includes intergovernmental transfers between state and local governments, but excludes intergovernmental transfers from the Federal government, including Federal transfers made via a state to a locality pursuant to the CRF or the Fiscal Recovery Funds.

Tribal governments may include all revenue from Tribal enterprises and gaming operations in the definition of General Revenue.

Please see the appendix for a diagram of the Interim Final Rule’s definition of General Revenue within the Census Bureau’s revenue classification structure.

3.2. Will revenue be calculated on an entity-wide basis or on a source-by-source basis (e.g. property tax, income tax, sales tax, etc.)?

Recipients should calculate revenue on an entity-wide basis. This approach minimizes the administrative burden for recipients, provides for greater consistency across recipients, and presents a more accurate representation of the net impact of the COVID- 19 public health emergency on a recipient’s revenue, rather than relying on financial reporting prepared by each recipient, which vary in methodology used and which generally aggregates revenue by purpose rather than by source.

3.3. Does the definition of revenue include outside concessions that contract with a state or local government?

Recipients should classify revenue sources as they would if responding to the U.S. Census Bureau’s Annual Survey of State and Local Government Finances. According to the Census Bureau’s [Government Finance and Employment Classification manual](#), the following is an example of current charges that would be included in a state or local government’s general revenue from own sources: “Gross revenue of facilities operated by

a government (swimming pools, recreational marinas and piers, golf courses, skating rinks, museums, zoos, etc.); auxiliary facilities in public recreation areas (camping areas, refreshment stands, gift shops, etc.); lease or use fees from stadiums, auditoriums, and community and convention centers; and rentals from concessions at such facilities.”

3.4. What is the time period for estimating revenue loss? Will revenue losses experienced prior to the passage of the Act be considered?

Recipients are permitted to calculate the extent of reduction in revenue as of four points in time: December 31, 2020; December 31, 2021; December 31, 2022; and December 31, 2023. This approach recognizes that some recipients may experience lagged effects of the pandemic on revenues.

Upon receiving Fiscal Recovery Fund payments, recipients may immediately calculate revenue loss for the period ending December 31, 2020.

3.5. What is the formula for calculating the reduction in revenue?

A reduction in a recipient’s General Revenue equals:

$$\text{Max } \{ [\text{Base Year Revenue} * (1 + \text{Growth Adjustment})^{\left(\frac{n_t}{12}\right)}] - \text{Actual General Revenue}_t ; 0 \}$$

Where:

Base Year Revenue is General Revenue collected in the most recent full fiscal year prior to the COVID-19 public health emergency.

Growth Adjustment is equal to the greater of 4.1 percent (or 0.041) and the recipient’s average annual revenue growth over the three full fiscal years prior to the COVID-19 public health emergency.

n equals the number of months elapsed from the end of the base year to the calculation date.

Actual General Revenue is a recipient’s actual general revenue collected during 12-month period ending on each calculation date.

Subscript *t* denotes the calculation date.

3.6. Are recipients expected to demonstrate that reduction in revenue is due to the COVID-19 public health emergency?

In the Interim Final Rule, any diminution in actual revenue calculated using the formula above would be presumed to have been “due to” the COVID-19 public health emergency. This presumption is made for administrative ease and in recognition of the broad-based economic damage that the pandemic has wrought.

3.7. May recipients use pre-pandemic projections as a basis to estimate the reduction in revenue?

No. Treasury is disallowing the use of projections to ensure consistency and comparability across recipients and to streamline verification. However, in estimating the revenue shortfall using the formula above, recipients may incorporate their average annual revenue growth rate in the three full fiscal years prior to the public health emergency.

3.8. Once a recipient has identified a reduction in revenue, are there any restrictions on how recipients use funds up to the amount of the reduction?

The Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. Government services can include, but are not limited to, maintenance of infrastructure or pay-go spending for building new infrastructure, including roads; modernization of cybersecurity, including hardware, software, and protection of critical infrastructure; health services; environmental remediation; school or educational services; and the provision of police, fire, and other public safety services.

However, paying interest or principal on outstanding debt, replenishing rainy day or other reserve funds, or paying settlements or judgments would not be considered provision of a government service, since these uses of funds do not entail direct provision of services to citizens. This restriction on paying interest or principal on any outstanding debt instrument, includes, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt. In addition, the overarching restrictions on all program funds (e.g., restriction on pension deposits, restriction on using funds for non-federal match where barred by regulation or statute) would apply.

3.9. How do I know if a certain type of revenue should be counted for the purpose of computing revenue loss? [5/27]

As discussed in FAQ #3.1, the Interim Final Rule adopts a definition of “General Revenue” that is based on, but not identical, to the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances.

Recipients should refer to the definition of “General Revenue” included in the Interim Final Rule. See 31 CFR 35.3. If a recipient is unsure whether a particular revenue source is included in the Interim Final Rule’s definition of “General Revenue,” the recipient may consider the classification and instructions used to complete the Census Bureau’s Annual Survey.

For example, parking fees would be classified as a Current Charge for the purpose of the Census Bureau’s Annual Survey, and the Interim Final Rule’s concept of “General

Revenue” includes all Current Charges. Therefore, parking fees would be included in the Interim Final Rule’s concept of “General Revenue.”

The Census Bureau’s Government Finance and Employment Classification manual is available [here](#).

3.10. In calculating revenue loss, are recipients required to use audited financials? [6/8]

Where audited data is not available, recipients are not required to obtain audited data. Treasury expects all information submitted to be complete and accurate. See 31 CFR 35.4(c).

3.11. In calculating revenue loss, should recipients use their own data, or Census data? [6/8]

Recipients should use their own data sources to calculate general revenue, and do not need to rely on published revenue data from the Census Bureau. Treasury acknowledges that due to differences in timing, data sources, and definitions, recipients’ self-reported general revenue figures may differ somewhat from those published by the Census Bureau.

3.12. Should recipients calculate revenue loss on a cash basis or an accrual basis? [6/8]

Recipients may provide data on a cash, accrual, or modified accrual basis, provided that recipients are consistent in their choice of methodology throughout the covered period and until reporting is no longer required.

3.13. In identifying intergovernmental revenue for the purpose of calculating General Revenue, should recipients exclude all federal funding, or just federal funding related to the COVID-19 response? How should local governments treat federal funds that are passed through states or other entities, or federal funds that are intermingled with other funds? [6/23]

In calculating General Revenue, recipients should exclude all intergovernmental transfers from the federal government. This includes, but is not limited to, federal transfers made via a state to a locality pursuant to the Coronavirus Relief Fund or Fiscal Recovery Funds. To the extent federal funds are passed through states or other entities or intermingled with other funds, recipients should attempt to identify and exclude the federal portion of those funds from the calculation of General Revenue on a best-efforts basis.

3.14. What entities constitute a government for the purpose of calculating revenue loss? [7/14]

In determining whether a particular entity is part of a recipient’s government for purposes of measuring a recipient’s government revenue, recipients should identify all the entities

included in their government and the general revenue attributable to these entities on a best-efforts basis. Recipients are encouraged to consider how their administrative structure is organized under state and local statutes. In cases in which the autonomy of certain authorities, commissions, boards, districts, or other entities is not readily distinguishable from the recipient's government, recipients may adopt the Census Bureau's criteria for judging whether an entity is independent from, or a constituent of, a given government. For an entity to be independent, it generally meets all four of the following conditions:

- The entity is an organized entity and possesses corporate powers, such as perpetual succession, the right to sue and be sued, having a name, the ability to make contracts, and the ability to acquire and dispose of property.
- The entity has governmental character, meaning that it provides public services, or wields authority through a popularly elected governing body or officers appointed by public officials. A high degree of responsibility to the public, demonstrated by public reporting requirements or by accessibility of records for public inspection, also evidences governmental character.
- The entity has substantial fiscal independence, meaning it can determine its budget without review and modification by other governments. For instance, the entity can determine its own taxes, charges, and debt issuance without another government's supervision.
- The entity has substantial administrative independence, meaning it has a popularly elected governing body, or has a governing body representing two or more governments, or, in the event its governing body is appointed by another government, the entity performs functions that are essentially different from those of, and are not subject to specification by, its creating government.

If an entity does not meet all four of these conditions, a recipient may classify the entity as part of the recipient's government and assign the portion of General Revenue that corresponds to the entity.

To further assist recipients in applying the forgoing criteria, recipients may refer to the Census Bureau's [*Individual State Descriptions: 2017 Census of Governments*](#) publication, which lists specific entities and classes of entities classified as either independent (defined by Census as "special purpose governments") or constituent (defined by Census as "dependent agencies") on a state-by-state basis. Recipients should note that the Census Bureau's lists are not exhaustive and that Census classifications are based on an analysis of state and local statutes as of 2017 and subject to the Census Bureau's judgement. Though not included in the Census Bureau's publication, state colleges and universities are generally classified as dependent agencies of state governments by the Census Bureau.

If an entity is determined to be part of the recipient's government, the recipient must also determine whether the entity's revenue is covered by the Interim Final Rule's definition of "general revenue." For example, some cash flows may be outside the definition of "general revenue." In addition, note that the definition of general revenue includes Tribal

enterprises in the case of Tribal governments. Refer to FAQ 3.1 (and the Appendix) for the components included in General Revenue.

3.15. The Interim Final Rule’s definition of General Revenue excludes revenue generated by utilities. Can you please clarify the definition of utility revenue? [7/14]

As noted in FAQs 3.1 and 3.9, the Interim Final Rule adopts a definition of “general revenue” that is based on, but not identical to, the Census Bureau’s concept of “General Revenue from Own Sources” in the Annual Survey of State and Local Government Finances. Recipients should refer to the definition of “general revenue” included in the Interim Final Rule. See 31 CFR 35.3. If a recipient is unsure whether a particular revenue source is included in the Interim Final Rule’s definition of “general revenue,” the recipient may consider the classification and instructions used to complete the Census Bureau’s Annual Survey.

According to the Census Bureau’s [Government Finance and Employment Classification manual](#), utility revenue is defined as “[g]ross receipts from sale of utility commodities or services to the public or other governments by publicly-owned and controlled utilities.” This includes revenue from operations of publicly-owned and controlled water supply systems, electric power systems, gas supply systems, and public mass transit systems (see pages 4-45 and 4-46 of the manual for more detail).

Except for these four types of utilities, revenues from all commercial-type activities of a recipient’s government (e.g., airports, educational institutions, lotteries, public hospitals, public housing, parking facilities, port facilities, sewer or solid waste systems, and toll roads and bridges) are covered by the Interim Final Rule’s definition of “general revenue.” If a recipient is unsure whether a particular entity performing one of these commercial-type activities can be considered part of the recipient’s government, please see FAQ 3.14.

4. Eligible Uses – General

4.1. May recipients use funds to replenish a budget stabilization fund, rainy day fund, or similar reserve account?

No. Funds made available to respond to the public health emergency and its negative economic impacts are intended to help meet pandemic response needs and provide immediate stabilization for households and businesses. Contributions to rainy day funds and similar reserves funds would not address these needs or respond to the COVID-19 public health emergency, but would rather be savings for future spending needs. Similarly, funds made available for the provision of governmental services (to the extent of reduction in revenue) are intended to support direct provision of services to citizens. Contributions to rainy day funds are not considered provision of government services, since such expenses do not directly relate to the provision of government services.

4.2. May recipients use funds to invest in infrastructure other than water, sewer, and broadband projects (e.g. roads, public facilities)?

Under 602(c)(1)(C) or 603(c)(1)(C), recipients may use funds for maintenance of infrastructure or pay-go spending for building of new infrastructure as part of the general provision of government services, to the extent of the estimated reduction in revenue due to the public health emergency.

Under 602(c)(1)(A) or 603(c)(1)(A), a general infrastructure project typically would not be considered a response to the public health emergency and its negative economic impacts unless the project responds to a specific pandemic-related public health need (e.g., investments in facilities for the delivery of vaccines) or a specific negative economic impact of the pandemic (e.g., affordable housing in a Qualified Census Tract).

4.3. May recipients use funds to pay interest or principal on outstanding debt?

No. Expenses related to financing, including servicing or redeeming notes, would not address the needs of pandemic response or its negative economic impacts. Such expenses would also not be considered provision of government services, as these financing expenses do not directly provide services or aid to citizens.

This applies to paying interest or principal on any outstanding debt instrument, including, for example, short-term revenue or tax anticipation notes, or paying fees or issuance costs associated with the issuance of new debt.

4.4. May recipients use funds to satisfy nonfederal matching requirements under the Stafford Act? May recipients use funds to satisfy nonfederal matching requirements generally?

Fiscal Recovery Funds are subject to pre-existing limitations in other federal statutes and regulations and may not be used as non-federal match for other Federal programs whose statute or regulations bar the use of Federal funds to meet matching requirements. For example, expenses for the state share of Medicaid are not an eligible use. For information on FEMA programs, please [see here](#).

4.5. Are governments required to submit proposed expenditures to Treasury for approval? [5/27]

No. Recipients are not required to submit planned expenditures for prior approval by Treasury. Recipients are subject to the requirements and guidelines for eligible uses contained in the Interim Final Rule.

4.6. How do I know if a specific use is eligible? [5/27]

Fiscal Recovery Funds must be used in one of the four eligible use categories specified in the American Rescue Plan Act and implemented in the Interim Final Rule:

- a) To respond to the public health emergency or its negative economic impacts, including assistance to households, small businesses, and nonprofits, or aid to impacted industries such as tourism, travel, and hospitality;
- b) To respond to workers performing essential work during the COVID-19 public health emergency by providing premium pay to eligible workers;
- c) For the provision of government services to the extent of the reduction in revenue due to the COVID–19 public health emergency relative to revenues collected in the most recent full fiscal year prior to the emergency; and
- d) To make necessary investments in water, sewer, or broadband infrastructure.

Recipients should consult Section II of the Interim Final Rule for additional information on eligible uses. For recipients evaluating potential uses under (a), the Interim Final Rule contains a non-exclusive list of programs or services that may be funded as responding to COVID-19 or the negative economic impacts of the COVID-19 public health emergency, along with considerations for evaluating other potential uses of Fiscal Recovery Funds not explicitly listed. See Section II of the Interim Final Rule for additional discussion.

For recipients evaluating potential uses under (c), the Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. See FAQ #3.8 for additional discussion.

For recipients evaluating potential uses under (b) and (d), see Sections 5 and 6.

4.7. Do restrictions on using Coronavirus State and Local Fiscal Recovery Funds to cover costs incurred beginning on March 3, 2021 apply to costs incurred by the recipient (e.g., a State, local, territorial, or Tribal government) or to costs incurred by households, businesses, and individuals benefiting from assistance provided using Coronavirus State and Local Fiscal Recovery Funds? [6/8]

The Interim Final Rule permits funds to be used to cover costs incurred beginning on March 3, 2021. This limitation applies to costs incurred by the recipient (i.e., the state, local, territorial, or Tribal government receiving funds). However, recipients may use Coronavirus State and Local Fiscal Recovery Funds to provide assistance to households, businesses, and individuals within the eligible use categories described in the Interim Final Rule for economic harms experienced by those households, businesses, and individuals prior to March 3, 2021. For example,

- Public Health/Negative Economic Impacts – Recipients may use Coronavirus State and Local Fiscal Recovery Funds to provide assistance to households – such as rent, mortgage, or utility assistance – for economic harms experienced or costs incurred by the household prior to March 3, 2021 (e.g., rental arrears from

preceding months), provided that the cost of providing assistance to the household was not incurred by the recipient prior to March 3, 2021.

- Premium Pay – Recipients may provide premium pay retrospectively for work performed at any time since the start of the COVID-19 public health emergency. Such premium pay must be “in addition to” wages and remuneration already received and the obligation to provide such pay must not have been incurred by the recipient prior to March 3, 2021.
- Revenue Loss – The Interim Final Rule gives recipients broad latitude to use funds for the provision of government services to the extent of reduction in revenue. The calculation of lost revenue begins with the recipient’s revenue in the last full fiscal year prior to the COVID-19 public health emergency and includes the 12-month period ending December 31, 2020. However, use of funds for government services must be forward looking for costs incurred by the recipient after March 3, 2021.
- Investments in Water, Sewer, and Broadband – Recipients may use Coronavirus State and Local Fiscal Recovery Funds to make necessary investments in water, sewer, and broadband. See FAQ Section 6. Recipients may use Coronavirus State and Local Fiscal Recovery Funds to cover costs incurred for eligible projects planned or started prior to March 3, 2021, provided that the project costs covered by the Coronavirus State and Local Fiscal Recovery Funds were incurred after March 3, 2021.

4.8. How can I use CSFRF/CLFRF funds to prevent and respond to crime, and support public safety in my community? [6/23]

Under Treasury’s Interim Final Rule, there are many ways in which the State and Local Fiscal Recovery Funds (“Funds”) under the American Rescue Plan Act can support communities working to reduce and respond to increased violence due to the pandemic. Among the eligible uses of the Funds are restoring of public sector staff to their pre-pandemic levels and responses to the public health crisis and negative economic impacts resulting from the pandemic. The Interim Final Rule provides several ways for recipients to “respond to” this pandemic-related gun violence, ranging from community violence intervention programs to mental health services to hiring of public safety personnel.

Below are some examples of how Fiscal Recovery Funds can be used to address public safety:

- In all communities, recipients may use resources to rehire police officers and other public servants to restore law enforcement and courts to their pre-pandemic levels. Additionally, Funds can be used for expenses to address COVID-related court backlogs, including hiring above pre-pandemic levels, as a response to the public health emergency. See FAQ 2.19.
- In communities where an increase in violence or increased difficulty in accessing or providing services to respond to or mitigate the effects of violence, is a result of the pandemic they may use funds to address that harm. This spending may include:

- Hiring law enforcement officials – even above pre-pandemic levels – or paying overtime where the funds are directly focused on advancing community policing strategies in those communities experiencing an increase in gun violence associated with the pandemic
- Community Violence Intervention (CVI) programs, including capacity building efforts at CVI programs like funding and training additional intervention workers
- Additional enforcement efforts to reduce gun violence exacerbated by the pandemic, including prosecuting gun traffickers, dealers, and other parties contributing to the supply of crime guns, as well as collaborative federal, state, and local efforts to identify and address gun trafficking channels
- Investing in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise in gun violence resulting from the pandemic

As discussed in the Interim Final Rule, uses of CSFRF/CLFRF funds that respond to an identified harm must be related and reasonably proportional to the extent and type of harm experienced; uses that bear no relation or are grossly disproportionate to the type or extent of harm experienced would not be eligible uses.

- Recipients may also use funds up to the level of revenue loss for government services, including those outlined above.

Recognizing that the pandemic exacerbated mental health and substance use disorder needs in many communities, eligible public health services include mental health and other behavioral health services, which are a critical component of a holistic public safety approach. This could include:

- Mental health services and substance use disorder services, including for individuals experiencing trauma exacerbated by the pandemic, such as:
 - Community-based mental health and substance use disorder programs that deliver evidence-based psychotherapy, crisis support services, medications for opioid use disorder, and/or recovery support
 - School-based social-emotional support and other mental health services
- Referrals to trauma recovery services for crime victims.

Recipients also may use Funds to respond to the negative economic impacts of the public health emergency, including:

- Assistance programs to households or populations facing negative economic impacts of the public health emergency, including:
 - Assistance to support economic security, including for the victims of crime;
 - Housing assistance, including rent, utilities, and relocation assistance;
 - Assistance with food, including Summer EBT and nutrition programs; and
 - Employment or job training services to address negative economic or public health impacts experienced due to a worker's occupation or level of training.

- Assistance to unemployed workers, including:
 - Subsidized jobs, including for young people. Summer youth employment programs directly address the negative economic impacts of the pandemic on young people and their families and communities;
 - Programs that provide paid training and/or work experience targeted primarily to (1) formerly incarcerated individuals, and/or (2) communities experiencing high levels of violence exacerbated by the pandemic;
 - Programs that provide workforce readiness training, apprenticeship or pre-apprenticeship opportunities, skills development, placement services, and/or coaching and mentoring; and
 - Associated wraparound services, including for housing, health care, and food.

Recognizing the disproportionate impact of the pandemic on certain communities, a broader range of services are eligible in those communities than would otherwise be available in communities not experiencing a pandemic-related increase in crime or gun violence. These eligible uses aim to address the pandemic's exacerbation of public health and economic disparities and include services to address health and educational disparities, support neighborhoods and affordable housing, and promote healthy childhood environments. The Interim Final Rule provides a non-exhaustive list of eligible services in these categories.

These services automatically qualify as eligible uses when provided in Qualified Census Tracts (QCTs), low-income areas designated by HUD; to families in QCTs; or by Tribal governments. Outside of these areas, recipient governments can also identify and serve households, populations, and geographic areas disproportionately impacted by the pandemic.

Services under this category could include:

- Programs or services that address or mitigate the impacts of the COVID-19 public health emergency on education, childhood health and welfare, including:
 - Summer education and enrichment programs in these communities, which include many communities currently struggling with high levels of violence;
 - Programs that address learning loss and keep students productively engaged;
 - Enhanced services for foster youths and home visiting programs; and
 - Summer camps and recreation.
- Programs or services that provide or facilitate access to health and social services and address health disparities exacerbated by the pandemic. This includes Community Violence Intervention (CVI) programs, such as:
 - Evidence-based practices like focused deterrence, street outreach, violence interrupters, and hospital-based violence intervention models, complete with wraparound services such as behavioral therapy, trauma recovery, job training, education, housing and relocation services, and financial assistance; and,
 - Capacity-building efforts at CVI programs like funding more intervention workers; increasing their pay; providing training and professional development for intervention workers; and hiring and training workers to administer the programs.

Please refer to Treasury's Interim Final Rule for additional information.

4.9. May recipients pool funds for regional projects? [7/14]

Yes, provided that the project is itself an eligible use of funds and that recipients can track the use of funds in line with the reporting and compliance requirements of the CSFRF/CLFRF. In general, when pooling funds for regional projects, recipients may expend funds directly on the project or transfer funds to another government that is undertaking the project on behalf of multiple recipients. To the extent recipients undertake regional projects via transfer to another government, recipients would need to comply with the rules on transfers specified in the Interim Final Rule, Section V. A recipient may transfer funds to a government outside its boundaries (e.g., county transfers to a neighboring county), provided that the recipient can document that its jurisdiction receives a benefit proportionate to the amount contributed.

4.10. May recipients fund a project with both ARP funds and other sources of funding (e.g., blending, braiding, or other pairing funding sources), including in conjunction with financing provided through a debt issuance? [7/14]

Cost sharing or matching funds are not required under CSFRF/CLFRF. Funds may be used in conjunction with other funding sources, provided that the costs are eligible costs under each source program and are compliant with all other related statutory and regulatory requirements and policies. The recipient must comply with applicable reporting requirements for all sources of funds supporting the CSFRF/CLFRF projects, and with any requirements and restrictions on the use of funds from the supplemental funding sources and the CSFRF/CLFRF program. Specifically,

- All funds provided under the CSFRF/CLFRF program must be used for projects, investments, or services that are eligible under the CSFRF/CLFRF statute, Treasury's Interim Final Rule, and guidance. See 31 CFR 35.6-8; FAQ 4.6. CSFRF/CLFRF funds may not be used to fund an activity that is not, in its entirety, an eligible use under the CSFRF/CLFRF statute, Treasury's Interim Final Rule, and guidance. For example,
 - CSFRF/CLFRF funds may be used in conjunction with other sources of funds to make an investment in water infrastructure, which is eligible under the CSFRF/CLFRF statute, and Treasury's Interim Final Rule.
 - CSFRF/CLFRF funds could not be used to fund the entirety of a water infrastructure project that was partially, although not entirely, an eligible use under Treasury's Interim Final Rule. However, the recipient could use CSFRF/CLFRF funds only for a smaller component project that does constitute an eligible use, while using other funds for the remaining portions of the larger planned water infrastructure project that do not constitute an eligible use. In this case, the "project" under this program would be only the eligible use component of the larger project.

- In addition, because CSFRF/CLFRF funds must be obligated by December 31, 2024, and expended by December 31, 2026, recipients must be able to, at a minimum, determine and report to Treasury on the amount of CSFRF/CLFRF funds obligated and expended and when such funds were obligated and expended.

**4.11. May Coronavirus State and Local Fiscal Recovery Funds be used to make loans or other extensions of credit (“loans”), including loans to small businesses and loans to finance necessary investments in water, sewer, and broadband infrastructure?
[7/14]**

Yes. Coronavirus State and Local Fiscal Recovery Funds (“Funds”) may be used to make loans, provided that the loan is an eligible use and the cost of the loan is tracked and reported in accordance with the points below. See 31 CFR 35.6. For example, a recipient may use Coronavirus State and Local Fiscal Recovery Funds to make loans to small businesses. See 31 CFR 35.6(b)(6). In addition, a recipient may use Funds to finance a necessary investment in water, sewer or broadband, as described in the Interim Final Rule. See 31 CFR 35.6(e).

Funds must be used to cover “costs incurred” by the recipient between March 3, 2021, and December 31, 2024, and Funds must be expended by December 31, 2026. See Section III.D of the Interim Final Rule; 31 CFR 35.5. Accordingly, recipients must be able to determine the amount of Funds used to make a loan.

- For loans that mature or are forgiven on or before December 31, 2026, the recipient must account for the use of funds on a cash flow basis, consistent with the approach to loans taken in the Coronavirus Relief Fund.
 - Recipients may use Fiscal Recovery Funds to fund the principal of the loan and in that case must track repayment of principal and interest (i.e., “program income,” as defined under 2 CFR 200).
 - When the loan is made, recipients must report the principal of the loan as an expense.
 - Repayment of principal may be re-used only for eligible uses, and subject to restrictions on timing of use of funds. Interest payments received prior to the end of the period of performance will be considered an addition to the total award and may be used for any purpose that is an eligible use of funds under the statute and IFR. Recipients are not subject to restrictions under 2 CFR 200.307(e)(1) with respect to such payments.
- For loans with maturities longer than December 31, 2026, the recipient may use Fiscal Recovery Funds for only the projected cost of the loan. Recipients may estimate the subsidy cost of the loan, which equals the expected cash flows associated with the loan discounted at the recipient’s cost of funding. A recipient’s cost of funding can be determined based on the interest rates of securities with a similar maturity to the cash flow being discounted that were either (i) recently issued by the recipient or (ii) recently issued by a unit of state, local, or Tribal government similar to the recipient. Recipients that have adopted the Current Expected Credit Loss

(CECL) standard may also treat the cost of the loan as equal to the CECL-based expected credit losses over the life of the loan. Recipients may measure projected losses either once, at the time the loan is extended, or annually over the covered period.

Under either approach for measuring the amount of funds used to make loans with maturities longer than December 31, 2026, recipients would not be subject to restrictions under 2 CFR 200.307(e)(1) and need not separately track repayment of principal or interest.

Any contribution of Fiscal Recovery Funds to a revolving loan fund must follow the approach described above for loans with maturities longer than December 31, 2026. In other words, a recipient could contribute Fiscal Recovery Funds to a revolving loan fund, provided that the revolving loan fund makes loans that are eligible uses and the Fiscal Recovery Funds contributed represent the projected cost of loans made over the life of the revolving loan fund.

4.12. May funds be used for outreach to increase uptake of federal assistance like the Child Tax Credit or federal programs like SNAP? [7/14]

Yes. Eligible uses to address negative economic impacts include work “to improve efficacy of programs addressing negative economic impacts, including through use of data analysis, targeted consumer outreach, improvements to data or technology infrastructure, and impact evaluations.” See 31 CFR 35.6(b)(10). Of note, per the CSFRF/CLFRF [Reporting Guidance](#), allowable use of funds for evaluations may also include other types of program evaluations focused on program improvement and evidence building. In addition, recipients may use funds to facilitate access to health and social services in populations and communities disproportionately impacted by the COVID-19 pandemic, including benefits navigators or marketing efforts to increase consumer uptake of federal tax credits, benefits, or assistance programs that respond to negative economic impacts of the pandemic. See 31 CFR 35.6(b)(12).

5. Eligible Uses – Premium Pay

5.1. What criteria should recipients use in identifying essential workers to receive premium pay?

Essential workers are those in critical infrastructure sectors who regularly perform in-person work, interact with others at work, or physically handle items handled by others.

Critical infrastructure sectors include healthcare, education and childcare, transportation, sanitation, grocery and food production, and public health and safety, among others, as provided in the Interim Final Rule. Governments receiving Fiscal Recovery Funds have the discretion to add additional sectors to this list, so long as the sectors are considered critical to protect the health and well-being of residents.

The Interim Final Rule emphasizes the need for recipients to prioritize premium pay for lower income workers. Premium pay that would increase a worker's total pay above 150% of the greater of the state or county average annual wage requires specific justification for how it responds to the needs of these workers.

5.2. What criteria should recipients use in identifying third-party employers to receive grants for the purpose of providing premium pay to essential workers?

Any third-party employers of essential workers are eligible. Third-party contractors who employ essential workers in eligible sectors are also eligible for grants to provide premium pay. Selection of third-party employers and contractors who receive grants is at the discretion of recipients.

To ensure any grants respond to the needs of essential workers and are made in a fair and transparent manner, the rule imposes some additional reporting requirements for grants to third-party employers, including the public disclosure of grants provided.

5.3. May recipients provide premium pay retroactively for work already performed?

Yes. Treasury encourages recipients to consider providing premium pay retroactively for work performed during the pandemic, recognizing that many essential workers have not yet received additional compensation for their service during the pandemic.

6. Eligible Uses – Water, Sewer, and Broadband Infrastructure

6.1. What types of water and sewer projects are eligible uses of funds?

The Interim Final Rule generally aligns eligible uses of the Funds with the wide range of types or categories of projects that would be eligible to receive financial assistance through the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF).

Under the DWSRF, categories of [eligible projects](#) include: treatment, transmission and distribution (including lead service line replacement), source rehabilitation and decontamination, storage, consolidation, and new systems development.

Under the CWSRF, categories of [eligible projects](#) include: construction of publicly-owned treatment works, nonpoint source pollution management, national estuary program projects, decentralized wastewater treatment systems, stormwater systems, water conservation, efficiency, and reuse measures, watershed pilot projects, energy efficiency measures for publicly-owned treatment works, water reuse projects, security measures at publicly-owned treatment works, and technical assistance to ensure compliance with the Clean Water Act.

As mentioned in the Interim Final Rule, eligible projects under the DWSRF and CWSRF support efforts to address climate change, as well as to meet cybersecurity needs to protect water and sewer infrastructure. Given the lifelong impacts of lead exposure for children, and the widespread nature of lead service lines, Treasury also encourages recipients to consider projects to replace lead service lines.

6.2. May construction on eligible water, sewer, or broadband infrastructure projects continue past December 31, 2024, assuming funds have been obligated prior to that date?

Yes. Treasury is interpreting the requirement that costs be incurred by December 31, 2024 to only require that recipients have obligated the funds by such date. The period of performance will run until December 31, 2026, which will provide recipients a reasonable amount of time to complete projects funded with Fiscal Recovery Funds.

6.3. May recipients use funds as a non-federal match for the Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF)?

Recipients may not use funds as a state match for the CWSRF and DWSRF due to prohibitions in utilizing federal funds as a state match in the authorizing statutes and regulations of the CWSRF and DWSRF.

6.4. Does the National Environmental Policy Act (NEPA) apply to eligible infrastructure projects?

NEPA does not apply to Treasury's administration of the Funds. Projects supported with payments from the Funds may still be subject to NEPA review if they are also funded by other federal financial assistance programs.

6.5. What types of broadband projects are eligible?

The Interim Final Rule requires eligible projects to reliably deliver minimum speeds of 100 Mbps download and 100 Mbps upload. In cases where it is impracticable due to geography, topography, or financial cost to meet those standards, projects must reliably deliver at least 100 Mbps download speed, at least 20 Mbps upload speed, and be scalable to a minimum of 100 Mbps download speed and 100 Mbps upload speed.

Projects must also be designed to serve unserved or underserved households and businesses, defined as those that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed.

6.6. For broadband investments, may recipients use funds for related programs such as cybersecurity or digital literacy training?

Yes. Recipients may use funds to provide assistance to households facing negative economic impacts due to Covid-19, including digital literacy training and other programs

that promote access to the Internet. Recipients may also use funds for modernization of cybersecurity, including hardware, software, and protection of critical infrastructure, as part of provision of government services up to the amount of revenue lost due to the public health emergency.

6.7. How do I know if a water, sewer, or broadband project is an eligible use of funds? Do I need pre-approval? [6/8]

Recipients do not need approval from Treasury to determine whether an investment in a water, sewer, or broadband project is eligible under CSFRF/CLFRF. Each recipient should review the Interim Final Rule (IFR), along with the preamble to the Interim Final Rule, in order to make its own assessment of whether its intended project meets the eligibility criteria in the IFR. A recipient that makes its own determination that a project meets the eligibility criteria as outlined in the IFR may pursue the project as a CSFRF/CLFRF project without pre-approval from Treasury. Local government recipients similarly do not need state approval to determine that a project is eligible under CSFRF/CLFRF. However, recipients should be cognizant of other federal or state laws or regulations that may apply to construction projects independent of CSFRF/CLFRF funding conditions and that may require pre-approval.

For water and sewer projects, the IFR refers to the EPA [Drinking Water](#) and [Clean Water](#) State Revolving Funds (SRFs) for the categories of projects and activities that are eligible for funding. Recipients should look at the relevant federal statutes, regulations, and guidance issued by the EPA to determine whether a water or sewer project is eligible. Of note, the IFR does not incorporate any other requirements contained in the federal statutes governing the SRFs or any conditions or requirements that individual states may place on their use of SRFs.

6.8. For broadband infrastructure investments, what does the requirement that infrastructure “be designed to” provide service to unserved or underserved households and businesses mean? [6/17]

Designing infrastructure investments to provide service to unserved or underserved households or businesses means prioritizing deployment of infrastructure that will bring service to households or businesses that are not currently serviced by a wireline connection that reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed. To meet this requirement, states and localities should use funds to deploy broadband infrastructure projects whose objective is to provide service to unserved or underserved households or businesses. These unserved or underserved households or businesses do not need to be the only ones in the service area funded by the project.

6.9. For broadband infrastructure to provide service to “unserved or underserved households or businesses,” must every house or business in the service area be unserved or underserved? [6/17]

No. It suffices that an objective of the project is to provide service to unserved or underserved households or businesses. Doing so may involve a holistic approach that provides service to a wider area in order, for example, to make the ongoing service of unserved or underserved households or businesses within the service area economical. Unserved or underserved households or businesses need not be the *only* households or businesses in the service area receiving funds.

6.10. May recipients use payments from the Funds for “middle mile” broadband projects? [6/17]

Yes. Under the Interim Final Rule, recipients may use payments from the Funds for “middle-mile projects,” but Treasury encourages recipients to focus on projects that will achieve last-mile connections—whether by focusing on funding last-mile projects or by ensuring that funded middle-mile projects have potential or partnered last-mile networks that could or would leverage the middle-mile network.

6.11. For broadband infrastructure investments, what does the requirement to “reliably” meet or exceed a broadband speed threshold mean? [6/17]

In the Interim Final Rule, the term “reliably” is used in two places: to identify areas that are eligible to be the subject of broadband infrastructure investments and to identify expectations for acceptable service levels for broadband investments funded by the Coronavirus State and Local Fiscal Recovery Funds. In particular:

- The IFR defines “unserved or underserved households or businesses” to mean one or more households or businesses that are not currently served by a wireline connection that reliably delivers at least 25 Mbps download speeds and 3 Mbps of upload speeds.
- The IFR provides that a recipient may use Coronavirus State and Local Fiscal Recovery Funds to make investments in broadband infrastructure that are designed to provide service to unserved or underserved households or businesses and that are designed to, upon completion: (i) reliably meet or exceed symmetrical 100 Mbps download speed and upload speeds; or (ii) in limited cases, reliably meet or exceed 100 Mbps download speed and between 20 Mbps and 100 Mbps upload speed and be scalable to a minimum of 100 Mbps download and upload speeds.

The use of “reliably” in the IFR provides recipients with significant discretion to assess whether the households and businesses in the area to be served by a project have access to wireline broadband service that can actually and consistently meet the specified thresholds of at least 25Mbps/3Mbps—i.e., to consider the actual experience of current wireline broadband customers that subscribe to services at or above the 25 Mbps/3 Mbps threshold. Whether there is a provider serving the area that advertises or otherwise claims to offer speeds that meet the 25 Mbps download and 3 Mbps upload speed thresholds is not dispositive.

When making these assessments, recipients may choose to consider any available data, including but not limited to documentation of existing service performance, federal and/or state-collected broadband data, user speed test results, interviews with residents and business owners, and any other information they deem relevant. In evaluating such data, recipients may take into account a variety of factors, including whether users actually receive service at or above the speed thresholds at all hours of the day, whether factors other than speed such as latency or jitter, or deterioration of the existing connections make the user experience unreliable, and whether the existing service is being delivered by legacy technologies, such as copper telephone lines (typically using Digital Subscriber Line technology) or early versions of cable system technology (DOCSIS 2.0 or earlier).

The IFR also provides recipients with significant discretion as to how they will assess whether the project itself has been designed to provide households and businesses with broadband services that meet, or even exceed, the speed thresholds provided in the rule.

6.12. May recipients use Funds for pre-project development for eligible water, sewer, and broadband projects? [6/23]

Yes. To determine whether Funds can be used on pre-project development for an eligible water or sewer project, recipients should consult whether the pre-project development use or cost is eligible under the Drinking Water and Clean Water State Revolving Funds (CWSRF and DWSRF, respectively). Generally, the CWSRF and DWSRF often allow for pre-project development costs that are tied to an eligible project, as well as those that are reasonably expected to lead to a project. For example, the DWSRF [allows](#) for planning and evaluations uses, as well as numerous pre-project development costs, including costs associated with obtaining project authorization, planning and design, and project start-up like training and warranty for equipment. Likewise, the CWSRF [allows](#) for broad pre-project development, including planning and assessment activities, such as cost and effectiveness analyses, water/energy audits and conservation plans, and capital improvement plans.

Similarly, pre-project development uses and costs for broadband projects should be tied to an eligible broadband project or reasonably expected to lead to such a project. For example, pre-project costs associated with planning and engineering for an eligible broadband infrastructure build-out is considered an eligible use of funds, as well as technical assistance and evaluations that would reasonably be expected to lead to commencement of an eligible project (e.g., broadband mapping for the purposes of finding an eligible area for investment).

All funds must be obligated within the statutory period between March 3, 2021 and December 31, 2024, and expended to cover such obligations by December 31, 2026.

6.13. May State and Local Fiscal Recovery Funds be used to support energy or electrification infrastructure that would be used to power new water treatment plants and wastewater systems? [7/14]

The EPA's [Overview of Clean Water State Revolving Fund Eligibilities](#) describes eligible energy-related projects. This includes a "[p]ro rata share of capital costs of offsite clean energy facilities that provide power to a treatment works." Thus, State and Local Fiscal Recovery Funds may be used to finance the generation and delivery of clean power to a wastewater system or a water treatment plant on a pro-rata basis. If the wastewater system or water treatment plant is the sole user of the clean energy, the full cost would be considered an eligible use of funds. If the clean energy provider provides power to other entities, only the proportionate share used by the water treatment plant or wastewater system would be an eligible use of State and Local Fiscal Recovery Funds.

6.14. How should states and local governments assess whether a stormwater management project, such as a culvert replacement, is an eligible project for State and Local Fiscal Recovery Funds? [7/14]

FAQ 6.7 describes the overall approach that recipients may take to evaluate the eligibility of water or sewer projects. For stormwater management projects specifically, as noted in the EPA's [Overview of Clean Water State Revolving Fund Eligibilities](#), "Stormwater projects must have a water quality benefit." Thus, to be eligible under CSFRF/CLFRF, stormwater management projects should be designed to incorporate water quality benefits consistent with the goals of the Clean Water Act. [Summary of the Clean Water Act](#).

6.15. May recipients use Funds for road repairs and upgrades that occur in connection with an eligible water or sewer project? [7/14]

Yes, recipients may use State and Local Fiscal Recovery Funds for road repairs and upgrades directly related to an eligible water or sewer project. For example, a recipient could use Funds to repair or re-pave a road following eligible sewer repair work beneath it. However, use of Funds for general infrastructure projects is subject to the limitations described in FAQ 4.2. Water and sewer infrastructure projects are often a single component of a broader transportation infrastructure project, for example, the implementation of stormwater infrastructure to meet Clean Water Act established water quality standards. In this example, the components of the infrastructure project that interact directly with the stormwater infrastructure project may be funded by Fiscal Recovery Funds.

6.16. May Funds be used to build or upgrade broadband connections to schools or libraries? [7/14]

As outlined in the IFR, recipients may use Fiscal Recovery Funds to invest in broadband infrastructure that, wherever it is practicable to do so, is designed to deliver service that reliably meets or exceeds symmetrical upload and download speeds of 100 Mbps to households or businesses that are not currently serviced by a wireline connection that

reliably delivers at least 25 Mbps download speed and 3 Mbps of upload speed. Treasury interprets “businesses” in this context broadly to include non-residential users of broadband, including private businesses and institutions that serve the public, such as schools, libraries, healthcare facilities, and public safety organizations.

6.17. Are eligible infrastructure projects subject to the Davis-Bacon Act? [7/14]

The Davis-Bacon Act requirements (prevailing wage rates) do not apply to projects funded solely with award funds from the CSFRF/CLFRF program, except for CSFRF/CLFRF-funded construction projects undertaken by the District of Columbia. The Davis-Bacon Act specifically applies to the District of Columbia when it uses federal funds (CSFRF/CLFRF funds or otherwise) to enter into contracts over \$2,000 for the construction, alteration, or repair (including painting and decorating) of public buildings or public works. Recipients may be otherwise subject to the requirements of the Davis-Bacon Act, when CSFRF/CLFRF award funds are used on a construction project in conjunction with funds from another federal program that requires enforcement of the Davis-Bacon Act. Additionally, corollary state prevailing-wage-in-construction laws (commonly known as “baby Davis-Bacon Acts”) may apply to projects. Please refer to FAQ 4.10 concerning projects funded with both CSFRF/CLFRF funds and other sources of funding.

Treasury has indicated in its Interim Final Rule that it is important that necessary investments in water, sewer, or broadband infrastructure be carried out in ways that produce high-quality infrastructure, avert disruptive and costly delays, and promote efficiency. Treasury encourages recipients to ensure that water, sewer, and broadband projects use strong labor standards, including project labor agreements and community benefits agreements that offer wages at or above the prevailing rate and include local hire provisions, not only to promote effective and efficient delivery of high-quality infrastructure projects, but also to support the economic recovery through strong employment opportunities for workers. Using these practices in construction projects may help to ensure a reliable supply of skilled labor that would minimize disruptions, such as those associated with labor disputes or workplace injuries.

Treasury has also indicated in its reporting guidance that recipients will need to provide documentation of wages and labor standards for infrastructure projects over \$10 million, and that these requirements can be met with certifications that the project is in compliance with the Davis-Bacon Act (or related state laws, commonly known as “baby Davis-Bacon Acts”) and subject to a project labor agreement. Please refer to the Reporting and Compliance Guidance, page 21, for more detailed information on the reporting requirement.

7. Non-Entitlement Units (NEUs)

Answers to frequently asked questions on distribution of funds to NEUs can be found in this [FAQ supplement](#), which is regularly updated.

8. Ineligible Uses

8.1. What is meant by a pension “deposit”? Can governments use funds for routine pension contributions for employees whose payroll and covered benefits are eligible expenses?

Treasury interprets “deposit” in this context to refer to an extraordinary payment into a pension fund for the purpose of reducing an accrued, unfunded liability. More specifically, the interim final rule does not permit this assistance to be used to make a payment into a pension fund if both: (1) the payment reduces a liability incurred prior to the start of the COVID-19 public health emergency, and (2) the payment occurs outside the recipient’s regular timing for making such payments.

Under this interpretation, a “deposit” is distinct from a “payroll contribution,” which occurs when employers make payments into pension funds on regular intervals, with contribution amounts based on a pre-determined percentage of employees’ wages and salaries. In general, if an employee’s wages and salaries are an eligible use of Fiscal Recovery Funds, recipients may treat the employee’s covered benefits as an eligible use of Fiscal Recovery Funds.

8.2. May recipients use Fiscal Recovery Funds to fund Other Post-Employment Benefits (OPEB)? [6/8]

OPEB refers to benefits other than pensions (see, e.g., [Governmental Accounting Standards Board, “Other Post-Employment Benefits”](#)). Treasury has determined that Sections 602(c)(2)(B) and 603(c)(2), which refer only to pensions, do not prohibit CSFRF/CLFRF recipients from funding OPEB. Recipients of either the CSFRF/CLFRF may use funds for eligible uses, and a recipient seeking to use CSFRF/CLFRF funds for OPEB contributions would need to justify those contributions under one of the four eligible use categories.

9. Reporting

On November 5, 2021, Treasury released updated [Guidance on Recipient Compliance and Reporting Responsibilities for the Coronavirus State and Local Fiscal Recovery Funds](#). Recipients should consult this guidance for additional detail and clarification on recipients’ compliance and reporting responsibilities. A user guide will be provided with additional information associated with the submission of reports. .

9.1. What records must be kept by governments receiving funds?

Financial records and supporting documents related to the award must be retained for a period of five years after all funds have been expended or returned to Treasury,

whichever is later. This includes those which demonstrate the award funds were used for eligible purposes in accordance with the ARPA, Treasury's regulations implementing those sections, and Treasury's guidance on eligible uses of funds.

9.2. What reporting will be required, and when will the first report be due?²

Recipients will be required to submit an interim report, project and expenditure reports, and annual Recovery Plan Performance Reports as specified below, regarding their utilization of Coronavirus State and Local Fiscal Recovery Funds.

Interim reports: States (defined to include the District of Columbia), territories, metropolitan cities, counties, and Tribal governments will be required to submit one interim report. The interim report will include a recipient's expenditures by category at the summary level and for states, information related to distributions to non-entitlement units of local government must also be included in the interim report. The interim report covered activity from the date of award to July 31, 2021 and were due to Treasury by August 31, 2021 or 60 days after receiving funding if funding was received by October 15, 2021. Non-entitlement units of local government were not required to submit an interim report.

Project and Expenditure reports: State (defined to include the District of Columbia), territorial, metropolitan city, county, and Tribal governments will be required to submit project and expenditure reports. This report will include financial data, information on contracts and subawards over \$50,000, types of projects funded, and other information regarding a recipient's utilization of award funds.

Reports will be required quarterly for the following recipients:

- States and territories
- Metropolitan cities and counties with population over 250,000
- Metropolitan cities and counties with population less than 250,000 that received an award of more than \$10 million
- Tribal governments that received an award of more than \$30 million.

The initial project and expenditure report for quarterly recipients will be due January 31, 2022 and will cover the period of March 3, 2021 to December 31, 2021. The subsequent quarterly reports will cover one calendar quarter and must be submitted to Treasury within 30 days after the end of each calendar quarter.

Reports will be required annually for the following recipients:

- Metropolitan cities and counties with population less than 250,000 that received an award less than \$10 million,
- Tribal governments that received an award less than \$30 million
- Non-entitlement units of government

² This question was updated on November 15, 2021

The initial project and expenditure report for annual filers will be due April 30, 2022 and will cover the period of March 3, 2021 to March 31, 2022. The subsequent annual reports must be submitted to Treasury by April 30 each year.

The reports will include the same general data as those submitted by recipients of the Coronavirus Relief Fund, with some modifications to expenditure categories and the addition of data elements related to specific eligible uses.

Recovery Plan Performance Reports: States (defined to include the District of Columbia), territories, metropolitan cities, and counties with a population that exceeds 250,000 residents will also be required to submit an annual Recovery Plan Performance Report to Treasury. This report will include descriptions of the projects funded and information on the performance indicators and objectives of each award, helping local residents understand how their governments are using the substantial resources provided by Coronavirus State and Local Fiscal Recovery Funds program. The initial Recovery Plan Performance Report will cover activity from date of award to July 31, 2021 was due to Treasury by August 31, 2021 or 60 days after receiving funding. Thereafter, the Recovery Plan Performance Reports will cover a 12-month period and recipients will be required to submit the report to Treasury within 30 days after the end of the 12-month period. The second Recovery Plan Performance Report will cover the period from July 1, 2021 to June 30, 2022 and must be submitted to Treasury by July 31, 2022. Each annual Recovery Plan Performance Report must be posted on the public-facing website of the recipient. Local governments with fewer than 250,000 residents, Tribal governments, and non-entitlement units of local government are not required to develop a Recovery Plan Performance Report.

Please see the [Guidance on Recipient Compliance and Reporting Responsibilities](#) for more information.

9.3. What provisions of the Uniform Guidance for grants apply to these funds? Will the Single Audit requirements apply?

Most of the provisions of the Uniform Guidance (2 CFR Part 200) apply to this program, including the Cost Principles and Single Audit Act requirements. Recipients should refer to the Assistance Listing for detail on the specific provisions of the Uniform Guidance that do not apply to this program. The Assistance Listing will be available on beta.SAM.gov.

9.4. Once a recipient has identified a reduction in revenue, how will Treasury track use of funds for the provision of government services? [6/8]

The ARPA establishes four categories of eligible uses and further restrictions on the use of funds to ensure that Fiscal Recovery Funds are used within the four eligible use categories. The Interim Final Rule implements these restrictions, including the scope of the eligible use categories and further restrictions on tax cuts and deposits into pensions. Reporting requirements will align with this structure.

Consistent with the broad latitude provided to recipients to use funds for government services to the extent of the reduction in revenue, recipients will be required to submit a description of services provided. As discussed in IFR, these services can include a broad range of services but may not be used directly for pension deposits, contributions to reserve funds, or debt service. Recipients may use sources of funding other than Fiscal Recovery Funds to make deposits to pension funds, contribute to reserve funds, and pay debt service, including during the period of performance for the Fiscal Recovery Fund award.

For recipients using Fiscal Recovery Funds to provide government services to the extent of reduction in revenue, the description of government services reported to Treasury may be narrative or in another form, and recipients are encouraged to report based on their existing budget processes and to minimize administrative burden. For example, a recipient with \$100 in revenue replacement funds available could indicate that \$50 were used for personnel costs and \$50 were used for pay-go building of sidewalk infrastructure.

In addition to describing the government services provided to the extent of reduction in revenue, all recipients will also be required to indicate that Fiscal Recovery Funds are not used directly to make a deposit in a pension fund. Further, recipients subject to the tax offset provision will be required to provide information necessary to implement the Interim Final Rule, as described in the Interim Final Rule. Treasury does not anticipate requiring other types of reporting or recordkeeping on spending in pensions, debt service, or contributions to reserve funds.

These requirements are further detailed in the guidance on reporting requirements for the Fiscal Recovery Funds available [here](#).

9.5. What is the Assistance Listing and Catalog of Federal Domestic Assistance (CFDA) number for the program? [6/8]

The [Assistance Listing](#) for the Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) was published May 28, 2021 on SAM.gov. This includes the final CFDA Number for the program, 21.027.

The assistance listing includes helpful information including program purpose, statutory authority, eligibility requirements, and compliance requirements for recipients. The CFDA number is the unique 5-digit code for each type of federal assistance, and can be used to search for program information, including funding opportunities, spending on [usaspending.gov](#), or audit results through the Federal Audit Clearinghouse.

To expedite payments and meet statutory timelines, Treasury issued initial payments under an existing CFDA number. If you have already received funds or captured the initial CFDA number in your records, please update your systems and reporting to reflect the final CFDA number 21.027. **Recipients must use the final CFDA number for all**

financial accounting, audits, subawards, and associated program reporting requirements.

To ensure public trust, Treasury expects all recipients to serve as strong stewards of these funds. This includes ensuring funds are used for intended purposes and recipients have in place effective financial management, internal controls, and reporting for transparency and accountability.

Please see [Treasury's Interim Final Rule](#) and the [Guidance on Recipient Compliance and Reporting Responsibilities](#) for more information.

10. Miscellaneous

10.1. May governments retain assets purchased with Fiscal Recovery Funds? If so, what rules apply to the proceeds of disposition or sale of such assets?

Yes, if the purchase of the asset was consistent with the limitations on the eligible use of funds. If such assets are disposed of prior to December 31, 2024, the proceeds would be subject to the restrictions on the eligible use of payments.

10.2. Can recipients use funds for administrative purposes?

Recipients may use funds to cover the portion of payroll and benefits of employees corresponding to time spent on administrative work necessary due to the COVID-19 public health emergency and its negative economic impacts. This includes, but is not limited to, costs related to disbursing payments of Fiscal Recovery Funds and managing new grant programs established using Fiscal Recovery Funds.

10.3. Are recipients required to remit interest earned on CSFRF/CLFRF payments made by Treasury? [5/27, updated 7/14]

No. CSFRF/CLFRF payments made by Treasury to states, territories, and the District of Columbia are not subject to the requirement of the Cash Management Improvement Act and Treasury's implementing regulations at 31 CFR part 205 to remit interest to Treasury. CSFRF/CLFRF payments made by Treasury to local governments and Tribes are not subject to the requirement of 2 CFR 200.305(b)(8)–(9) to maintain balances in an interest-bearing account and remit payments to Treasury. Moreover, interest earned on CSFRF/CLFRF payments is not subject to program restrictions. Finally, States may retain interest on payments made by Treasury to the State for distribution to NEUs that is earned before funds are distributed to NEUs, provided that the State adheres to the statutory requirements and Treasury's guidance regarding the distribution of funds to NEUs. Such interest is also not subject to program restrictions.

Among other things, States and other recipients may use earned income to defray the administrative expenses of the program, including with respect to NEUs.

10.4. Is there a deadline to apply for funds? [5/27]

The Interim Final Rule requires that costs be incurred by December 31, 2024. Direct recipients are encouraged to apply as soon as possible. For direct recipients other than Tribal governments, there is not a specific application deadline.

Tribal governments do have deadlines to complete the application process and should visit www.treasury.gov/SLFRPTribal for guidance on applicable deadlines.

Non-entitlement units of local government should contact their state government for information on applicable deadlines.

10.5. May recipients use funds to cover the costs of consultants to assist with managing and administering the funds? [6/8]

Yes. Recipients may use funds for administering the CSFRF/CLFRF program, including costs of consultants to support effective management and oversight, including consultation for ensuring compliance with legal, regulatory, and other requirements.

11. Operations

11.1. How do I know if my entity is eligible?

The Coronavirus State and Local Fiscal Recovery Funds American Rescue Plan Act of 2021 set forth the jurisdictions eligible to receive funds under the program, which are:

- States and the District of Columbia
- Territories
- Tribal governments
- Counties
- Metropolitan cities (typically, but not always, those with populations over 50,000)
- Non-entitlement units of local government, or smaller local governments (typically, but not always, those with populations under 50,000)

11.2. How does an eligible entity request payment?

Eligible entities (other than non-entitlement units) must submit their information to the [Treasury Submission Portal](#). Please visit the [Coronavirus State and Local Fiscal Recovery Fund website](#) for more information on the submission process.

11.3. I cannot log into the Treasury Submission Portal or am having trouble navigating it. Who can help me?

If you have questions about the Treasury Submission Portal or for technical support, please email covidreliefitsupport@treasury.gov.

11.4. What do I need to do to receive my payment?

All eligible payees are required to have a DUNS Number previously issued by Dun & Bradstreet (<https://www.dnb.com/>).

All eligible payees are also required to have an active registration with the System for Award Management (SAM) (<https://www.sam.gov>).

And eligible payees must have a bank account enabled for Automated Clearing House (ACH) direct deposit. Payees with a Wire account are encouraged to provide that information as well.

More information on these and all program pre-submission requirements can be found on the [Coronavirus State and Local Fiscal Recovery Fund website](#).

11.5. Why is Treasury employing id.me for the Treasury Submission Portal?

ID.me is a trusted technology partner to multiple government agencies and healthcare providers. It provides secure digital identity verification to those government agencies and healthcare providers to make sure you're you – and not someone pretending to be you – when you request access to online services. All personally identifiable information provided to ID.me is encrypted and disclosed only with the express consent of the user. Please refer to ID.me Contact Support for assistance with your ID.me account. Their support website is <https://help.id.me>.

11.6. Why is an entity not on the list of eligible entities in Treasury Submission Portal?

The ARPA statute lays out which governments are eligible for payments. The list of entities within the Treasury Submission Portal includes entities eligible to receive a direct payment of funds from Treasury, which include states (defined to include the District of Columbia), territories, Tribal governments, counties, and metropolitan cities.

Eligible non-entitlement units of local government will receive a distribution of funds from their respective state government and should not submit information to the Treasury Submission Portal.

If you believe an entity has been mistakenly left off the eligible entity list, please email SLFRP@treasury.gov.

11.7. What is an Authorized Representative?

An Authorized Representative is an individual with legal authority to bind the government entity (e.g., the Chief Executive Officer of the government entity). An Authorized Representative must sign the Acceptance of Award terms for it to be valid.

11.8. How does a Tribal government determine their allocation?

Tribal governments will receive information about their allocation when the submission to the Treasury Submission Portal is confirmed to be complete and accurate.

11.9. How do I know the status of my request for funds (submission)?

Entities can check the status of their submission at any time by logging into [Treasury Submission Portal](#).

11.10. My Treasury Submission Portal submission requires additional information/correction. What is the process for that?

If your Authorized Representative has not yet signed the award terms, you can edit your submission with in the into [Treasury Submission Portal](#). If your Authorized Representative has signed the award terms, please email SLFRP@treasury.gov to request assistance with updating your information.

11.11. My request for funds was denied. How do I find out why it was denied or appeal the decision?

Please check to ensure that no one else from your entity has applied, causing a duplicate submission. Please also review the list of all eligible entities on the [Coronavirus State and Local Fiscal Recovery Fund website](#).

If you still have questions regarding your submission, please email SLFRP@treasury.gov.

11.12. When will entities get their money?

Before Treasury is able to execute a payment, a representative of an eligible government must submit the government's information for verification through the [Treasury Submission Portal](#). The verification process takes approximately four business days. If any errors are identified, the designated point of contact for the government will be contacted via email to correct the information before the payment can proceed. Once verification is complete, the designated point of contact of the eligible government will receive an email notifying them that their submission has been verified. Payments are generally scheduled for the next business day after this verification email, though funds may not be available immediately due to processing time of their financial institution.

11.13. How does a local government entity provide Treasury with a notice of transfer of funds to its State?

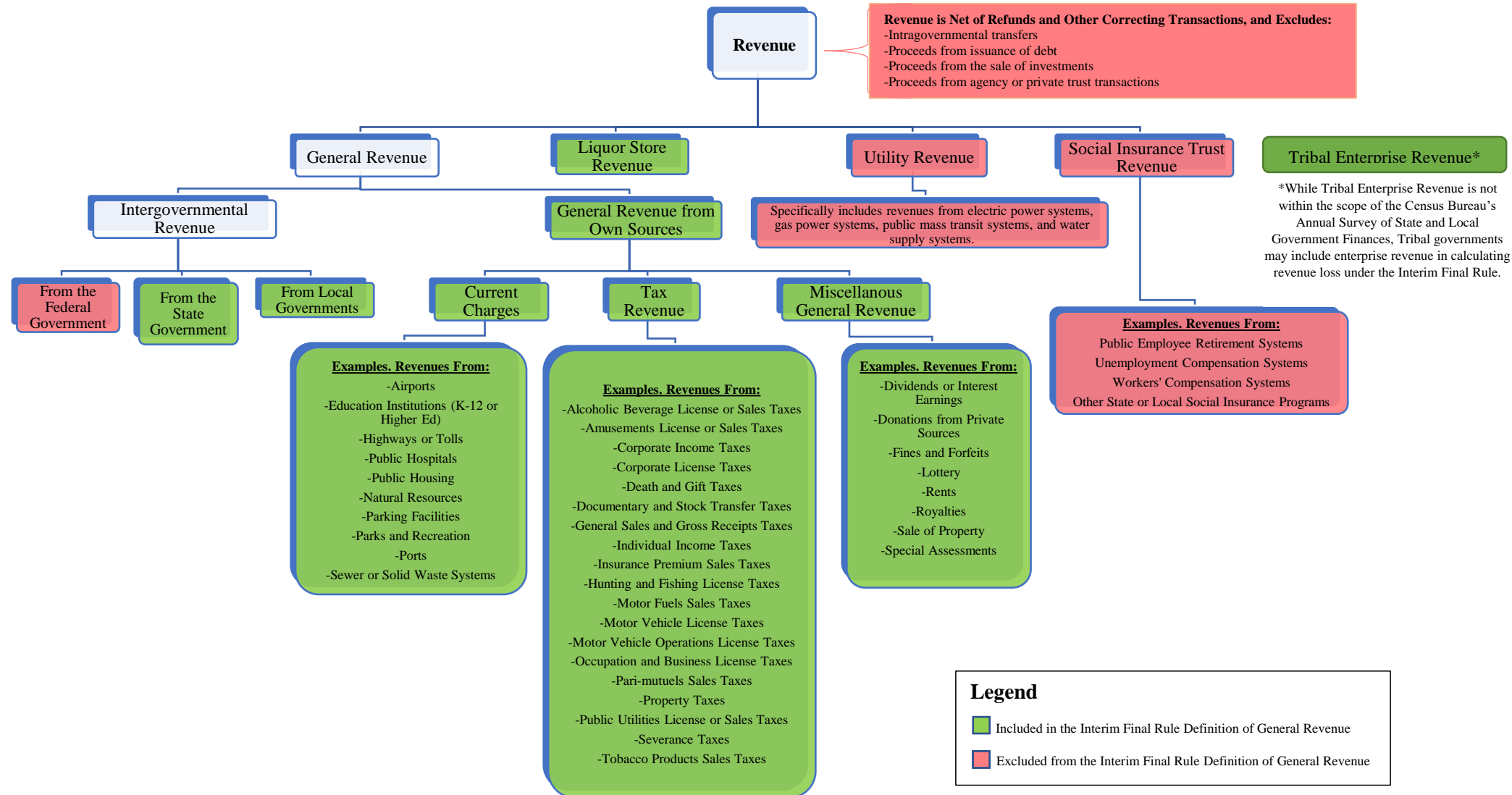
For more information on how to provide Treasury with notice of transfer to a state, please email SLRedirectFunds@treasury.gov.

12. Tribal Governments

12.1. Do Treasury's pandemic recovery program awards terms and conditions impose civil rights laws on Tribes?

The award terms and conditions for Treasury's pandemic recovery programs, including the CSFRF, do not impose antidiscrimination requirements on Tribal governments beyond what would otherwise apply under federal law. Treasury is amending its reporting requirements with respect to the CSFRF, Treasury's Emergency Rental Assistance Program, and Homeowner Assistance Fund to reflect this clarification.

Appendix: Interim Final Rule Definition of General Revenue Within the Census Bureau Classification Structure of Revenue



Source: [U.S. Bureau of the Census Government Finance and Employment Classification Manual, 2006](#); [Annual Survey of State and Local Government Finances](#)

Committee Of The Whole

**THE BENZIE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
December 14, 2021**

The Benzie County Board of Commissioners met as a Committee of the Whole on Tuesday, December 14, 2021, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Vice Chair Rhonda Nye at 1:30 p.m.

Present were: Commissioners Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke

The Pledge of Allegiance was recited.

Agenda:

Motion by Sauer, seconded by Warsecke, to approve the agenda as amended, adding Sheriff Dept Promotion. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Jeannot, seconded by Miller, to approve the Committee of the Whole minutes of November 23, 2021 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

1:32 p.m. Public Input – None

Human Resources:

- a. Cody Kastl Promotion: Comm Sauer inquires about the wage for the promotion; U/S Hubers stated that the wage is \$1,000 above the Sergeant's.

Technology: None

Buildings & Grounds: None

Finance:

- a. Sheriff Dept – Refrigerator & Ice Bin Purchase: Motion by Sauer, seconded by Miller, to recommend to the Board of Commissioners to authorize the purchase of refrigerator and ice bin from Stafford -Smith in the amount of \$6,656.47, and move door replacement on Capital Plan to next fiscal year. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.
- b. Central Dispatch – Radio Purchase: Motion by Markey, seconded by Roelofs, to recommend to the Board of Commissioners to authorize the purchase of three (3) additional radios from Grand Traverse Mobile in the amount of \$8,318.40 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.
- c. EMS – Ambulance Purchase: Motion by Jeannot, seconded by Roelofs, to recommend to the Board of Commissioners to authorize the purchase of a new ambulance from RSVP in the amount of \$188,288.00 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

- d. EMS – Paving Station 2: Motion by Roelofs, seconded by Markey, to recommend to the Board of Commissioners to authorize paving of Station 2 by Ron Brown and Sons in the amount of \$20,548.00 as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.
- e. Treasurer – Budget Amendment: Motion by Roelofs, seconded by Warsecke, to recommend to the Board of Commissioners to amend the 2021-2022 budget in the amount of \$10,000 as follows:
Increase:
101-285-730.00 Postage \$10,000
Increase:
101-253-642.10 Tax Roll Printing \$10,000
Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.
- f. Veterans – Budget Amendment: Motion by Roelofs, seconded by Jeannot, to recommend to the Board of Commissioners to amend the 2021-2022 budget in the amount of \$62,999 as follows:
Increase:
293-000-539.00 State Grants \$62,999.00
Increase:
293-000-900.00 Advertising/Marketing \$35,747.40
293-000-970.00 Equipment \$15,371.00
293-000-970.01 Equipment-Vehicle \$ 293.94
293-000-839.10 Veterans Financial Aid \$11,640.66
Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.
- g. Katie Zeits – Blind Purchase Package: Motion by Warsecke, seconded by Miller, to recommend to the Board of Commissioners to amend the Capital Plan to include the purchase of blinds as described in the December 7, 2021 packet communications and to approve the purchase of blinds in the amount of \$10,392 with funds available in the Capital budget. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

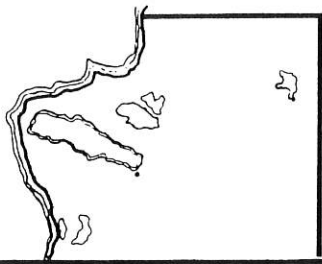
2:07 p.m. Public Input

Motion by Roelofs, seconded by Warsecke, to adjourn at 2:08 p.m. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Motion by _____, seconded by _____, to approve the Committee of the Whole Consent Calendar as follows:

1. To authorize the purchase of refrigerator and ice bin from Stafford -Smith in the amount of \$6,656.47, and move door replacement on Capital Plan list to next fiscal year.
2. To authorize the purchase of three (3) additional radios from Grand Traverse Mobile in the amount of \$8,318.40 as presented.
3. To authorize the purchase of a new ambulance from RSVP in the amount of \$188,288.00 as presented.
4. To authorize paving of Station 2 by Ron Brown and Sons in the amount of \$20,548.00 as presented.
5. To amend the 2021-2022 budget in the amount of \$10,000 for the County Treasurer as presented.
6. To recommend to the Board of Commissioners to amend the 2021-2022 budget in the amount of \$62,999 for Veterans Affairs as presented.
7. To amend the Capital Plan to include the purchase of blinds as described in the December 7, 2021 packet communications and to approve the purchase of blinds in the amount of \$10,392 with funds available in the Capital budget.

Committee Appointments



BENZIE COUNTY BOARD OF COMMISSIONERS

GOVERNMENT CENTER • 448 COURT PLACE •

• BEULAH, MICHIGAN 49617 • (231) 882-9671 • FAX (231) 882-5941

APPOINTMENT TO BOARD, COMMISSIONS AND AGENCIES

APPLICATION

DATE: 12/21/21

Name: CHRIS PARRISH

Address (including PO Box): 2511 Reynolds RD

County District: _____ Home Telephone: 231-709-9771

Occupation: PARAMedic / FE Business Telephone: 231-652-5757

Please list the Board, Commission or Agency you are applying for:

1. EMS ADVISORY BOARD

Please state your interest, experience and/or education that would relate to your serving on the above-named organizations.

I WISH TO BE REAPPOINTED

RECEIVED

DEC 21 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617

PLEASE ATTACH A CURRENT OR UPDATED RESUME OR LETTER OF INTEREST

This application with resume' attached must be returned to:

BENZIE COUNTY CLERK
448 COURT PLACE
BEULAH, MI 49617

[Signature]
Coyland J.

Dawn Olney

From: Chris
Sent: Wednesday, December 15, 2021 3:46 PM
To: Dawn Olney
Cc: gaylordjowett@gmail.com; Thomas King
Subject: EMS Advisory Board

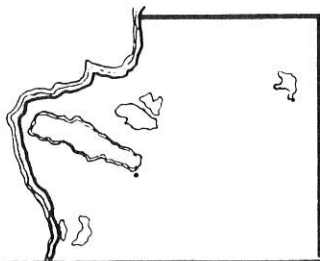
Hello Dawn,

Thank you for the reminder. I am willing to serve another term on the board.

Sent from [Mail](#) for Windows



Virus-free. www.avg.com



BENZIE COUNTY BOARD OF COMMISSIONERS

GOVERNMENT CENTER • 448 COURT PLACE •

• BEULAH, MICHIGAN 49617 • (231) 882-9671 • FAX (231) 882-5941

APPOINTMENT TO BOARD, COMMISSIONS AND AGENCIES

APPLICATION

DATE: 12/21/21

Name: Elizabeth Merrill

Address (including PO Box): 6258 Grace

County District: _____

Home Telephone: 231-360-5084

Occupation: EMT-PN

Business Telephone: _____

Please list the Board, Commission or Agency you are applying for:

1. EMS Advisory Board

Please state your interest, experience and/or education that would relate to your serving on the above-named organizations.

I wish to be reappointed.

RECEIVED

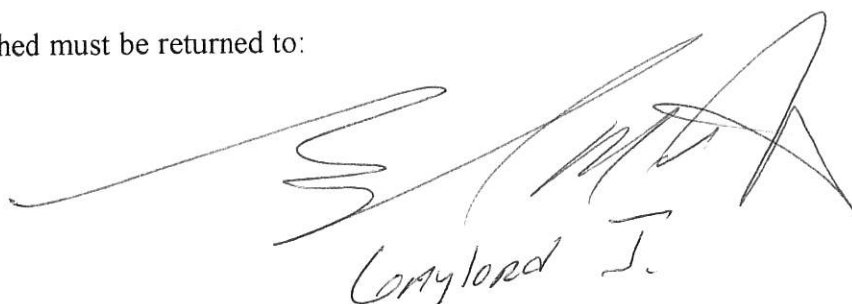
DEC 21 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617

PLEASE ATTACH A CURRENT OR UPDATED RESUME OR LETTER OF INTEREST

This application with resume' attached must be returned to:

BENZIE COUNTY CLERK
448 COURT PLACE
BEULAH, MI 49617


Cory Lord J.

Dawn Olney

From: brickhouse_2027 <brickhouse_2027@yahoo.com>
Sent: Monday, December 20, 2021 5:58 PM
To: Dawn Olney
Subject: EMS advisory board

Good morning Dawn,

I have been serving on the EMS advisory board for a few years now and I would like to be reappointed and continue serving on the board.

Thank you,
Elizabeth A. Merrill

RECEIVED

DEC 21 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617

Dawn Olney

From: Katelyn Zeits
Sent: Tuesday, December 21, 2021 11:48 AM
To: Dawn Olney
Subject: FW: EDC/BRA

Hey Dawn,

I wasn't sure if this was sent to you or not, but fyi below.

Thank you,

Katie

Katelyn Zeits, MPA
County Administrator
Benzie County
448 Court Place
Beulah, MI 49617
231-882-0558

CONFIDENTIALITY NOTICE:

Confidentiality Notice: Information contained in this email and/or attachments to it may be confidential and legally privileged. This information is intended only for the use of the individual to whom this email is addressed. If you are not that person, you are hereby notified that any use, disclosure, printing, or distribution of any of the information contained herein is strictly PROHIBITED. If you have received this email in error, please notify the sender and delete this email and any attachments immediately.

From: Ed Kowalski <EKowalski@benzieco.net>
Sent: Saturday, December 11, 2021 11:42 PM
To: Paula Figura <pfigura@Benzieco.net>
Cc: Katelyn Zeits <kzeits@Benzieco.net>
Subject: Re: EDC/BRA

If you could recommend anyone who might be a fit would be appreciated. I hate to loose a valuable person as you. Thank you for everything you have done and will continue to do in whatever capacity you choose. Thank you again.

Edward Kowalski Chair
EDC/Brownfield Authority
In Service to the Citizens of Benzie County

From: Paula Figura <pfigura@Benzieco.net>
Sent: Saturday, December 11, 2021 12:33:07 PM
To: Ed Kowalski <EKowalski@benzieco.net>
Cc: Katelyn Zeits <kzeits@Benzieco.net>
Subject: EDC/BRA

Dear Ed,

I regret to inform you that I am resigning from my position on the Benzie County EDC/BRA and as the chair of the Broadband Subcommittee effective immediately. I started a new job in September of this year and, due to the time and energy demands of my new position, I cannot effectively fulfill the responsibilities needed to be successful in the role.

I am still interested in staying on as a member of the Broadband Subcommittee and intend to be as involved as time allows. I'm also committed to working closely with Katie, Mitch, and Merit to ensure that the data collection survey is a success.

It has been my pleasure to serve with you and the rest of the committee and I will truly miss working with all of you.

Thank you and Best Regards,

Paula

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Correspondence

LEGAL NOTICE
NOTICE OF ADOPTION
GREEN LAKE TOWNSHIP, GRAND TRAVERSE COUNTY
ZONING AND MASTER PLAN AMENDMENT

TO: THE RESIDENTS AND PROPERTY OWNERS OF GREEN LAKE TOWNSHIP, GRAND TRAVERSE COUNTY, MICHIGAN AND ANY OTHER INTERESTED PARTY: PLEASE TAKE NOTICE THAT AMENDMENTS to the Green Lake Township Zoning Ordinance, the Green Lake Township Master Plan and the Green Lake Township Zoning Map were recommended for approval after public hearings were held by the Green Lake Township Planning Commission at its regular meeting November 22, 2021 and approved by the Green Lake Township Board of Trustees at its regular meeting December 13, 2021. Pursuant to the provisions of the Michigan Zoning Enabling Act 110 of 2006, and the Michigan Planning Enabling Act 33 of 2008, the amendments will be effective eight days following publication of this notice. A description of the amendments follows:

Zoning Ordinance Amendment ZOA 21-002 Combines R-1 and R-2, removes *at grade* from the definition of dwelling unit and makes minimum dwelling unit 500 square feet

Amend the master plan future land use map parcel 28-07-009-003-10, US 31 South, Residential five acres to Commercial; parcel 28-07-010-018-00, 8060 US Hwy 31, Residential five acres to Open space 1 acre with 600 feet deep of Commercial frontage; parcel 28-07-009-005-00, 1945 S. South Long Lake Road, Suburban Residential 2,040 feet along S. South Long Lake Road to 2,640 feet going north along S. South Long Lake Road to Commercial

Rezone parcel 28-07-009-003-10, US 31 South, Interlochen, MI from R-1 Moderate Density Residential to Commercial; Rezone parcel 28-07-010-018-00, 8060 US Hwy 31, from R-5 Rural Residential to 600 feet deep of Commercial frontage with remaining acreage R-1 Moderate Density Residential; Rezone parcel 28-07-009-005-00, 1945 S. South Long Lake Rd, 600 feet Commercial along S. South Long Lake Rd to 2,640 feet Commercial going north along S. South Long Lake Rd

Copies of the above items may be examined at the Township Hall, Monday through Thursday 8:00a.m. to 5:30p.m.

Alycia Reiten, Green Lake Township, Planning Zoning Director
December 16, 2021 – 1T

RECEIVED

DEC 20 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF NATURAL RESOURCES
LANSING



DANIEL EICHINGER
DIRECTOR

December 15, 2021

To: Betsie River Interested Parties
From: Brian Bury, DNR, Natural River Program
Subject: Interested Parties Notification, File B2021017U

Enclosed is an application for a Natural Rivers Permit submitted by Weldon Township. You are receiving this information because you are a township official, a nearby property owner to the project, or another interested party. This letter is a request for comments; it does not grant approval for the proposed activities. **You are not required to take any action as a result of receiving this letter.**

The applicant is requesting authorization to place a picnic table 100 feet from the Betsie River at the Thompsonville Day Use Park. The project is located in Section 25 of Weldon Township, Benzie County.

The Betsie River system is a designated Natural River under the provisions of Part 305, Natural Rivers, 1994 PA 451. The proposed project is subject to the administrative rules for *Utilities and Publicly Provided Facilities in Designated Natural River Areas*. A decision on this application will be made by our office after considering the proposed activity, the site conditions, the applicable rules, and input from interested parties.

If you would like to submit written comments on this proposal, please send them by email to buryb@michigan.gov. Comments must be received **no later than January 11, 2022** to be considered in the review. If you have any questions, I can be reached by email or by phone at 989-370-7543.

Enclosure

FILED

DEC 20 2021

DAWN OLNEY
BENZIE COUNTY CLERK
BEULAH, MI 49617



Michigan Department of Natural Resources - Fisheries Division

NATURAL RIVER PROGRAM UTILITY / PUBLIC AGENCY APPLICATION

Required for permit consideration by authority of Public Act 451,
Part 305, Natural River, of 1994 as amended

DNR USE ONLY

Application No. B2021017U

River System:

Note: Please print or type. If more space is needed attach additional sheets.

1. Name of River or Creek Affected by Project

Betsie River

2. Applicant Information

***** UTILITY / PUBLIC AGENCY *****

***** CONTRACTOR/AGENT (if different from utility/ public agency) *****

Name

Weldon Township

Name

Ronald Hitesman, Supervisor

Address

14731 Thompson Ave

Address

14731 Thompson Ave

City, State, ZIP

Thompsonville Mi. 49683

City, State, ZIP

Thompsonville, Mi. 49683

Telephone

231 378 2477

E-Mail

Weldonsupervisor@acegroup.cc

Telephone

231 3378 2477

E-Mail

weldonsupervisor@acegroup.cc

3. Project Location

Street

wolf Road

City and ZIP

Thompsonville Mi. 49683

Subdivision

Lot Number(s)

County

Benzie

Township

Weldon.

Town

T25N

Range

R14W

Section

25

Property Tax No.

10-12-025-01310

Parcel Size

15Ac.

4. Project Description

Describe in detail your proposed action and/or use (attach additional sheets if necessary):

Place a picnic table in the Weldon Twsp. Day use park which is located on Leased property from the State of Michigan at the intersection of Wolf Road and the Betsie River. The table would be placed approx one hundred feet from the river.

5. Certification

Please read carefully before signing: Application is hereby made for a permit to authorize the activities described above. I certify that I am familiar with the information contained in this application, and that, to the best of my knowledge, such information is true and accurate and in compliance with the Michigan Natural River Program. I understand that issuance of this permit does not revoke, annul, cancel, or in any way impair or interfere with existing provisions of law, ordinances, or any rules, regulations, or premises or with any private restrictions placed upon property by covenant or deed. I certify that I have the authority to undertake the activities proposed in this application. By signing this application, I authorize representatives of the Department of Natural Resources to enter upon said property to inspect the proposed project. I understand that the granting of this permit does not release me from the requirements of obtaining other federal, state, and local permits before commencing the project.

Ronald Hitesman

RONALD HITESMAN

9-8-21

Signature of Applicant

Printed Name

Date

6. The following Documentation must be submitted with this application:

1. A detailed site plan showing all existing and proposed activities, structures and uses, including their distances to the river and adjacent properties. (see page 2)
2. Names and addresses of riverfront property owners within 500 feet of the proposed project
3. A detailed site location map and written directions if necessary.

*** PLEASE NOTE * - There are no state fees required for this application**

7. Submittal Information

For construction on the Au Sable, Betsie, Boardman, Fox, Huron, Jordan, Pere Marquette, Pigeon, Pine, Rifle, Upper Manistee, or Two Hearted Rivers, return this application and required documentation to:

FISHERIES DIVISION - NATURAL RIVERS ADMINISTRATOR
DEPARTMENT OF NATURAL RESOURCES
1732 WEST M-32
GAYLORD MI 49735

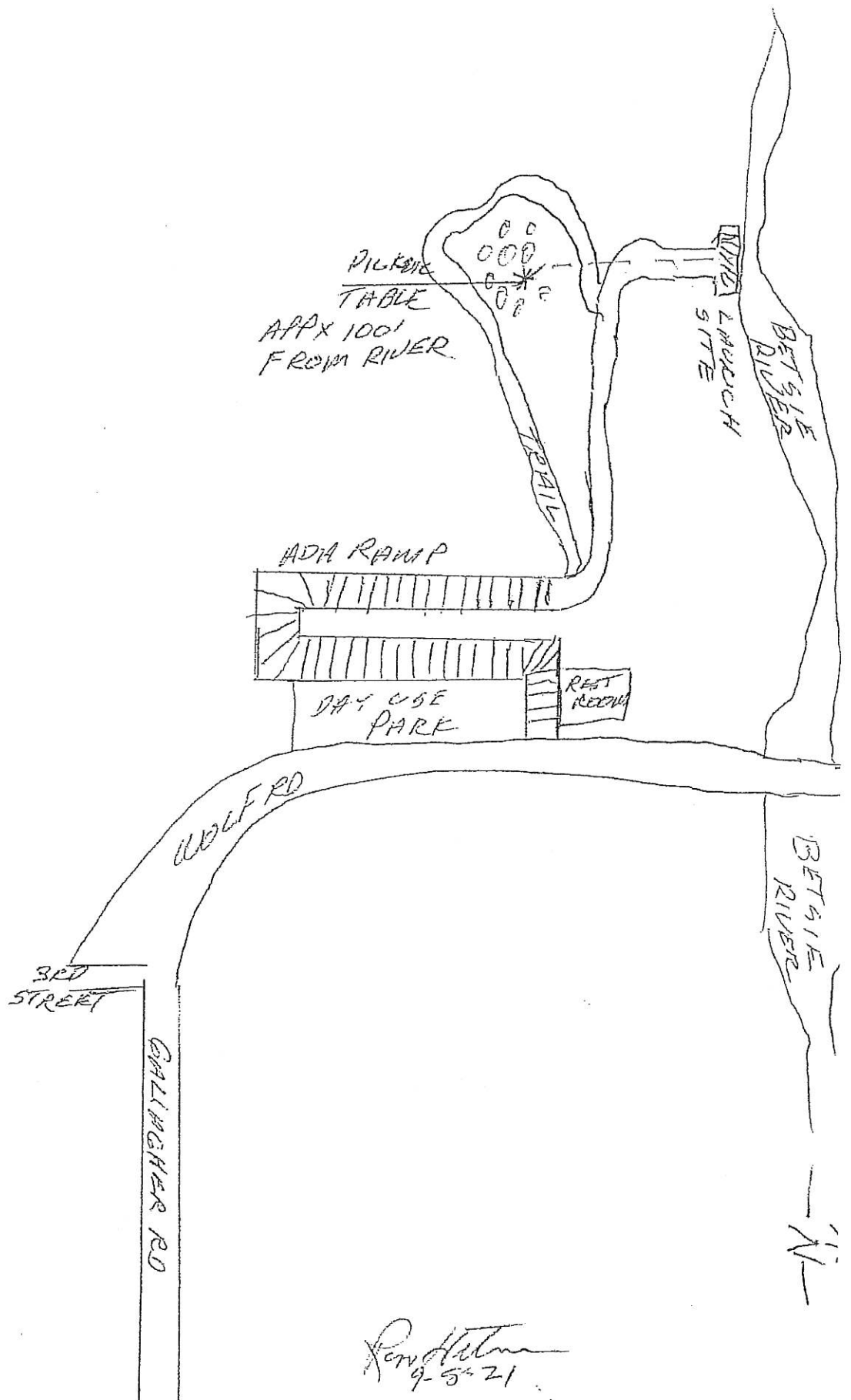
For construction on the Flat, Lower Kalamazoo, Rogue, or White Rivers, return this application and required documentation to:

FISHERIES DIVISION - NATURAL RIVERS ADMINISTRATOR
DEPARTMENT OF NATURAL RESOURCES
PO BOX 30446
LANSING MI 48909

RECEIVED

SEP 23 2021

PR8034 (Rev. 07/25/2019)



9-5-21

EATON COUNTY BOARD OF COMMISSIONERS

Resolution To Condemn Federal Vaccine & Testing Mandates

December 15, 2021

Submitted by Commissioners Reynnet, Droscha, and Mulder on
behalf of the Eaton County Republican Women Alliance

Introduced by the Health and Human Services Committee

Commissioner Mott moved the approval of the following resolution. Seconded by Commissioner Reynnet.

A resolution to condemn President Joe Biden's decision to impose vaccine requirements on private and public employers and healthcare facilities receiving funds from The Centers for Medicare & Medicaid Services (CMS) and urge the Governor and Attorney General of Michigan to pursue all available avenues to challenge these unlawful mandates.

WHEREAS, on September 9, 2021, President Biden announced his administration's plan to impose strict COVID-19 vaccine requirements on private businesses. Effective January 4, 2022, employers with over 100 employees will be required to ensure employees are vaccinated or impose burdensome weekly testing regimens; and

WHEREAS, on November 5, 2021, Centers for Medicare and Medicaid Services (CMS) also issued a federal vaccine mandate for staff within all Medicare and Medicaid-certified facilities including nursing homes, hospitals, dialysis facilities, ambulatory surgical settings, and home health agencies, among others, as a condition for participating in the Medicare and Medicaid programs, as well as, federal contractors, and the majority of federal workers; and

WHEREAS, these requirements are capricious and arbitrary, infringing on Americans' civil liberties. Health care decisions, including whether or not to get vaccinated, are deeply personal and should not be subject to governmental edicts that cannot account for unique, individual medical needs; and

WHEREAS, the vaccine requirement will impact two-thirds of the nation's private sector workforce. Imposing sanctions, such as lost employment, on the most economically vulnerable is unnecessarily cruel; and

WHEREAS, federal overreach will exacerbate supply chain shortages; interrupt manufacturing production; risk destabilizing our critical water, sewer, and energy infrastructure; put additional life-threatening pressure on our health care industry; cause interruption in our education system; and cause additional labor shortages across all industries; and

WHEREAS, employers are already experiencing significant resource and workforce shortages that will only be made worse by adding additional requirements that limit the number of workers available; and

WHEREAS, to date, at least 27 states have filed legal challenges or expressly stated an intention to push back against this type of federal government overreach. Resistance to the federal mandate by state leaders has been bipartisan, as three states with Democrat governors – Kansas, Kentucky, and Louisiana – have joined the lawsuits. However, Governor Gretchen Whitmer and Attorney General Dana Nessel have thus far acquiesced to President Biden's intrusion upon our state's sovereignty and policymaking process; and

WHEREAS, on September 7, 2021, the administrator of the Eaton County Healing and Recovery center, Martha Richard, stated during her Semi-Annual Update that the vaccine mandate would further exacerbate staffing shortage; and

WHEREAS, on November 6, 2021, the U.S. Court of Appeals for the Fifth Circuit placed a hold on President Biden's vaccine mandate; and

WHEREAS, on November 12, 2021, the U.S. Court of Appeals for the Fifth Circuit, further affirmed, it's hold on the vaccine mandate; and

WHEREAS, on November 29, 2021, The US District Court of Missouri ruled against implementation and enforcement of CMS vaccine mandates; and

WHEREAS, on November 30, 2021, a federal judge issued a preliminary injunction to halt implementation of the President's mandate for health care workers, which had been set to begin this week; and

WHEREAS, on December 2, 2021, the President clearly articulated that his policy goals for the business and medical communities has not changed or evolved in light of the afore mentioned judicial action. While announcing his Winter Covid 19 plan, President Biden stated he believes that "all Americans can rally around" this plan and stated that the plan, including vaccine mandates, "should get bipartisan support.", and left ALL of the afore mentioned vaccine mandates in place, with implementation pending judicial review.

NOW HERE BY, BE IT RESOLVED, by the Eaton County Board of Commissioners, That we, on behalf of the citizens of Eaton County, condemn President Biden's decision to impose vaccine requirements on both public and private employers; and

BE IT FURTHER RESOLVED, that we call upon Governor Gretchen Whitmer and Attorney General Dana Nessel to join those leaders who have filed suit to protect the interests of their states and their citizens and pursue all available avenues to challenge President Biden's unlawful mandate; and

BE IT FURTHER RESOLVED, that copies of this resolution be transmitted to the President of the United States, the Governor of the State of Michigan, the Michigan Attorney General, and the commissioners of the other Michigan counties.

AYES: Commissioners Barnes, Mulder, Droscha, Reynnet, Ridge, Lautzenheiser, Mott, Rogers and Whittum.

NAYS: Commissioner Augustine, Haskell, Pearl-Wright, Whitacre, Mudry, and Brehler. Carried.

I certify that the foregoing is a true and accurate copy of a resolution adopted by the Eaton County Board of Commissioners at its meeting held on December 15, 2021, and that notice of such meeting was given as provided by law.

 Eaton County Clerk

Memorandum



To: Board of Commissioners

Copy: Kristine Bosley, Human Resources Director

From: Katie Zeits, County Administrator *Katie Zeits*

Date: December 21, 2021

Subject: **Purchase of Service Credit – Blank**

Attached is a cost estimate from MERS for an employee to purchase service credit. Marty Blank has requested the approval to purchase service credit for retirement.

This estimate is only valid for a short window of time and require board approval and signature by the Chairman.

Historically, Benzie County has allowed the purchase of service credit by employees. Human Resources Director Kristine Bosley is working on a report to the Board as to how these purchases may or may not affect Benzie County. MERS has assured us that their use an aggressive calculation when determining the cost-of-service credit purchases, however there are other factors that must follow through for it to be truly accurate. There will be more to come on this topic.

Recommendation:

That the Board of Commissioners approves the Application for Additional Service Credit Purchase for Martin Blank and authorizes the Board Chairman to sign the appropriate documents.

Application for Additional Service Credit Purchase

Section 1: Service Credit Purchase Cost Estimate

With the approval of the employer and the local governing body, participants can purchase additional service credit to help meet an early retirement eligibility provision or to increase their pension benefit. Unlike MERS-to-MERS or Act 88 time, purchased service credit generally cannot be used to reach vesting.

This estimate is only valid for two months after January 1, 2022, the effective date of this calculation.

The cost to purchase service credit for each individual is based on many factors. Below is the information that MERS used to prepare this estimate. Please review the following information for accuracy. If any is incorrect, this estimate may not be correct.

Participant Information

Martin A. Blank

Date of Birth: 42 years, 6 months
 Age: 42 years, 6 months
 Spouse's Date of Birth:
 FAC as of calculation date: \$51,765.75

Service Credit

Earned service credit as of calculation date: 8 years, 9 months
 Vesting Only Service:
 Other Governmental Service used for Eligibility (MERS or Act 88):
 Type of Credited Service to be Purchased: Generic
 Amount of additional service requested: 5 years, 0 months (may not be used for vesting)

Employer Information

Benzie Co

1003 / 21

Benefit Program

Benefit B-2
 Benefit F55 (With 25 Years of Service)
 Early Reduced (.5%) at Age 50 with 25 Years or Age 55 with 15 Years
 Benefit FAC-5 (5 Year Final Average Compensation)
 10 Year Vesting
 Defined Benefit Normal Retirement Age - 60

Benefit Impact

	Earliest Eligibility Retirement Date	Retirement Age	Projected FAC	X	Service Credit	X	Benefit Multiplier	=	Annual Benefit
Before Proposed Purchase	4/1/2038	58 years 9 months	\$83,684.97		25 years 0 months		2%		\$41,842.44
After Proposed Purchase	7/1/2034	55 years 0 months	\$74,904.49		26 years 3 months		2%		\$39,324.84

Estimated Cost of This Service Credit Purchase: \$48,318.00

The total cost is due in full at the time of purchase and may be paid by either the participant or employer. You may be eligible to transfer assets from other accounts to make a payment for the purchase, such as: 457 Deferred Compensation Plans; 401 plans; 403(b) plans; and some IRAs (traditional and SIMPLE). To initiate this transfer complete the form *Certification of Qualified Fund Rollover to MERS* (form number F-38). Send signed, approved Application for Additional Service Credit to MERS prior to sending any payment.

Section 2: Calculation Assumptions

1. Projected Earliest Eligible Retirement Date

This date is calculated using the participant's date of birth, the amount of service credit reported by the employer, and other service credit that we have on record (such as MERS-to-MERS or Act 88 time). If any of this data is incomplete or inaccurate this can affect the cost estimate. If the participant chooses to retire on a different date, it may increase/decrease the actual cost.

2. Projected Final Average Compensation (FAC)

Future increases in the FAC are assumed to be a 3.00% annual increase. This calculation is dependent on the wages reported by the employer to MERS. If the actual increases end up being different than the assumption, it may increase/decrease the actual cost.

3. Projected Service Credit

It is assumed the participant will continue to work until the earliest date for unreduced retirement benefits unless a specific termination date is shown. Any deviation from the earliest eligibility date may increase/decrease the actual cost.

4. Benefit Program

The current benefit plan provisions are used to calculate the cost of purchasing service credit. If the participant transfers into a different division and is eligible for a benefit plan with different provisions, then the cost may differ from the initial calculation. Likewise costs may differ if the municipality adopts different benefits in the future for any participant that has purchased service credit. These changes will be reflected in the actuarial valuation required to adopt any benefit increase.

5. Investment Assumption

The current investment return assumption for service credit purchase is 6.35%.

6. Mortality Rate

Assumptions are made on the life expectancies of the participant and their surviving spouse, using tables generated by actuarial professionals.

Section 3: Certification and Authorization

PARTICIPANT CERTIFICATION

I certify the above information is correct and accurate. If this is a purchase of qualifying "other governmental" service, I certify the service has not and will not be recognized for the purposes of obtaining or increasing a pension under another defined benefit retirement plan.

Participant Signature

Date

GOVERNING BODY RESOLUTION

By Resolution of its Governing Body, at its meeting on _____, as provided by the MERS Plan Document, and in accordance with the employer's policy, the employer hereby authorizes the participant named above to make a service credit purchase from MERS as described above. The employer understands this is an estimated cost, calculated using actuarial assumptions approved by the Retirement Board. Any difference between the assumptions and actuarial experience will affect the true cost of the additional service to the employer. The calculation assumptions are outlined above and the employer understands and agrees it is accountable for any difference between estimated and actual costs.

Signature of Authorized Official

Date

Title

MERS Use Only

Payment Received:	Participant Payment:
Service Credit:	ER Payment:
Signed:	