

BENZIE COUNTY BOARD OF COMMISSIONERS

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

www.benzieco.net

MEETING AGENDA

December 13, 2022

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

Join Zoom Meeting

Please click the link below to join the webinar:

<https://us02web.zoom.us/j/81470368457>

Or One tap mobile :

US: 13126266799

Webinar ID: 814 7036 8457

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 – 11/22/22 Regular; 11/22/22 Closed session

9:00 a.m. PUBLIC HEARING – Housing Committee
PUBLIC COMMENT
FINANCE –
 A) Approval of Bills
ELECTED OFFICIALS & DEPT HEAD COMMENTS
ACTION ITEMS –
 A) Accept Amended Apportionment Report
 B) Adopt Appointments and Committees Policy
 C) Budget Amendment – Veterans regarding State Grant
 D) Approval of Reimbursement Grant for Drug Court Services
 E) Adopt Resolution 2022-023 accepting settlement agreement re:Closed Session 11/22/22
 F) BLDHD- Adopt Sanitary Code

COMMISSIONER REPORTS –
COUNTY ADMINISTRATOR’S REPORT – Katie Zeits
COMMITTEE OF THE WHOLE – 11/22/22 Consent Calendar
COMMITTEE APPOINTMENTS – SWAC – Todd Warran; EMS Advisory Board – Mary Dort;
BVT – Jeff Bowlby; Veterans – Tyson Burch and Donald Schaffer; EDC – vacancy
UNFINISHED BUSINESS –
NEW BUSINESS –
PRESENTATION OF CORRESPONDENCE
PRESENTATION
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 Tammy Bowers, 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 COMMENT

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 comment 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 Comment. 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 a "Comment" 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 Comment 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 11, 2022

THE BENZIE COUNTY BOARD OF COMMISSIONERS
November 22, 2022

The Benzie County Board of Commissioners met in a regular session on Tuesday, November 22, 2022, in the Frank Walterhouse Board of Commissioners 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, starting the Committee of the Whole meeting immediate after the Board of Commissioners meeting. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Minutes:

Motion by Nye, seconded by Markey, to approve the regular session minutes of November 8, 2022, as amended, regarding Commissioners Nye's report. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

9:03 a.m. Public Input

Mary Haan, Homestead Township passed out a chart regarding election results. This is a stolen election.

Lisa Schoomaker-Young, Benzie County, agrees with Mary Haan, election was stolen.

FINANCE

Bills: Motion by Warsecke, seconded by Miller, to approve payment of the bills from November 4, 2022, through November 18, 2022, in the amount of \$556,307.22, as presented. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

ELECTED OFFICIALS & DEPARTMENT HEAD COMMENTS

Rebecca Hubers, Emergency Management, provided a written report for 911 Dispatch. Introduced Cory Ellis, the new 911 Director.

Ed Hoogterp, Drain Commissioner, wanted to inform the Board of Commissioners that he will be submitting a pre-application grant to EGLE for the Dam Risk Reduction Grant by December 5, 2022. He is looking at applying for \$200,000 with a 10% match from the County, the Road Commission, the Townships, Drain Commissions and Crystal Lake Watershed.

Doug Durand, Benzie Senior Resources Director, provided a written report. Updated that the snow removal for Lake Ann and Thompsonville are covered.

Jesse Zylstra, Solid Waste and Recycling Coordinator provided a written report.

ACTION ITEMS

Kelly Ottinger – BACN Application for 2% Tribal Grant: Motion by Warsecke, seconded by Miller, approve the grant application for Tribal Council Allocation of 2% funding on behalf of Benzie Area

COMMISSIONERS

Page 2 of 5

November 22, 2022

Christian Neighbors and authorize Chair to sign. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Doug Durand – Benzie Senior Resources 2% Tribal Grant: Motion by Markey, seconded by Nye, to approve the grant application for Tribal Council Allocation of 2% funding on behalf of Benzie Senior Resources and authorize the Chair to sign. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consideration and approval of dish washer replacement for jail operations: Motion by Miller, seconded by Markey, to approve the proposal from Stafford Smith, Inc for the purchase and installation of a dishwasher in the jail in the not to exceed amount of \$18,518.00, with funds available in the Capital and Jail funds. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

GIS contract for 911 services: Motion by Nye, seconded by Markey, to authorizes a service agreement with Colligo GIS for GIS services, including a 911 mapping audit, for a period of one-year, with option to renew annually, and that the Chair be authorized to sign agreement subject to approval by legal counsel, with funds available in the Central Dispatch and General Funds. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Consideration of appointing interim Equalization Director: Motion by Warsecke, seconded by Sauer, to authorize a service agreement with WAS, LLC for Equalization Director services on a month-to-month basis, in the not to exceed amount of \$7,500 per month, and authorize the Chair to sign subject to approval by Legal counsel, with funds available in the General Fund. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

LOU Central Dispatch: Motion by Jeannot, seconded by Miller to approve the Letter of Understanding (LOU), between the County of Benzie and the Police Officers Association of Michigan (POAM) updating the wage table for the Emergency Communication Specialists and authorize the Chair to sign. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

COMMISSIONER REPORTS

Chair Roelofs stated that he attended the Agenda Review meeting, and had 3 meetings cancelled last week.

Comm Jeannot provided a written report.

Comm Miller stated that he attended the Frankfort School Board meeting, Crystal Lake Township meeting, and Airport Authority meeting. Toys for Tots annual event is November 30, 2022, at Papano's Pizza in Beulah. This is their 23rd year hosting the event.

Commissioner Jeannot thanked Commissioner Miller for all he and his wife does to support the Toys for Tots Drive.

COMMISSIONERS

Page 3 of 5

November 22, 2022

9:56 a.m. Closed Session with legal counsel to discuss attorney client communication pursuant to MCL 15.268(e). Motion by Roelofs, seconded by Jeannot, to enter into closed session to discuss with legal counsel, attorney client communication, pursuant to MCL 15.268(e) to include the County Administrator, County Treasurer and County Clerk. Roll call. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried

10:35 a.m. Back in session.

Comm Nye attended Agenda Review, Benzie Leelanau Public Hearing, Human Resource position interviews, Benzonia Township meeting, Village of Beulah meeting, Benzie School Board meeting, Health Department Bylaws meeting, and MAC Transportation Authority meeting.

Comm Markey attended the Village of Honor meeting, and had meetings cancelled due to deer session season.

Comm Warsecke attended Colfax Township meeting, Inland Township meeting, and Benzie Transportation Authority meeting.

Comm Sauer attended Gilmore Township meeting, Road Commission meeting, Village of Thompsonville meeting, Faith and Action Group meeting, Maples meeting, Village of Elberta meeting, and Benzie Leelanau Health Department meeting.

COUNTY ADMINISTRATOR'S REPORT – Katie Zeits reported that interviews were held for the Human Resource Manager position. Jackie Palfey has been offered the position and will start December 19, 2022. Kristine Bosley last day was Friday, November 18, 2022. Tom Longanbach, Equalization Director, is retiring December 2, 2022, and we have posted the position. After Thanksgiving holiday, the Government Center christmas tree will be going up and the hat and mitten drive will be continued this year. Benzie County committed up to \$500,000 to Homestretch grant application. The State of Michigan has stated that the property identified is not sufficient, so they are looking at other properties. Update given regarding Broadband.

COMMITTEE OF THE WHOLE – None

COMMITTEE APPOINTMENTS

Motion by Sauer, seconded by Jeannot, to set aside the board rules. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Nye to re-appoint Donald Schaffer to the Michigan Department of Health and Human Service board, for a 3-year term to expire on 10/31/2025. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

An interview will be set up for Mary Dort regarding the EMS Advisory Board next week. The interview committee will be Commissioners Markey, Sauer, and Roelofs, along with EMS Director Tom King.

COMMISSIONERS

Page 4 of 5

November 22, 2022

Motion by Jeannot, seconded by Nye, to accept, with regret, the resignation of Blake Brooks from the EDC Board. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None
Motion carried.

Motion by Jeannot, seconded by Warsecke, to re-instate the board rules. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

UNFINISHED BUSINESS - None

NEW BUSINESS - None

PRESENTATION OF CORRESPONDENCE

- Benzie-Leelanau District Health Department Public Hearing Agenda
- TCAPS 2023 Summer Tax Resolution

11:23 a.m. Public Input - None

Motion by Warsecke, seconded by Markey, to adjourn at 11:23 a.m. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried

Bob Roelofs, Chair

Tammy Bowers, Benzie County Clerk

INDEX

1. Approve the agenda as amended.
2. Approve the regular session minutes of November 8, 2022, as amended.
3. Approve payment of the bills from November 4, 2022, through November 18, 2022, in the amount of \$556,307.22.
4. Approve the grant application for Tribal Council Allocation of 2% funding on behalf of Benzie Area Christian Neighbors and authorize Chair to sign.
5. Approve the grant application for Tribal Council Allocation of 2% funding on behalf of Benzie Senior Resources and authorize the Chair to sign.
6. Approve the proposal from Stafford Smith, Inc for the purchase and installation of a dishwasher in the jail in the not to exceed amount of \$18,518.00, with funds available in the Capital and Jail funds.
7. Authorizes a service agreement with Colligo GIS for GIS services, including a 911 mapping audit, for a period of one-year, with option to renew annually, and that the Chair be authorized to sign agreement subject to approval by legal counsel, with funds available in the Central Dispatch and General Funds.
8. Authorize a service agreement with WAS, LLC for Equalization Director services on a month-to-month basis, in the not to exceed amount of \$7,500 per month and authorize the Chair to sign subject to approval by Legal counsel, with funds available in the General Fund.
9. Approve the Letter of Understanding (LOU), between the County of Benzie and the Police Officers Association of Michigan (POAM) updating the wage table for the Emergency Communication Specialists and authorize the Chair to sign.

COMMISSIONERS

Page 5 of 5

November 22, 2022

10. Enter into closed session to discuss with legal counsel, attorney client communication, pursuant to MCL 15.268(e) to include the County Administrator, County Treasurer and County Clerk.
11. Set aside the board rules.
12. Re-appoint Donald Schaffer to the Michigan Department of Health and Human Service board, for a 3-year term to expire on 10/31/2025.
13. Accept, with regret, the resignation of Blake Brooks from the EDC Board.
14. Re-instate the board rules.

Committee of the Whole

Page 3 of 3

November 22, 2022

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

1. Removed.
2. Removed.
3. Adopt the Social Media Policy of 11/22/2022.
4. Sheriff and Undersheriff receive a 6½% wage increase, effective the first full pay period in January 2023.

Art Jeannot
Commissioner Report
November 22, 2022

- Participated in 7 meetings on behalf of the County since our November 8th meeting.
- **11/9 – Human Resource Manager Interviews**
 - I participated in interviewing 3 candidates. The County Administrator will give a detailed report.
- **11/14 – Almira Township**
 - New President at Village of Lake Ann (Dan Hawkins).
 - The Township will begin discussing the use of ARPA funds by January.
- **11/17 – Northern MI Community Action Agency**
 - Standard meeting. We learned about a new housing initiative called “Master Leasing” to target the homeless. This may appeal to some landlords and the agency will be reaching out to the rental community to generate interest.
 - The agency will be participating with the “diaper program” again this year. They are looking for more groups to participate in the distribution of diapers for people in need financially.
- **11/21 – EDC Broadband Committee**
 - I will share any relevant information at our meeting on Tuesday.
- **Other**
 - **11/8** – I met with Brenda McClellan from Traverse Connect to discuss our communities needs for business growth and retention.
 - **11/14** – Attended the Benzie Chamber Advocacy and Awareness Council meeting. I learned the following:
 - Benzie Aquatics Center is gaining some momentum and at the present is looking to private funding for capital needs. There is that question about sustainable operating funds.
 - Chamber is planning a community summit for early 2023. They hope the elected officials will participate.
 - Chamber is committed to Northern Alliance.
 - Frankfort housing project with Homestretch is on hold due to issues raised by MSHDA. They may not be able to overcome the issue. The project is in to close a proximity BLUA.
 - DTE discussed their renewable plans for energy. It appears they are ahead of schedule. I have attached a link for a brief overview IRP [handout.pdf \(dtecleanenergy.com\)](#)
 - **11/15** – Attended the Frankfort Area Community Land Trust meeting. They continue to make progress on 2 homes. Excavating is completed. Its my opinion they have a good mix of talent on the board.
 - I have been asked to facilitate a round table for the December 14th new commissioner training in Grayling. This is put on by MSU Extension.

Destory Date: _____

PRK

49617

Close Session

November 22, 2022

RE: Attorney Client communication pursuant to MCL 15.268(e)
Alan VanderLaan (zoom)

Benzie County and the Benzie County Housing Committee

NOTICE OF CLOSEOUT PUBLIC HEARING FOR MICHIGAN COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDING FOR CDBG PROGRAM INCOME EMERGENCY REPAIR

Benzie County & the Benzie County Housing Committee will conduct a closeout public hearing on **December 13, 2022** at **9:00 am** at the **Benzie Government Center at 448 Court Place, Beulah, MI 49617** for the purpose of affording citizens an opportunity to submit comments and receive a final report on the completion of the CDBG Program Income Emergency Repair grant.

The CDBG grant provided funding to assist with Homeowner Rehabilitation-Emergency Repairs only. These Local dollars were used along with some matching funds provided by Northwest Michigan Community Action Agency and others to benefit county residents who were at or below 80% of the Area Median Income. No persons were displaced as a result of the project.

Interested parties are invited to comment on the project in person at the public hearing or in writing through **December 12, 2022** and addressed to Tammy Bowers, County Clerk at tbowers@benzieco.net

Citizen views and comments on the CDBG project are welcome.

Benzie County Housing Committee
Tammy Bowers, County Clerk
(231) 882-9671



An Equal Opportunity Lender



PY 2020 (Spend 7/1/2021 - 6/30/2022) ext. until 9/30/22

Matching Funds Code

- 1 DHHS
- 2 Client
- 3 Weatherization
- 4 HPG Loan
- 5 Veterans Assistance
- 6 NMCAA
- 7 Other
- 8 CARES

			VENDOR	TOTAL PAID	P I EMERG	P I ADMIN	P I TOTAL	MATCH TYPE	MATCH REHAB AMOUNT	MATCH TYPE	MATCH REHAB AMOUNT	MATCH TOTAL
DATE OF CHECK REQUEST												
12/7/2021			Benzie Co. Reg. of Deeds	\$30.00	\$30.00	\$5.40	\$35.40					\$0.00
1/6/2021			Tri-Gas Distributing	\$481.06	\$481.06	\$86.59	\$567.65					\$0.00
2/26/2022			Benzie Co. Reg. of Deeds	\$30.00	\$30.00	\$5.40	\$35.40					\$0.00
3/3/2022			ADR Heating & Cooling	\$5,577.00	\$5,577.00	\$1,003.86	\$6,580.86					\$0.00
3/17/2022			Shoebriidge/Demerly Well Drilling	\$7,896.08	\$7,896.08	\$1,421.29	\$9,317.37					\$0.00
4/12/2022			Benzie Co. Reg. of Deeds	\$30.00	\$30.00	\$5.40	\$35.40					\$0.00
5/1/2022			Complete Roofing & Repair	\$5,300.00	\$5,300.00	\$954.00	\$6,254.00					\$0.00
5/23/2022			Benzie Co. Reg. of Deeds	\$30.00	\$30.00	\$5.40	\$35.40					\$0.00
6/27/2022			Complete Roofing & Repair	\$8,050.00	\$8,050.00	\$1,449.00	\$9,499.00					\$0.00
8/29/2022			Complete Roofing & Repair	\$9,995.00	\$4,638.86	\$834.99	\$5,473.85		\$5,356.14			\$5,356.14
8/30/2022			Chad Evans Residential Builde	\$3,000.00	\$2,500.00	\$450.00	\$2,950.00	7	\$500.00			\$500.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
				\$0.00		\$0.00	\$0.00					\$0.00
CHECKS WRITTEN			TOTALS:	\$40,419.14	\$34,563	\$6,221.34	\$40,784.34					\$5,856.14

Finance Report

BILLS TO BE APPROVED DECEMBER 13TH

Motion to approve Vouchers in the amount of:

\$ 255,625.65 General Fund (101)

\$ 36,116.29 Jail Fund (213)

\$ 24,080.18 Ambulance Fund & ALS (214)

\$ 11,142.52 Funds 105-238

\$ 5,740.24 ACO Fund (247)

\$ 31,984.92 Building (249)

\$ 24,876.20 Dispatch 911 Fund (261)

\$ 191,413.40 Funds 239-292

\$ 24,931.48 Funds 293-640

\$ 14,498.00 701 Fund

\$ 1,400.36 Trust and Agency Funds & MSU Trust and Agency Fund (702-771)

\$ 621,809.24

Payable November 19 to December 8

DATE	FUND 101 GENERAL	FUND 213 JAIL	FUND 214 EMS	FUND 105-238	FUND 247 ACO	FUND 249 BUILDING	FUND 261 DISPATCH	FUND 239-292	FUND 293-690	FUND 701 TRUST/ AGENCY	FUND 702-771	TOTALS
11/24/2022-No Check Run												\$ -
12/1/2022	\$ 73,058.14	\$ 6,870.10	\$ 2,481.39	\$ 755.20	\$ 211.50	\$ 33.33	\$ 4,722.61	\$ 181,238.97	\$ 9,629.64	\$ 10,163.63	\$ 1,400.36	\$ 290,564.87
12/8/2022	\$ 181,353.34	\$ 28,130.65	\$ 21,508.79	\$ 10,312.32	\$ 4,570.16	\$ 31,951.59	\$ 19,836.67	\$ 9,906.68	\$ 15,301.84	\$ 4,334.37	\$ -	\$ 327,206.41
Visa-EFT	\$ 1,214.17	\$ 1,115.54	\$ 90.00	\$ 75.00	\$ 958.58		\$ 316.92	\$ 267.75				\$ 4,037.96
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
												\$ -
Totals	\$ 255,625.65	\$ 36,116.29	\$ 24,080.18	\$ 11,142.52	\$ 5,740.24	\$ 31,984.92	\$ 24,876.20	\$ 191,413.40	\$ 24,931.48	\$ 14,498.00	\$ 1,400.36	\$ 621,809.24

206-K-9 Fund
207-Sheriff Reserve's
208-Dive Team
209-Resourse Officer
210-Benzie Kids
211-D.A.R.E. Fund
215-FOC

230-BVMC
232-Planning/Zoning
235-CBDG
238-EDC
245-Remonumentation
256-Reg of Deeds
262-911-Training

269-Law Library
270-Platte River Bridge
271-Housing Grant
276-Council on Aging
285-Pt. Betsie Lighthouse
292-Child Care Fund
293-Soldiers Relief Fund

310-Gov't Ctr Addition-Debt
315-Benzie Leelanau Health
321-Jail Bond
371-Jail Bldg Debt Millage
425-Equipment Replace

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 101 BOARD OF COMMISSIONERS					
101-101-727.00	OFFICE SUPPLIES	DA DESIGNS	KAREN CUNNINGHAM'S BUSINESS CARDS	36.00	87772
101-101-860.00	TRAVEL	GARY SAUER	PER DIEM/TRAVEL VOUCHER FOR NOVEMBER 20	121.25	87785
101-101-860.00	TRAVEL	JEANNOT, ART	COUNTY PER DIEM/TRAVEL VOUCHER FOR THE	18.75	87796
101-101-860.00	TRAVEL	WARSECKE, EVAN	NOVEMBER 2022 PER DIEM/TRAVEL VOUCHER	52.50	87864
101-101-860.00	TRAVEL	MARKEY, TIM	PER DIEM & TRAVEL VOUCHER FOR OCTOBER 2	91.87	87920
101-101-860.00	TRAVEL	MARKEY, TIM	PER DIEM & TRAVEL VOUCHER FOR NOVEMBER	30.62	87920
Total For Dept 101 BOARD OF COMMISSIONERS				350.99	
Dept 131 CIRCUIT COURT					
101-131-702.00	SALARY - ELECTED OFFICIALS	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	1,524.13	87806
101-131-702.03	SALARY-COURT ADMINISTRATOR	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	2,412.88	87806
101-131-704.00	WAGES-COURT REPORTER	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	1,957.38	87806
101-131-704.01	WAGES - ADR CLERK	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	1,704.11	87806
101-131-704.02	WAGES-CLERICAL ASSISTANT	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	1,169.85	87806
101-131-712.00	WAGES - RESEARCH ATTORNEY	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	1,848.13	87806
101-131-725.00	COST OF FRINGE BENEFITS - TO MAN	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	5,969.16	87806
101-131-802.00	TRANSCRIPTS	AMANDA O'BRIEN	TRANSCRIPTS	127.05	87748
101-131-802.00	TRANSCRIPTS	KIMBERLY LONG-MILLER	TRANSCRIPTS	151.70	87801
101-131-802.00	TRANSCRIPTS	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	280.85	87806
101-131-810.00	INVOICE #06019	NORTH POINTE LEGAL, PLC	COURT APPOINTED ATTY FOR VARIOUS NA CAS	1,395.00	87822
101-131-810.00	LEGAL FEES	MCDONALD, PATRICK	COURT APPOINTED ATTY FOR VARIOUS NA CAS	397.50	87924
101-131-810.00	LEGAL FEES	NICHOLAS BROWN LAW, PLLC	COURT APPOINTED ATTY FOR VARIOUS NA CAS	417.55	87928
101-131-810.00	LEGAL FEES	SPILLAN, JOHN	COURT APPOINTED ATTY - NA FEES FOR NOVE	2,302.50	87946
101-131-813.00	PROBATION EXPENSES	WELLS FARGO VENDOR FIN SEF	CONTRACT #450-0236145-001 FOR SHARP COE	139.18	87866
101-131-813.00	PROBATION EXPENSES	WELLS FARGO VENDOR FIN SEF	PROBATION COPIER FEES FOR PERIOD OF 11/	67.52	87961
101-131-816.00	SPECIAL JUDGE	HON. ALLEN L. GARBRECHT	COVERING FOR JUDGE THOMPSON ON 11/16/22	462.50	87912
101-131-860.00	TRAVEL	QUAGLIA, VINCENT	MILEAGE & MEALS	157.50	87837
101-131-860.00	TRAVEL	QUAGLIA, VINCENT	MILEAGE & MEALS	142.50	87934
101-131-962.00	JIS RELATED COSTS	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMENT TO MANISTEE C	638.08	87806
101-131-967.00	PROJECT EXPENSES - DRUG COURT GR	KENNETH HILLIARD	CONTRACTED SERVICES DRUG COURT	1,477.44	87800
Total For Dept 131 CIRCUIT COURT				24,742.51	
Dept 136 DISTRICT COURT					
101-136-727.00	OFFICE SUPPLIES	MCCARDEL WATER CONDITIONING	OFFICE SUPPLIES	32.00	87811
101-136-727.00	OFFICE SUPPLIES	PAAM	2023 MANUALS	200.00	87830
101-136-727.00	OFFICE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	15.89	
101-136-805.10	PROBATE CT APPOINTED ATTORNEY	KEHR, LINDA MOOREY ATTY	AYDIN E SCHNEIDER5	200.00	87799
101-136-805.10	PROBATE CT APPOINTED ATTORNEY	MCCARN-DINEHART, TRACIE	H KOEHNE / R NOWAK	432.95	87812
101-136-806.00	SCREENING FEES	OPEN DOOR ASSESSMENTS, LLC	22-249-SD ME; 22-248-SD AW; 20-142-SD M	170.00	87828
101-136-807.00	JURY FEES	BAGGOTT, ABIGAIL MARIE	JURY DUTY	19.38	87752
101-136-807.00	JURY FEES	BLOUGH, JULIE ANN	JURY DUTY	33.75	87760
101-136-807.00	JURY FEES	BONJERNOOR, SCOTT PETER	JURY DUTY	36.25	87761
101-136-807.00	JURY FEES	BUTCHER, JEFFERY JOHN	JURY DUTY	21.25	87765
101-136-807.00	JURY FEES	CASEY, TRISTON HAROLD	JURY DUTY	40.00	87767
101-136-807.00	JURY FEES	COOK, ROBERT SHELBY	JURY DUTY	37.50	87771
101-136-807.00	JURY FEES	DAVIS, JANET LORRAINE	JURY DUTY	40.00	87773
101-136-807.00	JURY FEES	DOERR, MARK GERARD	JURY DUTY	26.88	87777
101-136-807.00	JURY FEES	HARRIS, CRAIG ALAN	JURY DUTY	31.25	87788
101-136-807.00	JURY FEES	HARRIS, ELIJAH ADAM	JURY DUTY	33.75	87789
101-136-807.00	JURY FEES	HOLMES, LISA ROSE	JURY DUTY	25.00	87791
101-136-807.00	JURY FEES	HUBBELL, THOMAS MORE	JURY DUTY	37.50	87792
101-136-807.00	JURY FEES	HUNTER, JESSICA LEE	JURY DUTY	16.25	87793
101-136-807.00	JURY FEES	LINDSTROM, LARZ	JURY DUTY	37.50	87804

12/08/2022 03:43 PM
User: RLynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 2/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 136 DISTRICT COURT					
101-136-807.00	JURY FEES	MORRIS, JULIE ERIN	JURY DUTY	26.25	87818
101-136-807.00	JURY FEES	NIESEN, MARY ANN	JURY DUTY	42.50	87820
101-136-807.00	JURY FEES	NORTON, BRADLEY JOSEPH	JURY DUTY	28.75	87824
101-136-807.00	JURY FEES	PALADINO, LOUISE ELLEN	JURY DUTY	28.75	87831
101-136-807.00	JURY FEES	PFEIFFER, KATHRYN SUZETTE	JURY DUTY	27.50	87833
101-136-807.00	JURY FEES	PRINGLE, MATTHEW WAYNE	JURY DUTY	32.50	87835
101-136-807.00	JURY FEES	PUSEY, AMANDA MARIE	JURY DUTY	25.00	87836
101-136-807.00	JURY FEES	RODERICK, TAYLOR ANN	JURY DUTY	24.38	87839
101-136-807.00	JURY FEES	RUPERT, MARY JAMISON	JURY DUTY	31.88	87841
101-136-807.00	JURY FEES	SAXTON, KENDRA MARIE	JURY DUTY	32.50	87842
101-136-807.00	JURY FEES	SCHLOTTERBECK, AUSTIN LOWE	JURY DUTY	31.25	87843
101-136-807.00	JURY FEES	SCHROETER, TRACEY ANN	JURY DUTY	38.75	87844
101-136-807.00	JURY FEES	SECOR, JEREMY DANIEL	JURY DUTY	33.75	87845
101-136-807.00	JURY FEES	SION RAMIREZ, DAYANARA RAC	JURY DUTY	38.13	87847
101-136-807.00	JURY FEES	SKIDMORE, JASMINE MARIE	JURY DUTY	33.75	87848
101-136-807.00	JURY FEES	SPAULDING, CHAD MATTHEW	JURY DUTY	41.25	87849
101-136-807.00	JURY FEES	VEZINA, PAUL ROBERT	JURY DUTY	37.50	87863
101-136-807.00	JURY FEES	WILCOX, CRAIG AARON	JURY DUTY	36.88	87869
101-136-807.00	JURY FEES	WILLSEY, REBECCA SUSAN	JURY DUTY	37.50	87870
101-136-807.00	JURY FEES	WYNNE, JANET F	JURY DUTY	43.13	87871
101-136-807.00	JURY FEES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	156.78	
101-136-853.00	CELLULAR PHONES	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	195.15	87862
101-136-860.00	TRAVEL	BEILFUSS, HOLLY	SCAO CERT COURT SUPPORT TRAINING	260.63	87757
101-136-860.00	TRAVEL	LONG-MILLER, KIM	SCAO CERT COURT REP EXAM	225.00	87805
101-136-955.00	STAFF DEVELOPMENT/CONFERENCES	BEILFUSS, HOLLY	SCAO CERT COURT SUPPORT TRAINING	58.14	87757
101-136-970.00	EQUIPMENT	MANISTEE COUNTY	OCTOBER 2022 REIMBURSEMENT TO MANISTEE C	4,752.16	87806
Total For Dept 136 DISTRICT COURT				7,806.86	
Dept 142 JUVENILE DIVISION					
101-142-704.01	SALARY-DIRECTOR OF YOUTH SERVICE	MANISTEE COUNTY	OCTOBER 2022 REIMBURSEMENT TO MANISTEE C	2,007.16	87806
101-142-900.00	PRINTING & PUBLISHING-FAMILY-CON	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	7.34	87819
101-142-962.00	JIS RELATED COSTS	STATE OF MICHIGAN	SERVICES DURING OCT,NOV, DEC 2022-REQUE	1,354.65	87852
Total For Dept 142 JUVENILE DIVISION				3,369.15	
Dept 172 ADMINISTRATOR					
101-172-727.00	OFFICE SUPPLIES	DA DESIGNS	BUSINESS CARDS FOR JACKI	36.00	87903
101-172-727.00	OFFICE SUPPLIES	DA DESIGNS	BUSINESS CARDS FOR 911 DIRECTOR AND DE	36.00	87903
101-172-900.00	PRINTING & PUBLISHING	PIONEER GROUP	INSERTION ON EQUILIZATION DIRECTOR POSI	15.75	87834
Total For Dept 172 ADMINISTRATOR				87.75	
Dept 215 COUNTY CLERK					
101-215-727.00	OFFICE SUPPLIES	ODP BUSINESS SOLUTIONS, LI	FLAG TAPE ORDER# 279273103001-INVOICE #	17.98	87930
101-215-727.00	OFFICE SUPPLIES	ODP BUSINESS SOLUTIONS, LI	CORRECTION TAPE, TAPE-FLAGS, REINFORCEN	42.79	87930
101-215-807.00	JURY BOARD FEES	BOWERS, JEAN	DRAW WINTER 2022 TERM OF COURT	40.00	87890
101-215-860.00	TRAVEL	BOWERS, JEAN	DRAW WINTER 2022 TERM OF COURT	1.25	87890
101-215-860.00	TRAVEL	BOWERS, TAMMY	MILEAGE TO CONFERNECE, AND LUNCH	89.37	87891
101-215-963.00	COMPUTER SUPPORT	CHERRY LAN SYSTEMS, INC	MAINTENANCE PERIOD 01/01/23-03/31/23 FC	600.00	87895
Total For Dept 215 COUNTY CLERK				791.39	
Dept 253 COUNTY TREASURER					
101-253-860.00	TRAVEL	FRIES, CARA	MTA TRAINING	137.31	87784
101-253-955.00	CONVENTIONS & MEETINGS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	508.70	

12/08/2022 03:43 PM

User: Rlynn

DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY

EXP CHECK RUN DATES 11/19/2022 - 12/08/2022

Page: 3/14

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 253 COUNTY TREASURER					
		Total For Dept 253 COUNTY TREASURER		646.01	
Dept 257 EQUALIZATION DEPARTMENT					
101-257-703.06	WAGES-ADMINISTRATIVE ASSISTANT	GUNNAR P. BROW	CONTRACT LABOR TO PERFORM PHYSICAL INSE	703.84	87908
101-257-860.00	TRAVEL	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	240.00	
101-257-860.00	TRAVEL	LINDSAY, BRIANNE	MILEAGE FOR EQ SPECIALIST DESIGNATION C	200.00	87919
101-257-860.00	TRAVEL	TRISH PLONT	TRAVEL MILEAGE REIMBURSEMENT	208.75	87957
101-257-955.10	DUES & REGISTRATIONS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	97.38	
101-257-955.10	DUES & REGISTRATIONS	STATE OF MICHIGAN	BRIANNE CERTIFICATION RENEWALS	175.00	87949
101-257-961.00	TRAINING & SCHOOLS	MICHIGAN ASSESSORS ASSN	APPLICATION FOR MAA PROFESSIONAL DESIGN	150.00	87814
101-257-963.00	COMPUTER SUPPORT	APEX SOFTWARE	V6 SURVEY MODULE X2	75.00	87750
101-257-963.00	COMPUTER SUPPORT	APEX SOFTWARE	EQ PORTION IS ONLY \$450	450.00	87881
101-257-970.00	EQUIPMENT	ENGINEERING SUPPLY & IMAGI	PRINTER TONER FOR EQUALIZATION	476.37	87780
		Total For Dept 257 EQUALIZATION DEPARTMENT		2,776.34	
Dept 261 MSU EXTENSION					
101-261-800.00	CONTRACTED SERVICES	MSUE BUSINESS OFFICE	FIRST QUARTER MOA 2023 WORK PLAN PAYMEN	11,095.25	87927
101-261-900.00	PRINTING & PUBLISHING-MSUE	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	33.33	87819
		Total For Dept 261 MSU EXTENSION		11,128.58	
Dept 262 ELECTIONS					
101-262-721.00	PER DIEM	BRENDA WEBBER	RETABULATE AND COMPLETE INLAND TWP 11/8	80.00	87763
101-262-721.00	PER DIEM	JAN MILLER	RETABULATE AND COMPLETE INLAND TWP 11/8	80.00	87795
101-262-721.00	PER DIEM	MAUREEN JEANNOT	RETABULATE AND COMPLETE INLAND TWP 11/8	80.00	87810
101-262-721.00	PER DIEM	PETE BROWN	RETABULATE AND COMPLETE INLAND TWP 11/8	80.00	87832
101-262-721.00	PER DIEM	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	34.54	
101-262-727.00	OFFICE SUPPLIES - BALLOTS	ELECTION SOURCE	BALLOT PRINTING	10,003.07	87779
101-262-727.00	OFFICE SUPPLIES - BALLOTS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	95.79	
101-262-860.00	TRAVEL	BRENDA WEBBER	RETABULATE AND COMPLETE INLAND TWP 11/8	8.75	87763
101-262-860.00	TRAVEL	JAN MILLER	RETABULATE AND COMPLETE INLAND TWP 11/8	1.25	87795
101-262-860.00	TRAVEL	MAUREEN JEANNOT	RETABULATE AND COMPLETE INLAND TWP 11/8	5.63	87810
101-262-860.00	TRAVEL	PETE BROWN	RETABULATE AND COMPLETE INLAND TWP 11/8	1.25	87832
		Total For Dept 262 ELECTIONS		10,470.28	
Dept 265 BUILDING & GROUNDS					
101-265-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMISS	FUEL FOR NOVEMBER 2022 FOR BUILDING & C	61.36	87885
101-265-750.00	MAINTENANCE SUPPLIES	NUGENT ACE HARDWARE	BATTERIES, 20 PK AND 16 PK OF AA BATERI	42.98	87825
101-265-750.00	MAINTENANCE SUPPLIES	NUGENT ACE HARDWARE	DUSTER, SNOW PUSHER, BRUSH SUPPLIES FOR C	3.41	87825
101-265-750.00	MAINTENANCE SUPPLIES	U.S. POSTAL SERVICE	PO BOX 290 SERVICE FEE FOR 6 MONTHS	74.00	87958
101-265-800.00	CONTRACTED SERVICES	KATHY HELINE CLEANING	CLEANING FOR THE MONTH OF NOVEMBER 2022	4,600.00	87798
101-265-850.00	TELEPHONE	TELNET WORLDWIDE	BENZIE COUNTY PHONES-ACCT# 61319	463.91	87854
101-265-853.00	CELLULAR PHONES	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	87.12	87862
101-265-853.00	CELLULAR PHONES	ZEITS, KATIE	MONTHLY STIPEND PHONE	30.00	87872
101-265-930.00	EQUIPMENT REPAIR	HURST MECHANICAL	INSPECTED VALVE IN DHS/DETERMINED VALVE	235.24	87794
101-265-935.00	BUILDING REPAIRS	HURST MECHANICAL	UPGRADE THE CONTROL FOR DHS HEATING ANI	9,985.00	87914
		Total For Dept 265 BUILDING & GROUNDS		15,583.02	
Dept 266 LEGAL & CONTRACTED SERVICES					
101-266-810.00	LEGAL FEES	MARK J. GLAZER	ARBITRATORS STATEMENT	5,988.00	87873
101-266-815.20	ADMINISTRATION FEES - MANISTEE	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMET TO MANISTEE C	1,166.67	87806
		Total For Dept 266 LEGAL & CONTRACTED SERVICES		7,154.67	
Dept 267 PROSECUTING ATTORNEY					
101-267-727.00	OFFICE SUPPLIES	THE EBCO COMPANY	LEGAL FOLDERS 022187	166.00	87855

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 4/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 267 PROSECUTING ATTORNEY					
101-267-814.00	DIRECT VICTIMS NEEDS - EXPENSES	BENZIE COUNTY SHERIFF OFFICE	SHEFFIELD SERVICE - PPO	26.00	87886
101-267-853.00	CELLULAR PHONES	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	87.12	87862
101-267-901.00	RESOURCE MATERIALS	RELX INC. DBA LEXISNEXIS	3094205267/452ZSHK8 PAO NOVEMBER 2022	174.00	87936
101-267-901.00	RESOURCE MATERIALS	REXL INC. DBA LEXISNEXIS	3094023538, 3094117884, 3094129069	522.00	87937
Total For Dept 267 PROSECUTING ATTORNEY				975.12	
Dept 268 REGISTER OF DEEDS					
101-268-727.00	OFFICE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	176.74	
101-268-800.00	CONTRACTED SERVICES - LAREDO	FIDLAR TECHNOLOGIES INC	OCTOBER LAREDO USAGE DEE	1,590.69	87782
101-268-957.10	RECORD STORAGE	UNDERGROUND SECURITY COMP	RECORD STORAGE DEC1,2022-NOV 30,2023	1,061.15	87959
Total For Dept 268 REGISTER OF DEEDS				2,828.58	
Dept 275 DRAIN COMMISSION					
101-275-819.00	CONTRACT SERVICE - LAKE LEVELS	DIXON, CRAIG	MONTHLY CONTRACTED SERVICES FOR DAM WA	333.33	87776
Total For Dept 275 DRAIN COMMISSION				333.33	
Dept 285 CENTRAL SERVICES					
101-285-730.00	POSTAGE	U.S. POSTMASTER - BEULAH	2022 WINTER TAX MAILING	5,862.27	87859
101-285-800.00	CONTRACTED SERVICES	FP FINANCE PROGRAM	POSTAGE METER RENTAL AGREEMENT #003-175	248.04	87783
101-285-930.00	EQUIPMENT REPAIR-ADMIN-CONTRACT	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	2,973.35	87819
101-285-940.20	EQUIPMENT LEASE	TEAM FINANCIAL GROUP, INC.	CUST#40029846 CONTRACT # 40029846-1	189.93	87951
101-285-940.20	EQUIPMENT LEASE	TEAM FINANCIAL GROUP, INC.	CUST# 40033811 CONTRACT# 40033811-1	73.19	87951
101-285-940.20	EQUIPMENT LEASE	TEAM FINANCIAL GROUP, INC.	CUSTOMER #40023293 CONTRACT #40023293-1	122.00	87951
Total For Dept 285 CENTRAL SERVICES				9,468.78	
Dept 286 TECHNOLOGY SUPPORT					
101-286-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	28,177.22	87874
Total For Dept 286 TECHNOLOGY SUPPORT				28,177.22	
Dept 301 SHERIFF					
101-301-748.00	GAS, OIL & GREASE	BENZIE COUNTY SHERIFF OFFICE	PETTY CASH 10/01/2022 TO 11/30/2022	41.90	87758
101-301-748.00	GAS, OIL & GREASE	WATSON BENZIE LLC	17-1 OIL CHNG/TIRE ROT CONTRACT 93715	245.00	87865
101-301-748.00	GAS, OIL & GREASE	WEX BANK	FUEL 10/16 TO 11/15/2022 ROAD	184.70	87868
101-301-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMISS	NOV 2022 FUEL - SHERIFF'S OFFICE	3,632.72	87885
101-301-749.00	VEHICLE REPAIRS	BAYSHORE TIRE & AUTO	21-1 NEW TIRES 48432 MILES	166.00	87756
101-301-749.00	VEHICLE REPAIRS	HEIGES PERFORMANCE, INC.	15 JOURNEY - REAR DIFF/TRANS SERVICE	239.71	87790
101-301-751.00	UNIFORMS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	297.98	
101-301-800.00	CONTRACTED SERVICES	KATHY HELINE CLEANING	NOV 2022 JAIL CLEANING	990.00	87798
101-301-850.00	TELEPHONE	CHARTER COMMUNICATIONS	8245 12 142 0010078 ROAD	17.98	87768
101-301-853.00	CELLULAR PHONES-ROAD PATROL	VERIZON WIRELESS	SHERIFF DEPT PHONE-ACCT #842083652-0000	660.05	87861
101-301-955.00	CONVENTIONS & DUES	MICHIGAN SHERIFFS ASSOCIAT	2023 ANNUAL DUES - MSA	640.00	87816
101-301-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	8,453.16	87874
101-301-970.00	EQUIPMENT	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	225.00	
101-301-970.00	EQUIPMENT	AMAZON CAPITAL SERVICES, I	DOOR SWITCH - RIFLE LIGHT 69130 TLR	40.47	87880
101-301-970.00	EQUIPMENT	AXON ENTERPRISE INC	TASER BATTERIES - ROAD/SRO	396.15	87883
Total For Dept 301 SHERIFF				16,230.82	
Dept 333 SECONDARY ROAD PATROL					
101-333-725.00	FRINGE BENEFITS	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	15.40	87781
101-333-725.00	FRINGE BENEFITS	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	38.58	87851
101-333-748.00	GAS, OIL & GREASE	WEX BANK	FUEL 10/16 TO 11/15/2022 ROAD	47.22	87868
101-333-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMISS	NOV 2022 FUEL - SHERIFF'S OFFICE	433.24	87885
101-333-749.00	VEHICLE REPAIRS	BAYSHORE TIRE & AUTO	21-1 NEW TIRES 48432 MILES	500.00	87756

12/08/2022 03:43 PM

User: Rlynn

DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY

EXP CHECK RUN DATES 11/19/2022 - 12/08/2022

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

Page: 5/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 101 GENERAL FUND					
Dept 333 SECONDARY ROAD PATROL					
		Total For Dept 333 SECONDARY ROAD PATROL		1,034.44	
Dept 426 EMERGENCY MANAGEMENT					
101-426-725.00	FRINGE BENEFITS	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	9.28	87781
101-426-725.00	FRINGE BENEFITS	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	40.10	87851
101-426-727.00	OFFICE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	12.99	
101-426-970.00	EQUIPMENT	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	33.75	
		Total For Dept 426 EMERGENCY MANAGEMENT		96.12	
Dept 648 MEDICAL EXAMINER					
101-648-800.00	CONTRACTED SERVICES	MANISTEE COUNTY	OCTOBER 2022 REIMBURSEMENT TO MANISTEE C	2,127.94	87806
101-648-835.00	LAB FEES	NMS LABS	LAB FEES FOR INVOICE#1191509	1,110.00	87821
101-648-959.00	FORENSIC AUTOPSIES	GOSLINOSKI, LOIS R. DO	AUTOPSY FEES FOR NOVEMBER 2022	3,600.00	87906
101-648-970.00	EQUIPMENT- MEDICAL EXAMINER	TRINITY FLUIDS	SUPPLIES	752.78	87857
		Total For Dept 648 MEDICAL EXAMINER		7,590.72	
Dept 649 MENTAL HEALTH					
101-649-836.00	APPROPRIATIONS	CENTRA WELLNESS NETWORK	MONTHLY APPROPRIATIONS FOR DECEMBER 202	9,534.59	87894
		Total For Dept 649 MENTAL HEALTH		9,534.59	
Dept 851 INSURANCE & BONDS					
101-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	178.35	87851
101-851-828.00	INSURANCE & BONDS	LIBERTY MUTUAL INSURANCE C	SURETY BOND 354227036	2,829.00	87918
101-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M	SELF-INSURED RETENTION-MEMBER FINANCIAL	87,690.00	87925
		Total For Dept 851 INSURANCE & BONDS		90,697.35	
Dept 852 MEDICAL INSURANCE					
101-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	479.68	87781
101-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	KOSIBOSKI, JEFFREY	RETIREE HEALTH SUPPLEMENT BENEFIT PER C	175.00	87802
101-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	LAUTENBACH, LORI	RETIREE HEALTH SUPPLEMENT BENEFIT PER C	175.00	87803
101-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	TUCKER, DAVID	MONTHLY RETIREE HEALTHCARE SUPPLEMENT	175.00	87858
101-852-717.01	MEDICAL INSURANCE TO MANISTEE	MANISTEE COUNTY	OCTOBER 2022 REIMBURSEMENT TO MANISTEE C	1,401.93	87806
101-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	1,246.98	87851
101-852-874.00	MEDICAL INSURANCE - RETIREES	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	97.44	87781
		Total For Dept 852 MEDICAL INSURANCE		3,751.03	
		Total For Fund 101 GENERAL FUND		255,625.65	
Fund 205 TNT OFFICER MILLAGE FUND					
Dept 000					
205-000-725.00	FRINGE BENEFITS	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	4.64	87781
205-000-725.00	FRINGE BENEFITS	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	38.58	87851
205-000-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMIS	NOV 2022 FUEL - SHERIFF'S OFFICE	359.00	87885
205-000-840.00	INTELL/INVESTIGATIONS	BENZIE COUNTY SHERIFF OFF	1 PETTY CASH 10/01/2022 TO 11/30/2022	15.00	87758
205-000-840.00	INTELL/INVESTIGATIONS	TRANSUNION RISK & ALTERNA	INTEL NOV 2022	75.00	87956
205-000-853.00	CELLULAR PHONES-TNT	VERIZON WIRELESS	SHERIFF DEPT PHONE-ACCT #842083652-000C	40.64	87861
205-000-970.00	EQUIPMENT	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	75.00	
		Total For Dept 000		607.86	
Dept 851 INSURANCE & BONDS					
205-851-828.10	LIABILITY & BUILDING INS- TNT OF	MICHIGAN MUNICIPAL RISK M	SELF-INSURED RETENTION-MEMBER FINANCIAL	3,330.00	87925
		Total For Dept 851 INSURANCE & BONDS		3,330.00	

12/08/2022 03:43 PM

User: Rlynn

DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY

EXP CHECK RUN DATES 11/19/2022 - 12/08/2022

Page: 6/14

BOTH JOURNALIZED AND UNJOURNALIZED

BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 205 TNT OFFICER MILLAGE FUND		Total For Fund 205 TNT OFFICER MILLAGE FUND			3,937.86
Fund 209 SCHOOL RESOURCE OFFICER					
Dept 000					
209-000-725.00	FRINGE BENEFITS	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	55.48	87781
209-000-725.00	FRINGE BENEFITS	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	113.81	87851
209-000-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMIS	NOV 2022 FUEL - SHERIFF'S OFFICE	517.58	87885
209-000-957.00	MISCELLANEOUS	VERIZON WIRELESS	SHERIFF DEPT PHONE-ACCT #842083652-0000	255.41	87861
209-000-970.00	EQUIPMENT	AXON ENTERPRISE INC	TASER BATTERIES - ROAD/SRO	79.23	87883
Total For Dept 000				1,021.51	
Dept 851 INSURANCE & BONDS					
209-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M	SELF-INSURED RETENTION-MEMBER FINANCIAL	3,441.00	87925
Total For Dept 851 INSURANCE & BONDS				3,441.00	
Total For Fund 209 SCHOOL RESOURCE OFFICER				4,462.51	
Fund 213 JAIL OPERATIONS FUND					
Dept 265 BUILDING & GROUNDS					
213-265-782.00	MAINTENANCE SUPPLIES	NUGENT ACE HARDWARE	DUSTER,SNOW PUSHER,BRUSH SUPPLIES FOR J	83.92	87825
213-265-782.00	MAINTENANCE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	365.97	
213-265-783.00	EQUIP. SERVICES & SUPPLIES	AMAZON CAPITAL SERVICES, I	PAINT BRUSHES/BULLETIN BOARD -	45.90	87749
213-265-783.00	EQUIP. SERVICES & SUPPLIES	AMAZON CAPITAL SERVICES, I	SHOWER CURTAINS/PENS - JAIL	59.94	87749
213-265-783.00	EQUIP. SERVICES & SUPPLIES	NUGENT ACE HARDWARE	DUSTER,SNOW PUSHER,BRUSH SUPPLIES FOR J	18.98	87825
213-265-853.00	CELLULAR PHONES	VERIZON WIRELESS	SHERIFF DEPT PHONE-ACCT #842083652-0000	132.75	87861
213-265-853.00	CELLULAR PHONES	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	48.56	87862
213-265-935.00	JAIL REPAIRS	HURST MECHANICAL	BOOSTER COIL INSPECT - 27384384 1121202	176.43	87794
213-265-935.00	JAIL REPAIRS	NORTHWEST COMMERCIAL DOOR	SALLY PORT LOCKER DOOR	190.00	87823
213-265-935.00	JAIL REPAIRS	NUGENT ACE HARDWARE	DUSTER,SNOW PUSHER,BRUSH SUPPLIES FOR J	45.96	87825
213-265-935.00	JAIL REPAIRS	SHERWIN-WILLIAMS	PAINT - JAIL	210.44	87846
213-265-935.00	JAIL REPAIRS	AMAZON CAPITAL SERVICES, I	TAPE - JAIL PAINTING	95.76	87880
213-265-935.00	JAIL REPAIRS	HURST MECHANICAL	ACTUATOR R&R COILS 2,5,6 IN JAIL POD/CE	2,477.06	87914
213-265-935.00	JAIL REPAIRS	SHERWIN-WILLIAMS	12/06 PAINT FOR CONTROL ROOM	82.24	87943
213-265-935.00	JAIL REPAIRS	SHERWIN-WILLIAMS	12/07/2022 PAINT CONTROL RM JAIL	68.27	87943
Total For Dept 265 BUILDING & GROUNDS				4,102.18	
Dept 351 JAIL - CORRECTIONS					
213-351-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	PAINT BRUSHES/BULLETIN BOARD -	95.99	87749
213-351-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	DRUM CARTRIDGES - JAIL	211.30	87749
213-351-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	SHOWER CURTAINS/PENS - JAIL	15.34	87749
213-351-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	CALENDAR	10.99	87880
213-351-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	TONER - JAIL PRINTER	119.35	87880
213-351-740.00	FOOD SUPPLIES	CANTEEN SERVICES	FOOD SUPPLIES - WK OF 11/13 TO 11/19/20	1,773.08	87766
213-351-740.00	FOOD SUPPLIES	CANTEEN SERVICES	FOOD SUPPLIES 11/27-12/03/22	1,835.30	87893
213-351-740.00	FOOD SUPPLIES	CANTEEN SERVICES	FOOD SUPPLIES WEEK OF 11/20 TO 11/26/20	1,798.73	87893
213-351-748.00	GAS, OIL & GREASE	WEX BANK	FUEL 10/16 TO 11/15/2022 ROAD	155.69	87868
213-351-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMIS	NOV 2022 FUEL - SHERIFF'S OFFICE	141.49	87885
213-351-751.00	UNIFORMS	NYE UNIFORM COMPANY	JAIL UNIFORMS-CLASS A	363.26	87929
213-351-752.10	DRY CLEANERS	ROBBIE'S DRY CLEANERS, INC	DRY CLEANING - NOV 2022	94.00	87940
213-351-800.00	CONTRACTED SERVICES	KATHY HELINE CLEANING	NOV 2022 JAIL CLEANING	510.00	87798
213-351-800.00	CONTRACTED SERVICES	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	4,025.33	87874
213-351-834.01	PRISONER MEDICAL - JAIL INS CONT	ALL ACCESS CARE PLLC	NOV 2022 JAIL MEDICAL	10,907.45	87878
213-351-940.20	EQUIPMENT LEASE - COPIER	TEAM FINANCIAL GROUP, INC.	COPIER LEASE	307.00	87853
213-351-961.00	TRAINING & SCHOOLS	BENZIE COUNTY SHERIFF OFF	PETTY CASH 10/01/2022 TO 11/30/2022	75.00	87758
213-351-961.00	TRAINING & SCHOOLS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	749.57	

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 7/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 213 JAIL OPERATIONS FUND					
Dept 351 JAIL - CORRECTIONS					
213-351-961.00	TRAINING & SCHOOLS	RICHARD BEILFUSS	MILEAGE - T&S IN GENESEE CO	235.57	87938
213-351-963.00	COMPUTER EQUIPMENT	VC3 INC	QUOTE FOR NEW GRAPHIC CARD IN JAIL	305.87	87874
213-351-970.00	EQUIPMENT	CMP DISTRIBUTORS	2 CORRECTIONS VESTS CC TD	1,971.00	87770
213-351-980.01	BIO-HAZARDS EQUIPMENT	SPARTAN STORES, INC.	ON ACCOUNT 019158 BCSC	19.98	87945
Total For Dept 351 JAIL - CORRECTIONS				25,721.29	
Dept 851 INSURANCE & BONDS					
213-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPANY	SHORT/LONG TERM AND LIFE INSURANCE	59.50	87851
213-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M	SELF-INSURED RETENTION-MEMBER FINANCIAL	5,550.00	87925
Total For Dept 851 INSURANCE & BONDS				5,609.50	
Dept 852 MEDICAL INSURANCE					
213-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	143.44	87781
213-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPANY	SHORT/LONG TERM AND LIFE INSURANCE	539.88	87851
Total For Dept 852 MEDICAL INSURANCE				683.32	
Total For Fund 213 JAIL OPERATIONS FUND				36,116.29	
Fund 214 EMERGENCY MEDICAL SERVICES (EMS) FUND					
Dept 265 BUILDING & GROUNDS					
214-265-750.00	MAINTENANCE SUPPLIES	CRYSTAL OUTDOOR SERVICES	SEPT MOWING	50.00	87902
214-265-750.00	MAINTENANCE SUPPLIES	FRANKFORT HARDWARE	052958 ST 3 FLAG, ROPE, PULLIES REPLAC	152.07	87905
214-265-850.01	INTERNET SERVICE	BRIGHTSPEED	INTERNET/PHONE CHARGES FOR THE MONTH OF	305.59	87764
214-265-850.01	INTERNET SERVICE	DIRECT TV	ST 2 TV	132.23	87775
214-265-922.00	WATER & SEWER	MCCARDEL WATER CONDITIONIN	ST 3 WATER	59.50	87923
214-265-923.00	FUEL - PROPANE GAS	DTE ENERGY	GAS FOR EMS STATION #2 ACCT#9200 059 54	175.81	87778
214-265-970.00	EQUIPMENT & REPAIR	NYE PLUMBING & HEATING	LEAK IN WATER HOSE IN AMBULANCE GARAGE-	196.00	87826
Total For Dept 265 BUILDING & GROUNDS				1,071.20	
Dept 655 ADVANCED LIFE SUPPORT (ALS)					
214-655-735.00	MEDICAL SUPPLIES	BOUND TREE MEDICAL, LLC	MEDICAL SUPPLIES ACCT#100911 PO#DELZIO1	122.00	87762
214-655-735.00	MEDICAL SUPPLIES	BOUND TREE MEDICAL, LLC	MED SUPPLIES	1,746.44	87889
214-655-735.00	MEDICAL SUPPLIES	BOUND TREE MEDICAL, LLC	MED SUPPLIES	1,369.65	87889
214-655-748.00	GAS, OIL & GREASE	WEX BANK	SHELL FUEL	429.36	87867
214-655-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMISS	FUEL FOR NOVEMBER 2022 EMS	3,294.82	87885
214-655-748.00	GAS, OIL & GREASE	MATTHEW DELZIO	REIMBURSEMENT FOR SERVICE WORK ON 11-15	107.99	87921
214-655-749.00	VEHICLE REPAIRS	QUALITY CAR & TRUCK REPAIR	A21 CHECK ENGINE LIGHT AND OIL CHANGE	160.39	87838
214-655-749.00	VEHICLE REPAIRS	QUALITY CAR & TRUCK REPAIR	A32 OIL CHANGE, EXHAUST VENT COVER AND	346.18	87935
214-655-749.00	VEHICLE REPAIRS	QUALITY CAR & TRUCK REPAIR	A33 PM SERVICE WITH REPAIRS	1,538.55	87935
214-655-749.00	VEHICLE REPAIRS	QUALITY CAR & TRUCK REPAIR	A23 REPLACE WHEEL COVER	160.17	87935
214-655-751.00	UNIFORMS	BAY SUPPLY & MARKETING, IN	SHIRT EMBROIDERY BROOK	7.00	87755
214-655-751.00	UNIFORMS	AMANDA BROWN	AMANDA BROWN BOOTS 12-22	153.70	87879
214-655-751.00	UNIFORMS	BAY SUPPLY & MARKETING, IN	EARL SWEATER AND SHIRT EMBROIDERY	14.00	87884
214-655-751.00	UNIFORMS	TELE-RAD, INC.	SWEATER FOR RYAN LEONARD AND SWEATER AN	243.18	87952
214-655-751.00	UNIFORMS	TELE-RAD, INC.	SHIRT FOR TOM	31.99	87952
214-655-860.00	TRAVEL	CALVIN DENNIS	MICHIGAN RURAL HEALTH LEADERSHIP SEMIN	228.50	87892
214-655-860.00	TRAVEL	PARRISH, CHRIS	MICHIGAN FOR RURAL HEALTH LEADERSHIP S	755.30	87932
214-655-860.00	TRAVEL	THOMAS KING	MICHIGAN CENTER FOR RURAL HEALTH LEADE	266.50	87953
214-655-900.00	PRINTING & PUBLISHING-EMS-FR	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	182.04	87819
214-655-961.00	TRAINING & SCHOOLS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	90.00	
214-655-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TR	3,220.25	87874
Total For Dept 655 ADVANCED LIFE SUPPORT (ALS)				14,468.01	

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 8/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 214 EMERGENCY MEDICAL SERVICES (EMS) FUND					
Dept 851 INSURANCE & BONDS					
214-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	56.00	87851
214-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M\	SELF-INSURED RETENTION-MEMBER FINANCIAL	7,770.00	87925
Total For Dept 851 INSURANCE & BONDS				7,826.00	
Dept 852 MEDICAL INSURANCE					
214-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE IN\	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	178.88	87781
214-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	536.09	87851
Total For Dept 852 MEDICAL INSURANCE				714.97	
Total For Fund 214 EMERGENCY MEDICAL SERVICES (EMS) FUND				24,080.18	
Fund 228 SOLID WASTE/RECYCLING FUND					
Dept 000					
228-000-748.00	GAS, OIL & GREASE	BENZIE COUNTY ROAD COMMISS\	FUEL FOR NOVEMBER 2022 RECYCLING	212.28	87885
228-000-850.00	TELEPHONE	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	43.56	87862
228-000-900.00	PUBLIC RELATIONS-PRINTG/PUBLISHN	NETLINK BUSINESS SOLUTIONS\	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	33.33	87819
228-000-900.00	PUBLIC RELATIONS-PRINTG/PUBLISHN	BENZIE TRANSPORTATION AUTH\	BUS ADVERTISING	187.50	87888
228-000-934.00	OTHER REPAIRS/ MAINTENANCE - SIT	A J'S EXCAVATING LLC	SNOW REMOVAL FOR NOVEMBER	66.00	87875
228-000-963.00	COMPUTER SUPPORT	VC3 INC	SLIM PEN COMM BLACK PEN	116.65	87742
228-000-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	402.53	87874
Total For Dept 000				1,061.85	
Dept 851 INSURANCE & BONDS					
228-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	3.50	87851
228-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M\	SELF-INSURED RETENTION-MEMBER FINANCIAL	888.00	87925
Total For Dept 851 INSURANCE & BONDS				891.50	
Dept 852 MEDICAL INSURANCE					
228-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE IN\	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	4.64	87781
228-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	29.96	87851
Total For Dept 852 MEDICAL INSURANCE				34.60	
Total For Fund 228 SOLID WASTE/RECYCLING FUND				1,987.95	
Fund 230 BETSIE VALLEY TRAIL MANAGEMENT FUND					
Dept 000					
230-000-957.30	LANDSCAPE/TRAIL MAINTENANCE	HONOR BUILDING SUPPLY, INC\	BETSIE VALLEY TRAILWAY MGMT SIGN POSTS	154.20	87913
Total For Dept 000				154.20	
Total For Fund 230 BETSIE VALLEY TRAIL MANAGEMENT FUND				154.20	
Fund 231 SOIL EROSION (SESSC) FUND					
Dept 723 SOIL EROSION CONTROL					
231-723-800.00	CONTRACTED SERVICES	ASSOCIATED GOVERNMENT SER\	PERMIT FEES	600.00	87882
Total For Dept 723 SOIL EROSION CONTROL				600.00	
Total For Fund 231 SOIL EROSION (SESSC) FUND				600.00	
Fund 244 E.D.C. ENTERPRISE FUND					
Dept 000					
244-000-800.00	CONTRACTED SERVICES	MITCHELL SHAPIRO	BROADBAND, EDC, BOC	1,845.00	87817
Total For Dept 000				1,845.00	

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 9/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 244 E.D.C. ENTERPRISE FUND		Total For Fund 244 E.D.C. ENTERPRISE FUND		1,845.00	
Fund 247 ANIMAL CONTROL FUND					
Dept 265 BUILDING & GROUNDS					
247-265-853.00	CELLULAR PHONES	VERIZON WIRELESS	PHONES FOR ACCOUNT #842083652-00001 BII	88.57	87862
		Total For Dept 265 BUILDING & GROUNDS		88.57	
Dept 430 ANIMAL CONTROL					
247-430-727.00	OFFICE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	958.58	
247-430-748.00	GAS, OIL & GREASE	KYLE MAURER	REIMBURSEMENT FOR ACO COUNTY OPERATIONS	723.75	87917
247-430-748.00	GAS, OIL & GREASE	KYLE MAURER	ESTIMATED COSTS FOR NEXT MONTH FOR ACO	723.75	87917
247-430-900.00	PRINTING & PUBLISHING-ANIMAL CON	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	36.96	87819
247-430-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	2,012.66	87874
		Total For Dept 430 ANIMAL CONTROL		4,455.70	
Dept 851 INSURANCE & BONDS					
247-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	7.00	87851
247-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M\	SELF-INSURED RETENTION-MEMBER FINANCIAL	1,110.00	87925
		Total For Dept 851 INSURANCE & BONDS		1,117.00	
Dept 852 MEDICAL INSURANCE					
247-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE INS\	EYE COVERAGE FROM 12/01/22-12/31/22 GRC	20.04	87781
247-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	58.93	87851
		Total For Dept 852 MEDICAL INSURANCE		78.97	
		Total For Fund 247 ANIMAL CONTROL FUND		5,740.24	
Fund 249 BUILDING DEPARTMENT FUND					
Dept 371 BUILDING INSPECTOR					
249-371-800.00	CONTRACTED SERVICES	ASSOCIATED GOVERNMENT SER\	PERMIT FEES	12,470.00	87882
249-371-900.00	PRINTING & PUBLISHING-BUILDING D	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	33.33	87819
249-371-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	1,207.59	87874
		Total For Dept 371 BUILDING INSPECTOR		13,710.92	
Dept 372 PLUMBING INSPECTOR					
249-372-800.00	CONTRACTED SERVICES	ASSOCIATED GOVERNMENT SER\	PERMIT FEES	2,899.00	87882
		Total For Dept 372 PLUMBING INSPECTOR		2,899.00	
Dept 373 MECHANICAL INSPECTOR					
249-373-800.00	CONTRACTED SERVICES	ASSOCIATED GOVERNMENT SER\	PERMIT FEES	7,071.00	87882
		Total For Dept 373 MECHANICAL INSPECTOR		7,071.00	
Dept 375 ELECTRICAL INSPECTOR					
249-375-800.00	CONTRACTED SERVICES	ASSOCIATED GOVERNMENT SER\	PERMIT FEES	7,749.00	87882
		Total For Dept 375 ELECTRICAL INSPECTOR		7,749.00	
Dept 851 INSURANCE & BONDS					
249-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M\	SELF-INSURED RETENTION-MEMBER FINANCIAL	555.00	87925
		Total For Dept 851 INSURANCE & BONDS		555.00	
		Total For Fund 249 BUILDING DEPARTMENT FUND		31,984.92	
Fund 259 INDIGENT DEFENSE COUNSEL					
Dept 000					
259-000-720.00	COUNTY SHARE TO MANISTEE	MANISTEE COUNTY	1ST MIDC QUARTERLY PAYMENT IN DECEMBER	23,164.00	87807

12/08/2022 03:43 PM

User: RLynn

DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022

Page: 10/14

BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 259 INDIGENT DEFENSE COUNSEL					
Dept 000					
		Total For Dept 000		23,164.00	
		Total For Fund 259 INDIGENT DEFENSE COUNSEL		23,164.00	
Fund 260 CPL CLERK TECHNOLOGY FUND					
Dept 000					
260-000-860.00	TRAVEL-CPL CLERK TECH FUND	BOWERS, TAMMY	MILEAGE TO CONFERNECE, AND LUNCH	59.38	87891
		Total For Dept 000		59.38	
		Total For Fund 260 CPL CLERK TECHNOLOGY FUND		59.38	
Fund 261 911 EMERGENCY SERVICE FUND					
Dept 325 DISPATCH/COMMUNICATION					
261-325-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	OFFICE SUPPLIES AND NEW USB HUB	32.00	87749
261-325-727.00	OFFICE SUPPLIES	NUGENT ACE HARDWARE	DUSTER, SNOW PUSHER, BRUSH SUPPLIES FOR C	0.19	87825
261-325-727.00	OFFICE SUPPLIES	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	186.93	
261-325-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	DIRECTOR OFFICE SUPPLIES	52.50	87880
261-325-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	NEW COMPUTER MICE FOR DISPATCH FLOOR	44.64	87880
261-325-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, I	VARIOUS OFFICE SUPPLIES FOR DISPATCH AN	140.11	87880
261-325-727.00	OFFICE SUPPLIES	DA DESIGNS	BUSINESS CARDS FOR 911 DIRECTOR AND DE	95.00	87903
261-325-830.00	911 MAINTENANCE CONTRACT	WESTTEL INTERNATIONAL, LLC	WESTTEL SPECTRUM 9-1-1 SOLUTION MONTHLY	938.00	87962
261-325-853.00	CELLULAR PHONES	AT & T MOBILITY	FIRST NET MODEM BILL - NOVEMBER 2022	9.98	87751
261-325-853.00	CELLULAR PHONES	VERIZON WIRELESS	ACCT# 386755522-00001 BILL SUMMARY- OCI	41.38	87960
261-325-855.00	RADIO MAINTENANCE/EQUIPMENT	GRAND TRAVERSE MOBILE COMM	TECHNICAL SERVICES FOR PAGER REPAIR	823.25	87786
261-325-955.10	DUES & REGISTRATIONS	MICHIGAN COMMUNICATION D	2023 MCDA PRIMARY MEMBERSHIP	500.00	87815
261-325-961.00	TRAINING & SCHOOLS	CORY ELLIS	MCDA MEETING ATTENDENCE	316.25	87900
261-325-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	15,698.73	87874
261-325-970.00	EQUIPMENT	AMAZON CAPITAL SERVICES, I	OFFICE SUPPLIES AND NEW USB HUB	29.99	87749
261-325-970.00	EQUIPMENT	GRAND TRAVERSE MOBILE COMM	BCSO TWENTYTWO-ONE NEW CAR RADIO	3,029.64	87786
261-325-970.00	EQUIPMENT	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	129.99	
261-325-970.00	EQUIPMENT	RUGGED DEPOT	CUSTOMER NUMBER: C34127 -- 2 PANASONIC	1,608.84	87942
261-325-970.00	EQUIPMENT	RUGGED DEPOT	CUSTOMER NUMBER: C34127 -- 1 1 POWER AI	235.22	87942
		Total For Dept 325 DISPATCH/COMMUNICATION		23,912.64	
Dept 851 INSURANCE & BONDS					
261-851-725.06	LIFE INSURANCE	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	24.50	87851
261-851-828.10	LIABILITY & BUILDING INSURANCE	MICHIGAN MUNICIPAL RISK M	SELF-INSURED RETENTION-MEMBER FINANCIAL	666.00	87925
		Total For Dept 851 INSURANCE & BONDS		690.50	
Dept 852 MEDICAL INSURANCE					
261-852-717.00	MEDICAL/DENTAL/VISION INSURANCE	FIDELITY SECURITY LIFE INS	EYE COVERAGE FROM 12/01/22-12/31/22 GR	55.68	87781
261-852-718.00	SHORT/LONG TERM DISABILITY	STANDARD INSURANCE COMPAN	SHORT/LONG TERM AND LIFE INSURANCE	217.38	87851
		Total For Dept 852 MEDICAL INSURANCE		273.06	
		Total For Fund 261 911 EMERGENCY SERVICE FUND		24,876.20	
Fund 262 DISPATCHER TRAINING FUND					
Dept 000					
262-000-961.00	TRAINING & SCHOOLS	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	267.75	
		Total For Dept 000		267.75	
		Total For Fund 262 DISPATCHER TRAINING FUND		267.75	
Fund 269 LAW LIBRARY FUND					

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 11/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 269 LAW LIBRARY FUND					
Dept 000					
269-000-901.00	RESOURCE MATERIALS	THOMSON REUTERS - WEST	NOVEMBER 2022	248.94	87954
269-000-901.00	RESOURCE MATERIALS	THOMSON REUTERS - WEST	DECEMBER 2022 BOOKS & BOUNDS	1,008.85	87954
Total For Dept 000				1,257.79	
Total For Fund 269 LAW LIBRARY FUND				1,257.79	
Fund 276 COMMISSION ON AGING MILLAGE FUND					
Dept 000					
276-000-800.00	CONTRACTED SERVICES	BENZIE SENIOR RESOURCES	MNTHLY PYMT FOR CONTRACTED SERVICES	102,577.17	87759
Total For Dept 000				102,577.17	
Total For Fund 276 COMMISSION ON AGING MILLAGE FUND				102,577.17	
Fund 285 POINT BETSIE LIGHTHOUSE FUND					
Dept 808 5.1 M STATE GRANT					
285-808-800.00	CONTRACTED SERVICES - ENGINEERIN	BARR ENGINEERING CO.	POINT BETSIE SHORELINE PROTECTION SYSTE	20,714.00	87753
285-808-800.00	CONTRACTED SERVICES - ENGINEERIN	BARR ENGINEERING CO.	POINT BETSIE SHORELINE PROTECTION SYSTE	25,022.00	87753
Total For Dept 808 5.1 M STATE GRANT				45,736.00	
Total For Fund 285 POINT BETSIE LIGHTHOUSE FUND				45,736.00	
Fund 286 AMERICAN RESCUE PLAN ACT (ARPA) GRANT					
Dept 000					
286-000-967.00	PROJECT EXPENSES	TKS SECURITY	ANIMAL CONTROL ACCESS CONTROL SERVICES	75.00	87955
Total For Dept 000				75.00	
Total For Fund 286 AMERICAN RESCUE PLAN ACT (ARPA) GR				75.00	
Fund 292 CHILD CARE FUND					
Dept 000					
292-000-704.02	SALARY - CASEWORKER	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMNT TO MANISTEE C	4,954.54	87806
292-000-725.00	FRINGE BENEFITS - JUVENILE OFFIC	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMNT TO MANISTEE C	429.01	87806
292-000-725.06	FRINGE BENEFITS - CASEWORKER	MANISTEE COUNTY	OCTOBER 2022 REIMBURSMNT TO MANISTEE C	2,533.25	87806
292-000-840.70	INSTITUTIONAL ROOM & BOARD	OTTAWA COUNTY	INVOICE # 117725 FOR DETENTION BED REN	7,750.00	87931
292-000-840.95	IN HOME CARE MISC.	SMART TRACKING SERVICES	SMART TAG TETHER FROM 11/1/22-11/30/22	300.00	87944
292-000-850.00	TELEPHONE	ROBINSON, KELLIE	NOVEMBER 2022 CHARGES FOR JUV PROBATION	50.00	87941
292-000-860.00	TRAVEL/GAS CARDS	ROBINSON, KELLIE	NOVEMBER 2022 CHARGES FOR JUV PROBATION	242.75	87941
292-000-862.01	INCENTIVES	ROBINSON, KELLIE	NOVEMBER 2022 CHARGES FOR JUV PROBATION	51.76	87941
292-000-862.03	SUBSTANCE ABUSE COUNSELING	HOMEWARD BOUND THERAPEUTIC	INDIVIDUAL THERAPY FOR SESSIONS ON 11/1	120.00	87911
Total For Dept 000				16,431.31	
Total For Fund 292 CHILD CARE FUND				16,431.31	
Fund 293 VETERAN'S RELIEF FUND					
Dept 000					
293-000-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, IVA	OFFICE SUPPLIES	130.73	87880
293-000-727.00	OFFICE SUPPLIES	AMAZON CAPITAL SERVICES, IVA	BOOKS	49.75	87880
293-000-727.00	OFFICE SUPPLIES	JACKPINE BUSINESS CENTERS	VA OFFICE SUPPLIES	143.94	87915
293-000-727.00	OFFICE SUPPLIES	JACKPINE BUSINESS CENTERS	VA OFFICE SUPPLIES	22.59	87915
293-000-748.00	GAS, OIL & GREASE	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	129.77	
293-000-839.10	VETERANS FINANCIAL AID	CONSUMERS ENERGY	VA ASSISTANCE FOR ACCT: 103017702814 C	379.10	87899
293-000-839.10	VETERANS FINANCIAL AID	CRIST/ FAGAN LLC	VA ASSISTANCE FOR RENTAL	675.00	87901
293-000-900.00	PRINTING & PUBLISHING-VETERNS	NETLINK BUSINESS SOLUTIONS	COPY COUNT AND 3 MONTH MAINTENANCE AGRE	60.38	87819
293-000-900.00	PRINTING & PUBLISHING	WEXFORD COUNTY VETERANS SEVA	WEXFORD EXPO 2023	1,000.00	87963

12/08/2022 03:43 PM
User: Rlynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 12/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 293 VETERAN'S RELIEF FUND					
Dept 000					
293-000-963.00	COMPUTER SUPPORT	VC3 INC	ANTI-VIRUS, REMOTE BACKUP, SECURITY TRF	402.53	87874
Total For Dept 000				2,993.79	
Total For Fund 293 VETERAN'S RELIEF FUND				2,993.79	
Fund 296 JUVENILE JUSTICE FUND					
Dept 000					
296-000-800.00	CONTRACTUAL SERVICES	KRISTINA MILLER	SOCIAL WORK SERVICES TO BENZIE COUNTY 1	1,250.00	87916
Total For Dept 000				1,250.00	
Total For Fund 296 JUVENILE JUSTICE FUND				1,250.00	
Fund 401 CAPITAL IMPROVEMENT FUND					
Dept 000					
401-000-967.00	PROJECT EXPENSES	DIGITAL-ALLY	22-1 NEW CAR	246.00	87774
401-000-967.00	PROJECT EXPENSES	STAFFORD-SMITH, INC	DOWN PAYMENT FOR DISHWASHER	9,259.00	87850
401-000-967.00	PROJECT EXPENSES	GRAND TRAVERSE MOBILE COMM	22-1 EQUIPMENT/INSTALL FOR NEW DURANGO	10,477.69	87907
Total For Dept 000				19,982.69	
Total For Fund 401 CAPITAL IMPROVEMENT FUND				19,982.69	
Fund 425 EQUIPMENT REPLACEMENT FUND					
Dept 301 SHERIFF					
425-301-749.00	PATROL CAR EXPENSES	GRAND TRAVERSE MOBILE COMM	15-1 EQUIPMENT REMOVAL	589.75	87907
Total For Dept 301 SHERIFF				589.75	
Dept 426 EMERGENCY MANAGEMENT					
425-426-967.04	CERT TRAINING CAMP GRAYLING	JODIE MARIE MILLER	REIMBURSE FOR TRAINING MEALS	64.26	87797
425-426-967.04	CERT TRAINING CAMP GRAYLING	VISA	VISA COMBINED BILL FOR NOVEMBER 2022	50.99	
Total For Dept 426 EMERGENCY MANAGEMENT				115.25	
Total For Fund 425 EQUIPMENT REPLACEMENT FUND				705.00	
Fund 701 GENERAL AGENCY FUND					
Dept 136 DISTRICT COURT					
701-136-265.00	CASH BONDS PAYABLE	85TH DISTRICT COURT	BOND APPLIED/COSTS	100.00	87744
701-136-265.00	CASH BONDS PAYABLE	VARENHORST, CHRISTOPHER	BOND RETURN	1,000.00	87860
701-136-265.00	CASH BONDS PAYABLE	19TH CIRCUIT COURT - BENZIE	BOND TRANSFER: MISTY RAY BRANCH	1,000.00	87743
701-136-265.00	CASH BONDS PAYABLE	85TH DISTRICT COURT	BOND APPLIED/COSTS	2,350.00	87745
701-136-265.00	CASH BONDS PAYABLE	85TH DISTRICT COURT	BOND APPLIED/COSTS	1,834.00	87746
701-136-265.00	CASH BONDS PAYABLE	BASSETT, FREDERICK ALAN	BOND RETURN	666.00	87754
701-136-265.00	CASH BONDS PAYABLE	GRESSO, TRUDY ANN	BOND RETURN	6.00	87787
701-136-265.00	CASH BONDS PAYABLE	OCHOA, EDDIE SHANE-ALBERT	BOND RETURN	325.00	87827
701-136-265.00	CASH BONDS PAYABLE	ORMAN, TERRY JAMES	BOND RETURN	1,600.00	87829
701-136-265.00	CASH BONDS PAYABLE	ROZGA, ANDREW RONALD-GORDON	BOND RETURN	100.00	87840
701-136-265.00	CASH BONDS PAYABLE	TINCH, TAYLOR CORDELL	BOND RETURN	20.00	87856
Total For Dept 136 DISTRICT COURT				9,001.00	
Dept 141 FRIEND OF THE COURT					
701-141-222.04	DUE MANISTEE - STATUTORY FEES	MANISTEE COUNTY TREASURER	FEE COLLECTIONS NOVEMBER 2022	764.03	87808
701-141-222.05	DUE MANISTEE - PROCESSING FEES	MANISTEE COUNTY TREASURER	FEE COLLECTIONS NOVEMBER 2022	95.60	87808
Total For Dept 141 FRIEND OF THE COURT				859.63	
Dept 215 COUNTY CLERK					

12/08/2022 03:43 PM
User: RLynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 13/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
Fund 701 GENERAL AGENCY FUND					
Dept 215 COUNTY CLERK					
701-215-228.05	DUE STATE - NOTARY FEES	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	8.00	87948
701-215-228.16	DUE STATE - PISTOL PERMITS	STATE OF MICHIGAN (#38-600	CONCEALED PISTOL LICENSE UNIT	1,392.00	87950
701-215-228.37	DUE STATE - CRIME VICTIM RIGHTS	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	427.86	87947
701-215-228.42	DUE STATE - STATE COURT - MOTION	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	180.00	87947
701-215-228.56	DUE STATE - EFILING FEE	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	175.00	87947
701-215-228.57	DUE STATE - STATE JURY FEES	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	25.00	87947
701-215-228.58	DUE STATE - CIVIL FILING FEES	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	833.00	87947
701-215-228.59	DUE STATE - JUSTICE SYSTEM FUND	STATE OF MICHIGAN	MONTH OF NOVEMBER 2022	70.00	87947
701-215-271.00	RESTITUTIONS PAYABLE	ALAN GRAY	RESTITUTION FROM BRANDON PIPER CASE NUM	25.00	87747
701-215-271.00	RESTITUTIONS PAYABLE	CHRISTINA GUNDERSON	RESTITUTION FROM LUCAS BRIGHT CASE UMBE	20.00	87769
701-215-271.00	RESTITUTIONS PAYABLE	ALAN GRAY	RESITITUTION-CIRCUIT BRANDON PIPER 17-2	25.00	87876
701-215-271.00	RESTITUTIONS PAYABLE	ALAN GRAY	RESTITUTION-CIRCUIT BRANDON PIPER 17-25	25.00	87877
701-215-271.00	RESTITUTIONS PAYABLE	BENZIE FIRE & EMS ASSOC	RESTITUTION-CIRCUIT MICHAEL VINCENT 20-	345.52	87887
701-215-271.00	RESTITUTIONS PAYABLE	CHRISTINA GUNDERSON	RESITITUTION-CIRCUIT FROM LUCAS BRIGHT	10.00	87896
701-215-271.00	RESTITUTIONS PAYABLE	HARTFORD CENTRAL RECOVERY	RESITITUION-CIRCUIT JONATHAN DEGROOTE 2	200.00	87909
701-215-271.00	RESTITUTIONS PAYABLE	HOMESTEAD TWP FIRE DEPT	RESTITUTION FROM MICHAEL VINCENT 20-271	54.48	87910
701-215-271.10	FAMILY DIVISION RESTITUTIONS	CONNIE MCLAREN	RESTITTUTION JOSHUA STEPHENSON 99000395	50.00	87898
701-215-271.10	FAMILY DIVISION RESTITUTIONS	EAST SHORE DELI	RESTITUTION FROM JOSHUA STEPHENSON 9900	13.75	87904
701-215-271.10	FAMILY DIVISION RESTITUTIONS	RICHARD GARY	RESTITUTION JOSHUA STEPHENSON 99000493	36.25	87939
701-215-299.03	CIRCUIT COURT MISCELLANEOUS	MDOC-COURT ORDER UNIT	PHILLIP EDWARD DARGA 21-2812-FH OVERPAY	258.00	87813
Total For Dept 215 COUNTY CLERK				4,173.86	
Dept 253 COUNTY TREASURER					
701-253-274.19	APPEALS/CHARGEBACKS/REFUNDS	MAUREEN HICKEY	PRE ADJS 2021 06-506-027-20	118.17	87922
Total For Dept 253 COUNTY TREASURER				118.17	
Dept 267 PROSECUTING ATTORNEY					
701-267-268.00	CANINE ADVOCATE FUND	CODY KASTL	TRACTOR SUPPLY REIMUBRSEMENT	85.84	87897
Total For Dept 267 PROSECUTING ATTORNEY				85.84	
Dept 301 SHERIFF					
701-301-228.16	DUE STATE - FINGER PRINT FEES	MICHIGAN STATE POLICE - C/LIVESCAN NOV 2022		259.50	87926
Total For Dept 301 SHERIFF				259.50	
Total For Fund 701 GENERAL AGENCY FUND				14,498.00	
Fund 704 PAYROLL CLEARING FUND					
Dept 000					
704-000-231.11	INSURANCE CO-PAY	STANDARD INSURANCE COMPAN\	SHORT/LONG TERM AND LIFE INSURANCE	1,400.36	87851
Total For Dept 000				1,400.36	
Total For Fund 704 PAYROLL CLEARING FUND				1,400.36	

12/08/2022 03:43 PM
User: RLynn
DB: Benzie County

INVOICE GL DISTRIBUTION REPORT FOR BENZIE COUNTY
EXP CHECK RUN DATES 11/19/2022 - 12/08/2022
BOTH JOURNALIZED AND UNJOURNALIZED
BOTH OPEN AND PAID

Page: 14/14

GL Number	Invoice Line Desc	Vendor	Invoice Description	Amount	Check #
-----------	-------------------	--------	---------------------	--------	---------

Fund Totals:

Fund 101	GENERAL FUND	255,625.65
Fund 205	TNT OFFICER MII	3,937.86
Fund 209	SCHOOL RESOURCE	4,462.51
Fund 213	JAIL OPERATIONS	36,116.29
Fund 214	EMERGENCY MEDIC	24,080.18
Fund 228	SOLID WASTE/REC	1,987.95
Fund 230	BETSIE VALLEY	154.20
Fund 231	SOIL EROSION (S	600.00
Fund 244	E.D.C. ENTERPRI	1,845.00
Fund 247	ANIMAL CONTROL	5,740.24
Fund 249	BUILDING DEPAR	31,984.92
Fund 259	INDIGENT DEFENS	23,164.00
Fund 260	CPL CLERK TECH	59.38
Fund 261	911 EMERGENCY S	24,876.20
Fund 262	DISPATCHER TRA	267.75
Fund 269	LAW LIBRARY FUN	1,257.79
Fund 276	COMMISSION ON P	102,577.17
Fund 285	POINT BETSIE LI	45,736.00
Fund 286	AMERICAN RESCU	75.00
Fund 292	CHILD CARE FUNI	16,431.31
Fund 293	VETERAN'S RELIE	2,993.79
Fund 296	JUVENILE JUSTIC	1,250.00
Fund 401	CAPITAL IMPROVI	19,982.69
Fund 425	EQUIPMENT REPL	705.00
Fund 701	GENERAL AGENCY	14,498.00
Fund 704	PAYROLL CLEARIN	1,400.36

Total For All Funds:	621,809.24
----------------------	------------

Elected Officials And Department Heads



Benzie County Office of Emergency Management

Emergency Management Activities

for the months of November - December 2022

1. **Region 7 Homeland Security Planning Board Meeting**

The Region 7 Homeland Security Board meets on the first Thursday of every month. We have large projects to complete in each community regarding Critical Infrastructure identification and Cybersecurity inventory.

2. **CERT Activations**

Region 7 is approving funds for CERT backpack upgrades. Many of the local teams have seen a renewed interest and increased membership numbers.

Benzie CERT assisted Manistee with traffic control and communications for the Sleighbell Events December 3. The Search and Rescue strike team met for some updated training. If interested in CERT please contact emd@benzieco.net

3. **COVID-19 Response**

The Benzie Leelanau District Health Department website is the best resource for scheduling Covid-19 vaccinations/boosters or testing (appointments required). They also have a large supply of home testing kits for personal or agency distribution.

4. **Local Planning Team / Local Emergency Planning Committee**

LEPC / LPT does not meet during the months of November or December. Rebecca has used this time to meet with communities, directly, to cover the Natural Hazard Mitigation Plan strategies. With the assistance of Networks Northwest, a quality draft plan should be ready for review in February 2023.

Any planning team / committee meeting minutes can be made available through the Office of Emergency Management.

6. **Benzie County Sheriff's Office – Victims Services Unit**

The Victim's Service team is a small group of volunteers called on when law enforcement intervenes in a situation where immediate crisis impacts a person or family. Victim's services are on-scene resources for assisting those impacted with navigating the immediate crisis. VSU provides resources to those to understand what may be happening now and moving forward after the event. VSU is not a funded division of the Sheriff's Office all services and miles are volunteer or minimally grant funded.

7. **School Safety Workgroup**

The Benzie County School Safety Workgroup AKA the School and Youth Resource Advisory Committee will meet December 19, 2022. Much of what is discussed is specific to school security and planning. The Benzie County OEM has offered to assist with safety and security grants made available to the schools as well as updating and recertifying their Emergency Operation Plans.

9. **County Trainings**

Ice Rescue w/ USCG – December 10 8am Frankfort Fire Station

10. National Weather Service Recognition

Benzie County Emergency management was recognized by the national Weather Service as a WRN (Weather Ready Nation) Ambassador. They acknowledged us as a “leader in promoting weather preparedness and beach hazard safety messaging. I declined formal public presentation of the Certificate, it is displayed in the Emergency Operation Center

11. Upcoming Events

December 19, 2022 – 10am School Safety Meeting
December 23, 2022 – Government building closed for weekend holiday
December 26, 2022 – Government building closed for weekend holiday
December 30, 2022 – Government building closed for weekend holiday
January 2, 2023 – Government building closed for weekend holiday
January 5, 2023 – 10am Region 7 EMHSD board meeting (Frederick, MI)
January 16, 2023 – government center closed for MLK jr. Day – holiday
January 17, 2023 – 2pm LPT/LEPC January meeting

ACTION ITEMS

				Total County Extra Voted							(BB) Total RenZone
(A) County Name	(B) Taxable Value	(C) County Allocated Rate / SET	(D) Est. County Allocated / SET Tax Dollars	Operating Rate	(F) Est. County EV Oper. Tax Dollars	(G) Total County Debt Rate	(H) Est. County Debt Tax Dollars	(I) Total Est. County Tax Dollars			
Benzie	1,517,581,361.00	3.3378	5,065,383.05	4.7951	7,276,954.38	0.4500	682,911.61	13,025,249.04			0.00
STATE ED. TAX	1,511,983,361.00	6.0000	9,071,900.17	0.0000	0.00	0.0000	0.00	0.00			0.00

(J) Local Unit Name	(K) Taxable Value	Total Other		(M) Est. Local Allocated /	(O) Est. Local EV / GL Oper. Tax Dollars	(P) Total Debt Rate	(Q) Est. Local Debt Tax Dollars	(R) Total Est. Local Tax Dollars	(KK) Total RenZone Taxable Value
		(L) Total Allocated /	(N) Extra Voted / General Law Operating						
		Charter Rate	Charter Tax Dollars						
Almira	190,594,174.00	0.6907	131,643.40	2.1838	416,219.56	0.0000	0.00	547,862.96	0.00
Benzonia	259,752,218.00	0.7688	199,697.51	3.0727	798,140.64	0.0000	0.00	599,352.27	0.00
Blaine	50,680,689.00	0.5000	25,340.34	0.7930	40,189.79	0.0000	0.00	65,530.13	0.00
Colfax	31,464,547.00	0.8362	26,310.65	0.9182	28,890.75	0.0000	0.00	55,201.40	0.00
Crystal Lake	202,225,939.00	0.6795	137,412.53	0.9694	196,037.83	0.0000	0.00	333,450.36	0.00
Gilmore	46,395,795.00	0.8026	37,237.27	1.8957	87,952.51	0.0000	0.00	125,189.78	0.00
Homestead	86,543,675.00	0.8609	74,505.45	1.4285	123,627.64	0.0000	0.00	198,133.09	0.00
Inland	94,993,854.00	0.7382	70,124.46	3.8202	362,895.52	0.0000	0.00	433,019.98	0.00
Joyfield	31,224,446.00	0.9717	30,340.79	0.0000	0.00	0.0000	0.00	30,340.79	0.00
Lake	292,176,345.00	0.5420	158,359.58	0.3449	100,771.62	0.0000	0.00	259,131.20	0.00
Platte	23,228,980.00	0.8078	18,764.37	1.4476	33,626.27	0.0000	0.00	52,390.64	0.00
Weldon	96,365,276.00	0.7233	69,701.00	0.9663	93,117.77	0.0000	0.00	162,818.77	0.00
Frankfort	111,935,423.00	12.3278	1,379,917.51	4.2181	472,154.81	0.9237	103,394.75	1,955,467.07	0.00
BENZONIA	21,085,128.00	9.1346	192,604.21	2.0000	42,170.26	1.0000	21,085.13	255,859.60	0.00
BEULAH	40,330,548.00	7.8864	318,062.83	0.0000	0.00	0.0000	0.00	318,062.83	0.00
ELBERTA	12,459,634.00	7.0934	88,381.17	2.8368	35,345.49	4.1700	51,956.67	175,683.33	0.00
HONOR	12,798,961.00	7.1721	91,795.43	0.0000	0.00	0.0000	0.00	91,795.43	0.00
LAKE ANN	16,795,131.00	1.3832	23,231.03	0.0000	0.00	0.0000	0.00	23,231.03	0.00
THOMPSONVILLE	7,367,731.00	6.6613	49,078.67	0.0000	0.00	0.0000	0.00	49,078.67	0.00

(A) Authority (Dist. Libraries, DDAs, Transit, Metro, Fire, etc.)	(B) Taxable Value	(C) Total Operating Rate	(D) Est. Authority Oper. Tax Dollars	(E) Total Debt Rate	(F) Est. Authority Debt Tax Dollars	(G) Est. Total Authority Tax Dollars	(H) Total RenZone Taxable Value
LIBRARY - BENZIE SHORES	566,750,073.00	0.6000	340,050.04	0.0000	0.00	340,050.04	0.00
LIBRARY - BETSIE VALLEY BENZIE CO.	127,829,823.00	0.3403	43,500.49	0.0000	0.00	43,500.49	0.00
TRANSIT - BENZIE COUNTY	1,517,581,361.00	0.4766	723,279.28	0.0000	0.00	723,279.28	0.00

(A)	(B)	(C)		(D)	(E)	(F)		(G)	(H)		(I)		(J)		(K)	(L)		(M)		(BB)	Non Homestead Comm.Pers. Operating Rate
		Total Taxable	NonHomestead			Total Commercial Personal	Est. HH / Supplemental Tax Dollars		Homestead Operating Rate	Est. HH / Supplemental Tax Dollars	Total Debt / Sinking Fund / Bldg Site Rate	Est. Debt / Sinking Fund / Bldg Site Tax Dollars	Total Recreational Rate	Est. Recreational Tax Dollars		Total Est. Local K12 School Tax Dollars	Total RenZone Taxable Value				
Local K12 School District Name		Value	Taxable Value	Taxable Value	Supplemental Rate		Tax Dollars		Tax Dollars		Site Rate	Tax Dollars		Rate		Tax Dollars		Tax Dollars			
BENZIE COUNTY CENTRAL SCH	915,915,025.00	460,686,829.00		9,347,600.00	0.0000	0.00	18.0000		8,348,448.52	2.8584		2,618,051.51	0.0000	0.0000		10,966,500.03	0.00	6.0000			
FRANKFORT AREA SCHOOLS	557,877,215.00	374,595,227.00		2,502,950.00	0.0000	0.00	18.0000		6,757,731.79	1.5200		847,973.37	0.0000	0.0000		7,605,705.16	0.00	6.0000			
GLEN LAKE COMMUNITY SCH DIST	633,732.00	196,109.00		0.00	0.0000	0.00	15.9666		2,051.11	0.3300		176.13	0.0000	0.0000		2,227.24	0.00	3.9666			
TRAVERSE CITY SCHOOL DIST.	43,255,389.00	5,324,421.00		5,400.00	0.0000	0.00	18.0000		95,871.98	3.1000		134,091.71	0.0000	0.0000		229,963.69	0.00	6.0000			

(A) Community College Name	(B) Taxable Value	(C) Total Operating Rate	(D) Est. Community College Oper. Tax Dollars	(E) Total Debt Rate	(F) Est. Community College Debt Tax Dollars	(G) Est. Total Community College Tax Dollars	(BB) Total RenZone Taxable Value		
(H) Intermediate School District Name	(I) Taxable Value	(J) ISD Allocated Rate	(K) Est. ISD Allocated Tax Dollars	(L) ISD Total EV Operating Rate	(M) Est. ISD EV Operating (Spec Ed/Voc/Enh) Tax Dollars	(N) ISD Total Debt Rate	(O) Est. ISD Debt Tax Dollars	(P) Est. Total ISD Tax Dollars	(II) Total RenZone Taxable Value
TRAVERSE BAY	1,517,581,361.00	0.1881	285,457.05	2.6990	4,095,952.09	0.0000	0.00	4,381,409.14	0.00

Township / City	Village	School Code	Local School District	Total		Total Homestead	Total
				Total Homestead	NonHomestead	Property Tax Rate	NonHomestead
				Property Tax Rate	Property Tax Rate	w/Special Assmnt	Property Tax Rate
Almira		10015	BENZIE COUNTY CENTRAL SCH	23.6795	41.6795	23.6795	41.6795
Almira	LAKE ANN	10015	BENZIE COUNTY CENTRAL SCH	25.0627	43.0627	25.0627	43.0627
Almira		28010	TRAVERSE CITY SCHOOL DIST.	23.9211	41.9211	23.9211	41.9211
Almira	LAKE ANN	28010	TRAVERSE CITY SCHOOL DIST.	25.3043	43.3043	25.3043	43.3043
Benzonia		10015	BENZIE COUNTY CENTRAL SCH	24.6465	42.6465	24.6465	42.6465
Benzonia	BENZONIA	10015	BENZIE COUNTY CENTRAL SCH	36.7811	54.7811	36.7811	54.7811
Benzonia	BEULAH	10015	BENZIE COUNTY CENTRAL SCH	32.5329	50.5329	32.5329	50.5329
Blaine		10015	BENZIE COUNTY CENTRAL SCH	22.6980	40.6980	22.6980	40.6980
Blaine		10025	FRANKFORT AREA SCHOOLS	21.3596	39.3596	21.3596	39.3596
Colfax		10015	BENZIE COUNTY CENTRAL SCH	22.8997	40.8997	22.8997	40.8997
Colfax	THOMPSONVILLE	10015	BENZIE COUNTY CENTRAL SCH	29.5610	47.5610	29.5610	47.5610
Crystal Lake		10025	FRANKFORT AREA SCHOOLS	21.7155	39.7155	22.3655	40.3655
Gilmore		10015	BENZIE COUNTY CENTRAL SCH	24.1033	42.1033	24.1033	42.1033
Gilmore		10025	FRANKFORT AREA SCHOOLS	22.7649	40.7649	22.7649	40.7649
Gilmore	ELBERTA	10025	FRANKFORT AREA SCHOOLS	36.8651	54.8651	36.8651	54.8651
Homestead		10015	BENZIE COUNTY CENTRAL SCH	23.0944	41.0944	23.0944	41.0944
Homestead	HONOR	10015	BENZIE COUNTY CENTRAL SCH	30.2665	48.2665	30.2665	48.2665
Inland		10015	BENZIE COUNTY CENTRAL SCH	25.3634	43.3634	25.3634	43.3634
Joyfield		10015	BENZIE COUNTY CENTRAL SCH	21.7767	39.7767	21.7767	39.7767
Lake		10015	BENZIE COUNTY CENTRAL SCH	21.6919	39.6919	21.6919	39.6919
Lake		10025	FRANKFORT AREA SCHOOLS	20.9535	38.9535	20.9535	38.9535
Platte		10015	BENZIE COUNTY CENTRAL SCH	23.0604	41.0604	23.0604	41.0604
Platte		45010	GLEN LAKE COMMUNITY SCH DIST	20.5320	35.6016	20.5320	35.6016
Weldon		10015	BENZIE COUNTY CENTRAL SCH	22.8349	40.8349	22.8349	40.8349
Weldon	THOMPSONVILLE	10015	BENZIE COUNTY CENTRAL SCH	29.4962	47.4962	29.4962	47.4962
Frankfort		10025	FRANKFORT AREA SCHOOLS	37.5362	55.5362	37.5362	55.5362

Local Municipality (Twp/City/Vlg)	ALL Purpose(s) of Qualifying Special Assessment Millage Rates for the Local Municipality Listed	Total of All Special Assessment Rates Levied UNITWIDE
Crystal Lake	Fire – 119	0.6500

ORIGINAL TO: County Clerk(s) L-4029

COPY TO: Equalization Department(s)
COPY TO: Each township of city clerk

2022 Tax Rate Request (This form must be completed and submitted on or before September 30, 2022)

MILLAGE REQUEST REPORT TO COUNTY BOARD OF COMMISSIONERS

County	2022 Taxable Value of ALL Properties in the Unit as of 5-23-2022
BENZIE	259,752,218
Local Government Unit	For LOCAL School Districts: 2022 Taxable Value of Non-Homestead and Non-Qualified Agricultural Properties if a millage is levied against them
BENZONIA TOWNSHIP	

You must complete this form for each unit of government for which a property tax is levied. Penalty for non-filing is provided under MCL Sec. 211.119.
The following tax rates have been authorized for levy on the 2022 tax roll.

(1) (2) (3) (4) (5)** (6) (7) (8) (9) (10) (11) (12)

Source	Purpose of Millage	Date of Election	Original Millage Authorized by Charter, etc.	2021 Millage Rate Permanently Reduced by MCL 211.34d "Headline"	2022 Current Year "Headline" Millage Reduction Fraction	2022 Millage Rate Permanently Reduced by MCL 211.34d "Headline"	Sec. 211.34 Truth in Assessing or Equalization Millage Rollback Fraction	Maximum Allowable Millage Levy*	Millage Requested to be Levied July 1	Millage Requested to be Levied Dec. 1	Expiration Date of Millage Authorized
Fixed Alloc	Operating	8/1982	1.2100	0.7814	0.9839	0.7688	1.0000	0.7688	0.7688	0.00	12/2022
X-1/oted	Fire Op	8/2018	1.0000	0.9818	0.9839	0.9659	1.0000	0.9659	2.5	12/2031	
X-1/oted	Fire Op	11/2022	2.5000	n/a	n/a	n/a	n/a	2.5000	15727	12/2026	
X-1/oted	Library Op	8/2016	0.6000	0.5821	0.9839	0.5727	1.0000	0.5727			

Prepare by	Telephone Number	Title of Preparer	Date

As the representatives for the local government unit named above, we certify that these requested tax levy rates have been reduced, if necessary to comply with the state constitution (Article 9, Section 31), and that the requested levy rates have also been reduced, if necessary, to comply with MCL Sections 211.24e, 211.34 and, for LOC AL school districts which levy a Supplemental (Hold Harmless) Millage 360.1211(3).

<input type="checkbox"/> Clerk	Signature	Type Name	Date
<input type="checkbox"/> Secretary	<i>Marvin J. Heller</i>	<i>Diana L. Heller</i>	<i>11/16/22</i>
<input type="checkbox"/> Chairperson	Signature	Type Name	Date
<input type="checkbox"/> President	<i>David Bernard</i>	<i>David Bernard</i>	<i>11/16/2022</i>

* Under Truth in Taxation, MCL Section 211.24e, the governing body may decide to levy a rate which will not exceed the maximum authorized rate allowed in columns

PLEASE READ THE INSTRUCTIONS ON THE REVERSE SIDE CAREFULLY.

Local School District Use Only: Complete if requesting millage to be levied. See STC Bulletin 2 of 2022 for instructions on completing this section.	Rate
Total school district operating rates to be levied (HH/Supp and HH Oper ONLY)	
For Principal Residence, Qualified Ag, Qualified Forest and Industrial Personal	
For Commercial	

Truth in Taxation:
MCL 211.24e provides that a local taxing unit can approve the levy of a millage rate for operating purposes in excess of the Base Tax Rate (BTR) after one of the following:

Providing a notice of public hearing in a newspaper, establishing the proposed additional millage rate by a resolution, holding the public hearing and approving the levy of the additional millage rate.

Your unit's meeting was held

Date: 11-16-22 Time: 11 am
Signature of Clerk

Or by complying with Section 16 of the Uniform Budgeting and Accounting Act (MCL 141.436)

If your unit complies with Section 16, Signature of Clerk

Date

If neither of the following have been complied with and your unit levies more than one mill of operating the following formula applies.

Prior Year Operating Millage 1.7632
Base Tax Rate Fraction 0.9525
Base Tax Rate 1.6794

Memorandum



To: Board of Commissioners

Copy: Rose Roelofs, Executive Assistant

From: Katie Zeits, County Administrator *Katie Zeits*

Date: December 6, 2022

Subject: **Policy for Committee Appointments**

Attached is the final draft of a policy for Appointments and Committees which has been reviewed by the Board in recently meetings. It was asked that I adjust the language related to attendance for County appointees and I have. By adopting this policy, the Board will enforce the following attendance requirements:

Attendance. Records of attendance at committee meetings shall be forwarded to County Administration by the Staff for the committee after each meeting is held. Absences excused by the chair shall be noted. Attendance is one of several factors considered for additional appointments. Any appointee who misses more than 25% of scheduled meetings, shall be notified by the County Administrator and asked to meet with Administration to determine cause. County Administration may forward recommendation for removal to the Board of Commissioners.

Rose of my office is working to create a procedure to oversee appointments going forward. Rose will administer this process and will ensure that appointments are made in a timely manner so that vacancies do not exist. She will also ensure consistency in the process for recruitment and appointment.

Finally, I want to note Section 3c. of the draft policy. This policy requires appointees be Benzie County residents unless a law or other policy exist. This very topic was recently discussed by the Ad Hoc Interview Committee related to the EMS Advisory Committee. It was the consensus that those serving on Benzie County Committee be residents of Benzie County. By adopting this policy, you will enforcement this requirement.

Recommendation:

That the Board of Commissioners adopts the Appointments and Committees' Policy as included in the December 13, 2022 packet, which includes requirements for attendance and residency and rescinds all related policies.



Updated: 12/27/2022

APPOINTMENTS AND COMMITTEES' POLICY

Purpose

The purpose of this policy is to outline expectations for appointments made by the Benzie County Board of Commissioners for various boards, commissions, and committees of which they have representation. See the Board of Commissioners "Board Rules" for a list of committees.

The following policy is hereby adopted by the Board of Commissioners of Benzie County and shall be applicable to all committees and appointments hereafter made by the Board of Commissioners or the Chair, herein referred to "appointing authority." As used herein, the word "committee" shall mean committee, subcommittee, board, authority, or commission.

Policy

1. Types of Appointments.

- a. Appointments required by law. It is acknowledged that certain appointments are governed by statute, administrative rule, ordinance, or contract. The extent that such requirements are determined by statute, administrative rule, ordinance, or contract, those requirements and definitions shall take precedence over this policy, and the terms and provisions of this policy shall be deemed supplemental thereto.
- b. Discretionary appointments. It is acknowledged that in some cases an appointment is discretionary with the County and not controlled by law or contract. In such a case, it is the intent of the County to establish this policy as the comprehensive expression of the basic terms and conditions of appointment.
- c. Appointments to a non-county board. Where a committee is established by an entity other than the County, the terms and provisions of this policy shall apply to the extent they are not inconsistent with rules and qualifications by the establishing body.
- d. Joint Committees. Committees established by joint resolution with another public body shall be subject to this appointments policy to the extent of the County appointments to the committee.

2. Manner of Appointment. All committees shall have an approved goal statement prior to the appointment of the members. This goal statement shall address the following issues, at a minimum:

- a. At the time an ad hoc committee is formed, it shall be indicated whether the appointment is a Chair or Board of Commissioners appointment.
- b. A statement of purpose or goal defining the responsibilities for the committee.
- c. Whether the appointee may be represented by an alternate as designated by the Board of Commissioners.

3. Basic Qualifications. All appointees shall, at the time of their appointment and continuously during their terms, possess the following basic qualifications:

- a. The appointee shall not be in default to the County. Default is defined as willful omission to account or pay over funds belonging to the County with a corrupt intent.
- b. The appointee shall be an adult.

- c. The appointee shall be a resident of Benzie County except the county residency requirements may be waived on boards, commissions, committees, and ad hoc interview committees having service areas expanded outside the limits of Benzie County. Additionally, where Michigan law, County ordinance, or County policy provides such, the appointee is not required to be a county resident.
 - d. Appointees must meet specific board requirements.
4. Applications for Appointments. Applications at a minimum shall be dated and contain the name and residence of the applicant and a statement that the applicant meets all basic qualifications, but they are encouraged to include biographical information and statements of the applicant's particular qualifications. Applications may contain additional information as the Board of Commissioners may seem advisable.
 5. Time for Appointments and Terms. Where practical and possible, initial appointments shall be made within thirty (30) days of the creation of the committee or within fifteen (15) days of decision of the County to make an appointment to a non-county committee. Except in case of resignation, all appointees shall serve until a successor is appointed and takes office.
 6. Vacancies. Not less than ninety (90) days prior to expiration of a scheduled term of office, County Administration shall reach out to the current appointee and request that appointee's written preference regarding their desire to be considered for another term. A copy of said notice shall be submitted to the appropriate staff person. Appointments may reflect the philosophy of the current Board of Commissioners or appointing authority.
 7. Attendance. Records of attendance at committee meetings shall be forwarded to County Administration by the Staff for the committee after each meeting is held. Absences excused by the chair shall be noted. Attendance is one of several factors considered for additional appointments. Any appointee who misses more than 25% of scheduled meetings, shall be notified by the County Administrator and asked to meet with Administration to determine cause. County Administration may forward recommendation for removal to the Board of Commissioners.
 8. Removal. An appointee may be removed by the appointing authority at its discretion or by recommendation from Administration, unless the position at issue is subject to the removal procedure in MCL 46.11(n).
 9. Alternates. When authorized by the appointing authority and where not prohibited by law, an alternate shall meet all the qualifications required of an appointee.
 10. Salary and Expenses. In some instances, a per diem from the County may be paid to the appointee and an appointee may be reimbursed for actual expenses incurred in connection with discharging duties as an appointee and incurred pursuant to an approved budget.
 11. Insurance. The County shall provide public officials' liability insurance to cover all appointees to the County-created boards, committees, and commissions in such amounts as shall be determined by the County. The County will defend, indemnify, and hold harmless all appointees to County-created boards for acts done within the scope of their public duties.
 12. Advertising Vacancies. Not less than annually, the County Administration shall conduct a recruitment for all known board expirations in the coming year. The Board of Commissioners or appointing authority may request additional advertisement and/or recruitment efforts regarding vacancies on specific committees as they deem necessary. Publicity shall also be sought for all non-print media.
 13. Subcommittees. A committee shall have authority to create and appoint subcommittees consisting entirely of staff liaisons and members of the committee.
 14. Ad Hoc Interview Committee. This subsection shall apply to all board or committee seats where the Board of Commissioners makes the appointment, with the exception of seats that are held by virtue of the individual holding a seat on another board. This subsection shall not

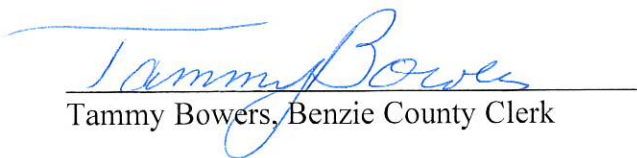
apply to appointments by the Board of Commissioners of a Commissioner representative to other boards, e.g. representatives of the Board of Commissioners appointed to serve on the Road Commission. For all appointments, an ad hoc committee of the Board of Commissioners shall be appointed and convene to make a recommendation using the process outlined in this policy. The Board of Commissioners shall select three members of itself to serve on the Ad Hoc Interview Committee. In the case of vacancies on boards where a Commissioner serves, if there is more than one Commissioner representative, one of the Commissioner representatives shall serve on the ad hoc. The chair of the board where the vacancy is occurring and staff to the board shall be notified of ad hoc committee meetings and invited to attend. County Administration will ensure that candidates considered by committees meet the minimum legal requirements (State Law, ordinance, etc.) to be eligible.

15. Interviews. Once a committee is appointed, County Administration will email the committee and indicate that all candidates, including incumbents, will be automatically scheduled for interview, in person, 15-minutes per candidate, unless a member of the committee requests that the committee convene to decide who to interview and for an alternative method of interview as provided for later in this policy. For a candidate, including an incumbent, to be considered, they must be interviewed; provided, however, that if a candidate for a given board has been previously interviewed for that board within the past year the committee may choose to forego the interview and recommend the candidate for appointment or if the Chair deems it unnecessary to interview incumbents, an appointment may be made by the Board of Commissioners. For those candidates that are interviewed, the following procedure shall apply:

- a. The interviews shall be scheduled such that the County Administration provides adequate notice of the interview.
- b. All interviews shall be conducted at The Governmental Center. Alternatively, at the discretion of the ad hoc interview committee, interviews may be conducted virtually; however, if interviews are conducted virtually, all interviews conducted by the committee shall be conducted in that fashion to provide consistency in the selection process.
- c. Fifteen minutes shall be provided per interview. Alternatively, at the discretion of the ad hoc interview committee, a panel-style interview may be conducted with all interviewees, with a consistent approach used for panel-style interviews.

16. Orientation. The appropriate Committee Chair shall provide materials to all appointees upon their appointment highlighting transparency laws, basic parliamentary information, when the given board meets, when packets are available, staff liaison information, etc. County Administration shall also provide notice to the Chair when a new appointment (or reappointment) is made, whose seat is being assumed, when the appointment takes effect and when it expires.

I, Tammy Bowers, duly appointed Clerk for the County of Benzie, Michigan, do hereby certify that the above policy was adopted by the Benzie County Board of Commissioners at a regular Board meeting held on December 13, 2022 and that related policies are hereby rescinded.


Tammy Bowers, Benzie County Clerk

Memorandum



To: Board of Commissioners

From: Katie Zeits, County Administrator *Katie Zeits*

Date: December 6, 2022

Subject: **Budget Amendment – Veterans Office**

Attached is a budget amendment from the Veterans Affairs Coordinator for a grant recently received the State of Michigan. The grant received is in the amount of \$50,000 and will be used for both equipment and advertisements. The amendment recognizes both the revenue and expenditures.

Recommendation:

That the Board of Commissioners approves the budget amendment in the total amount of \$50,000 to increase both the revenues and expenditures for the Veterans Relief Fund.

BUDGET AMENDMENT REQUEST

This form is used when the below changes WILL increase or decrease the bottom line total of your budget.

This requires approval from the Board of Commissioners. Please fill out this form and present it to the County Administrator, with appropriate documentation supporting the amendment request.

DATE: 12/5/2022

2022/2023

Request to Amend the ~~2021/2022~~ Budget for the following:

Account to be Increased:

Line Number	Account Name	Amount
293-000-900.00	Printing & Publishing	40,000.00
293-000-970.00	Equipment	10,000.00

Total \$ 50,000.00

Account to be ~~Decreased:~~ *Increased*

Line Number	Account Name	Amount
293-000-539.00	State Grants	50,000.00

0
Total \$ 50,000.00

SIGNED: _____

Karen Korolenko

BENZIE COUNTY BOARD OF COMMISSIONERS

**RESOLUTION TO APPROVE SETTLEMENT AGREEMENT:
WAYSIDE CHURCH, *et al* v VAN BUREN COUNTY, *et al*
WESTERN DISTRICT OF MICHIGAN CASE NO. 1:14-CV-01274**

RESOLUTION # 2022-023

Minutes of a regular meeting of the Board of Commissioners of BENZIE County, Michigan, held in the BENZIE County Courthouse, in Beulah, Michigan, on December 13, 2022, at 9:00 a.m., local time.

PRESENT: Commissioners: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke

ABSENT: Commissioners: None

The following resolution was offered by Commissioner Warsecke and supported by Commissioner: Markey

WHEREAS, Wayside Church, *et al*, filed a class action complaint against a number of counties in the United States District Court for the Western District of Michigan in Civil Action No. 1:14-cv-01274 ("Complaint"); and

WHEREAS, Parties have been exploring and preparing defenses and participating in settlement negotiations under the oversight of the 6th Circuit Court of Appeals Mediation process; and,

WHEREAS, the parties are desirous of avoiding future litigation and controversy and after extensive negotiations, have agreed to certain terms and conditions set forth in the Settlement and Release Agreement, subject to approval by the Court, and as outlined by counsel; and

WHEREAS, the County understands that the Settlement and Release Agreement is a compromise of a disputed claim and that payment(s) made and conditions state therein are not to be construed as an admission of liability on the part of the parties being released by who all liability is expressly denied; and,

WHEREAS, after consultation with legal counsel, and the County Treasurer and upon the recommendation and endorsement of the Settlement by each, the County believes it is in the best interests of the citizens of BENZIE County to resolve the litigation in accordance with the Settlement and Release Agreement, subject to approval by the Court.

THEREFORE, BE IT RESOLVED, that the BENZIE County Board of Commissioners approves entering into the Settlement and Release Agreement in connection with Civil Action No. 1:14-cv-01274, subject to approval by the Court.

BE IT FURTHER RESOLVED, that the Chairperson of the Board of Commissioners and County Clerk are hereby authorized to sign the Settlement and Release Agreement on behalf of BENZIE

County, and the County Treasurer is encouraged to execute the Settlement and Release, subject to approval by the Court, after approval as to form by the County Attorney.

YEAS: Commissioners Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke

NAYS: None

ABSTAIN: None

RESOLUTION DECLARED ADOPTED.

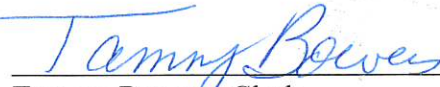


Tammy Bowers, Clerk
County of BENZIE

STATE OF MICHIGAN)
) SS
COUNTY OF BENZIE)

I, Tammy Bowers, the duly qualified and acting Clerk of BENZIE County, Michigan (the "County") does hereby certify that the foregoing is a true and complete copy of a resolution adopted by the Board of Commissioners at a meeting held on December 13, 2022, the original of which is on file in my office. Public notice of said meeting was given pursuant to and in compliance with Act No. 267 of the Public Acts of Michigan of 1976, as amended.

IN WITNESS WHEREOF, I have hereunto affixed my signature this December 13, 2022.



Tammy Bowers, Clerk
County of BENZIE

Tammy Bowers

From: Eric Johnston <ejohnston@bldhd.org>
Sent: Thursday, December 1, 2022 10:36 AM
To: Katelyn Zeits; Tammy Bowers
Cc: Dodie Putney; Dan Thorell; garysauer53@yahoo.com; Rhonda Nye
Subject: Benzie County Board of Commissioner's Meeting - BLDHD Proposed District Sanitary Code Action Item Request
Attachments: BLDHD Sanitary Code Ver 1.2.zip; BLDHD Proposed San Code - Summary of Major Changes.pdf

Hello Katie and Tammy,

As you may or may not be aware, our office has been tasked by our Board of Health with developing a unified sanitary code for our district. Currently, there is a separate regulation for each county. At last night's (November 30, 2022) BLDHD Board of Health meeting, the board approved the attached proposed Benzie Leelanau District Health Department – District Sanitary Code.

Moved by Dr. Conley to approve the District Sanitary Code with the amendment to remove the last sentence of Section 2.43 and with a stipulation that Benzie-Leelanau District Health Department will create a policy for affirming Benzie County's current practice for family property transfer. Seconded by Wessell. Roll Call Vote: Yeas: Sauer, Kuiper, Nye, Conley, Wessell, and Soutas-Little. Nays: None. Motion Carried.

For the proposed sanitary code to become effective, it must be approved by the Board of Commissioners of Benzie AND Leelanau County. To that end, I am requesting that an action item be added to the next appropriate Benzie County Board of Commissioners meeting for their consideration and approval of the proposed BLDHD District Sanitary Code. For the commissioners convenience, In addition to the proposed sanitary code (a strikethrough and non-strikethrough version), I have attached a summary of major changes sheet for their review.

Please let me know if you have any questions or need anything else.

Thank you,

Eric

J. Eric Johnston, R.S.
Director of Environmental Health
6051 Frankfort Hwy.
Suite 100
Benzonia, MI 49616
Office: 231-882-2109
ejohnston@bldhd.org



Current Environmental Health Regulations

- Each County has their own Environmental Health (EH) Regulation which are very similar
 - Benzie EH Regulations has *Chapter II, Article IX – Evaluation Required upon Transfer of Ownership* and *Chapter IV, Article III - Tattooing* where the Leelanau EH Regulations does not.
 - Leelanau EH Regulations allow for variances from the requirements of the regulations whereas Benzie EH Regulations do not.
- It was decided to combine the two sets of regulations into one unified District Sanitary Code, using the Benzie EH Regulations as a starting point.

Proposed Benzie-Leelanau District Health Department – District Sanitary Code Summary of Amendments

General Revisions

- Reorganized & renumbered chapters and sections for easier reading and legal referencing.
- Updated referenced laws and eliminated repealed laws.
- Added more definitions to provide more legal clarification.

Sewage Disposal Regulations

- Required that all approved privies have a sealed watertight vault (tank) under them. (Sec. 3.2)
- Included isolation distances that were required by policy but were not listed in the current code. (Sec. 3.8.2(a) & 3.8.5(a))
- Provided more guidance on septic tank access riser sizing and depth requirements. (Sec. 3.8.2(b))
- Provided better guidance on double compartment septic tanks and when they are required. (Sec. 3.8.2(e))
- Required access risers on pump chambers for better ease of maintenance. (Sec. 3.8.3)
- Modernized Alternative Treatment System (ATS) requirements.
 - Provided better clarification of when an ATS can and cannot be utilized. (Sec. 3.9)
 - Updated aspects of the ATS requirements to reflect a better understanding of their capabilities to treat effluent. (Sec. 3.9(B)(1))
 - Increased the treated effluent quality standard of Total Inorganic Nitrate (TIN) from 25 mg/L to 30 mg/L to reflect National Sanitation Foundation (NSF) standards.
 - Decreased the distance to surface water from 500 feet to 200 feet, for when an owner must monitor their ATS's treated effluent to ensure it is meeting the phosphorous standard set by the Code.
 - Increased the treated effluent quality standard of phosphorous from 2 mg/L to 4 mg/L.
 - Removed the use of disinfection to reduce isolation to groundwater (12").
 - Changed the minimum site suitability criteria for an ATS to a minimum of 12" of suitable soil above high-water table and a limiting layer. (Sec. 3.9(B)(2))
 - Increased the minimum vertical separation to a limiting layer and high groundwater to 24" for all ATS. (Sec. 3.9(B)(3))
 - Allow owner's of National Sanitation Foundation (NSF)/American National Standards Institute (ANSI) certified systems to forego submitting an annual effluent quality monitoring report. (Sec. 3.9(B))
 - Provided clarification of the owner's responsibilities associated with the permitting, installation, and maintenance of an ATS (previously only in procedures and owner contract). (Sec. 3.9)

(Continues on Back Page)

Proposed Benzie-Leelanau District Health Department – District Sanitary Code Summary of Amendments (continued)

Sewage Disposal Regulations (Continued)

- Provided more guidance regarding holding tanks (aka pump and haul systems). (Sec. 3.11)
 - Clarified when holding tanks maybe permitted.
 - Officially eliminated the permitting of holding tanks on any new parcel of record as desired by past Benzie and Leelanau Boards of Commissioners (September 17, 2002).

Water Well Regulations

- Eliminated duplication of regulations already contained in the Michigan Groundwater Quality Control Act (Part 127 of Act 368 of P.A. 1978) Rules.
- Requires that a permit be obtained to drill geothermal wells. (Sec. 2.45(d))

Time of Transfer Evaluation Requirement

- Requirement will now apply countywide in Leelanau County.
- Eliminated the classification, notification, filing notification, and right of use sections from the Benzie EH regulations due the requirement's fulfillment on December 31, 2001.
- Provided clarification for when a transfer is exempt from the evaluation requirement. (Sec. 6.2(b))
- Included water well evaluation language.
- Decreased the amount of time for a report to be issued by BLDHD for a system that is not in significant compliance from 120 days to 30 days from the date of inspection of the premises is completed and all relevant information to make the determination has been received by the Health Department. (Sec. 6.4)

Tattooing

- This article of the regulations was removed due to Body Art being regulated by State of Michigan law, Act 375 of Public Acts of 2010.

Appeals Board

- Provided clarification on the make-up of the Appeals Board members and how they are assigned. (Sec. 9.2)
- Defined the Appeals Board duties. (Sec. 9.3)
- Provided parameters on how the Appeals Board must base their determinations. (Sec. 9.4, 9.5, & 9.6)
- Allows Sanitarians to use their professional judgement to grant a variance to the Code when certain conditions are met and properly documented. (Sec. 9.7)



**BENZIE-LEELANAU
DISTRICT HEALTH DEPARTMENT
DISTRICT SANITARY CODE**

DRAFT
Version 1.2

DISTRICT SANITARY CODE

OF THE

BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT

TABLE OF CONTENTS

CHAPTER I – GENERAL PROVISIONS		<u>Page</u>
Section 1.1	Purpose	1
Section 1.2	Title	1
Section 1.3	Authority	1
Section 1.4	Jurisdiction	1
Section 1.5	Fee Schedule	2
Section 1.6	Other Laws and Regulations	2
Section 1.7	Effective Date	2
Section 1.8	Pre-Existing Violations	3
Section 1.9	Conditional Permits	3
Section 1.10	Severability	3
Section 1.11	Repeal	4
 CHAPTER II – DEFINITIONS		
Section 2.1	Definitions	4
Section 2.2	Words and Terms	4
Section 2.3	Abandoned Water Supply	4
Section 2.4	Approved or Acceptable	5
Section 2.5	Auxiliary Intake	5
Section 2.6	Bedroom	5
Section 2.7	Board of Health	5
Section 2.8	Cross Connection	5
Section 2.9	Dosing Tank or Pump Chamber	5
Section 2.10	Dwelling	6
Section 2.11	Dwelling “Unfit for Human Habitation”	6
Section 2.12	Flush Toilets	6
Section 2.13	Garbage Grinder	6
Section 2.14	Habitable Building	6
Section 2.15	Health Department	7
Section 2.16	Health Hazard	7
Section 2.17	Health Officer	7
Section 2.18	Holding Tank	7
Section 2.19	Inspection	7
Section 2.20	Interconnection	7
Section 2.21	Michigan Criteria for Subsurface Disposal	8
Section 2.22	Municipality	8
Section 2.23	Other Toilet and Septic Devices	8
Section 2.24	Owner & Occupant	8
Section 2.25	Parcel of Land	8
Section 2.26	Person	8

Section 2.27	Premises.....	9
Section 2.28	Privies	9
Section 2.29	Public Health Nuisance.....	9
Section 2.30	Public Water Supply	9
Section 2.31	Pump and Haul	9
Section 2.32	Pump Installer.....	10
Section 2.33	Seasonal High-Water Table.....	10
Section 2.34	Septic Tank.....	10
Section 2.35	Sewage.....	10
Section 2.36	Sewage Disposal Facilities	10
Section 2.37	Sewage System.....	11
Section 2.38	Sewer	11
Section 2.39	Sub-Surface Disposal Field	11
Section 2.40	Substantial Conformance	11
Section 2.41	Suitable Soil.....	11
Section 2.42	Surface Water.....	12
Section 2.43	Transfer	12
Section 2.44	Water Supply	12
Section 2.45	Well.....	12

CHAPTER III – SEWAGE DISPOSAL

Section 3.1	Sewage Disposal on All Premises	13
Section 3.2	Construction and Maintenance of Privies and Similar Toilet Devices	13
Section 3.3	Sewage Flowing in a Public Ditch.....	13
Section 3.4	Privies Where Municipal Sewerage System is Provided....	14
Section 3.5	Other Sewage Disposal Facilities Where a Municipal Sewerage System is Provided	14
Section 3.6	Disposal of Water Carried Sewage on Premises Where a Publicly Operated Sewerage System is Not Available.....	14
Section 3.7	Sewage Discharge.....	15
Section 3.8	Construction Requirements	15
3.8.1	Sewers.....	15
3.8.2	Septic Tanks.....	16
3.8.3	Dosing Tank/Pump Chamber.....	19
3.8.4	Effluent Pumps	19
3.8.5	Sub Surface Disposal System	19
Section 3.9	Alternative Treatment Systems.....	22
Section 3.10	Permit Denial	25
Section 3.11	Holding Tanks.....	26
Section 3.12	Change of Use.....	26
Section 3.13	New and Existing Septic Systems	27
Section 3.14	Permit	27
Section 3.15	Registration Requirement.....	28

CHAPTER IV – WATER SUPPLY

Section 4.1	Provision of Water Requirement.....	28
Section 4.2	Scope	28

Section 4.3	Well Construction	28
Section 4.4	Connections Required	29
Section 4.5	Hand Pump Platform	29
Section 4.6	Cooling Water.....	29
Section 4.7	Inspection of Well Construction	29
Section 4.8	Water Supply Approval.....	29
Section 4.9	Treatment of Unsatisfactory Water Supply	30
Section 4.10	Abandonment of Wells	30
Section 4.11	Connection with an Unsafe Water Supply	30
Section 4.12	Outlets from Unsafe Water Supplies	31
Section 4.13	Well First Area Designations	31
Section 4.14	Permit.....	31
Section 4.15	Stop Work Order – Void Permit.....	32
Section 4.16	Permit Denial.....	32
 CHAPTER V – PERMIT REVOCATION		
Section 5.1	Revocation of Permit.....	33
Section 5.2	Permit Revocation Procedure.....	33
 CHAPTER VI – TIME OF TRANSFER EVALUATION OF ON-SITE WATER AND SEWAGE DISPOSAL SYSTEMS		
Section 6.1	Purpose	34
Section 6.2	Evaluation.....	34
Section 6.3	Evaluation Determination	35
Section 6.4	Inspection Notification	35
Section 6.5	Corrective Action	36
Section 6.6	Enforcement	36
Section 6.7	Determination Hearings and Appeals.....	36
 CHAPTER VII – HOUSING		
Section 7.1	Complaints Concerning Public Health Nuisances	37
Section 7.2	Vacation Order	37
Section 7.3	Public Health Nuisance	37
Section 7.4	Health Officer Duty	38
 CHAPTER VIII – CODE ENFORCEMENT		
Section 8.1	Enforcement	38
Section 8.2	Violation of the Code	38
Section 8.3	Restraining Order	39
Section 8.4	Civil Fines or Penalty.....	39
Section 8.5	Injunction	40
Section 8.6	Issuance of a Civil Citation	40
Section 8.7	Assessment Against the Property	41
Section 8.8	Removal of a Nuisance	41
Section 8.9	Inspections and Investigations	42
Section 8.10	Right to Obtain Samples.....	42
Section 8.11	Obstruction of Health Officer	42

CHAPTER IX – HEARINGS AND APPEALS

Section 9.1	Purpose	42
Section 9.2	Appeals Board Members	42
Section 9.3	Duties of the Appeals Board	43
Section 9.4	Procedures of the Appeals Board	43
Section 9.5	Determination Review by the Appeals Board	43
Section 9.6	Decisions of the Appeals Board	44
Section 9.7	Variances	44

DRAFT

CHAPTER I – GENERAL PROVISIONS

Section 1.1 PURPOSE

The purpose of **these** regulations is to protect the public health, safety and welfare, including preventing the spread of disease, sources of contamination of property, surface waters and ground waters, the public health and the environment; this purpose includes the implementation for carrying out of duties and functions vested in the **Benzie-Leelanau District Health Department (the Health Department)** by law; further, but not by way of limitation, this purpose includes the regulation of sewage and sewage disposal, water supplies, sanitation of habitable buildings, dwellings and property for protecting surface and ground water, drinking water and the environment from improper or malfunctioning sewage disposal facilities, systems and devices and from sewage or related liquids and wastes; **and**, finally, the purpose includes preventing or minimizing degradation of the environment as it relates to public health.

Section 1.2 TITLE

These regulations shall be known as the Benzie Leelanau District Health Department Sanitary Code and also may be called the “Code” elsewhere in these regulations.

Section 1.3 AUTHORITY

Under the authority of Act 368 of the Public Acts of 1978 (the Public Health Code), the Board of Health of the District health Department (the Board of Health), hereby adopts this Code for the Purpose stated in Section 1.1. Further, this Code has been adopted to implement the duties imposed by the Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended, and its successor statutes and to prevent or minimize degradation of the environment as it relates to public health.

Section 1.4 JURISDICTION

Pursuant to the agreement which established the Health Department, the Health Department shall have jurisdiction throughout Benzie County and Leelanau County, including cities, villages and townships in the administration and the enforcement of this Code, unless otherwise stated in this Code.

Nothing in this Code shall restrict the authority of any city, village or township in Benzie County or Leelanau County to adopt or enforce more restrictive ordinances which are authorized by law. If such ordinance requires compliance with any portion of this Code, then the municipality shall not find or determine that there has been compliance until it has obtained written approval from the Health Officer affirmatively stating that there is compliance with applicable sections of this Code. No ordinance shall conflict with this Code.

Section 1.5 FEE SCHEDULE

The Board of Health shall establish the fees charged for services rendered by the Health Department and license/permit applications, identified in this Code by adopting a written fee schedule at a regular or special meeting of the Board of Health. The Board of Health may revise the fee schedule by adopting a written amendment to the fee schedule at a special or regular meeting of the Board of Health.

Section 1.6 OTHER LAWS AND REGULATIONS

This Code contains minimum standards and are supplemental to the rules and regulations duly enacted by the Michigan Department of Agriculture and Rural Development, Michigan Department of Environment, Great Lakes, and Energy, the Michigan Department of Health and Human Services, and the Michigan Department of Licensing and Regulatory Affairs and any successor agencies; the laws of the State of Michigan relating to public health; and federal laws relating to public health. This Code supersedes inconsistent or conflicting local regulations or ordinances. The approval of plans or the issuance of a permit pursuant to this Code does not relieve an individual from complying with all consistent applicable provisions of building and construction laws, zoning requirements and other state and local statutes, ordinances, rules, regulations, and orders.

Section 1.7 EFFECTIVE DATE

These regulations or amendments thereto shall become effective as provided by the Public Health Code or any successor statute. This Code becomes effective on the 45th day after the date of approval by the Boards of Commissioners for each county within the jurisdiction of the Health Department.

Section 1.8 PRE-EXISTING VIOLATIONS

Any act, situation or condition of premises or things in Benzie County which, as of the effective date of this Code, violated any provision of the Environmental Health Regulations for Benzie County, shall continue to be a violation of this Code, if a similar section or provision is a part of this Code. Any action, issuance of permit or maintenance of a condition that was mandatory under the Environmental Health Regulations for Benzie County shall continue to be required if a similar provision is contained in this Code. Any act, situation or condition of premises or things in Leelanau County which, as of the effective date of this Code, violated any provision of the Environmental Health Regulations for Leelanau County, shall continue to be a violation of this Code, if a similar section or provision is a part of this Code. Any action, issuance of permit or maintenance of a condition that was mandatory under the Environmental Health Regulations for Leelanau County shall continue to be required if a similar provision is contained in this Code.

Section 1.9 CONDITIONAL PERMITS

Nothing in this Code shall limit the power of the Health Officer to issue conditional permits and to impose as a condition of a permit, certain or specific conditions, limitations or restrictions which the Health Officer determines are reasonably necessary to attain compliance with this Code, and/or applicable state law, regulations or rules. Such conditions, limitations or restrictions which may be imposed and/or required shall include, but are not limited to, conditions or restrictions based upon inclement weather conditions during construction, property size or use limitations, specific placement or location of sanitary facilities, limiting the total number of bedrooms or the maximum occupancy capacity of a dwelling or habitable building; and shall include the power to require or obtain deed restrictions or to file deed affidavits.

Section 1.10 SEVERABILITY

The provisions of this Code are severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by a court of competent jurisdiction, the remaining portions of said Code shall remain in full force and effect.

Section 1.11 REPEAL

The sanitary code of Benzie County (also called the Environmental Health Regulations for Benzie County Health Department) which was effective January 1, 1964 and all amendments thereto and the sanitary code of Leelanau County (also called the Environmental Health Regulations for Leelanau County Health Department) which was effective June 14, 1966 and all amendments thereto are hereby repealed.

CHAPTER II - DEFINITIONS

Section 2.1 DEFINITIONS

When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural, and words in the plural include the singular number. The word "shall" is always mandatory and not merely directional. Words and terms not defined herein shall be interpreted in the manner of their common usage.

Section 2.2 WORDS AND TERMS

The following words and terms used in **this** Sanitary Code, unless otherwise expressly stated, shall have the following meaning:

Section 2.3 ABANDONED WATER SUPPLY

An "abandoned water supply" means a water supply whose use has been permanently discontinued, a water supply or portion thereof which is in such disrepair that its continued use for the purpose of obtaining water is impractical, a water supply which has been left uncompleted, a water supply which is a threat to other sources of water, or a water supply which is or may be a health or safety hazard.

Section 2.4 **APPROVED OR ACCEPTABLE**

Suitable for the intended use in accordance with the intent and purpose of these regulations as determined by the Health Officer, based on examination and evaluation, and/or on evidence of compliance with acts, rules or specifications developed by the Health Department or other recognized agency.

Section 2.5 **AUXILIARY INTAKE**

An "auxiliary intake" is any piping connection or other device whereby water may be secured from a source or location other than that normally used.

Section 2.6 **BEDROOM**

Any space in a dwelling unit or accessory structure which is used on a regular basis for sleeping or could reasonably be expected to be used for the placement of beds or other furniture used for sleeping and which conforms to the definition of bedroom as defined by the International Residential Code (IRC), as amended.

Section 2.7 **BOARD OF HEALTH**

The term "Board of Health" shall mean the Board of Health of the Benzie-Leelanau District Health Department.

Section 2.8 **CROSS CONNECTION**

A "cross connection" is any physical connection or plumbing arrangement whereby an approved water supply, whether public or private, **and whether** inside or outside **of a** building, is physically connected with any unapproved water supply.

Section 2.9 **DOSING TANK or PUMP CHAMBER**

A "dosing tank" **or "pump chamber"** is a watertight tank or receptacle used for the purpose of the automatic discharge of **sewage or** effluent to a selected point.

Section 2.10 DWELLING

The term "dwelling" shall mean any building, structure, tent, shelter, trailer, or vehicle or portion thereof, which is occupied, will be occupied, or was **previously** occupied in whole or part as home, residence, living or sleeping, or other gathering place designed or used by one or more human beings either permanently or transiently, or occupied in whole or in part as a business wherein one or more human beings is engaged in commercial or industrial activities on either a permanent or temporary basis. **As used in this Code and as described above, the term "dwelling" is not limited to residential use.**

Section 2.11 DWELLING "UNFIT FOR HUMAN HABITATION"

When it is dangerous or detrimental to life or health because of **lack** of repair, defects in the drainage, plumbing, lighting, ventilation, water supply, or their construction, infection with contagious disease or the existence on the premises of an unsanitary, unsafe or hazardous condition likely to cause sickness, illness, or to endanger the health of occupants of the dwelling, such dwelling shall be unfit for human habitation. **Occupants of a dwelling also include patrons or visitors to a business, office or other non-residential use.**

Section 2.12 FLUSH TOILETS

A "flush toilet" shall mean a type of closet or plumbing device containing a portion of water which receives human excreta and is so designed as by a means of a flush of water to discharge the contents of the receptacle into a sewage system.

Section 2.13 GARBAGE GRINDER

A mechanical device generally located in a sink drain and so designed to macerate garbage prior to discharge into a sewer. Garbage grinder are also referred to as a garbage disposal unit.

Section 2.14 HABITABLE BUILDING

The term "habitable building" shall mean any structure where persons reside, are employed or congregate.

Section 2.15 HEALTH DEPARTMENT

The term "Health Department" shall mean the Benzie-Leelanau District Health Department.

Section 2.16 HEALTH HAZARD

The term "Health Hazard" shall mean a condition, or practice exists which could reasonably be expected to cause death, disease, or physical harm if not abated or eliminated

Section 2.17 HEALTH OFFICER

"Health Officer" shall mean the person appointed by the Board of Health as Health Officer pursuant to Act 368, PA 1978 as amended (The Public Health code). Any action which the Health Officer may perform pursuant to this Code may be performed by an authorized representative of the Health Officer. Such authorization may be made by the Health Officer or Board of Health, in the absence or incapacity of the Health Officer.

Section 2.18 HOLDING TANK

A watertight tank of material approved by the Health Officer which is a closed system with no onsite disposal or discharge of sewage and is equipped with an audio/visual high level alarm.

Section 2.19 INSPECTION

"Inspection" means an official examination or observation including but not limited to tests, surveys and monitoring to determine compliance with rules, orders, requirements and conditions.

Section 2.20 INTERCONNECTION

An "interconnection" is any system of piping or other arrangement whereby a public or private water supply system is connected directly with a sewer, drain, conduit, swimming pool, storage reservoir, stock watering tank, or other similar device which contains or may contain sewage or other waste liquid capable of importing **contamination** to an approved water supply.

Section 2.21 MICHIGAN CRITERIA FOR SUBSURFACE SEWAGE DISPOSAL

A Michigan Department of Environmental Quality publication adopted by the Michigan Water Resources Commission as a policy statement to provide minimum standards for the underground disposal of sanitary sewage from 1000 gallons per day up to no more than 9,999 gallons per day. The criteria apply to all semi-public or public subsurface sewage disposal systems.

Section 2.22 MUNICIPALITY

The term "Municipality" shall mean any **village, township or** incorporated city, within the **jurisdiction of the Health Department**.

Section 2.23 OTHER TOILET AND SEPTIC DEVICES

"Other toilet and septic devices" shall mean privies, septic toilet, chemical toilet or closet, holding tanks, or other similar devices used for the collection, storage, disposal of sewage or other wastes as defined in **this** Code.

Section 2.24 OWNER AND OCCUPANT

"Owner" means the owner of title or record of any property, premise or business. "Occupant" means any person(s) occupying or in possession of any property or premises.

Section 2.25 PARCEL OF LAND

The term "parcel of land" means a single contiguous parcel of real property as identified by the county assessor's parcel number, which is used to identify real property and its boundaries for legal purposes.

Section 2.26 PERSON

The term "person" shall mean any individual, firm, partnership, **cooperative**, party, **or private or public** corporation, **personal representative**, company, society, association, **receiver, trustee, assignee**, or other **governmental, public or private** legal entity, **as well as the agent or entity acting on behalf of any person**.

Section 2.27 PREMISES

"Premises" shall mean any tract of land, or portion thereof, or combination of tracts of land under single or common ownership, operation or control, on which is located a dwelling, structure, water well or septic tank, drains, drain field, underground tank or pipes or similar appurtenances containing sewage or other contaminants or combination thereof.

Section 2.28 PRIVIES

"Privies" shall mean outdoor toilets utilizing a septic tank or "vault" for the collection and storage of sewage.

Section 2.29 PUBLIC HEALTH NUISANCE

The term **"public health nuisance"** shall mean a condition on private or public property, which threatens, or could reasonably be expected to threaten, the health or safety of the public. A threat to the health and safety of the public shall include any condition or activity which is reasonably likely to cause death, disease, illness, physical harm, or is likely to cause an unsanitary condition, which may cause disease, illness or death.

Section 2.30 PUBLIC WATER SUPPLY

"Public water supply" means a water supply which provides water for drinking or household purposes to persons other than the supplier of water, except those water supplies which supply water to only one (1) single-family living unit.

Section 2.31 PUMP AND HAUL

"Pump and Haul" means the on-site storage, hauling, and final disposal at an off-site receiving facility and is considered as a method of "last resort" (Water Resources Commission Policy Statement for Pump and Haul Facilities (12/15/83).

Section 2.32 PUMP INSTALLER

“Pump installer” means a person who is qualified and legally authorized to engage in the installation, removal, alteration, or repair of water well pumping equipment in connection with a water well.

Section 2.33 SEASONAL HIGH-WATER TABLE

The highest elevation reached by the water table during the wet season of a normal year as determined by an evaluation of the Health Officer using physical measurements, physical examination of the soils, historical records, or other verifiable evidence and information.

Section 2.34 SEPTIC TANK

A "septic tank" shall mean a watertight tank or receptacle of sufficient size and constructed of concrete or other approved non-corrodible material and used for the purpose of receiving sewage and to provide for the separation of substantial portions of the suspended solids in such sewage and for the partial treatment by bacterial action on the solids so separated.

Section 2.35 SEWAGE

"Sewage" shall mean the liquid and waste, or combination thereof, from all habitable buildings, dwellings, and commercial or industrial establishments, and shall include human excreta and waste or other hazardous, toxic, or chemical waste pollutants or contaminants from sinks, lavatories, bathtubs, showers, laundries, drains or other conduits or method of collecting, carrying, storage, enclosing, decomposing, and disposing of waste of an organic or inorganic nature, singularly or in any combination thereof.

Section 2.36 SEWAGE DISPOSAL FACILITIES

"Sewage Disposal Facilities" shall mean a sanitary privy, flush toilet, septic tank, drain, sub-surface disposal absorption system, **holding tank**, or other similar toilet device or method used in the collection, storage, enclosure, decomposing and/or disposal of sewage, human excreta or other waste including but not limited to hazardous, toxic, or chemical wastes or other pollutants or contaminants, singularly or in combination with sewage or human excreta. "Sewage Disposal Facilities" shall include all similar contrivances used in the

collection, storage, enclosing, decomposing and disposal of sewage or such other waste whether specifically enumerated herein or not; however, the term shall not include a solid waste disposal facility or hazardous waste disposal facility that has been approved pursuant to **Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended**. and its successor statutes.

Section 2.37 SEWAGE SYSTEM

A "sewage system" **means** the sewage collection system and the sewage disposal facilities.

Section 2.38 SEWER

A "sewer" is a **watertight** conduit for carrying sewage.

Section 2.39 SUB-SURFACE DISPOSAL FIELD

A "sub-surface disposal field" shall mean a system for distributing septic tank effluent beneath the ground surface by means of a line or a series of branch lines of drain tile or other methods of distribution as approved by the Health Officer so as to allow the effluent to be absorbed by the surrounding soil.

Section 2.40 SUBSTANTIAL CONFORMANCE

The term "substantial conformance" shall mean that there shall not be more than a minimal likelihood of degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water supply systems. In making this determination, the criteria in Section 6.3 shall be applied

Section 2.41 SUITABLE SOIL

"Suitable soil" shall mean naturally occurring soils with suitable soil textures listed in Section 3.8.5(i) including non-muck topsoil.

Section 2.42 SURFACE WATER

“Surface water” shall mean any of the following: The Great Lakes and their connecting waterways, inland lakes, rivers, streams and ponds. Ponds provided with an impermeable liner are exempt from this definition.

Section 2.43 TRANSFER

“Transfer” shall mean a conveyance of a legal or equitable title or interest to a premises to a person, who at the time of the conveyance did not have an ownership interest in the premises. The conveyance may be by any legal means including, but not limited to a deed, land contract or inheritance (testate or intestate). In addition, a transfer includes a change in more than 50% of the ownership interest of a legal entity when that legal entity owns a premises. The amount of consideration, if any, is not relevant. A transfer includes, but is not limited to, a traditional sale of a premises.

Section 2.44 WATER SUPPLY

A “water supply” is an integrated system of pipes, controls, reservoirs, and mechanical devices used for the purpose of extracting and providing potable water for domestic or commercial use.

Section 2.45 WELL

“Well” means a man-made opening in the surface of the earth used for the purpose of removing ground water. Wells, regulated by this Code, include:

- a. A water supply well used to obtain water for drinking or domestic purposes.**
- b. An irrigation well used to provide water for plants, livestock, or other agricultural processes.**
- c. A test well used to obtain information on ground water quantity, quality, or aquifer characteristics, for the purpose of designing or operating a water supply well.**
- d. A heat exchange well used for the purpose of utilizing the geothermal properties of earth formation for heating or air conditioning.**
- e. An industrial well used to supply water for industrial processes, fire protection, or similar non-potable uses.**

CHAPTER III – SEWAGE DISPOSAL

Section 3.1 SEWAGE DISPOSAL ON ALL PREMISES

It shall be unlawful for any reason to occupy, or permit to be occupied, any premises which **is** not equipped with adequate facilities for the disposal in a sanitary manner as prescribed.

Section 3.2 CONSTRUCTION AND MAINTENANCE OF PRIVIES AND SIMILAR TOILET DEVICES

All privies and other similar toilet devices shall be constructed and maintain in accordance with Act 368 of the Public Acts of 1978, as amended (Section 12771). In addition, the privy must be of a vault construction which provides a durable watertight barrier between the sewage and the soil and groundwater.

Section 3.3 SEWAGE FLOWING IN A PUBLIC DITCH

Whenever the Health Officer shall determine that sewage is flowing or is being discharged from the outlet of any private drain into any public drainage system so as to create a public health hazard, **the Health Officer** shall notify in writing the person or persons owning, leasing or residing on such premises from which such sewage originates to connect such sewage flow to a sewage system which meets these minimum standards. If at the end of 30 days after such written notice has been served on the owner, lessee, or resident, the sewage system has not been brought into compliance with these minimum standards, the Health Officer with the approval of the Drain Commissioner **of the County where the violation exists** shall cause the outlet of such a drain carrying sewage to be plugged until such time as the sources of the sewage have been eliminated, or the sewage system meets these minimum standards.

Section 3.4 PRIVIES WHERE MUNICIPAL SEWERAGE SYSTEM IS PROVIDED

All privies on premises connected to a publicly operated sewerage system shall be removed from over the vault when said connection is made. The privy vault shall then be **filled with soil and** covered with at least twelve inches of compacted earth, and the building rendered unusable as a toilet facility. All other sewage disposal facilities replaced by connection to a publicly operated sewerage system shall be abandoned in such a manner as to prevent any **public health** nuisance.

Section 3.5 OTHER SEWAGE DISPOSAL FACILITIES WHERE A MUNICIPAL SEWERAGE SYSTEM IS PROVIDED

All flush toilets, lavatories, sinks, bathtubs, showers, and laundry drains hereafter constructed on a premise where the service of a publicly operated sewerage system is available shall be connected with said publicly operated system. When any existing sewage disposal facility serving any premises where a publicly operated sewerage system is available and required by law, or **Act 368 of the Public Acts of 1978, MCL 333.12751-333.12758**; is found to be in violation of any provision or standard of these **regulations**, or of any other applicable health or contamination laws, ordinances or regulations, the owner or occupier of the premises shall connect to said publicly operated sewerage system within sixty (60) days after receipt of written notice of such violation from the Health Officer. In the event that such correction is not made within the sixty (60) day period, then the Health Officer or Health Department, or their duly authorized representative, is hereby authorized to seek court enforcement for injunctive relief, fines, civil penalties or damages as authorized by this Code or as **otherwise** authorized by **law**.

When an owner of the premises receives such written notice provided in this section, the owner shall furnish written notice of such fact to any prospective purchaser of the premises after receipt of written notice from the Health Officer up until the date that the corrections are completed and certified by a Health Officer.

Section 3.6 **DISPOSAL OF WATER CARRIED SEWAGE ON PREMISES WHERE A PUBLICLY OPERATED SEWERAGE SYSTEM IS NOT AVAILABLE**

All flush toilets, lavatories, bathtubs, showers, laundry drains, sinks, and any other similar fixtures or devices to be used to conduct or receive water carried

sewage shall be connected to a septic tank or some other device in compliance with these minimum standards and **other local, state, and federal** regulations and finally disposed of in a manner in compliance with these minimum standards and **other local, state, and federal** regulations and any other applicable law, ordinance, or regulations.

All such facilities, which in the opinion of the Health Officer may become a **public health** nuisance, shall be connected to a septic tank or other approved device and finally disposed of in a manner in compliance with these standards and **other local, state, and federal** requirements. Footing drains, **floor drains, discharge water from water softeners, backwash from swimming pool or spa filters, storm drain water**, roof water, and any other similar waste not defined as sewage shall not be connected into the sewage disposal system.

Section 3.7 SEWAGE DISCHARGE

Under no condition may sewage, the overflow of a septic system, or any other waste be permitted to discharge to any land, surface water, or ground water or thing other than to an approved sewage disposal facility or municipal sewerage system in accordance with law or this Code.

Section 3.8 CONSTRUCTION REQUIREMENTS

3.8.1 SEWERS

a. Materials

All sewer lines located within fifty (50) feet of any spring, well, or water suction line shall be constructed of cast-iron soil pipe with sealed joints, schedule-40 plastic or similarly approved materials. Any buried sewer line shall be located at least ten (10) feet from any well, spring, or well water service pipe, and five (5) feet from any municipal water service pipe. The required separation distance to a water service pipe does not apply where the water service pipe is sleeved to a point not less than the required separation distance horizontally from the closest point of the sewer pipe. The effluent line between the initial septic tank and the other components of the sewage disposal facilities must be constructed of schedule-40 PVC, SDR 35 or similar approved materials. All sewer lines and sleeves used in construction and operation of an individual sewage disposal system shall meet the requirements of the Michigan Plumbing Code or a nationally recognized uniform plumbing code. Isolation

distances between sewers and public and non-community water supplies may be more restrictive based on state and/or federal regulations.

b. Size

Such pipes or sewers shall have a minimum diameter of 3 inches or larger.

c. Grade

Sewers shall be laid at such a grade as to maintain a sewage flow velocity of not less than two feet per second when flowing full. Sewers three (3) to six (6) inches in diameter shall have a grade of not less than twelve (12) inches per 100 feet or one (1) inch per eight (8) feet of sewer pipe.

d. Cleanouts

Bends in a sewer line located between the building and the septic tank cannot exceed 45 degrees without the installation of a cleanout. A cleanout is required to be provided at each 100 feet of sewer line between the building and the septic tank. All exterior cleanouts shall be properly sized and installed and shall be exposed at final grade level.

3.8.2 SEPTIC TANKS

a. Location

Septic tanks shall be located at least:

1. 50 feet from any potable water supply, well, spring, or unprotected suction line (75 feet from Type IIb and III wells, **200 feet from Type I and IIa wells, as defined the Safe Drinking Water Act, Act 399 of PA 1976 and related administrative rules, such as, but not limited to R325.10502).**
2. A minimum isolation distance of 50 feet shall be maintained from **surface water** or other surface water flooding or its highest flood plain elevation.
3. No septic tank shall be located closer than 5 feet to any footing or foundation wall.
4. No septic tank shall be located closer than 10 feet to any lot line.
5. **No septic tank shall be located closer than 10 feet from a**

wastewater easement boundary. For the purposes of this Code, this requirement does not apply to road, utility, and other similar easements.

6. No septic tank shall be placed where it is inaccessible for cleaning or inspection, nor shall any structure be placed over any septic tank rendering it inaccessible for cleaning or inspection.

b. Access Holes/Manholes

Every septic tank shall be provided with a minimum of two (2) openings with one of them located over the outlet to permit inspection and cleaning. A service access hole (18 inch minimum diameter) shall be provided. For all septic tanks where the top of the tank is greater than eighteen inches (18") below finished grade, they shall have a septic tank riser installed on each compartment opening of the tank and terminated no deeper than six (6) inches below finished grade. Septic tank risers shall be installed to provide access for routine maintenance, minimize odors and to prevent unauthorized and unsupervised entry.

c. Inlets and Outlets

The bottom of the inlet line into the septic tank shall be at least two (2) inches above the operating water level of the tank. The outlet shall be constructed to permit withdrawal of liquid from the middle third of the depth of the liquid in the tank. To prevent the escape of floating or settled solids, the tank must have a minimum scum clearance of eight (8) inches. The inlet must be so designed to permit gas above the liquid level to pass through the inlet line and out the vent pipe servicing the sewer line leading to the tank. A septic tank's outlet, including the outlet from one tank compartment to the next compartment, shall consist of a sanitary "T" or baffle designed to draw from the middle third depth of the septic tank. All pipe connections to a septic tank shall be watertight and sturdy.

d. Construction Material

A septic tank shall be constructed of sound and durable materials, which are not subject to excessive corrosion or decay, and which are structurally capable of supporting the stress to which they will be subjected.

A septic tank shall be water-tight, and the materials used to

construct the tank shall prevent water from surrounding soils from flowing into the septic tank. Acceptable materials include reinforced concrete, polyethylene, fiberglass, or similar materials approved by the Health Officer.

For any septic tank, pump chamber or other tank which has a burial depth of greater than thirty-six (36) inches to the top of the tank below finished grade, information must be provided by the tank manufacturer that certifies the tank's structural integrity allows for greater burial depths.

e. Capacity

The following **minimum** capacity septic tanks shall be required except in the opinion of the Health Officer where increased capacities may be required. **Dwellings with two (2) or more bedrooms and a garbage disposal unit must use multiple compartmented tanks. In compartmental tanks, the first compartment must equal 2/3 of the total capacity of the tank.**

1. One or Two-bedroom dwelling - 1000 gallons
(with garbage grinder – 1200 gallons)
2. Three-bedroom dwelling - 1200 gallons
(with garbage grinder - 1600 gallons)
3. Four-bedroom dwelling - 1600 gallons
(with garbage grinder - 2000 gallons)
4. Five bedrooms or greater will require special computation by the Health Officer to determine the size of tank to be installed.
5. **Septic tanks for a commercial establishment, industry, public, or semi-public establishment shall be sized in accordance with the 1994 Michigan Criteria for Subsurface Sewage Disposal, or its successor requirements.**

f. Septic Tank Manufacturers Responsibility

It shall be the responsibility of any septic tank manufacturer delivering septic tanks within the Benzie Leelanau District Health Department, upon request of the Health Officer, to make available the place, name, address, size, type and date septic tanks were delivered within the district.

3.8.3 DOSING TANK/PUMP CHAMBER

The dosing tank or pump chamber shall have a reserve volume that provides for temporary loss of power or other pump failure, shall have a high-level warning device and shall be provided with a tank riser with a watertight connection to the top of the tank and which extends to the ground surface and has a cover or lid which provides access for routine maintenance, minimize odors and to prevent unauthorized and unsupervised entry.

3.8.4 EFFLUENT PUMPS

- a. Effluent pump shafts and the pump's fasteners shall be constructed of corrosion proof material such as stainless steel or PVC.
- b. The pump shall be UL approved.
- c. The effluent pump's discharge line shall have an acceptable union that allows for the easy removal of the pump from the dosing chamber.
- d. All effluent pump connections shall be water-tight.
- e. The effluent pump shall be installed in accordance with manufacturer specifications.
- f. All effluent pump electrical connections shall meet applicable electrical codes.
- g. The pump shall have an audio-visual alarm for a high-water warning device.

3.8.5 SUB SURFACE DISPOSAL SYSTEM

A sub surface disposal system for a commercial establishment, industry, public, or semi-public establishment treating 1,000 gallons per day or greater shall be sized in accordance with the 1994 Michigan Criteria for Subsurface Sewage Disposal, or its successor requirements.

a. Location

- 1. 50 feet from any potable water supply, well, spring, or unprotected suction line (75 feet from Type IIb and III wells, **200 feet from Type I and IIa wells**).
- 2. A minimum isolation distance of 50 feet shall be maintained from any surface water, or other surface water flooding or its highest flood plain elevation.

3. No system shall be located closer than 10 feet to any footing or foundation wall.
4. **No system shall be located closer than 25 feet from a footing drain without direct connection to surface water.**
5. **No system shall be located closer than 50 feet from any drain with a direct connection to surface water.**
6. **No system shall be located closer than 5 feet to any slab on grade.**
7. The bottom of the disposal system shall not be over 42 inches below the finished grade and not less than 48 inches above the maximum seasonal high-water table.
8. **No system shall be located closer than 10 feet from the top edge of steep slopes (> 25% slope).**
9. **No system shall be located closer than 10 feet from a wastewater easement boundary. For the purposes of this Code, this requirement does not apply to road, utility, and other similar easements.**

b. Size

Sub-surface disposal system lines shall have a diameter of not less than four inches, or in the case of pressure distribution, 1-1/2 inches.

c. Quality

Sub-surface disposal system lines shall be constructed from perforated plastic tile or other equivalent material as approved by the Health Officer.

d. Depth, Slope, and Length of Lines

1. The top of the sub-surface distribution lines shall not be less than 12 inches nor more than 30 inches below the finished grade.
2. Slopes of the distribution lines shall be not more than 1-1/4 inch per 50 feet.
3. Length of any one lateral line shall not exceed 75 feet **for non-pressurized distribution lines.**

e. Headers

The watertight header shall be constructed from solid plastic tile or such other material as approved by the Health Officer. Headers shall be **designed and** set true and level so as to afford an even distribution of all septic tank effluent throughout the sub-surface disposal area.

All non-pressurized sub-surface disposal systems with laterals or similar design shall have a footer connecting the lateral ends together.

f. Filter Material

Sub-surface disposal system lines for distributing septic tank effluent for direct soil absorption shall be laid over at least six inches of clean and/or washed stone from one-half to one and one-half inches in size. A total minimum depth of 12 inches filter material is required. **The Health Officer may approve the use of other types of aggregate in place of stone.**

Straw, untreated building paper or other approved materials shall be placed between the stone and the final cover of soil to keep backfill material out of the stone, yet allow the evaporation of moisture.

g. Trench Construction

Trenches shall not be less than 24 inches nor greater than 48 inches wide at the bottom. The use of trenches as a means of sewage disposal shall be at the discretion of the Health Officer.

h. Other Sewage Disposal Systems

In addition to the conventional bed and trench system, the Health Officer may approve other sewage disposal systems. If not otherwise specified by the Health Officer, these systems shall be installed according to manufacturer's guidelines. The Health Officer may require additional construction specification and maintenance beyond the manufacturer's guidelines that are reasonably necessary to meet or maintain compliance with this Code. The Health Officer may also require additional inspections based on the technology or the difficulty of the development site. The Health Department may charge a fee for the additional inspections.

Variations in general sewage disposal system requirements may be permitted by the Health Officer based on written policies and

procedures established by the Health Department. These policies and procedures shall state specific site conditions and design criteria which must be met.

i. Sub-surface Disposal System

The minimum sub-surface disposal system area is depended upon average daily volume of septic tank effluent and the type of natural soils, **as defined by the United States Department of Agriculture, Natural Resources Conservation Service, Soil Taxonomy, Soil Classification System**, present in the proposed disposal area. The following minimum sizing shall be used except where in the opinion of the Health Officer a variation in sizing is necessary:

<u>Soil</u>	<u>Minimum disposal area per single family residence</u>		
	<u>2bdrm/less</u>	<u>3bdrm/less</u>	<u>4bdrm/less</u>
Coarse sand or gravel	450 sq ft	600 sq ft	750 sq ft
Medium sand	600 sq ft	750 sq ft	900 sq ft
Fine sand and Loamy sand	750 sq ft	900 sq ft	1050 sq ft
Sandy Loam	900 sq ft	1050 sq ft	1200 sq ft
Loam and Sandy Clay Loam	1050 sq ft	1200 sq ft	1350 sq ft
Clay, Clay Loam and Silt Loam	<u>not suitable</u>	<u>not suitable</u>	<u>not suitable</u>

Section 3.9 ALTERNATIVE TREATMENT SYSTEMS

This section applies to residential building sites requiring on-site sewage treatment and disposal for compliance under this Code. The provisions of this section shall apply if a site does not meet the minimum requirements of Section 3.8.5 and Section 3.10. This section does not apply to semi-public or public sites regulated by the Michigan Criteria for Subsurface Sewage Disposal, or this Code. This section does not apply to subdivision, site condominiums or condominiums regulated under Act 288 of 1967, as

amended, effective January 1, 1968. This section does not apply to land divisions of less than 1 acre in size, regulated under the Land Division Act (Act 288, as amended), effective date of March 31, 1997.

A. Technological advances in on-site waste treatment and disposal have made it possible to have treatment systems that are alternatives to the septic systems described in **Sections 3.8.5 and Section 3.10** and that are consistent with protection of public health and environmental resources. These alternative systems are particularly advantageous when any of the following conditions prevail:

1. Drainfield construction criteria described in **Sections 3.8.5 and Section 3.10** cannot be achieved, or
2. Holding tank substitutes are sought, or
3. Owner(s) believe the public health and/or environment will benefit.

B. **The property owner shall retain the services of persons demonstrating competence in alternative treatment system (ATS) design such as a State of Michigan licensed professional engineer or other qualified individual (i.e. registered sanitarian, professional surveyor) as approved by the Health Officer to design the ATS.** It is the responsibility of the owner to establish that a particular alternative treatment system meets the requirements for approval. The Health Officer shall permit the use of alternative on-site waste treatment and disposal systems **that are certified by National Sanitation Foundation Standards: Residential Wastewater Treatment Systems (NSF/ANSI 40) and Residential Wastewater Treatment Systems – Nitrogen Reduction (NSF/ANSI 245) or their successor standards. For those Alternative Treatments Systems that do not meet NSF/ANSI Standards 40 and 245, the following criteria shall be achieved:**

1. The treatment facility is capable of producing an effluent with:
 - a) **Biological Oxygen Demand (BOD)** less than or equal to 30 mg/L
 - b) **Total Suspended Solids (TSS)** less than or equal to 30 mg/L
 - c) **Total Inorganic Nitrogen (TIN)** less than or equal to 30 mg/L
 - d) For discharges within **200 feet of surface water**, total phosphorous less than or equal to **4 mg/L**

2. **No less than 12 inches of suitable soils shall exist below the natural ground surface in the disposal field area to be approved for an alternative treatment and disposal system.**
 - a) **The 12 inches of suitable soil shall include 6 inches minimum of soils free of mottling or actual water below the topsoil to demonstrate the absence of seasonal high groundwater in the topsoil**
 3. **The infiltrative Surface of the dispersal media (i.e. bottom of stone) shall be elevated no less than 24 inches above seasonal high water table or restrictive soil layer.**
 4. **The effluent discharge from the treatment system shall be constructed in such a manner that surface flooding will not occur.**
- C. The owner shall obtain a maintenance agreement, for the life of the system, with a State of Michigan licensed professional engineer or other qualified individual approved by the Health Department, to properly monitor and maintain the system as prescribed by the system's designer. Prior to permit issuance, a copy of this maintenance agreement must be submitted to the Health Department.**
- D. The property owner shall ensure that a professional engineer or other qualified individual approved by the Health Department certifies the construction of the ATS as approved by the Health Department and provides such certification to the Health Department prior to the system start up.**
- E. After an alternative on-site waste system is approved by the Health Officer, the owner of the system shall comply with all of the following:**
1. **The owner shall at his or her sole expense comply with a specific maintenance, monitoring and inspection program specified by the Health Officer to ensure the optimum operation of the alternative treatment system.**
 2. **It is the responsibility of the owner to submit the required monitoring report and sample results to the Health Department. Alternative Treatment Systems that are certified by NSF/ANSI 40 and NSF/ANSI 245 are not required to submit annual sample results for BOD, TSS, and TIN.**
 3. **The owner shall pay an annual fee as established by the Board of Health for Benzie Leelanau District Health Department. The fee will be for the tracking of system maintenance and monitoring compliance. The fee must be paid by February 1st of each year**

that the system is in use. Penalty fees will be assessed for late payment.

4. If the system substantially fails to meet the performance standards of **Section 3.9(B)(1)**, the owner shall, at his or her sole expense and within the time frame (based on the degree of harm or potential harm to the environment or to public health) required by the Health Officer, corrections shall be made to the system so that the performance standards are substantially met. Failure to correct the system as required shall be deemed a violation of **this Code** and shall subject the owner to the enforcement provisions within Chapters **VII and VIII** of **the Code**.

Section 3.10 PERMIT DENIAL

A permit to install an on-site sewage disposal system may be denied for any of the following reasons:

- a. Where an **unsuitable soil (see Section 3.8.5(i))** or impervious **soil or bedrock** is encountered at less than **48 inches** from the natural ground surface. (See exception in **3.10(f)**)
- b. Where the known high ground water table is encountered within **48 inches** of the natural ground surface. (See exception in **3.10(f)**)
- c. Where silts, mucks, or unstable soils are encountered.
- d. Where lot size does not provide adequate area to maintain requirements as set forth in **Section 3.6 through Section 3.9**.
- e. Where it has been determined that one or more of the following exists:
 1. The proposed sewage disposal system is likely to adversely affect the public health, or the environment where the adverse **effect** on the environment endangers the public health.
 2. The proposed sewage disposal system is likely to pollute, impair, or destroy air, water, or other natural resources or the public trust therein contrary to **Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended and its successor statutes**.
 3. The proposed sewage disposal system will violate any other health or contamination law, regulation or ordinance.
 4. A publicly operated sewerage system is available as defined in **Act 368, P.A. of 1978, as amended, MCL 333.12751-8**.
 5. The proposed site of the sewage disposal system is subject to recurring flooding and/or is located within the fifty (50) year flood plain, or is located within a wetland **or falls within a high risk erosion zone** as defined by **Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended**

and its successor statutes.

- f. Where an existing dwelling has a **minimum of 24 inches of suitable soil below the natural ground surface** and a seasonal high-water table of greater than or equal to **24 inches** and the seasonal high water table is less than **48 inches** from the natural surface, clean fill soils may be added to the existing soils to meet the **48 inch** minimum isolation distance. **For the purposes of this subsection, an existing dwelling is defined as a dwelling which was constructed without the requirement that holding tanks or an Alternative Treatment System be installed at the time of construction and currently has an existing on-site septic system.**

Section 3.11 HOLDING TANK SYSTEMS

Pump-and-haul as a means of sewage disposal may be used for existing dwellings and parcels of land recorded and on file with the appropriate County, prior to the effective date of this Code, unless prohibited by local, State, or Federal laws and regulations.

Pump-and-haul as a means of sewage disposal shall not be permitted on parcels of land recorded and filed with the appropriate County, after the effective date of this Code.

Vehicles to be used for pump-and-haul shall be licensed under Part 117 of Act 117 of Act 451, Public Acts of 1994, as amended. The method of disposal shall be in accordance with Act 381, Public Acts of 2004 under the authority of the Michigan Department of Environment, Great Lakes, and Energy.

Section 3.12 CHANGE OF USE

A change in use of a premise which may result in an increase in the generation of wastewater shall not be allowed unless it can be shown that the sewage treatment facility is in compliance with the applicable regulations for the anticipated new use. This would include, but not be limited to, adding bedrooms to an existing dwelling, adding seating in a food establishment, additions to industrial or commercial establishments, construction of garages, and/or outbuildings.

The Health Officer shall determine if an existing sewage disposal system is sufficient and adequate to allow an increase in living or working area to existing buildings and/or that the proposal will not interfere with current or future use of onsite sewage disposal.

Section 3.13 **NEW AND EXISTING SEPTIC SYSTEMS**

Every sewage treatment system installed subsequent to the effective day of this Code shall conform to the design, location and construction requirements contained in this Code.

Sewage treatment systems in use prior to the effective date of this Code may continue to be used so long as they are in substantial conformance with this Code and its usage does not create a hazard to public health and safety, a public health nuisance or excessive degradation of the natural environment.

Section 3.14 **PERMIT**

No person or their contractor or agent shall construct any dwelling or any addition thereto, or install, modify or repair any sewage disposal facility as defined in this Code, without a permit and approval from a Health Officer as required by this Code. Such construction permit shall be issued only when plans and specification for the proposed installation of the average system are not less than the requirements set forth in these minimum standards. The Health Officer may attach conditions to the permit or approval. Any such conditions shall be designed to implement compliance with this Code.

Said permit shall contain a sketch showing all pertinent plans and specifications of the proposed sewage disposal installation. Said permit shall be signed by the Health Officer. One copy of the permit shall be **provided** to the applicant. One copy of the permit shall be retained by the Health Officer and remain on file in the Health Department.

The Health Officer shall inspect the **septic disposal system installation** and premises. Failure to construct the septic disposal system in accordance with **this** Code or other laws, regulations or ordinances shall be deemed a violation of this Code and shall subject **the** person and/or his/her contractor or agent to the fines, penalties and enforcement actions authorized by this Code. Modification or repair of any existing sewage disposal facility shall require a permit and approval as provided **in this Code**.

Section 3.15 **REGISTRATION REQUIREMENT FOR SEWAGE SYSTEM
RELATED BUSINESSES**

All persons engaged in any way in the manufacture, installation, construction, maintenance, cleaning or servicing of sewage systems in the **counties** of Benzie and Leelanau, Michigan, shall register with the Health Department. No fee shall be required for such registration.

CHAPTER IV – WATER SUPPLY

Section 4.1 **PROVISION OF WATER REQUIREMENT**

No person shall construct, occupy, or inhabit, offer for rent or lease, with or without compensation in whole or in part, any habitable building or dwelling unless the same is equipped with a safe and adequate water supply approved by a Health Officer in accordance with the provisions of this Code. Further, no water supply or alteration of existing water supply shall be installed or made unless the same is approved by a Health Officer in accordance with the provisions of this Code.

Section 4.2 **SCOPE**

These regulations shall apply to all premises not connected to Type I public water supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public Acts of 1976, and related Administrative Rules, as amended

Section 4.3 **WELL CONSTRUCTION**

The construction of water wells and the installation of water well pumps shall comply with the requirements set forth in the Groundwater Quality Control Rules, Part 127 of Act 368 of the Public Acts of 1978, as amended, being MCL 333.12714; Act 399 of the Public Acts of 1976, as amended, being MCL 325.1001 et. seq; and/or Part 201 of Act 451 of the Public Acts of 1994, as amended, being MCL 324.20101 et seq.

Section 4.4 CONNECTIONS REQUIRED

Where connection can be made to an available approved public or municipal water supply, the Health Officer shall not issue a permit to construct a private water supply system unless approved by the local municipality. No cross connections between a public and private water supply system shall be allowed.

Section 4.5 HAND PUMP PLATFORM

In hand pump installations the well top or platform shall be constructed of a water-tight concrete reinforced slab of a minimum thickness of four inches extending at least **24 inches from the well casing in all directions. The slab shall rest on compact earth. The concrete slab shall be sloped from the well casing to the edge of the slab. The surface of the slab at outer edges shall be four inches above the surrounding ground surface.**

Section 4.6 COOLING WATER

Water used for cooling parts of engines, air compressors, pumps, or other equipment shall not be returned to any part of the potable water supply.

Section 4.7 INSPECTION OF WELL CONSTRUCTION

The Health Officer may enter and inspect, at any reasonable hour, on private or public property, an installation for the development or abandonment of a water supply as allowed by the Michigan Public Health Code and other applicable law.

Section 4.8 WATER SUPPLY APPROVAL

A new water supply shall not receive final approval by the Health Officer until the following conditions have been met:

- a. A completed “Water Well and Pump Record”, prepared by the well driller and/or pump installer, as applicable, has been submitted to the Health Officer.**
- b. The Health Officer has completed an on-site water well component construction inspection.**

- c. **The Health Officer has received copies of the results of the analysis of water samples indicating that raw water quality meets minimum public health standards. Water sample analysis shall include coliform bacteria, nitrate, and any other parameter deemed necessary by the Health Officer to determine compliance with this Code or other applicable law. Analysis of water samples shall be performed by laboratories certified by the Michigan Department of Environment, Great Lakes, and Energy.**

Section 4.9 TREATMENT OF UNSATISFACTORY WATER SUPPLY

Groundwater supplies shall comply with the bacteriological, geological, physical, radiological, or chemical requirements **outlined in Act 399 of the Public Acts of 1976, as amended, and Administrative Rules, Part 127 of Act 368 of P.A. 1978, as amended, and Administrative Rules**, and the "National Primary Drinking Water Regulations" pursuant to **CFR 40 Part 141**.

If it is not possible to secure satisfactory compliance with these requirements or standards, said water supply shall be **permanently** abandoned to protect the water bearing formation against further contamination.

Section 4.10 ABANDONMENT OF WELLS

A permanently abandoned well shall be sealed by filling with materials in accordance with the specifications and procedures as provided in Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended. It shall be accomplished to prevent it from acting as a channel for vertical contamination movement or the escape of subterranean gases.

Section 4.11 CONNECTION WITH AN UNSAFE WATER SUPPLY

There shall be no cross-connection, auxiliary intake, by-pass, interconnection or other arrangement including overhead leakage whereby an unsafe water supply or water from a source that does not comply with these minimum standards, may be discharged or drawn into any drinking culinary, or ablutionary supply which does not comply with the minimum standards **contained in this Code**.

Section 4.12 OUTLETS FROM UNSAFE WATER SUPPLIES

All outlets from water supplies which do not comply with these minimum standards shall be sealed or at the discretion of the Health Officer, be provided with a permanent and easily readable tag or label reading "**UNSAFE WATER - DO NOT DRINK**". Removal of said tag or label except by permission of the Health Officer shall be a violation of these minimum standards.

Section 4.13 WELL FIRST AREA DESIGNATIONS

In known critical water supply areas where obtaining satisfactory yields of quality and quantity ground water may be a problem, a "well first" requirement may be instituted before development of the premises. A well first designation by the Health Department will require the owner or applicant to construct or install a test well before site preparation and development, including excavation and construction of any type of structure or on-site sewage disposal system, occurs on the premises. In "well first" areas, the following process will be followed:

- a. A valid permit must be obtained before construction or installation of the test well.
- b. Upon completion of the water supply system, the well shall be tested for satisfactory yield of quantity or quality, dependent on the critical water supply problem.
- c. Approval of the test well water supply must be obtained from the Health Department before further development of the premise. Upon approval of the test well water supply, the Health Department shall authorize, in writing, the use of the test well for its intended purpose.

Section 4.14 PERMIT

No person or his/her agent or contractor shall construct any habitable building or dwelling, any private, semi-public and other certain water supplies as defined in these minimum standards, or no person shall install any new or make any alteration of an existing water supply unless and until such person or **the person's** duly authorized agent or contractor has obtained approval and permit from a Health Officer as required by this Code.

The Health Officer may attach conditions to the permit or approval. Any such conditions shall be designed to implement compliance with this Code.

Said permit shall contain a sketch showing all pertinent plans and specifications

of the proposed water supply installation. Said permit shall be signed by the Health Officer. One copy of the permit shall be **provided** to the applicant. One copy of the permit shall be retained by the Health Officer and remain on file in the Health Department.

Any construction, installation, or alteration, **or extensive changes** of a water supply without permit and approval or in violation of the minimum standards of this Code and its regulations shall be deemed to be a violation of this Code and subject to enforcement and penalties as specified herein. **This provision shall not encompass the normal routine maintenance of a water supply system or when minor changes or repairs are made to the system (i.e. replacing pump, well cap, screen, pressure tank, piping, wiring, treatment devices, or installation of a pitless adaptor).** Extensive changes include, but are not limited to, replacing the casing, removing a casing from the ground for any reason, installing a liner, or increasing the depth of the well casing.

Section 4.15 STOP WORK ORDER – VOID PERMIT

When during construction, any new work or change to an onsite water supply system is found in violation of the provisions of this Code, the Health Officer may issue a “Stop Work Order” by posting said notice at the site. Any valid water supply construction permit shall be deemed to be in abeyance and no longer in effect when a “Stop Work Order” is posted and for such time as the “Stop Work Order” is in effect.

Section 4.16 PERMIT DENIAL

The Health Officer may deny all applications for a water supply permit when incomplete, inaccurate, or false information has been supplied by the applicant, or when the Health Officer determines that the requirements of this Code and/or applicable state statutes have not or cannot be met.

CHAPTER V – PERMIT REVOCATION

Section 5.1 REVOCATION OF PERMIT

Any permit issued pursuant to these regulations may be revoked by the Health Officer if the Health Officer finds that one or more of the following circumstances exist:

- a. Changes have taken place on or to the site or premises so that the construction or operation of the object of the permit cannot comply with this Code;
- b. The object of the permit is not constructed, is not operated, is not maintained or does not perform as required by this Code or the applicable permit;
- c. The premises to be served by the object of the permit or on which a permit is used to conduct a business is not constructed or operated as stated in the permit application;
- d. The permit holder does not comply with the requirements of these regulations or the terms of the applicable permit; or
- e. The permit application is incomplete or inaccurate.

Section 5.2 PERMIT REVOCATION PROCEDURE

The revocation of a permit shall be taken pursuant to notice to the permit holder by the mailing of the notice of revocation via first class mail to the permit holder at the mailing address of the permit holder as provided in the application for the permit **or by personal service on the permit holder**. The Health Officer may, but is not required to post the notice of revocation on the premises. **When the permit has been issued to more than one (1) person, then service by first class mail or personal service may be to any person named in the permit.**

The notice of revocation shall contain the reasons for the revocation and notice that the permit holder has the right to request a meeting with the Health Officer. The request for the meeting shall be in writing and shall be made within thirty (30) days of the date of the mailing of the notice of revocation. After the meeting, the Health Officer may continue the revocation, rescind the revocation or impose such conditions of the reinstatement of the permit as are necessary to require compliance with this **Code**. If the permit holder is not satisfied with the decision

of the Health Officer after the meeting, then the permit holder may appeal the Health Officer's decision to the Board of Appeals. **A meeting with the Health Officer, as described in this section is a mandatory prerequisite for the Board of Health's Appeal Board to have jurisdiction to hear an appeal related to the notice of revocation.**

CHAPTER VI – TIME OF TRANSFER EVALUATION OF ON-SITE WATER AND SEWAGE DISPOSAL SYSTEMS

Section 6.1 PURPOSE

The purpose of **Chapter VI** and its provisions is to protect public health and to prevent or minimize degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water well systems through the regulation of the transfer of the property or premises.

Section 6.2 EVALUATION

- a. **Except as provided in subsection 6.2(b) below, an owner of premises or a dwelling shall not sell, convey, assign nor transfer ownership of, or exclusive rights in, any dwelling and/or habitable building or premises unless and until the owner or the owner's designated agent has requested a Health Officer to evaluate the existing on-site water well system and/or the existing on-site sewage disposal system and unless and until such evaluation by the Health Officer has been conducted and the results thereof have been reduced to writing and furnished to any prospective purchaser or transferee and the seller or transferor as part of the said transaction on a form established by the Health Department.**
- b. **The following are exempt from the requirement for the evaluation of an existing on-site sewage disposal system and/or water well, excluding water quality compliance sampling for on-site water wells with no water quality standard results for samples collected by the Health Department and analyzed by a State of Michigan certified laboratory within six (6) months prior to the proposed transfer:**
 1. **A transfer of premises that has had an on-site sewage disposal system and/or water well installed and approved by the Health Department within thirty-six (36) months prior to the proposed transfer pursuant to a permit issued by the Health Department for the on-site sewage disposal system and/or water well.**

2. **A transfer of premises where written evidence exists that the on-site sewage disposal system and/or water well on the premises has been inspected by a Health Officer as required by these regulations within thirty-six (36) months prior to the proposed transfer and has been found to be in compliance with this Code.**

Section 6.3 EVALUATION DETERMINATION

The evaluation shall consist of a determination that the sewage disposal system and/or water well system are in substantial conformance with the standards of this Code. In making this determination, the following criteria shall be considered:

- a. Vertical isolation distance between the high ground-water table and the point of sewage discharge;
- b. Isolation distance from surface waters or wetlands, as defined by federal or state law and **this Code**;
- c. Isolation distance between water well and sewage system;
- d. The on-site conditions of the property, including **but** not limited to soil types, groundwater elevation, flow and direction;
- e. Whether the sewage system meets the construction and design criteria (size and capacity) **as required by federal or state law and this Code**;
- f. Lot size and useable area for on-site sewage disposal;
- g. Operational condition of existing sewage system **and/or water well**;
- h. **Whether the water well meets the construction standards as defined by state law and this Code**;
- i. **Compliance with bacteria and nitrate water quality standards as a minimum with other water quality parameters as required by the health department.**

Section 6.4 INSPECTION NOTIFICATION

If, upon notice of transfer and inspection, it is determined that there is not substantial conformance or that there is an endangerment of water well systems, groundwater or surface water or public health, then the septic system or water supply shall be subject to enforcement as provided in the Code. The Health Officer shall provide a copy of such written determination to the owner and/or purchaser or transferee of the property within **thirty (30) days** from the date that the inspection of the premises is completed **and all relevant information to make the determination has been received by the Health Department.**

Section 6.5 CORRECTIVE ACTION

- a. Upon receipt by an owner, purchaser or transferee of written notice, as set forth in **Section 6.4**, the owner, purchaser or transferee shall, within thirty (30) days, submit a proposed corrective action that will remediate, abate or prevent any such substantial nonconformance or endangerment. The Health Department shall review the proposed corrective action. All necessary corrective action shall be completed within one hundred twenty (120) days of Health Department approval. Upon approval by the Health Department of the completed corrective action, the system shall be deemed to be in substantial conformance with this Code.
- b. Before the completion or closing of any real estate transaction for the transfer of premises having a system provided for in **Section 6.4**, the owner, purchaser or transferee shall notify the Health Department that the premises and its sewage system **and/or water well** either: (1) are in substantial conformance with this Code as defined in **Section 6.3**; or (2) submit to the Health Department proof of the following: (a) written contract to cause the sewage system **and/or water well** to be brought into conformance; (b) deposit of a surety or performance bond or cash guaranteeing performance of such contract in an amount equal to one and one-half times the estimated cost provided for in such contract; (c) covenant that the performance called for by such contract shall be completed within one hundred and fifty (150) days of transfer of the premises.

Section 6.6 ENFORCEMENT

In the event that the Health Officer is not notified as required by **Section 6.5**, or in the event an owner, transferee or purchaser does not comply with the requirements of **Section 6.5**, **then it shall be deemed to be a violation of this Code and subject to enforcement and penalties as specified herein.** The Health Officer or his/her duly authorized representative may **also** record an Affidavit Concerning Status of Sewage Disposal System **and/or Water Well** with the Register of Deeds office in the County where the premises are located setting forth the fact that it may not **be** in substantial conformance with this Code as defined in **Section 6.3**.

Section 6.7 DETERMINATION HEARINGS AND APPEALS

Any owner, transferee, purchaser or person aggrieved by **the determination** required by this **Chapter**, shall have the right to a hearing and appeal as provided in **Chapter IX** of this Code.

CHAPTER VII – HOUSING

Section 7.1 COMPLAINTS CONCERNING PUBLIC HEALTH NUISANCES

All complaints concerning alleged public health nuisances shall be submitted to the Health Officer. Such complaints shall include specific details regarding the situation, including the nature and location of the alleged nuisance condition, the date and time of the occurrence, the person responsible, the names of the witnesses, and the name and address of the complainant. The Health Officer may require such complaints to be submitted in writing and signed.

Section 7.2 VACATION ORDER

Whenever it is determined by the Health Officer that a dwelling is unfit for human habitation, the Health Officer may issue an order requiring all persons living in the dwelling to vacate it within not fewer than 10 days nor more than 30 days. The order shall mention the specific reasons upon which such determination is based. The Health Officer may post a notice on such premises declaring that they are unfit for habitation, and it shall be unlawful for any person to move into, reside in, or offer for rent, lease, or transfer, a dwelling which has been declared by the Health Officer to be unfit for human habitation until such dwelling has been brought within the requirements of this **Code**. **After the dwelling has been vacated, it must be secured against unauthorized entry by the property owner.** It shall be unlawful for any person to remove, deface, or destroy any posted notice declaring the premises unfit for human habitation.

Section 7.3 PUBLIC HEALTH NUISANCE

Whenever a sewage disposal facility or part thereof, a water supply or part thereof, or a dwelling is in violation of the Code or otherwise is determined unfit for human habitation, then such dwelling, structure, excavation, alteration, business pursuit or thing in or about a dwelling or its lot or the plumbing, sewage, drainage, light, ventilation, or condition of premises is unfit for human habitation shall be deemed a public **health** nuisance, and subject to enforcement as provided herein or by law.

Section 7.4 HEALTH OFFICERS DUTY

The Health Officer may order purified, cleaned, disinfected, renewed, altered, repaired, or improved any dwelling, excavation, building, structure, sewer, plumbing pipe, passage, premises, ground or thing in or about a dwelling or its lot, where such condition constitutes a hazard to the public health, safety or welfare. The Health Officer shall cause such orders to be served on the tenant and owner or his rental agent, but such order also may be served on any person who by contract has assumed the duty of doing the things which the order specifies. In event of non-compliance, the Health Officer shall within 10 days after such refusal institute appropriate legal action to enforce said order.

CHAPTER VIII – CODE ENFORCEMENT

Section 8.1 ENFORCEMENT

To ensure compliance with this Code, the Health Officer may inspect, investigate, or authorize an inspection or investigation to be made of any matter, thing, premises, place, person, record, vehicle, incident or event to enforce the provisions of this Code. The Health Officer may apply for an inspection or an investigation warrant pursuant to Section 2241 to 2246 or Section 7504 to 7507, Act 368 of P.A. 1978, as amended, or any other type of administrative or search warrant authorized by law.

Section 8.2 VIOLATION OF THE CODE

Upon receipt of information that there is a violation of the Code ~~or its regulations~~ the Board of Health, or the Health Officer or **the Health Officer's** designated representative may:

- A. Issue a Cease and Desist Order and suspend any permit, Certificate or other approval issued pursuant to this Code to the owner or other person violating this **Code**. **The Cease and Desist Order may be appealed by** the owner or other interested person as provided in **Chapter IX**;
- B. Request the prosecuting attorney in the County where the violation has occurred or is occurring to commence an action to enjoin the act or practice and obtain injunctive relief and abatement upon a showing that a person has violated, or is continuing to violate, any Article or provision of the Code in a manner that may become injurious to public health, safety or welfare. Upon approval of the Board of Health, the Health Officer may obtain the services of a special attorney to commence and prosecute such

action for injunctive relief or abatement. The action authorized by this paragraph shall include all injunctive relief to restrain, prevent or correct a violation of law, rule or order which the Health Officer has a duty to enforce; or to restrain, prevent or correct any activity or condition which the Health Officer believes "adversely effects the public health" as authorized by **Act 368, P.A. of 1978, as amended**, or other law. In addition to injunctive or other relief as authorized herein, the Health Officer may seek costs of avoiding, correcting, removing or abating the violation requiring immediate response, including any other costs authorized by law in such action.

Section 8.3 RESTRAINING ORDER

Notwithstanding any other provision herein, if a Health Officer reasonably believes that any activity or condition in violation of this Code adversely affects the public health, then such Health Officer is authorized to seek to obtain an injunction to restrain, prevent or correct any such activity or condition and to assess the costs thereof, including the costs of coming upon the premises and correcting, abating, removing or remediating any such activity or condition in the event that the owner refuses to take such action on a reasonable request.

Section 8.4 CIVIL FINES OR PENALTY

Any person who violates a provision of the Code **or order of the Health Officer shall be subject to the penalties authorized by section 2443 of the Public Health Code (MCL333.2443), which is in effect as of the effective date of this Code, or as authorized by any amendment to the Public Health Code. As of the effective date of this Code, the Public Health Code provides that a person, who commits any such a violation, shall be guilty of a misdemeanor and subject to imprisonment for not more than 6 months or a fine of up to \$200.00.** If a violation is of a continuing nature, then each day that a violation occurs shall be considered a separate offense and shall be subject to a separate fine or penalty for each such occurrence. Any person who violates a provision of this Code, or who makes a false statement under the Code, shall be subject to an assessment of costs for enforcement action authorized and required, including, but not limited to the cost of abatement, remediation, prevention of further violation, expert witness fees and actual attorney fees. Any enforcement action taken under this provision shall not constitute a waiver of any other claims or remedy of a Health Officer or the Health Department as provided for in this Code, or other law.

Section 8.5 INJUNCTION

Notwithstanding the existence of any other remedy, a Health Officer, without posting a bond, may maintain an injunction or equitable action to restrain, prevent or correct the violation of law, rule, or order which the Health Officer has the duty to enforce, or restrain, prevent or correct any activity or condition which the Health Officer reasonably believes adversely affects the public health. The costs of such action, including the costs of restraining, preventing or correcting such violation, and witness fees and attorney fees as authorized by law, shall be assessed against the defendant, **as authorized by law.**

Section 8.6 ISSUANCE OF A CIVIL CITATION

If a local Health Department representative or Health Officer believes that a person is violating a provision of this Code or an order issued pursuant to this Code which the local Health Department has the authority and duty to enforce, the representative may issue a citation at that time or not later than ninety (90) days after discovery of the alleged violation. The citation shall be written and shall state with particularity the nature of the violation including reference to the section, rule, order or regulation believed to be, or have been, violated, the civil penalty established for such violation, if any, and a right to appeal the citation pursuant to Section 2462 of **Act 368, P.A. of 1978, as amended**; MCL 333.2462; or **Chapter IX** of this Code. The citation shall be delivered or sent by certified mail to the alleged violator. This provision is optional, and a decision by the Health Officer not to issue a citation shall not be construed to waive any other rights or remedies authorized by law or this Code.

- a. The alleged violator may petition the local Health Department for a Hearing not later than twenty (20) days after receipt of the citation, and the Hearing shall be held within thirty (30) days after receipt of the petition. The Administrative Hearing shall be conducted in accordance with **Chapter IX** of this Code, **except that for this Hearing the Health Officer shall conduct the hearing and make the decision and not the Appeals Board.** After the Hearing, the Health Officer may affirm, dismiss or modify the citation. The decision of the local Health Officer shall be final, unless within sixty (60) days of the decision the **Appeals Board** grants review of this citation, and after such review, affirms, dismisses or modifies the citation.
- b. A person aggrieved by a final decision of the Health Officer or the **Appeals Board**, may petition for review the Circuit Court of the county where the property or premises is located. In the event that the sewage disposal system or water supply crosses the boundaries of two counties, a petition for review may be filed not later than sixty (60) days following

receipt of the final decision from the Health Officer, **Appeals Board**, and not later than the time period provided by the Michigan Court Rules, as amended. The time periods for appeal shall begin to run the day after the date of such final decision.

- c. A civil penalty for violation pursuant to this Section shall be final if a petition for an Administrative Hearing or Review is not received by the **Health Department** or **Appeals Board** within the time specified in this Section. In the event a civil penalty is not paid, the Health Officer is authorized to commence a civil action to collect the same in the County in which the violation occurred or the defendant resides, and such action shall be an addition to any other action authorized by law.
- d. In addition to the authority to issue and serve a civil citation as described above, the Health Officer or a designee of the Health Officer may issue or serve an appearance ticket pursuant to 1927 PA 175, Chapter 4; MCL 764.9(a)-(g); MSA 28.868(1)-(7). The Sheriff's Department of the county in which the violation is alleged shall also have authority to issue or serve an appearance ticket pursuant to these regulations and applicable law.

Section 8.7 ASSESSMENT AGAINST THE PROPERTY

If the owner or person violating a provision of this Code refuses on demand to pay such expenses incurred by the **Health Department** to abate, correct or remove a violation, unsanitary condition or **public health** nuisance under Section 8.8, the sum shall be assessed against the property and shall be collected and treated in the same manner as taxes assessed under the general tax laws of this State.

Section 8.8 REMOVAL OF A NUISANCE

In the alternative, a Health Officer may petition a Circuit Court for removal of such nuisance, unsanitary condition or violation of this Code, and a Court, upon finding that a violation or nuisance may be injurious to the public health, may order the removal, abatement or destruction of the violation or **public health** nuisance at the expense of the defendant, and in such instance any order or bench warrant issued to the sheriff or other law enforcement officer may be fashioned to accomplish such purposes.

Section 8.9 INSPECTIONS AND INVESTIGATIONS

To **ensure** compliance with this Code, the Health Officer may inspect, investigate or authorize an inspection or investigation to be made of any matter, thing, premise, place, person, record, vehicle, incident or event where a Health Officer has reason to believe that noncompliance with the laws enforced by **the** Health Department exists. **The Health Officer may seek administrative warrants, search warrants or court orders for access to the person, real property or personal property to be inspected or investigated.**

Section 8.10 RIGHT TO OBTAIN SAMPLES

An inspection, under Section 8.9, shall include the right to obtain samples where a Health Officer has reason to believe that there is a likelihood of contamination of surface water, ground water, water supply or other unsanitary conditions.

Section 8.11 OBSTRUCTION OF HEALTH OFFICER

It shall be unlawful for any person to refuse to permit the Health Officer to make an inspection or investigation authorized by law and it shall be unlawful for any person to molest or resist the Health Officer in the discharge of their duties.

Chapter IX – HEARINGS AND APPEALS

Section 9.1 PURPOSE

In order to provide for reasonable and equitable interpretations and applications of the provisions of this Code, there is hereby created an “Appeals Board”.

Section 9.2 APPEALS BOARD MEMBERS

The Appeals Board shall be comprised of six (6) members consisting of three (3) members from Benzie County and three (3) members from Leelanau County.

1. The Appeals Board members for each county are appointed by the individual County Boards of Commissioners

2. Each Board of Commissioners appoint:
 - a. One (1) member of the Board of Commissioners
 - b. Two (2) Members-at-Large from their respective County

Section 9.3 DUTIES OF THE APPEALS BOARD

The Appeals Board shall have the following duties:

1. To resolve disputes on interpretation of this Code.⁺
2. To handle appeals from administrative decisions.⁺

Section 9.4 PROCEDURES OF THE APPEALS BOARD

In the event that an owner or interested person is adversely affected by any determination under this Code, the owner or such interested person may request in writing a hearing before the Appeals Board within thirty (30) days of the date of such determination. **Supporting documentation shall accompany the petition and shall include adequate information for the Appeals Board to adequately review, discuss and render a decision.** Upon receipt of such request, the Health Officer shall issue a Notice of Hearing within fifteen (15) days of the receipt of the request, and a Hearing shall be held at the next regular meeting of the Appeals Board scheduled for such purposes; provided, that a Hearing shall be conducted not later than sixty (60) days from the date of Notice of Hearing. The Hearing shall be conducted with flexibility in regard to rules of evidence and because of the quasi-administrative nature of the proceeding, and the decision of affirming, reversing or modifying, any such determination shall be based upon a majority vote of the Appeals Board, and based upon the whole record of testimony and exhibits received at the Hearing. **Any decision of the Appeals Board is final. The Appeals Board may impose conditions on any affirmative decision.**

Section 9.5 DETERMINATION REVIEW BY THE APPEALS BOARD

In reviewing a determination, the Appeals Board shall not reverse or modify any decision of the Health Officer unless the owner or an interested person can show any of the following:

- a. that there is no feasible and prudent alternative site, method or corrective action; or

- b. that the sewage disposal system, if applicable, will not contaminate or pollute a water supply, potable ground water, surface water and/or adversely affect or endanger the public health.

The determinations required under (a) and (b) shall be based upon facts presented at the hearing, the application, and any supporting documents.

Section 9.6 DECISIONS OF THE APPEALS BOARD

In considering a decision, the Appeals Board shall:

- a. Consider a questioned provision in light of other provisions of the Code;
- b. Consider the intent of the Code;
- c. Seek advice of legal counsel, if needed;
- d. Limit the scope of its decision to the subject of the appeal;
- e. State the grounds or reasons for its decision.

The Appeals Board shall furnish the petitioner and Health Officer with a written statement of its final decision to affirm, dismiss or modify the decision of the Health Officer, including the reasons and grounds for such decision, within thirty (30) days following the hearing of any appeal.

Section 9.7 VARIANCES

Individual variances from the requirements of the Code may be made by the Health Officer after having determined, based on the facts and applicable Code sections, that all of the following conditions exist:

- a. That no substantial health hazard or public health nuisance is likely to occur therefrom;
- b. That strict compliance with the Code requirements would result in unnecessary or unreasonable hardship;
- c. There are exceptional or extraordinary circumstances or conditions applicable to the subject property
- d. That no state statute or other applicable laws would be violated by such variances, and;
- e. That the proposed variance would provide essentially equivalent protection of the public interest.

A variance shall not be granted due to a self-created condition or the result of actions of the property owner or previous property owner(s) which

occurred after the enactment of the Code provisions for which the variance is sought.

The decision to grant a variance(s) shall be made in writing and shall include the facts and the basis for granting the variance. The decision of the Health Officer may be appealed to the Appeals Board. In considering such an appeal, the Appeals Board shall consider the factors contained in Section 9.6, which includes the conditions contained in Section 9.7.

DRAFT



**BENZIE-LEELANAU
DISTRICT HEALTH DEPARTMENT
DISTRICT SANITARY CODE**

DRAFT
Version 1.2

ENVIRONMENTAL HEALTH REGULATIONS
FOR
BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
AUTHORITY, JURISDICTION, PURPOSE
AND
GENERAL DEFINITION

TABLE OF CONTENTS

CHAPTER I – OVERVIEW

Article I: Authority, Jurisdiction, Purpose	2
Article II: Definitions	4

CHAPTER II – SEWAGE DISPOSAL

Article I: Definitions	6
Article II: Sewage Disposal on All Premises	8
Article III: Publicly Operated Sewerage Systems	8
Article IV: Private Sewerage Systems (sizing and construction guidelines, permit denials, Alternative Treatment Systems)	10
Article V: Permits	17
Article VI: Fees	18
Article VII: Contractor Registration	18
Article VIII: Septage Hauling	18
Article IX: Evaluation Required upon Transfer of Ownership	19

CHAPTER III – WATER SUPPLY

Article I: Provision of Water Requirement	24
Article II: Definitions	24
Article III: Private Water Supplies (location and construction guidelines, disinfection, contractor registration, well logs)	25
Article IV: Permits and Fees	29

CHAPTER IV – HOUSING & BUSINESSES

Article I: Definitions	30
Article II: General Requirements	30
Article III: Tattooing	31

CHAPTER V – CODE ENFORCEMENT

Violations, Legal Recourse, Hearings and Appeals	35
--	----

CHAPTER VI – PERMIT REVOCATION	40
---	-----------

CHAPTER I – OVERVIEW GENERAL PROVISIONS

ARTICLE I – AUTHORITY, JURISDICTION, PURPOSE

Section ~~1.130~~ 1.1 PURPOSE

The purpose of ~~this sanitary code and its~~ these regulations is to protect the public health, safety and welfare, including preventing the spread of disease, sources of contamination of property, surface waters and ground waters, the public health and the environment; this purpose includes the implementation for carrying out of duties and functions vested in the Benzie-Leelanau District Health Department (the Health Department) by law; further, but not by way of limitation, this purpose includes the regulation of sewage and sewage disposal, water supplies, sanitation of habitable buildings, dwellings and property for protecting surface and ground water, drinking water and the environment from improper or malfunctioning sewage disposal facilities, systems and devices and from sewage or related liquids and wastes; and, finally, the purpose includes preventing or minimizing degradation of the environment as it relates to public health.

Section 1.2 TITLE

These regulations shall be known as the Benzie Leelanau District Health Department Sanitary Code and also may be called the “Code” elsewhere in these regulations.

Section ~~1.110~~ 1.3 AUTHORITY

Under the authority of Act 368 of the Public Acts of 1978 (the Public Health Code), the Board of Health of the District health Department (the Board of Health), hereby adopts this Code By virtue of the power invested in the Committees of the Grand Traverse, Leelanau, and Benzie County Board of Commissioners under 1978 PA 368: MCLA 333.1101 et seq.; MSA 14.15 et seq., as amended, there are hereby provided and adopted the following regulations, rules and ordinance for the Purpose stated in Section 1.1, protection of the public health, safety and welfare, to prevent the spread of disease, to prevent sources of contamination of property, the public health and the environment, and to otherwise properly safeguard the public health and to implement or carry out the duties or functions vested by law for such purposes, and to regulate sewage and sewage disposal, water supplies, and the sanitation of habitable buildings,

~~dwelling and land, and also to provide for permits for contractors installing sewage disposal or installing or servicing wells, and to provide for notice and regulation of septic systems not in conformance with standards required by law, regulation or ordinance in the County of Benzie, State of Michigan, and to provide for remedies, fines and penalties for violation of such regulations, rules or ordinances. Further, **this Code has been** these regulations are adopted **to implement** by virtue of the duties imposed by the Michigan Environmental Protection Act **Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended** 1970 P.A. 127; MCLA 691.1201-7; MSA 14.528(201)-(207), and its successor statutes and to prevent or minimize degradation of the environment and the public trust therein as it relates to public health.~~

Section 1.120 1.4

JURISDICTION

Pursuant to the agreement which established the Health Department, the
~~The Health Department shall have jurisdiction throughout Benzie County and Leelanau County, including cities, villages and townships in the administration and the enforcement of **this Code, unless otherwise stated in this Code** the minimum standards, including all minimum standards or amendments hereafter adopted otherwise specifically stated. Nothing **in this Code** herein contained shall be construed to restrict or abrogate the authority of any municipality, or incorporated city, village or township in Benzie County or Leelanau County to adopt or enforce more restrictive ordinances which are authorized by law. If such ordinance requires compliance with any portion of this Code, then the municipality shall not find or determine that there has been compliance~~
standards, or to enforce any existing ordinances or standards relating to the regulations, control, or issuance of licenses or the renewal or revocation thereof or the right to charge and collect a fee therefore, provided, that whenever inspection relating to health or sanitation is required, no such municipality shall issue a license until it has without first having obtained written approval from the Health Officer affirmatively stating that there is compliance with applicable sections of this Code. No ordinance shall conflict with this Code. indicating compliance with the requirements of the Minimum Standards and provided, further, that all existing ordinances or standards shall not be in conflict with these regulations.

Section 1.5

FEE SCHEDULE

The Board of Health shall establish the fees charged for services rendered by the Health Department and license/permit applications, identified in this Code by adopting a written fee schedule at a regular or special meeting of

the Board of Health. The Board of Health may revise the fee schedule by adopting a written amendment to the fee schedule at a special or regular meeting of the Board of Health.

Section ~~1.140~~ 1.6 OTHER LAWS AND REGULATIONS

~~These Minimum Standards are supplemental to the rules and regulations duly enacted by the Michigan Department of Public Health, and are supplemental to the laws of the State of Michigan relating to the public health or contamination of environment, and shall supersede all local minimum standards heretofore enacted and inconsistent herewith.~~

This Code contains minimum standards and are supplemental to the rules and regulations duly enacted by the Michigan Department of Agriculture and Rural Development, Michigan Department of Environment, Great Lakes, and Energy, the Michigan Department of Health and Human Services, and the Michigan Department of Licensing and Regulatory Affairs and any successor agencies; the laws of the State of Michigan relating to public health; and federal laws relating to public health. This Code supersedes inconsistent or conflicting local regulations or ordinances. The approval of plans or the issuance of a permit pursuant to this Code does not relieve an individual from complying with all consistent applicable provisions of building and construction laws, zoning requirements and other state and local statutes, ordinances, rules, regulations, and orders.

Section 1.150

~~These Minimum Standards and all regulations added or amended hereto shall become effective in Benzie County on January 1, 1964, after the approval by the majority vote of the individual Boards of Commissioners of the Benzie County, and shall be effective on the date of any amendments in accordance with law, including the Amendment of January 1, 1972 and the Amendment of December 31, 1989. Any county within the Department District may adopt these regulations, and upon such adoption or approval by the County Board of Commissioners these regulations shall have full force and effect in such county even though not adopted by any other county within the District, pursuant to 1978 Public Act 368; MCLA 333.1101 et seq.; MSA 14.15 et seq. These regulations shall take effect on December 31, 1989.~~

Section 1.7 EFFECTIVE DATE

These regulations or amendments thereto shall become effective as provided by the Public Health Code or any successor statute. This Code becomes effective on the 45th day after the date of approval by the Boards of Commissioners for each county within the jurisdiction of the Health Department.

Section 1.8 PRE-EXISTING VIOLATIONS

Any act, situation or condition of premises or things in Benzie County which, as of the effective date of this Code, violated any provision of the Environmental Health Regulations for Benzie County, shall continue to be a violation of this Code, if a similar section or provision is a part of this Code. Any action, issuance of permit or maintenance of a condition that was mandatory under the Environmental Health Regulations for Benzie County shall continue to be required if a similar provision is contained in this Code. Any act, situation or condition of premises or things in Leelanau County which, as of the effective date of this Code, violated any provision of the Environmental Health Regulations for Leelanau County, shall continue to be a violation of this Code, if a similar section or provision is a part of this Code. Any action, issuance of permit or maintenance of a condition that was mandatory under the Environmental Health Regulations for Leelanau County shall continue to be required if a similar provision is contained in this Code.

Section 1.9 CONDITIONAL PERMITS

Nothing in this Code shall limit the power of the Health Officer to issue conditional permits and to impose as a condition of a permit, certain or specific conditions, limitations or restrictions which the Health Officer determines are reasonably necessary to attain compliance with this Code, and/or applicable state law, regulations or rules. Such conditions, limitations or restrictions which may be imposed and/or required shall include, but are not limited to, conditions or restrictions based upon inclement weather conditions during construction, property size or use limitations, specific placement or location of sanitary facilities, limiting the total number of bedrooms or the maximum occupancy capacity of a dwelling or habitable building; and shall include the power to require or obtain deed restrictions or to file deed affidavits.

Section ~~1.160~~ 1.10 SEVERABILITY

The provisions of this Code are ~~hereby declared to be~~ severable and if any clause, sentence, word, section or provision is declared void or unenforceable for any reason by a court of competent jurisdiction, the remaining portions of said Code shall remain in full force and effect.

Section 1.11 REPEAL

The sanitary code of Benzie County (also called the Environmental Health Regulations for Benzie County Health Department) which was effective January 1, 1964 and all amendments thereto and the sanitary code of Leelanau County (also called the Environmental Health Regulations for Leelanau County Health Department) which was effective June 14, 1966 and all amendments thereto are hereby repealed.

CHAPTER ~~ARTICLE~~ II - DEFINITIONS

Section ~~1.200~~ 2.1 DEFINITIONS

When not inconsistent with the context, words used in the present tense include the future, words used in the singular number include the plural, and words in the plural include the singular number. The word "shall" is always mandatory and not merely directional. Words and terms not defined herein shall be interpreted in the manner of their common usage.

Section ~~1.210~~ 2.2 WORDS AND TERMS

The following words and terms used in the ~~this~~ Sanitary Code Regulating Sewage Disposal, Water Supplies, and Sanitation of Habitable Buildings in Benzie County, Michigan, unless otherwise expressly stated, shall have the following meaning:

Section 2.3 ABANDONED WATER SUPPLY

An "abandoned water supply" means a water supply whose use has been permanently discontinued, a water supply or portion thereof which is in such disrepair that its continued use for the purpose of obtaining water is impractical, a water supply which has been left uncompleted, a water

supply which is a threat to other sources of water, or a water supply which is or may be a health or safety hazard.

Section 2.4 APPROVED OR ACCEPTABLE

Suitable for the intended use in accordance with the intent and purpose of these regulations as determined by the Health Officer, based on examination and evaluation, and/or on evidence of compliance with acts, rules or specifications developed by the Health Department or other recognized agency.

Section ~~3.210~~ 2.5 AUXILIARY INTAKE

An "auxiliary intake" is any piping connection or other device whereby water may be secured from a source or location other than that normally used.

Section 2.6 BEDROOM

Any space in a dwelling unit or accessory structure which is used on a regular basis for sleeping or could reasonably be expected to be used for the placement of beds or other furniture used for sleeping and which conforms to the definition of bedroom as defined by the International Residential Code (IRC), as amended.

Section ~~1.220~~ 2.7 BOARD OF HEALTH

The term "Board of Health" shall mean the Board of Health of the Benzie-Leelanau District Health Department.

Section ~~3.220~~ 2.8 CROSS CONNECTION

A "cross connection" is any physical connection or plumbing arrangement whereby an approved water supply, whether public or private, and whether ~~either inside or outside by~~ of a building, is physically connected with any unapproved water supply.

Section ~~2.150~~ 2.9

DOSING TANK or PUMP CHAMBER

A "dosing tank" or "pump chamber" is a watertight tank or receptacle used for the purpose of ~~retaining the overflow or effluent from a septic tank, pending the automatic discharge of such~~ sewage or effluent to a selected point.

Section ~~4.230~~ 2.10

DWELLING

The term "dwelling" shall mean any building, structure, tent, shelter, trailer, or vehicle or portion thereof, which is occupied, will be occupied, or was previously ~~heretofore~~ occupied in whole or part as home, residence, living or sleeping, or other gathering place designed or used by one or more human beings either permanently or transiently, or occupied in whole or in part as a business wherein one or more human beings is engaged in commercial or industrial activities on either a permanent or temporary basis. As used in this Code and as described above, the term "dwelling" is not limited to residential use.

Section ~~4.110~~ 2.11

DWELLING "UNFIT FOR HUMAN HABITATION"

When it is dangerous ~~of~~ or detrimental to life or health because of ~~want~~ lack of repair, defects in the drainage, plumbing, lighting, ventilation, water supply, or their construction, infection with contagious disease or the existence on the premises of an unsanitary, unsafe or hazardous condition likely to cause sickness, illness, or to endanger the health of occupants of the dwelling, such dwelling shall be unfit for human habitation. Occupants of a dwelling also include patrons or visitors to a business, office or other non-residential use.

Section ~~2.180~~ 2.12

FLUSH TOILETS

A "flush toilet" shall mean a type of closet or plumbing device containing a portion of water which receives human excreta and is so designed as by a means of a flush of water to discharge the contents of the receptacle into a sewage system.

Section 2.13

GARBAGE GRINDER

A mechanical device generally located in a sink drain and so designed to macerate garbage prior to discharge into a sewer. Garbage grinder are also referred to as a garbage disposal unit.

Section ~~1.240~~ 2.14 HABITABLE BUILDING

The term "habitable building" shall mean any structure where persons reside, are employed or congregate.

Section ~~1.250~~ 2.15 HEALTH DEPARTMENT

The term "Health Department" shall mean the Benzie-Leelanau District Health Department.

Section 2.16 HEALTH HAZARD

The term "Health Hazard" shall mean a condition, or practice exists which could reasonably be expected to cause death, disease, or physical harm if not abated or eliminated

Section ~~1.260~~ 2.17 HEALTH OFFICER

~~The term "Health Officer" shall mean the director or the acting director or his their duly authorized representative of the Benzie-Leelanau District Health Department or their successors or a designee of the Health Officer.~~

"Health Officer" shall mean the person appointed by the Board of Health as Health Officer pursuant to Act 368, PA 1978 as amended (The Public Health code). Any action which the Health Officer may perform pursuant to this Code may be performed by an authorized representative of the Health Officer. Such authorization may be made by the Health Officer or Board of Health, in the absence or incapacity of the Health Officer.

Section 2.18 HOLDING TANK

A watertight tank of material approved by the Health Officer which is a closed system with no onsite disposal or discharge of sewage and is equipped with an audio/visual high level alarm.

Section 2.19 INSPECTION

"Inspection" means an official examination or observation including but

not limited to tests, surveys and monitoring to determine compliance with rules, orders, requirements and conditions.

Section ~~3.230~~ 2.20 INTERCONNECTION

An "interconnection" is any system of piping or other arrangement whereby a public or private water supply system is connected directly with a sewer, drain, conduit, swimming pool, storage reservoir, stock watering tank, or other similar device which contains or may contain sewage or other waste liquid capable of importing contamination to an approved water supply ~~any contamination~~.

Section 2.21 MICHIGAN CRITERIA FOR SUBSURFACE SEWAGE DISPOSAL

A Michigan Department of Environmental Quality publication adopted by the Michigan Water Resources Commission as a policy statement to provide minimum standards for the underground disposal of sanitary sewage from 1000 gallons per day up to no more than 9,999 gallons per day. The criteria apply to all semi-public or public subsurface sewage disposal systems.

Section ~~1.270~~ 2.22 MUNICIPALITY

The term "Municipality" shall mean any village, township or incorporated city, village, or township within the county of Benzie jurisdiction of the Health Department.

Section ~~2.190~~ 2.23 OTHER TOILET AND SEPTIC DEVICES

"Other toilet and septic devices" shall mean privies, septic toilet, chemical toilet or closet, holding tanks, or other similar devices used for the collection, storage, disposal of sewage or other wastes as defined in ~~the~~ this Code ~~and Regulations~~.

Section 2.24 OWNER AND OCCUPANT

"Owner" means the owner of title or record of any property, premise or business. "Occupant" means any person(s) occupying or in possession of any property or premises.

Section 2.25 PARCEL OF LAND

The term “parcel of land” means a single contiguous parcel of real property as identified by the county assessor’s parcel number, which is used to identify real property and its boundaries for legal purposes.

Section 1.280-2.26 PERSON

The term "person" shall mean any individual, firm, partnership, cooperative, party, or private or public corporation, personal representative, company, society, association, receiver, trustee, assignee, or other governmental, public or private legal entity, as well as the agent or entity acting on behalf of any person.

Section 1.290-2.27 PREMISES

"Premises" shall mean any tract of land, or portion thereof, or combination of tracts of land under single or common ownership, operation or control, on which is located a dwelling, structure, water well or septic tank, drains, drain field, underground tank or pipes or similar appurtenances containing sewage or other contaminants or combination thereof.

Section 2.28 PRIVIES

“Privies” shall mean outdoor toilets utilizing a septic tank or “vault” for the collection and storage of sewage.

Section 2.29 PUBLIC HEALTH NUISANCE

The term “public health nuisance” shall mean a condition on private or public property, which threatens, or could reasonably be expected to threaten, the health or safety of the public. A threat to the health and safety of the public shall include any condition or activity which is reasonably likely to cause death, disease, illness, physical harm, or is likely to cause an unsanitary condition, which may cause disease, illness or death.

Section 2.30 PUBLIC WATER SUPPLY

“Public water supply” means a water supply which provides water for drinking or household purposes to persons other than the supplier of

water, except those water supplies which supply water to only one (1) single-family living unit.

Section 2.31 PUMP AND HAUL

"Pump and Haul" means the on-site storage, hauling, and final disposal at an off-site receiving facility and is considered as a method of "last resort" (Water Resources Commission Policy Statement for Pump and Haul Facilities (12/15/83)).

Section 2.32 PUMP INSTALLER

"Pump installer" means a person who is qualified and legally authorized to engage in the installation, removal, alteration, or repair of water well pumping equipment in connection with a water well.

Section 2.33 SEASONAL HIGH-WATER TABLE

The highest elevation reached by the water table during the wet season of a normal year as determined by an evaluation of the Health Officer using physical measurements, physical examination of the soils, historical records, or other verifiable evidence and information.

Section 2.140-2.34 SEPTIC TANK

A "septic tank" shall mean a watertight tank or receptacle of sufficient size and constructed of concrete or other approved non-corrodible material and used for the purpose of receiving sewage and to provide for the separation of substantial portions of the suspended solids in such sewage and for the partial treatment by bacterial action on the solids so separated.

Section 2.100-2.35 SEWAGE

"Sewage" shall mean the liquid and waste, or combination thereof, from all habitable buildings, dwellings, and commercial or industrial establishments, and shall include human excreta and waste or other hazardous, toxic, or chemical waste pollutants or contaminants from sinks, lavatories, bathtubs, showers, laundries, drains or other conduits or method of collecting, carrying, storage, enclosing, decomposing, and disposing of waste of an organic or inorganic

nature, singularly or in any combination thereof.

~~Section 2.110~~ 2.36

SEWAGE DISPOSAL FACILITIES

"Sewage Disposal Facilities" shall mean a sanitary privy, flush toilet, septic tank, drain, sub-surface disposal absorption system, holding tank, or other similar toilet device or method used in the collection, storage, enclosure, decomposing and/or disposal of sewage, human excreta or other waste including but not limited to hazardous, toxic, or chemical wastes or other pollutants or contaminants, singularly or in combination with sewage or human excreta.

"Sewage Disposal Facilities" shall include all similar contrivances used in the collection, storage, enclosing, decomposing and disposal of sewage or such other waste whether specifically enumerated herein or not; however, the term shall not include a solid waste disposal facility or hazardous waste disposal facility that has been approved pursuant to Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended 1970 P.A. 127; MCLA 691.1201-7; MSA 14.528(201)-(207). and its successor statutes 1978 P.A. 641; MCLA 299.501-.551; MSA 13.30(1)-(51); or 1979 P.A. 64; MCLA 299.401-.437; MSA 12.29(1)-(37)..

~~Section 2.130~~ 2.37

SEWAGE SYSTEM

A "sewage system" ~~is composed of~~ means the sewage collection system and the sewage disposal facilities.

~~Section 2.120~~ 2.38

SEWER

A "sewer" is a watertight conduit for carrying sewage.

~~Section 2.170~~ 2.39

SUB-SURFACE DISPOSAL FIELD

A "sub-surface disposal field" shall mean a system for distributing septic tank effluent beneath the ground surface by means of a line or a series of branch lines of drain tile or other methods of distribution as approved by the Health Officer so as to allow the effluent to be absorbed by the surrounding soil.

Section 2.40

SUBSTANTIAL CONFORMANCE

The term "substantial conformance" shall mean that there shall not be

more than a minimal likelihood of degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water supply systems. In making this determination, the criteria in Section 6.3 shall be applied

Section 2.41 SUITABLE SOIL

“Suitable soil” shall mean naturally occurring soils with suitable soil textures listed in Section 3.8.5(i) including non-muck topsoil.

Section 2.42 SURFACE WATER

“Surface water” shall mean any of the following: The Great Lakes and their connecting waterways, inland lakes, rivers, streams and ponds. Ponds provided with an impermeable liner are exempt from this definition.

Section 2.43 TRANSFER

“Transfer” shall mean a conveyance of a legal or equitable title or interest to a premises to a person, who at the time of the conveyance did not have an ownership interest in the premises. The conveyance may be by any legal means including, but not limited to a deed, land contract or inheritance (testate or intestate). In addition, a transfer includes a change in more than 50% of the ownership interest of a legal entity when that legal entity owns a premises. The amount of consideration, if any, is not relevant. A transfer includes, but is not limited to, a traditional sale of a premises.

Section 2.44 WATER SUPPLY

A “water supply” is an integrated system of pipes, controls, reservoirs, and mechanical devices used for the purpose of extracting and providing potable water for domestic or commercial use.

Section 2.45 WELL

“Well” means a man-made opening in the surface of the earth used for the purpose of removing ground water. Wells, regulated by this Code, include:

- a. A water supply well used to obtain water for drinking or domestic purposes.
- b. An irrigation well used to provide water for plants, livestock, or other agricultural processes.
- c. A test well used to obtain information on ground water quantity, quality, or aquifer characteristics, for the purpose of designing or operating a water supply well.
- d. A heat exchange well used for the purpose of utilizing the geothermal properties of earth formation for heating or air conditioning.
- e. An industrial well used to supply water for industrial processes, fire protection, or similar non-potable uses.

CHAPTER IIII – SEWAGE DISPOSAL

ARTICLE I – DEFINITIONS

Section 2.100 — SEWAGE-(Moved to Definitions)

~~"Sewage" shall mean the liquid and waste, or combination thereof, from all habitable buildings, dwellings, and commercial or industrial establishments, and shall include human excreta and waste or other hazardous, toxic, or chemical waste pollutants or contaminants from sinks, lavatories, bathtubs, showers, laundries, drains or other conduits or method of collecting, carrying, storage, enclosing, decomposing, and disposing of waste of an organic or inorganic nature, singularly or in any combination thereof.~~

Section 2.110 — SEWAGE DISPOSAL FACILITIES-(Moved to Definitions)

~~"Sewage Disposal Facilities" shall mean a sanitary privy, flush toilet, septic tank, drain, sub-surface disposal absorption system, or other similar toilet device or method used in the collection, storage, enclosure, decomposing and/or disposal of sewage, human excreta or other waste including but not limited to hazardous, toxic, or chemical wastes or other pollutants or contaminants, singularly or in combination with sewage or human excreta. "Sewage Disposal Facilities" shall include all similar contrivances used in the collection, storage, enclosing, decomposing and disposal of sewage or such other waste whether specifically enumerated herein or not; however, the term shall not include a solid waste disposal facility or hazardous waste disposal facility that has been approved pursuant to 1978 P.A. 641; MCLA 299.501-551; MSA 13.30(1)-(51); or 1979 P.A. 64; MCLA 299.401-437; MSA 12.29(1)-(37).~~

Section 2.120 — SEWER—(Moved to Definitions)

A "sewer" is a conduit for carrying sewage.

Section 2.130 — SEWAGE SYSTEM—(Moved to Definitions)

A "sewage system" is composed of the sewage collection system and the sewage disposal facilities.

Section 2.140 — SEPTIC TANK—(Moved to Definitions)

A "septic tank" shall mean a watertight tank or receptacle of sufficient size and constructed of concrete or other approved non-corrodible material and used for the purpose of receiving sewage and to provide for the separation of substantial portions of the suspended solids in such sewage and for the partial treatment by bacterial action on the solids so separated.

Section 2.150 — DOSING TANK—(Moved to Definitions)

A "dosing tank" is a watertight tank or receptacle used for the purpose of retaining the overflow or effluent from a septic tank, pending the automatic discharge of such effluent to a selected point.

Section 2.160 — AUTOMATIC SIPHON

An "automatic siphon" is a mechanical device which will automatically cause a liquid entering a receptacle to be retained until a predetermined water level has been attained after which such liquid is automatically released from the receptacle until a second predetermined level has been reached, at which time the flow from such receptacle ceases until the liquid level has again been attained.

Section 2.170 — SUB-SURFACE DISPOSAL FIELD—(Moved to Definitions)

A "sub-surface disposal field" shall mean a system for distributing septic tank effluent beneath the ground surface by means of a line or a series of branch lines of drain tile or other methods of distribution as approved by the Health Officer so as to allow the effluent to be absorbed by the surrounding soil.

Section 2.180 — FLUSH TOILETS (Moved to Definitions)

A "flush toilet" shall mean a type of closet or plumbing device containing a portion of water which receives human excreta and is so designed as by a means of a flush of water to discharge the contents of the receptacle into a sewage system.

Section 2.190 — OTHER TOILET AND SEPTIC DEVICES (Moved to Definitions)

"Other toilet and septic devices" shall mean privies, septic toilet, chemical toilet or closet, holding tanks, or other similar devices used for the collection, storage, disposal of sewage or other wastes as defined in the Code and Regulations.

ARTICLE II — SEWAGE DISPOSAL ON ALL PREMISES

Section 2.200 3.1 **SEWAGE DISPOSAL ON ALL PREMISES**

It shall be unlawful for any reason to occupy, or permit to be occupied, any premises which ~~are~~ is not equipped with adequate facilities for the disposal in a sanitary manner as prescribed.

Section 2.210 3.2 **CONSTRUCTION AND MAINTENANCE OF PRIVIES AND SIMILAR TOILET DEVICES**

~~All privies and other toilet devices shall be constructed and maintained in accordance with state law and regulations.~~

All privies and other similar toilet devices shall be constructed and maintain in accordance with Act 368 of the Public Acts of 1978, as amended (Section 12771). In addition, the privy must be of a vault construction which provides a durable watertight barrier between the sewage and the soil and groundwater.

ARTICLE III — PUBLICLY OPERATED SEWERAGE SYSTEMS

Section 2.300 3.3 **SEWAGE FLOWING IN A PUBLIC DITCH**

Whenever the Health Officer shall determine that sewage is flowing or is being discharged from the outlet of any private drain into any public drainage system so as to create a public health hazard, ~~he~~ the Health Officer shall notify in writing

the person or persons owning, leasing or residing on such premises from which such sewage originates to connect such sewage flow to a sewage system which meets these minimum standards. If at the end of 30 days after such written notice has been served on the owner, lessee, or resident, the sewage system has not been brought into compliance with these minimum standards, the Health Officer with the approval of the ~~Benzie County~~ Drain Commissioner of the County where the violation exists shall cause the outlet of such a drain carrying sewage to be plugged until such time as the sources of the sewage have been eliminated, or the sewage system meets these minimum standards.

ARTICLE III — PUBLICLY OPERATED SEWERAGE SYSTEMS

Section ~~2.310~~ 3.4 PRIVIES WHERE MUNICIPAL SEWERAGE SYSTEM IS PROVIDED

~~No privy shall hereafter be constructed on or moved to any premises where the service of a publicly operated sewerage system is available. All privies on premises connected to a publicly operated sewerage system shall be removed from over the vault when said connection is made. The privy vault shall then be~~ **filled with soil and** covered with at least twelve inches of compacted earth, and the building rendered unusable as a toilet facility. All other sewage disposal facilities replaced by connection to a publicly operated sewerage system shall be abandoned in such a manner as to prevent any **public health** nuisance ~~or menace to the public health.~~

Section ~~2.320~~ 3.5 OTHER SEWAGE DISPOSAL FACILITIES WHERE A MUNICIPAL SEWERAGE SYSTEM IS PROVIDED

All flush toilets, lavatories, sinks, bathtubs, showers, and laundry drains hereafter constructed on a premise where the service of a publicly operated sewerage system is available shall be connected with said publicly operated system. When any existing sewage disposal facility serving any premises where a publicly operated sewerage system is available and required by law, or ~~1978 P.A. 368; MCLA 333.12752-8~~ **Act 368 of the Public Acts of 1978, MCL 333.12751-333.12758**; ~~MSA 14.15(12752-8)~~, is found to be in violation of any provision or standard of these ~~Regulations~~ **regulations**, or of any other applicable health or contamination laws, ordinances or regulations, the owner or occupier of the premises shall connect to said publicly operated sewerage system within sixty (60) days after receipt of written notice of such violation from the Health Officer. In the event that such correction is not made within the sixty (60) day period, then the Health Officer or Health Department, or their duly authorized representative,

is hereby authorized to seek court enforcement for injunctive relief, fines, civil penalties or damages as authorized by this ~~Sanitary Code~~ or as otherwise authorized by law ~~other health or contamination laws, ordinances or regulations.~~

When an owner of the premises receives such written notice provided in this section, the owner shall furnish written notice of such fact to any prospective purchaser of the premises after receipt of written notice from the Health Officer up until the date that the corrections are completed and certified by a Health Officer.

ARTICLE IV—DISPOSAL OF WATER CARRIED SEWAGE ON PREMISES WHERE A PUBLICLY OPERATED SEWERAGE SYSTEM IS NOT AVAILABLE

Section ~~2.400~~ 3.6 DISPOSAL OF WATER CARRIED SEWAGE ON PREMISES WHERE A PUBLICLY OPERATED SEWERAGE SYSTEM IS NOT AVAILABLE –GENERAL REQUIREMENTS

All flush toilets, lavatories, bathtubs, showers, laundry drains, sinks, and any other similar fixtures or devices to be used to conduct or receive water carried sewage shall be connected to a septic tank or some other device in compliance with these minimum standards and other local, state, and federal ~~the Michigan Department of Public Health~~ regulations and finally disposed of in a manner in compliance with these minimum standards and other local, state, and federal ~~the Michigan Department of Public Health~~ regulations and any other applicable law, ordinance, or regulations.

Provided that any All ~~such facilities existing at the time these standards are adopted,~~ which in the opinion of the Health Officer may become a public health nuisance, ~~or menace to the public health~~ shall be connected to a septic tank or other approved device and finally disposed of in a manner in compliance with these standards and other local, state, and federal ~~the Michigan Department of Public Health~~ requirements. Footing drains, floor drains, discharge water from water softeners, backwash from swimming pool or spa filters, storm drain water, roof water, and any other similar waste not defined as sewage shall not be connected into the sewage disposal system.

Section ~~2.410~~ 3.7 SEWAGE DISCHARGE

Under no condition may sewage, the overflow of a septic system, or any other waste be permitted to discharge to any land, surface water, or ground water or

thing other than to an approved sewage disposal facility or municipal sewerage system in accordance with law or the regulations set forth in this Code.

Section 3.8 CONSTRUCTION REQUIREMENTS

Section 2.411 TYPE AND LOCATION

No unexposed sewers or pipe used to conduct untreated sewage from a dwelling or habitable building shall be located closer than 10 feet from the nearest unprotected water suction line, well casing, spring structure or other potable water source. When such unexposed pipe or sewer is closer than 50 feet from any unprotected water suction line, well casing, spring structure, or other potable water source, such sewer line shall be constructed of extra heavy cast iron pipe with leaded and caulked joints, tested for water tightness or cast iron pipe with watertight joints, or other pipe of equal quality approved by the health officer. Where any such pipe or sewer is located inside or beneath a habitable building or dwelling or within five feet outside the inner face of such building foundation wall such sewer pipe shall be constructed of such material as described above.

3.8.1 SEWERS

a. Materials

All sewer lines located within fifty (50) feet of any spring, well, or water suction line shall be constructed of cast-iron soil pipe with sealed joints, schedule-40 plastic or similarly approved materials. Any buried sewer line shall be located at least ten (10) feet from any well, spring, or well water service pipe, and five (5) feet from any municipal water service pipe. The required separation distance to a water service pipe does not apply where the water service pipe is sleeved to a point not less than the required separation distance horizontally from the closest point of the sewer pipe. The effluent line between the initial septic tank and the other components of the sewage disposal facilities must be constructed of schedule-40 PVC, SDR 35 or similar approved materials. All sewer lines and sleeves used in construction and operation of an individual sewage disposal system shall meet the requirements of the Michigan Plumbing Code or a nationally recognized uniform plumbing code. Isolation distances between sewers and public and non-community water supplies may be more restrictive based on state and/or federal regulations.

Section 2.412 — SIZE

~~Such pipes or sewers shall have a minimum diameter of 3 inches or larger.~~

b. Size

Such pipes or sewers shall have a minimum diameter of 3 inches or larger.

a.c. Grade

Sewers shall be laid at such a grade as to maintain a sewage flow velocity of not less than two feet per second when flowing full. Sewers three (3) to six (6) inches in diameter shall have a grade of not less than twelve (12) inches per 100 feet or one (1) inch per eight (8) feet of sewer pipe.

d. Cleanouts

Bends in a sewer line located between the building and the septic tank cannot exceed 45 degrees without the installation of a cleanout. A cleanout is required to be provided at each 100 feet of sewer line between the building and the septic tank. All exterior cleanouts shall be properly sized and installed and shall be exposed at final grade level.

Section 2.430 — SEPTIC TANKS

3.8.2 SEPTIC TANKS

Section 2.431 — LOCATION

a. Location

Septic tanks shall be located at least:

1. 50 feet from any potable water supply, well, spring, or unprotected suction line (75 feet from Type IIb and III wells, 200 feet from Type I and IIa wells, as defined the Safe Drinking Water Act, Act 399 of PA 1976 and related administrative rules, such as, but not limited to R325.10502).
2. A minimum isolation distance of 50 feet shall be maintained from any lake, pond, creek, surface water or other surface water flooding or its highest flood plain elevation.
3. No septic tank shall be located closer than 5 feet to any footing or foundation wall.
4. No septic tank shall be located closer than 10 feet to any lot line.

5. No septic tank shall be located closer than 10 feet from a wastewater easement boundary. For the purposes of this Code, this requirement does not apply to road, utility, and other similar easements.

5.6. No septic tank shall be placed where it is inaccessible for cleaning or inspection, nor shall any structure be placed over any septic tank rendering it inaccessible for cleaning or inspection.

b. Access Holes/Manholes

Every septic tank shall be provided with a minimum of two (2) openings with one of them located over the outlet to permit inspection and cleaning. A service access hole (18 inch minimum diameter) shall be provided. For all septic tanks where the top of the tank is greater than eighteen inches (18") below finished grade, they shall have a septic tank riser installed on each compartment opening of the tank and terminated no deeper than six (6) inches below finished grade. Septic tank risers shall be installed to provide access for routine maintenance, minimize odors and to prevent unauthorized and unsupervised entry.

c. Inlets and Outlets

The bottom of the inlet line into the septic tank shall be at least two (2) inches above the operating water level of the tank. The outlet shall be constructed to permit withdrawal of liquid from the middle third of the depth of the liquid in the tank. To prevent the escape of floating or settled solids, the tank must have a minimum scum clearance of eight (8) inches. The inlet must be so designed to permit gas above the liquid level to pass through the inlet line and out the vent pipe servicing the sewer line leading to the tank. A septic tank's outlet, including the outlet from one tank compartment to the next compartment, shall consist of a sanitary "T" or baffle designed to draw from the middle third depth of the septic tank. All pipe connections to a septic tank shall be watertight and sturdy.

Section 2.432 — MATERIALS AND CONSTRUCTION

~~Septic tanks shall be of watertight construction and of material not subject to decay or corrosion. Concrete block or bricks at least eight inches in thickness may be used in septic tank construction. Cinder blocks shall not be approved for septic construction. Septic tanks shall be provided with one or more suitable openings with watertight cover to permit cleaning and inspection. All septic tanks with a lid(s) depth of greater than 24 inches to finished grade shall have a~~

watertight riser located above that lid(s) that terminates within six inches of finished grade. The outlet from such tank shall be equipped with a sanitary tee to prevent the escape of floating or settled solids. The inlet shall be designed to permit gasses collected above the liquid level to pass through the inlet and out the vent pipe serving the sewers leading into the septic tank. The center of the inlet shall be held a minimum of two inches above the center of the outlet.

Section 2.433 — CAPACITY

d. Construction Material

A septic tank shall be constructed of sound and durable materials, which are not subject to excessive corrosion or decay, and which are structurally capable of supporting the stress to which they will be subjected.

A septic tank shall be water-tight, and the materials used to construct the tank shall prevent water from surrounding soils from flowing into the septic tank. Acceptable materials include reinforced concrete, polyethylene, fiberglass, or similar materials approved by the Health Officer.

For any septic tank, pump chamber or other tank which has a burial depth of greater than thirty-six (36) inches to the top of the tank below finished grade, information must be provided by the tank manufacturer that certifies the tank's structural integrity allows for greater burial depths.

e. Capacity

The following minimum capacity septic tanks shall be required except in the opinion of the Health Officer where increased capacities may be required. ~~Multiple septic tanks or multiple compartment septic tanks shall be required.~~ Dwellings with two (2) or more bedrooms and a garbage disposal unit must use multiple compartmented tanks. In compartmental tanks, the first compartment must equal 2/3 of the total capacity of the tank. When a multiple compartmented septic tank is installed the first compartment shall have not less than one-half, nor more than two-thirds the total capacity.

1. One or Two-bedroom dwelling - 1000 gallons
(with garbage grinder – 1200 gallons)
2. Three-bedroom dwelling - 1200 gallons
(with garbage grinder - 1600 gallons)

3. Four-bedroom dwelling - 1600 gallons
(with garbage grinder - 2000 gallons)
4. Five bedrooms or greater will require special computation by the Health Officer to determine the size of tank to be installed.
5. Septic tanks for a A commercial establishment, industry, public, or semi-public establishment shall be sized in accordance with the 1994 Michigan Criteria for Subsurface Sewage Disposal, or its successor requirements. will also require special computation by the health officer to determine the size of the tank to be installed.

Section 2.440 — DOSING TANK

The health officer may require that dosing tanks be provided with automatic siphons or pumps of a type approved by the Michigan Department of Public Health be used on installations where the daily flow rate is 2000 gallons per day or more.

f. Septic Tank Manufacturers Responsibility

It shall be the responsibility of any septic tank manufacturer delivering septic tanks within the Benzie Leelanau District Health Department, upon request of the Health Officer, to make available the place, name, address, size, type and date septic tanks were delivered within the district.

3.8.3 DOSING TANK/PUMP CHAMBER

The dosing tank or pump chamber shall have a reserve volume that provides for temporary loss of power or other pump failure, shall have a high-level warning device and shall be provided with a tank riser with a watertight connection to the top of the tank and which extends to the ground surface and has a cover or lid which provides access for routine maintenance, minimize odors and to prevent unauthorized and unsupervised entry.

3.8.4 EFFLUENT PUMPS

- a. Effluent pump shafts and the pump's fasteners shall be constructed of corrosion proof material such as stainless steel or PVC.
- b. The pump shall be UL approved.
- c. The effluent pump's discharge line shall have an acceptable union that allows for the easy removal of the pump from the dosing

- chamber.
- d. All effluent pump connections shall be water-tight.
- e. The effluent pump shall be installed in accordance with manufacturer specifications.
- f. All effluent pump electrical connections shall meet applicable electrical codes.
- g. The pump shall have an audio-visual alarm for a high-water warning device.

Section 2.450 — SUB-SURFACE DISPOSAL SYSTEM
 3.8.5 SUB SURFACE DISPOSAL SYSTEM

A sub surface disposal system for a commercial establishment, industry, public, or semi-public establishment treating 1,000 gallons per day or greater shall be sized in accordance with the 1994 Michigan Criteria for Subsurface Sewage Disposal, or its successor requirements.

a. Location

- ~~Location same as for septic tanks (Sec. 2.431)~~
 1. 50 feet from any potable water supply, well, spring, or unprotected suction line (75 feet from Type IIb and III wells, 200 feet from Type I and IIa wells).
 2. A minimum isolation distance of 50 feet shall be maintained from any surface water, or other surface water flooding or its highest flood plain elevation.
 3. No system shall be located closer than 10 feet to any footing or foundation wall.
 4. No system shall be located closer than 25 feet from a footing drain without direct connection to surface water.
 5. No system shall be located closer than 50 feet from any drain with a direct connection to surface water.
 6. No system shall be located closer than 5 feet to any slab on grade.
 7. The bottom of the disposal system shall not be over 42 inches below the finished grade and not less than 48 inches above the maximum seasonal high-water table.
 8. No system shall be located closer than 10 feet from the top edge of steep slopes (> 25% slope).
 9. No system shall be located closer than 10 feet from a wastewater easement boundary. For the purposes of this Code, this requirement does not apply to road, utility, and other similar easements.

b. Size

Sub-surface disposal system lines shall have a diameter of not less than four inches, or in the case of pressure distribution, 1-1/2 inches.

Section 2.452 — QUALITY

c. Quality

Sub-surface disposal system lines shall be constructed from perforated plastic tile or other equivalent material as approved by the Michigan Department of Public Health and/or the Health Officer.

Section 2.453 — DEPTH, SLOPE, AND LENGTH OF LINES

d. Depth, Slope, and Length of Lines

1. The top of the sub-surface distribution lines shall not be less than 12 inches nor more than 30 inches below the finished grade.
2. Slopes of the distribution lines shall be not more than 1-1/4 inch per 50 feet.
3. Length of any one lateral line shall not exceed 75 feet for non-pressurized distribution lines.

Section 2.454 — HEADERS

e. Headers

The watertight header shall be constructed from solid plastic tile or such other material as approved by the Michigan Department of Public Health and/or the Health Officer. Headers shall be designed and set true and level so as to afford an even distribution of all septic tank effluent throughout the sub-surface disposal area.

All non-pressurized sub-surface disposal systems with laterals or similar design shall have a footer connecting the lateral ends together.

Section 2.455 — FILTER MATERIAL

f. Filter Material

Sub-surface disposal system lines for distributing septic tank effluent for direct soil absorption shall be laid over at least six inches of clean and/or washed stone from one-half to one and one-half inches in size. A total minimum depth of 12 inches filter material is required. The Health Officer

may approve the use of other types of aggregate in place of stone.

Straw, untreated building paper or other approved materials shall be placed between the stone and the final cover of soil to keep backfill material out of the stone, yet allow the evaporation of moisture.

g. Trench Construction

Trenches shall not be less than 24 inches nor greater than 48 inches wide at the bottom. The use of trenches as a means of sewage disposal shall be at the discretion of the Health Officer.

h. Other Sewage Disposal Systems

In addition to the conventional bed and trench system, the Health Officer may approve other sewage disposal systems. If not otherwise specified by the Health Officer, these systems shall be installed according to manufacturer's guidelines. The Health Officer may require additional construction specification and maintenance beyond the manufacturer's guidelines that are reasonably necessary to meet or maintain compliance with this Code. The Health Officer may also require additional inspections based on the technology or the difficulty of the development site. The Health Department may charge a fee for the additional inspections.

Variations in general sewage disposal system requirements may be permitted by the Health Officer based on written policies and procedures established by the Health Department. These policies and procedures shall state specific site conditions and design criteria which must be met.

Section 2.457 — SUB-SURFACE DISPOSAL SYSTEM

i. Sub-surface Disposal System

The minimum sub-surface disposal system area is depended upon average daily volume of septic tank effluent and the type of natural soils, as defined by the United States Department of Agriculture, Natural Resources Conservation Service, Soil Taxonomy, Soil Classification System, present in the proposed disposal area. The following minimum sizing shall be used except where in the opinion of the Health Officer a variation in sizing is necessary:

<u>Soil</u>	<u>Minimum disposal area per single family residence</u>
-------------	--

	<u>2bdm/less</u>	<u>3bdm/less</u>	<u>4bdm/less</u>
Coarse sand or gravel	450 sq ft	600 sq ft	750 sq ft
Medium sand	600 sq ft	750 sq ft	900 sq ft
Fine sand and Loamy sand	750 sq ft	900 sq ft	1050 sq ft
Sandy Loam	900 sq ft	1050 sq ft	1200 sq ft
Loam and Sandy Clay Loam	1050 sq ft	1200 sq ft	1350 sq ft
Clay, Clay Loam and Silt Loam	<u>not suitable</u>	<u>not suitable</u>	<u>not suitable</u>

Section ~~2.459~~ 3.9

ALTERNATIVE TREATMENT SYSTEMS

This section applies to residential building sites requiring on-site sewage treatment and disposal for compliance under this Code. The provisions of this section shall apply if a site does not meet the minimum requirements of Section 3.8.5 and Section 3.10. This section does not apply to semi-public or public sites regulated by the Michigan Criteria for Subsurface Sewage Disposal, or this Code. This section does not apply to subdivision, site condominiums or condominiums regulated under Act 288 of 1967, as amended, effective January 1, 1968. This section does not apply to land divisions of less than 1 acre in size, regulated under the Land Division Act (Act 288, as amended), effective date of March 31, 1997.

A. Technological advances in on-site waste treatment and disposal have made it possible to have treatment systems that are alternatives to the septic systems described in ~~Sections 2.450 through 2.458~~ Sections 3.8.5 and Section 3.10 and that are consistent with protection of public health and environmental resources. These alternative systems are particularly advantageous when any of the following conditions prevail:

1. Drainfield construction criteria described in ~~Sections 2.450 through 2.458~~ Sections 3.8.5 and Section 3.10 cannot be achieved, or
2. Holding tank substitutes are sought, or
3. Owner(s) believe the public health and/or environment will benefit.

~~The Health Department will supply, upon request, a list of suppliers of some~~

alternative systems that can potentially achieve the performance-based standards required for alternative systems.

B. The property owner shall retain the services of persons demonstrating competence in alternative treatment system (ATS) design such as a State of Michigan licensed professional engineer or other qualified individual (i.e. registered sanitarian, professional surveyor) as approved by the Health Officer to design the ATS. It is the responsibility of the owner to establish that a particular alternative treatment system meets the requirements for approval. The Health Officer shall permit the use of alternative on-site waste treatment and disposal systems that are certified by National Sanitation Foundation Standards: Residential Wastewater Treatment Systems (NSF/ANSI 40) and Residential Wastewater Treatment Systems – Nitrogen Reduction (NSF/ANSI 245) or their successor standards. For those Alternative Treatments Systems that do not meet NSF/ANSI Standards 40 and 245, the following criteria shall when it is established by competent, material and substantial evidence that the following performance standards can be achieved:

1. The treatment facility is capable of producing an effluent with:
 - a) Biological Oxygen Demand (BOD) less than or equal to 30 mg/L
 - b) Total Suspended Solids (TSS) less than or equal to 30 mg/L
 - c) Total inorganic Nitrogen (TIN) less than or equal to 2530 mg/L
 - d) For discharges within 500200 feet of surface water-a water body, total phosphorous less than or equal to 24 mg/L
2. No less than 12 inches of suitable soils shall exist below the natural ground surface in the disposal field area to be approved for an alternative treatment and disposal system.
 - a) The 12 inches of suitable soil shall include 6 inches minimum of soils free of mottling or actual water below the topsoil to demonstrate the absence of seasonal high groundwater in the topsoil
3. The infiltrative Surface of the dispersal media (i.e. bottom of stone) shall be elevated no less than 24 inches above seasonal high water table or restrictive soil layer.
4. The effluent discharge from the treatment system shall be constructed in such a manner that surface flooding will not occur.

5. ~~A minimum of 24 inches of suitable soil below the discharge piping for pathogen removal. The Health Officer may modify this requirement if there is no less than 12 inches of suitable soil below the discharge piping and other means of disinfection result in pathogen removal equal to or better than achieved by 24 inches of suitable soil below the discharge piping.~~

C. The owner shall obtain a maintenance agreement, for the life of the system, with a State of Michigan licensed professional engineer or other qualified individual approved by the Health Department, to properly monitor and maintain the system as prescribed by the system's designer. Prior to permit issuance, a copy of this maintenance agreement must be submitted to the Health Department.

D. The property owner shall ensure that a professional engineer or other qualified individual approved by the Health Department certifies the construction of the ATS as approved by the Health Department and provides such certification to the Health Department prior to the system start up.

G.E. After an alternative on-site waste system is approved by the Health Officer, the owner of the system shall comply with all of the following:

- 1. The owner shall at his or her sole expense comply with a specific maintenance, monitoring and inspection program specified by the Health Officer to ensure the optimum operation of the alternative treatment system.**
- 2. It is the responsibility of the owner to submit the required monitoring report and sample results to the Health Department. Alternative Treatment Systems that are certified by NSF/ANSI 40 and NSF/ANSI 245 are not required to submit annual sample results for BOD, TSS, and TIN.**
- 3. The owner shall pay an annual fee as established by the Board of Health for Benzie Leelanau District Health Department. The fee will be for the tracking of system maintenance and monitoring compliance. The fee must be paid by February 1st of each year that the system is in use. Penalty fees will be assessed for late payment.**
- 4. If the system substantially fails to meet the performance standards of subsection B ~~Section 3.9(B)(1)~~ above, the owner shall, at his or her sole expense and within the time frame (based on the degree of harm or potential harm to the environment or to public health) required by the Health Officer, corrections shall be made to the system so that the performance standards are substantially met. Failure to correct the system as required shall be deemed a violation of the ~~Environmental~~**

Health Regulations this Code and shall subject the owner to the enforcement provisions within Chapters IV and V VII and VIII of these regulations the Code.

A. ~~A technical advisory panel appointed by the Benzie-Leelanau District Board of Health shall regularly review these performance-based regulations. The advisory panel may recommend changes to these performance-based regulations for future installations based on experience with past installations and on the availability of practical treatment technology at that time. Any such recommendations, however, shall not be effective without formal amendment of these Environmental Health Regulations.~~

Section 2.458 3.10 PERMIT DENIAL

A permit to install an on-site sewage disposal system may be denied for any of the following reasons:

- a. Where an unsuitable soil (see Section 3.8.5(i)) or impervious layer of hard pan soil or bedrock is encountered at less than four feet 48 inches from the natural ground surface. (See exception in 3.10(f) 2.458 [G.])
- b. Where the known high ground water table is encountered within four feet 48 inches of the natural ground surface. (See exception in 3.10(f) 2.458 [G.])
- c. ~~In heavy soils where the drop in water level is over 45 min. per inch by standard percolation test.~~
- d.c. Where silts, mucks, or unstable soils are encountered.
- e.d. Where lot size does not provide adequate area to maintain requirements as set forth in Sec. 2.40 through 2.457 Section 3.6 through Section 3.9.
- f.e. Where it has been determined that one or more of the following exists:
 - 1. The proposed sewage disposal system is likely to adversely affect the public health, or the environment where the adverse ~~affect~~ effect on the environment endangers the public health.
 - 2. The proposed sewage disposal system is likely to pollute, impair, or destroy air, water, or other natural resources or the public trust therein contrary to Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended and its successor statutes.
 - 3. The proposed sewage disposal system will violate any other health or contamination law, regulation or ordinance.
 - 4. A publicly operated sewerage system is available as defined in Act 368, P.A. of 1978, as amended, MCL 333.12751-8 1978 P.A. 368; MCLA 333.12752-8; MSA 14.15(12752-8).

5. The proposed site of the sewage disposal system is subject to recurring flooding and/or is located within the fifty (50) year flood plain, or is located within a wetland or falls within a high risk erosion zone as defined by Michigan Natural Resources and Environmental Protection Act, Act 451 of 1994, as amended and its successor statutes. 1979 PA 203; MCLA 281.701-.722; MSA 18.595(51)-(72), or falls within (high risk erosion zone) as defined in 1970 PA 245; MCLA 281.631-.635; MSA 13.1831-.1845 except that in any of the circumstances in this sub-paragraph (e) a system may be approved for a holding tank or where the discharge is stored and piped to a disposal system in a suitable area that meets the requirements of this Code.

g.f. Where an existing dwelling has a minimum of 24 inches of suitable soil below the natural ground surface an impervious soil and/or a seasonal high-water table of greater than or equal to two feet 24 inches and the seasonal high water table is less than four feet 48 inches from the natural surface, clean fill soils may be added to the existing soils to meet the four foot 48 inch minimum isolation distance. For the purposes of this subsection, an An existing dwelling is defined as a dwelling which was constructed on or before June 1, 2007, without the requirement that holding tanks or an Alternative Treatment System be installed at the time of construction and currently has an existing on-site septic system.

Section 2.459 — ~~ALTERNATIVE TREATMENT SYSTEMS~~ (Moved to Section 3.9)

D. ~~Technological advances in on-site waste treatment and disposal have made it possible to have treatment systems that are alternatives to the septic systems described in Sections 2.450 through 2.458 and that are consistent with protection of public health and environmental resources. These alternative systems are particularly advantageous when any of the following conditions prevail:~~

- a. ~~Drainfield construction criteria described in Sections 2.450 through 2.458 cannot be achieved, or~~
- b. ~~Holding tank substitutes are sought, or~~
- c. ~~Owner(s) believe the public health and/or environment will benefit.~~

~~The Health Department will supply, upon request, a list of suppliers of some alternative systems that can potentially achieve the performance-based standards required for alternative systems.~~

B. ~~It is the responsibility of the owner to establish that a particular alternative treatment system meets the requirements for approval. The health officer shall permit the use of alternative on-site waste treatment and disposal~~

systems when it is established by competent, material and substantial evidence that the following performance standards can be achieved:

1. The treatment facility is capable of producing an effluent with:
 - a) BOD less than or equal to 30 mg/L
 - b) TSS less than or equal to 30 mg/L
 - c) Total inorganic nitrogen less than or equal to 25 mg/L
 - d) For discharges within 500 feet of a water body, total phosphorous less than or equal to 2 mg/L
2. The effluent discharge from the treatment system shall be constructed in such a manner that surface flooding will not occur.
3. A minimum of 24 inches of suitable soil is below the discharge piping for pathogen removal. The health officer may modify this requirement if there is no less than 12 inches of suitable soil below the discharge piping and other means of disinfection result in pathogen removal equal to or better than achieved by 24 inches of suitable soil below the discharge piping.

E. After an alternative on-site waste system is approved by the health officer, the owner of the system shall comply with all of the following:

1. The owner shall at his or her sole expense comply with a specific maintenance, monitoring and inspection program specified by the health officer to ensure the optimum operation of the alternative treatment system.
5. If the system substantially fails to meet the performance standards of subsection B above, the owner shall, at his or her sole expense and within the time frame (based on the degree of harm or potential harm to the environment or to public health) required by the health officer, corrections shall be made to the system so that the performance standards are substantially met. Failure to correct the system as required shall be deemed a violation of the Environmental Health Regulations and shall subject the owner to the enforcement provisions within Chapters IV and V of these regulations.

B. A technical advisory panel appointed by the Benzie-Leelanau District Board of Health shall regularly review these performance-based regulations. The advisory panel may recommend changes to these performance-based regulations for future installations based on experience with past installations and on the availability of practical treatment technology at that time. Any such recommendations, however, shall not be effective without formal amendment of these Environmental Health Regulations.

Pump-and-haul as a means of sewage disposal may be used for existing dwellings and parcels of land recorded and on file with the appropriate County, prior to the effective date of this Code, unless prohibited by local, State, or Federal laws and regulations.

Pump-and-haul as a means of sewage disposal shall not be permitted on parcels of land recorded and filed with the appropriate County, after the effective date of this Code.

Vehicles to be used for pump-and-haul shall be licensed under Part 117 of Act 117 of Act 451, Public Acts of 1994, as amended. The method of disposal shall be in accordance with Act 381, Public Acts of 2004 under the authority of the Michigan Department of Environment, Great Lakes, and Energy.

Section 3.12 CHANGE OF USE

A change in use of a premise which may result in an increase in the generation of wastewater shall not be allowed unless it can be shown that the sewage treatment facility is in compliance with the applicable regulations for the anticipated new use. This would include, but not be limited to, adding bedrooms to an existing dwelling, adding seating in a food establishment, additions to industrial or commercial establishments, construction of garages, and/or outbuildings.

The Health Officer shall determine if an existing sewage disposal system is sufficient and adequate to allow an increase in living or working area to existing buildings and/or that the proposal will not interfere with current or future use of onsite sewage disposal.

Section 3.13 NEW AND EXISTING SEPTIC SYSTEMS

Every sewage treatment system installed subsequent to the effective day of this Code shall conform to the design, location and construction requirements contained in this Code.

Sewage treatment systems in use prior to the effective date of this Code may continue to be used so long as they are in substantial conformance with this Code and its usage does not create a hazard to public health and safety, a public health nuisance or excessive degradation of the natural environment.

ARTICLE V—PERMIT

Section 2.500-3.14 PERMIT

~~On or after December 31, 1989, no~~ No person or their contractor or agent shall construct any dwelling or any addition thereto, or install, modify or repair any sewage disposal facility as defined in this Code, without a permit and approval from a Health Officer as required by this Code ~~and its regulations; provided, however, that no such application or construction permit shall be required in those cases where a permit from the State Department of Public Health is a statutory prerequisite and has been obtained.~~ Such construction permit shall be issued only when plans and specification for the proposed installation of the average system are not less than the requirements set forth in these minimum standards. The Health Officer may attach conditions to the permit or approval. Any such conditions shall be designed to implement compliance with ~~the Purpose and regulations contained in this Code.~~

Said permit ~~shall be in duplicate and~~ shall contain a sketch showing all pertinent plans and specifications of the proposed sewage disposal installation. Said permit shall be signed by ~~the applicant and the Health Officer.~~ One copy of the permit shall be ~~given~~ provided to the applicant ~~to be posted at the construction site.~~ One copy of the ~~application permit~~ shall be retained by the Health Officer and remain on file in the Health Department.

The Health Officer shall inspect the ~~construction site~~ septic disposal system installation and premises. Failure to construct the septic disposal system in accordance with this Code or other laws, regulations or ordinances shall be deemed a violation of this Code and shall subject the person and/or his/her contractor or agent to the fines, penalties and enforcement actions authorized by this Code ~~and its regulations.~~ Modification or repair of any existing sewage disposal facility shall require a permit and approval as provided in this Code. ~~herein above.~~

ARTICLE VI—FEES

Section 2.600

~~A schedule of fees for licenses, permits and other services authorized by these regulations shall be established by the Board of Health.~~

ARTICLE VII—REGISTRATION REQUIREMENT

Section 2.700-3.15 **REGISTRATION REQUIREMENT FOR SEWAGE
SYSTEM RELATED BUSINESSES**

All persons engaged in any way in the manufacture, installation, construction, maintenance, cleaning or servicing of sewage systems in the ~~county~~ counties of Benzie ~~and Leelanau County~~, Michigan, shall register with the Health Department. No fee shall be required for such registration.

Section 2.710 ~~SEPTIC TANK MANUFACTURERS RESPONSIBILITY~~ (Moved to Section 3.8.2(f))

~~It shall be the responsibility of any septic tank manufacturer delivering septic tanks within the county of Benzie, Michigan upon request of the health officer, to make available the place, name, address, size, type and date septic tanks were delivered within the county of Benzie, Michigan.~~

**ARTICLE VIII — DISPOSAL OF SEPTIC TANK, PRIVY VAULT AND
OTHER SEWAGE DISPOSAL FACILITIES CONTENTS** (Covered by State Law)

Section 2.800

~~The contents of any septic tank privy vault, cesspool, dry well, or other toilet devices or any part thereof shall be disposed of by one of the following methods:~~

- ~~1. Discharge into a municipal sewerage treatment plant when in accordance with law and when arrangements have been made with the municipality and/or operator.~~
- ~~2. Spreading on the ground surface in a location and manner that is in accordance with the provisions and regulations of 1986 PA 181; MCLA 325.311-332; MSA 14.434(11)-(32), and any other applicable state or federal law.~~

(Moved to Chapter VI)

**ARTICLE IX — NOTIFICATION AND TRANSFER OF PREMISES
WITH SEWAGE DISPOSAL SYSTEMS**

Section 2.900 ~~PURPOSE~~

~~The purpose of Article IX and its provisions is to protect public health and to prevent or minimize degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water well systems through the regulation of the transfer or sale of the property or premises.~~

Section 2.910 — EVALUATION

~~An owner of premises or a dwelling shall not sell, convey, assign nor transfer ownership of, or exclusive rights in, any dwelling and/or habitable building or premises unless and until the owner or his designated agent has requested a health officer to evaluate the existing on-site water well system and the existing on-site sewage disposal system and unless and until such evaluation by the health officer has been conducted and the results thereof have been reduced to writing and furnished to any prospective purchaser or transferee and the seller or transferor as part of the said transaction on a form established by the Health Department.~~

Section 2.911 — EVALUATION DETERMINATION

~~The evaluation shall consist of a determination that the sewage disposal system and water well system are in substantial conformance with the standards of this Code, and its regulations. The term "substantial conformance" shall mean that there shall not be more than a minimal likelihood of degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water supply systems. In making this determination, the following criteria shall be considered:~~

- ~~A. Vertical isolation distance between the high ground-water table and the point of sewage discharge;~~
- ~~B. Isolation distance from surface waters or wetlands, as defined by federal or state law and regulations;~~
- ~~C. Isolation distance between water well and sewage system;~~
- ~~D. The on-site conditions of the property, including by not limited to soil types, groundwater elevation, flow and direction;~~
- ~~E. Whether the sewage system meets the construction and design criteria (size and capacity) in the Health Department's Code and Regulations, as now or hereafter amended;~~
- ~~F. Lot size and useable area for on-site sewage disposal;~~
- ~~G. Operational condition of existing sewage system~~

Section 2.912

~~This section 2.91 shall apply to all premises and dwellings as defined in this Code regardless of whether or not they are defined as Class I or Class II as set forth in Sec. 2.920.~~

Section 2.920 — CLASSIFICATION

~~The premises subject to Sec. 2.91 and this Article IX and the provisions herein are classified as "Class I" and "Class II".~~

Section 2.921

~~"Class I" means premises on or in which there is located a sewage disposal system constructed on or before December 31, 1971 or a sewage disposal system constructed at any time without permit or approval by the Health Department under this or previous Codes and Regulations.~~

Section 2.922

~~"Class II" means premises on or in which there is located a sewage disposal system constructed, approved and placed into operation subsequent to December 31, 1971.~~

Section 2.930 — NOTIFICATION

~~All owners of Class I dwellings or habitable buildings shall notify the Health Department in writing on or before January 1, 1992. Written notification shall include the following information:~~

Section 2.931

~~Name, address and telephone number of the owner and/or occupant of the property; and the address of the property and the property tax number~~

Section 2.932

~~A site drawing which shall include a description of the following: all the boundaries of the property; the location of all buildings, the location of all water well systems and the sewage disposal systems~~

Section 2.933

~~A description of the sewage disposal system, including its size, type of construction and age. If the age of the system is not known, it should be deemed to have been constructed on or before December 31, 1971;~~

~~Section 2.934~~

~~The date that the building was constructed and the last date that the building was altered, modified, changed or expanded.~~

~~Section 2.940 — FILING NOTIFICATION~~

~~Upon the filing of such written notice required by Sec. 2.930 with the Health Department, the health officer shall inspect the premises and evaluate the sewage disposal system and, when necessary, the on-site water system, to determine whether there is substantial conformance with Code and defined in Sec. 2.911. The failure to file such written notice shall be deemed a violation of the Code and its regulations.~~

~~Section 2.941 — RIGHT OF USE~~

~~Upon the filing of written notice and information required by Sec. 2.930, the owner of any Class I premises, dwelling or habitable building as defined in Sec. 2.920 shall have an automatic right to use the on-site sewage system or on-site water system for a period not to exceed ten years from such written notice; provided however, that all such written notice shall be filed on or before January 1, 1992.~~

~~If, for any reason, an owner of Class I premises fail to file such written notice on or before January 1, 1992, such owner or occupant, purchaser, or transferee of the property shall lose the ten (10) year right of use provided for in Sec. 2.941. If, upon inspection by the health officer, it is determined that the system does not substantially conform, written notice of such fact shall be made by the health officer to the owner, occupant, purchaser or transferee, and the system shall be brought into compliance with this Code and regulations as set forth in such written notice within one hundred twenty (120) days of the date of such written notice. A person aggrieved by such determination shall have the right to appeal and request a hearing as provided for in Sec. 5.18 of this Code in order to reinstate a ten year right of use. The term "substantially conform" is defined in Sec. 2.911.~~

~~A. — The ten (10) year right of use or preexisting sewage disposal system or~~

~~on-site water system provided in Sec. 2.941 shall be at the risk of any owner, occupant or transferee or purchaser. No representation is made by the Health Department or a health officer with respect to the working condition or operation of the sewage disposal system or on-site water supply as required by this Code or law.~~

- ~~B. No property right or equivalent property interests are created by virtue of the authorized ten (10) year right of use as provided in Sec. 2.941.~~
- ~~C. Any owner or occupant of premises qualifying for the ten (10) year right of use provided in Sec. 2.941 shall maintain the existing sewage disposal system and shall notify the health officer in the event groundwater contamination is discovered or the system functions improperly.~~
- ~~D. Any premise qualifying for a ten (10) year right of use as provided in Sec. 2.941 shall be inspected by a health officer prior to its sale or transfer as set forth in Sec. 2.91.~~

~~Section 2.950 — INSPECTION NOTIFICATION~~

~~If, upon notice of sale or transfer and inspection, it is determined that there is not substantial conformance as defined in Sec. 2.91, or that there is an endangerment of water well systems, groundwater or surface water or public health, then the septic system or water supply shall be subject to enforcement as provided in the Code. The health officer shall provide a copy of such written determination to the owner and/or purchaser or transferee of the property within one hundred twenty (120) days from the date that the inspection of the premises is completed.~~

~~Section 2.951 — CORRECTIVE ACTION~~

~~A. Upon receipt by an owner, purchaser or transferee of written notice, as set forth in Sec. 2.950, the owner, purchaser or transferee shall, within thirty (30) days, submit a proposed corrective action that will remediate, abate or prevent any such substantial nonconformance or endangerment. The Health Department shall review the proposed corrective action. All necessary corrective action shall be completed within one hundred twenty (120) days of Health Department approval. Upon approval by the Health Department of the completed corrective action, the system shall be deemed to be in substantial conformance with this Code and Regulation. A person aggrieved by the written determination provided for in this subsection shall have the right to a hearing and appeal as provided in Sec. 5.19 of this Code.~~

~~B. Before the completion or closing of any real estate transaction for the sale~~

of premises having a system provided for in this Sec. 2.950, the owner, purchaser or transferee shall notify the Health Department that the premises and its sewage system either: (1) are in substantial conformance with this Code and its Regulations as defined in Sec. 2.91; or (2) submit to the Health Department proof of the following: (a) written contract to cause the sewage system to be brought into conformance; (b) deposit of a surety or performance bond or cash guaranteeing performance of such contract in an amount equal to one and one-half times the estimated cost provided for in such contract; (c) covenant that the performance called for by such contract shall be completed within one hundred and fifty (150) days of sale or transfer of the premises.

Section 2.960 — ENFORCEMENT

Section 2.961 —

Any owner, transferee, purchaser or person aggrieved by Determination required by this Article IX, shall have the right to a hearing and appeal as provided in Sec. 5.19 of this Code and Regulation.

Section 2.962

In the event that the health officer is not notified as required by Sec. 2.951, or in the event an owner, transferee or purchaser does not comply with the requirements of Sec. 2.951, then in such event a health officer or his/her duly authorized representative may record an Affidavit Concerning Status of Sewage Disposal System with the Register of Deeds office in the County where the premises are located setting forth the fact that it may not in substantial conformance with this Code and its regulations as defined in sec. 2.911.

CHAPTER III ~~IV~~ – WATER SUPPLY

ARTICLE I – PROVISION OF WATER REQUIREMENT

Section ~~3.100~~ 4.1 PROVISION OF WATER REQUIREMENT

Immediately upon the effective date of the Code and its regulations or any amendment thereto, no No person, firm, society, corporation, or his/her agent or contractor shall construct, occupy, or inhabit, offer for rent or lease, with or without compensation in whole or in part, any habitable building or dwelling unless the same is equipped with a safe and adequate water supply approved by

a Health Officer in accordance with the provisions of this Code and its regulations. Further, no water supply or alteration of existing water supply shall be installed or made unless the same is approved by a Health Officer in accordance with the provisions of this Code and its regulations.

Section 3.240 PRIVATE WATER SUPPLY

A "private water supply" is any water supply as defined in 1978 PA 648, part 127; MCLA 333.1101 et seq.; MSA 14.15 et seq.

Section 3.250 PUBLIC AND SEMI-PUBLIC WATER SUPPLIES

A "public and semi-public water supply" is any water supply as defined in 1978 PA 648, part 127; MCLA 333.1101 et seq.; MSA 14.15 et seq.

ARTICLE III – PRIVATE WATER SUPPLIES

Section 4.2 SCOPE

These regulations shall apply to all premises not connected to Type I public water supplies, as defined by Michigan's Safe Drinking Water Act, Act 399 of the Public Acts of 1976, and related Administrative Rules, as amended

Section 4.3 WELL CONSTRUCTION

The construction of water wells and the installation of water well pumps shall comply with the requirements set forth in the Groundwater Quality Control Rules, Part 127 of Act 368 of the Public Acts of 1978, as amended, being MCL 333.12714; Act 399 of the Public Acts of 1976, as amended, being MCL 325.1001 et. seq; and/or Part 201 of Act 451 of the Public Acts of 1994, as amended, being MCL 324.20101 et seq.

Section 4.4 CONNECTIONS REQUIRED

Where connection can be made to an available approved public or municipal water supply, the Health Officer shall not issue a permit to construct a private water supply system unless approved by the local

municipality. No cross connections between a public and private water supply system shall be allowed.

Section 3.300

Private water supplies hereafter installed shall comply with 1978 PA 648, part 127; MCLA 333.1101 et seq.; MSA 14.15 et seq., and the following:

Section 3.310 — LOCATION (Covered by Part 127 of Act 368)

All well casing, spring structures, water suction lines, or other drinking water or potable water structure shall be located 50 feet or more from all sources of possible contamination such as seepage pits, cesspools, privies, barnyards, septic tanks, sub-surface disposal systems, surface water drains, waste water or other sources of possible contamination. Buried or unexposed sewers or pipes through which sewage may back up shall not be located closer than then (10) feet from any potable water well casing or suction pipe. When such sewers or pipes are located within the ten to fifty foot (10 to 50) area, the sewer pipes shall be constructed of extra heavy cast iron with leaded and caulked joints tested for water tightness, or other approved material. All wells shall be located so that possibilities of flooding are reduced to minimum. The area immediately adjacent to the well shall be such that the surface water is diverted away from the well casing.

Section 3.320 — MINIMUM DEPTH (Covered by Part 127 of Act 368)

No wells less than 25 feet in depth shall hereafter be installed or constructed without written approval of the Health Officer.

Section 3.330 — CONSTRUCTION

Section 3.331 4.5 **HAND PUMP PLATFORM AND COVER**

In hand pump installations the well top or platform shall be constructed of a water-tight concrete reinforced slab of a minimum thickness of four inches extending at least ~~two feet~~ **24 inches** from the well casing in all directions. The slab shall rest on compact earth. The concrete slab shall be sloped from the well casing to the edge of the slab. The surface of the slab at outer edges shall be

four inches above the surrounding ground surface.

Section 3.332 — ~~POWER PUMP ROOM FLOORS (Covered by Part 127 of Act 368)~~

~~Every power pump room floor shall be watertight. Pump room floors when above ground shall be at least six inches above the ground surface the outside edges and shall slope away from the pump and casing. The well casing shall extend above the pump room floor so that a one-piece concrete pedestal at least twelve inches high can be provided on which to mount the pump over the well casing.~~

Section 3.333 — ~~UNPROTECTED SUCTION LINES (Covered by Part 127 of Act 368)~~

~~Buried suction lines shall not be permitted.~~

Section 3.334 — ~~CASINGS (Covered by Part 127 of Act 368)~~

~~The casings of a tubular well shall be of at least standard weight iron pipe, or other approved materials, watertight throughout its length and with threaded or welded joints. The casing of all tubular wells shall extend above the top of the platform, floor or pedestal.~~

Section 3.335 — ~~HAND PUMPS (Covered by Part 127 of Act 368)~~

~~Hand pumps shall be designed and fastened so as to exclude all the possibilities of contamination. Such pumps shall be securely fastened to the well casing and shall have a stuffing box and a closed turned down spout.~~

Section 3.336 — ~~POWER PUMPS (Covered by Part 127 of Act 368)~~

~~Power pumps shall be designed and fastened to the casing so as to exclude all possible contamination. All air relief vents shall be screened and protected against possibilities of contamination entering the vent. Such air vents shall terminate not less than 24 inches from the floor and shall be screened.~~

Section 3.340 — ~~GENERAL REQUIREMENTS~~

Section ~~3.341~~ 4.6 _____ COOLING WATER

Water used for cooling parts of engines, air compressors, pumps, or other equipment shall not be returned to any part of the potable water supply.

Section 3.342 (Covered by Part 127 of Act 368)

~~Storage reservoirs shall be watertight and constructed of an impervious material. All openings into the reservoir shall be constructed so as to prevent the entrance of birds, insects, and animals. Overflow pipes shall not be connected to any drain receiving contaminated water. No physical connection shall exist between the influent lines and the contents of the reservoir or storage tank.~~

Section 4.7 INSPECTION OF WELL CONSTRUCTION

The Health Officer may enter and inspect, at any reasonable hour, on private or public property, an installation for the development or abandonment of a water supply as allowed by the Michigan Public Health Code and other applicable law.

Section 4.8 WATER SUPPLY APPROVAL

A new water supply shall not receive final approval by the Health Officer until the following conditions have been met:

- a. A completed "Water Well and Pump Record", prepared by the well driller and/or pump installer, as applicable, has been submitted to the Health Officer.
- b. The Health Officer has completed an on-site water well component construction inspection.
- c. The Health Officer has received copies of the results of the analysis of water samples indicating that raw water quality meets minimum public health standards. Water sample analysis shall include coliform bacteria, nitrate, and any other parameter deemed necessary by the Health Officer to determine compliance with this Code or other applicable law. Analysis of water samples shall be performed by laboratories certified by the Michigan Department of Environment, Great Lakes, and Energy.

Section ~~3.350~~ **4.9**

TREATMENT OF UNSATISFACTORY WATER SUPPLY

Groundwater supplies shall comply with the bacteriological, geological, physical, radiological, or chemical requirements outlined in Act 399 of the Public Acts of 1976, as amended, and Administrative Rules and adopted by the Michigan Department of Public Health, pursuant to 1976 P.A. 399; MCLA 325.1011 -.1023; MSA 14.427(1)-(23), Part 127 of Act 368 of P.A. 1978, as amended, and Administrative Rules, and/or the "National Interim Primary Drinking Water Regulations" pursuant to CFR 40 Part 141. ~~Sec. 1412 of the Public Health Service Act, as amended by the Safe Drinking Water Act, Public Law 93-523 (1974) as amended.~~

If it is not possible to secure satisfactory compliance with these requirements or standards, said water supply shall be permanently abandoned and the well sealed in an environmentally safe manner to protect the water bearing formation against further contamination.

Section 4.10 ABANDONMENT OF WELLS

A permanently abandoned well shall be sealed by filling with materials in accordance with the specifications and procedures as provided in Act 368 of the Public Acts of 1978, as amended and Act 399 of the Public Acts of 1976, as amended. It shall be accomplished to prevent it from acting as a channel for vertical contamination movement or the escape of subterranean gases.

~~Section 3.351~~ — ~~ABANDONMENT OF DRILLED AND CASED WELLS (Covered by Part 127 of Act 368)~~

~~Drilled and cased wells shall be completely filled with neat cement grout, concrete, or clean puddled clay.~~

~~Section 3.352~~ — ~~ABANDONMENT OF DRIVEN WELLS (Covered by Part 127 of Act 368)~~

~~In driven wells, the well point shall be withdrawn and the opening completely filled with neat cement grout, concrete, or clean puddled clay.~~

Section 3.360 — ~~DISINFECTION OF WATER SUPPLIES (Covered by Part 127 of Act 368)~~

~~Wells which are contaminated shall be thoroughly disinfected of bacteriological and/or thoroughly cleaned of chemical or radiological contaminants based on the most prudent and possible available alternative technology or method. Bacteriological and/or chemical analysis for the contaminated parameter shall show the water is safe according to the standards adopted for safe drinking water by the Department of Public Health pursuant to 1976 P.A. 399; MCLA 325.1011-.1023; MSA 14.427(1)-(23), and the standard contained in sec. 3.350 of this Code, before the water shall be approved for any intended use.~~

~~The person, firm, corporation, well driller, or installer who installs the pump on a new or repaired potable water supply thereby putting that water system into use shall be responsible for disinfecting the entire water system and the water supply lines with a chlorine solution before placing such potable water system into service. The disinfecting solution shall be applied to all parts of the well, pump, fixtures, for at least eight hours after which the potable water supply can be considered approved for drinking and domestic use.~~

Section 3.370 4.11 CONNECTION WITH AN UNSAFE WATER SUPPLY

There shall be no cross-connection, auxiliary intake, by-pass, interconnection or other arrangement including overhead leakage whereby an unsafe water supply or water from a source that does not comply with these minimum standards, may be discharged or drawn into any drinking culinary, or ablutionary supply which does not comply with these minimum standards contained in this Code.

Section 3.371 4.12 OUTLETS FROM UNSAFE WATER SUPPLIES

All outlets from water supplies which do not comply with these minimum standards shall be sealed or at the discretion of the Health Officer, be provided with a permanent and easily readable tag or label reading "**UNSAFE WATER - DO NOT DRINK**". Removal of said tag or label except by permission of the Health Officer shall be a violation of these minimum standards.

Section 4.13 WELL FIRST AREA DESIGNATIONS

In known critical water supply areas where obtaining satisfactory yields of quality and quantity ground water may be a problem, a "well first" requirement may be instituted before development of the premises. A well

first designation by the Health Department will require the owner or applicant to construct or install a test well before site preparation and development, including excavation and construction of any type of structure or on-site sewage disposal system, occurs on the premises. In "well first" areas, the following process will be followed:

- a. A valid permit must be obtained before construction or installation of the test well.
- b. Upon completion of the water supply system, the well shall be tested for satisfactory yield of quantity or quality, dependent on the critical water supply problem.
- c. Approval of the test well water supply must be obtained from the Health Department before further development of the premise. Upon approval of the test well water supply, the Health Department shall authorize, in writing, the use of the test well for its intended purpose.

Section 3.380 — ~~REGISTRATION OF WELL DRILLERS, WELL CONTRACTORS AND WELL PUMPING INSTALLERS-(Covered by Part 127 of Act 368)~~

~~— All persons engaged in the business of construction, installing, or servicing potable water supplies or potable well equipment in Benzie County, Michigan whether for hire by the public or by private individuals shall register with the Health Department in accordance with 1978 PA 368, part 127; MCLA 333.1101 et seq.; MSA 14.15 et seq.~~

Section 3.390 — ~~WELL LOGS(Covered by Part 127 of Act 368)~~

~~It shall be the duty of all persons engaged in the business of constructing or servicing new potable water supply systems in Benzie County, Michigan, whether for hire by the public or by private individuals, to furnish to the Health Department within 60 days after such potable water supply system is completed such information on location, construction, geological formation and other such pertinent data as the Health Officer may require for the further information and protection of the water bearing formation for the protection of the public health and safety. A record of these logs shall be kept on file in the Health Department, and such records may be examined by any person.~~

ARTICLE IV - PERMIT AND FEES

Section ~~3.400~~ 4.14 PERMIT

No ~~On and after December 31, 1989, no~~ person or his/her agent or contractor shall construct any habitable building or dwelling, any private, semi-public and other certain water supplies as defined in these minimum standards, or no person shall install any new or make any alteration of an existing water supply unless and until such person or ~~his~~ the person's duly authorized agent or contractor has ~~been~~ obtained approval and permit from a Health Officer as required by this Code ~~and its regulations~~.

The Health Officer may attach conditions to the permit or approval. Any such conditions shall be designed to implement compliance with ~~the Purpose and regulations contained in this Code~~.

Said permit ~~shall be in duplicate and shall contain a sketch showing all pertinent plans and specifications of the proposed water supply installation. Said permit shall be signed by the applicant and by the Health Officer. One copy of the permit shall be given~~ provided to the applicant ~~to be posted at the construction site. One copy of the application permit shall be retained by the Health Officer and remain on file in the Health Department. The health officer shall make such inspection at the site as he deems necessary.~~

Any construction, installation, or alteration, or extensive changes of a water supply without permit and approval or in violation of the minimum standards of this Code ~~and its regulations~~ shall be deemed to be a violation of this Code and subject to enforcement and penalties as specified herein. This provision shall not encompass the normal routine maintenance of a water supply system or when minor changes or repairs are made to the system (i.e. replacing pump, well cap, screen, pressure tank, piping, wiring, treatment devices, or installation of a pitless adaptor). Extensive changes include, but are not limited to, replacing the casing, removing a casing from the ground for any reason, installing a liner, or increasing the depth of the well casing.

Section 4.15 STOP WORK ORDER – VOID PERMIT

When during construction, any new work or change to an onsite water supply system is found in violation of the provisions of this Code, the Health Officer may issue a "Stop Work Order" by posting said notice at the site. Any valid water supply construction permit shall be deemed to be in abeyance and no longer in effect when a "Stop Work Order" is posted and for such time as the "Stop Work Order" is in effect.

Section 4.16 PERMIT DENIAL

The Health Officer may deny all applications for a water supply permit when incomplete, inaccurate, or false information has been supplied by the applicant, or when the Health Officer determines that the requirements of this Code and/or applicable state statutes have not or cannot be met.

Section 3.410 FEE

~~A schedule of fees for licenses, permits and other services authorized by these regulations shall be established by the Board of Health.~~

CHAPTER ~~VI~~V – PERMIT REVOCATION

Section 6.110-5.1 REVOCATION OF PERMIT

Any permit issued pursuant to these regulations may be revoked by the Health Officer if the Health Officer finds that one or more of the following circumstances exist:

- a. Changes have taken place on or to the site or premises so that the construction or operation of the object of the permit cannot comply with this Code;
- b. The object of the permit is not constructed, is not operated, is not maintained or does not perform as required by this Code or the applicable permit;
- c. The premises to be served by the object of the permit or on which a permit is used to conduct a business is not constructed or operated as stated in the permit application;
- d. The permit holder does not comply with the requirements of these regulations or the terms of the applicable permit; or
- e. The permit application is incomplete or inaccurate.

Section ~~6.120~~5.2

PERMIT REVOCATION PROCEDURE

The revocation of a permit shall be taken pursuant to notice to the permit holder by the mailing of the notice of revocation via first class mail to the permit holder at the mailing address of the permit holder as provided in the application for the permit or by personal service on the permit holder. The Health Officer may, but is not required to post the notice of revocation on the premises. When the permit has been issued to more than one (1) person, then service by first class mail or personal service may be to any person named in the permit.

The notice of revocation shall contain the reasons for the revocation and notice that the permit holder has the right to request a meeting with the Health Officer. The request for the meeting shall be in writing and shall be made within thirty (30) days of the date of the mailing of the notice of revocation. After the meeting, the Health Officer may continue the revocation, rescind the revocation or impose such conditions of the reinstatement of the permit as are necessary to require compliance with this ~~regulation~~Code. If the permit holder is not satisfied with the decision of the Health Officer after the meeting, then the permit holder may appeal the Health Officer's decision to the Board of Appeals. A meeting with the Health Officer, as described in this section is a mandatory prerequisite for the Board of Health's Appeal Board to have jurisdiction to hear an appeal related to the notice of revocation.

CHAPTER VI – TIME OF TRANSFER EVALUATION OF ON-SITE WATER AND SEWAGE DISPOSAL SYSTEMS

Section ~~2.900~~6.1

PURPOSE

The purpose of ~~Article IX~~Chapter VI and its provisions is to protect public health and to prevent or minimize degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water well systems through the regulation of the transfer ~~or sale~~ of the property or premises.

Section ~~2.910~~6.2

EVALUATION

- a. Except as provided in subsection 6.2(b) below, An an owner of premises or a dwelling shall not sell, convey, assign nor transfer ownership of, or exclusive rights in, any dwelling and/or habitable building or premises unless and until the owner or ~~his~~the owner's designated agent has requested a Health Officer to evaluate the existing on-site water well system and/or the existing on-site sewage disposal system and

unless and until such evaluation by the Health Officer has been conducted and the results thereof have been reduced to writing and furnished to any prospective purchaser or transferee and the seller or transferor as part of the said transaction on a form established by the Health Department.

b. The following are exempt from the requirement for the evaluation of an existing on-site sewage disposal system and/or water well, excluding water quality compliance sampling for on-site water wells with no water quality standard results for samples collected by the Health Department and analyzed by a State of Michigan certified laboratory within six (6) months prior to the proposed transfer:

1. A transfer of premises that has had an on-site sewage disposal system and/or water well installed and approved by the Health Department within thirty-six (36) months prior to the proposed transfer pursuant to a permit issued by the Health Department for the on-site sewage disposal system and/or water well.
2. A transfer of premises where written evidence exists that the on-site sewage disposal system and/or water well on the premises has been inspected by a Health Officer as required by these regulations within thirty-six (36) months prior to the proposed transfer and has been found to be in compliance with this Code.

Section 2.911-6.3

EVALUATION DETERMINATION

The evaluation shall consist of a determination that the sewage disposal system and/or water well system are in substantial conformance with the standards of this Code, and its regulations. The term "substantial conformance" shall mean that there shall not be more than a minimal likelihood of degradation of ground water or surface water by improper or malfunctioning sewage disposal systems or water supply systems. In making this determination, the following criteria shall be considered:

- a. Vertical isolation distance between the high ground-water table and the point of sewage discharge;
- b. Isolation distance from surface waters or wetlands, as defined by federal or state law and this Code regulations;
- c. Isolation distance between water well and sewage system;
- d. The on-site conditions of the property, including ~~by~~ but not limited to soil types, groundwater elevation, flow and direction;

- e. Whether the sewage system meets the construction and design criteria (size and capacity) in the Health Department's Code and Regulations, as now or hereafter amended as required by federal or state law and this Code;
- f. Lot size and useable area for on-site sewage disposal;
- g. Operational condition of existing sewage system and/or water well;
- h. Whether the water well meets the construction standards as defined by state law and this Code;
- i. Compliance with bacteria and nitrate water quality standards as a minimum with other water quality parameters as required by the health department.

Section 2.912 (No longer applicable)

~~This section 2.91 shall apply to all premises and dwellings as defined in this Code regardless of whether or not they are defined as Class I or Class II as set forth in Sec. 2.920.~~

Section 2.920 — CLASSIFICATION (No longer applicable)

~~The premises subject to Sec. 2.91 and this Article IX and the provisions herein are classified as "Class I" and "Class II".~~

Section 2.921 (No longer applicable)

~~"Class I" means premises on or in which there is located a sewage disposal system constructed on or before December 31, 1971 or a sewage disposal system constructed at any time without permit or approval by the Health Department under this or previous Codes and Regulations.~~

Section 2.922 (No longer applicable)

~~"Class II" means premises on or in which there is located a sewage disposal system constructed, approved and placed into operation subsequent to December 31, 1971.~~

~~Section 2.930 — NOTIFICATION (No longer applicable)~~

~~All owners of Class I dwellings or habitable buildings shall notify the Health Department in writing on or before January 1, 1992. Written notification shall include the following information:~~

~~Section 2.931 (No longer applicable)~~

~~Name, address and telephone number of the owner and/or occupant of the property; and the address of the property and the property tax number~~

~~Section 2.932 (No longer applicable)~~

~~A site drawing which shall include a description of the following: all the boundaries of the property; the location of all buildings, the location of all water well systems and the sewage disposal systems~~

~~Section 2.933 (No longer applicable)~~

~~A description of the sewage disposal system, including its size, type of construction and age. If the age of the system is not known, it should be deemed to have been constructed on or before December 31, 1971;~~

~~Section 2.934 (No longer applicable)~~

~~The date that the building was constructed and the last date that the building was altered, modified, changed or expanded.~~

~~Section 2.940 — FILING NOTIFICATION (No longer applicable)~~

~~Upon the filing of such written notice required by Sec. 2.930 with the Health Department, the health officer shall inspect the premises and evaluate the sewage disposal system and, when necessary, the on-site water system, to determine whether there is substantial conformance with Code and defined in Sec. 2.911. The failure to file such written notice shall be deemed a violation of the Code and its regulations.~~

Section 2.941 — ~~RIGHT OF USE~~ (No longer applicable)

~~Upon the filing of written notice and information required by Sec. 2.930, the owner of any Class I premises, dwelling or habitable building as defined in Sec. 2.920 shall have an automatic right to use the on-site sewage system or on-site water system for a period not to exceed ten years from such written notice; provided however, that all such written notice shall be filed on or before January 1, 1992.~~

~~If, for any reason, an owner of Class I premises fail to file such written notice on or before January 1, 1992, such owner or occupant, purchaser, or transferee of the property shall lose the ten (10) year right of use provided for in Sec. 2.941. If, upon inspection by the health officer, it is determined that the system does not substantially conform, written notice of such fact shall be made by the health officer to the owner, occupant, purchaser or transferee, and the system shall be brought into compliance with this Code and regulations as set forth in such written notice within one hundred twenty (120) days of the date of such written notice. A person aggrieved by such determination shall have the right to appeal and request a hearing as provided for in Sec. 5.18 of this Code in order to reinstate a ten year right of use. The term "substantially conform" is defined in Sec. 2.911.~~

- ~~E. The ten (10) year right of use or preexisting sewage disposal system or on-site water system provided in Sec. 2.941 shall be at the risk of any owner, occupant or transferee or purchaser. No representation is made by the Health Department or a health officer with respect to the working condition or operation of the sewage disposal system or on-site water supply as required by this Code or law.~~
- ~~F. No property right or equivalent property interests are created by virtue of the authorized ten (10) year right of use as provided in Sec. 2.941.~~
- ~~G. Any owner or occupant of premises qualifying for the ten (10) year right if use provided in Sec. 2.941 shall maintain the existing sewage disposal system and shall notify the health officer in the event groundwater contamination is discovered or the system functions improperly.~~
- ~~H. Any premise qualifying for a ten (10) year right of use as provided in Sec. 2.941 shall be inspected by a health officer prior to its sale or transfer as set forth in Sec. 2.91.~~

Section ~~2.950~~ 6.4

INSPECTION NOTIFICATION

~~If, upon notice of sale or transfer and inspection, it is determined that there is not substantial conformance as defined in Sec. 2.91, or that there is an~~
endangerment of water well systems, groundwater or surface water or public

health, then the septic system or water supply shall be subject to enforcement as provided in the Code. The Health Officer shall provide a copy of such written determination to the owner and/or purchaser or transferee of the property within ~~one hundred twenty (120)~~ thirty (30) days from the date that the inspection of the premises is completed and all relevant information to make the determination has been received by the Health Department.

Section ~~2.951~~ 6.5 CORRECTIVE ACTION

- a. Upon receipt by an owner, purchaser or transferee of written notice, as set forth in ~~Sec. 2.950~~ Section 6.4, the owner, purchaser or transferee shall, within thirty (30) days, submit a proposed corrective action that will remediate, abate or prevent any such substantial nonconformance or endangerment. The Health Department shall review the proposed corrective action. All necessary corrective action shall be completed within one hundred twenty (120) days of Health Department approval. Upon approval by the Health Department of the completed corrective action, the system shall be deemed to be in substantial conformance with this Code and Regulation. ~~A person aggrieved by the written determination provided for in this subsection shall have the right to a hearing and appeal as provided in Sec. 5.19 of this Code.~~
- b. Before the completion or closing of any real estate transaction for the ~~sale~~ transfer of premises having a system provided for in ~~this Sec. 2.950~~ Section 6.4, the owner, purchaser or transferee shall notify the Health Department that the premises and its sewage system and/or water well either: (1) are in substantial conformance with this Code ~~and its Regulations as defined in Sec. 2.91~~ Section 6.3; or (2) submit to the Health Department proof of the following: (a) written contract to cause the sewage system and/or water well to be brought into conformance; (b) deposit of a surety or performance bond or cash guaranteeing performance of such contract in an amount equal to one and one-half times the estimated cost provided for in such contract; (c) covenant that the performance called for by such contract shall be completed within one hundred and fifty (150) days of ~~sale or transfer~~ of the premises.

Section ~~2.960~~ 6.6 ENFORCEMENT

In the event that the Health Officer is not notified as required by ~~Sec. 2.951~~ Section 6.5, or in the event an owner, transferee or purchaser does not comply with the requirements of ~~Sec. 2.951~~ Section 6.5, then it shall be deemed to be a violation of this Code and subject to enforcement and penalties as specified herein. The Health Officer or his/her duly authorized representative may also record an Affidavit Concerning Status of Sewage Disposal System

and/or Water Well with the Register of Deeds office in the County where the premises are located setting forth the fact that it may not be in substantial conformance with this Code ~~and its regulations as defined in sec. 2.911~~ Section 6.3.

Section ~~2.961~~ 6.7 **DETERMINATION HEARINGS AND APPEALS**

Any owner, transferee, purchaser or person aggrieved by the determination ~~Determination~~ required by this Chapter ~~Article IX~~, shall have the right to a hearing and appeal as provided in ~~Sec. 5.19~~ Chapter IX of this Code and Regulation.

Section ~~2.962~~ (Moved to Section 6.6)

~~In the event that the health officer is not notified as required by Sec. 2.951, or in the event an owner, transferee or purchaser does not comply with the requirements of Sec. 2.951, then in such event a health officer or his/her duly authorized representative may record an Affidavit Concerning Status of Sewage Disposal System with the Register of Deeds office in the County where the premises are located setting forth the fact that it may not in substantial conformance with this Code and its regulations as defined in sec. 2.911.~~

CHAPTER ~~IV~~ VII – HOUSING
ARTICLE ~~I~~ – DEFINITIONS

Section ~~4.100~~ **DWELLING** (Moved to Definition Section)

~~The term "dwelling" shall mean any building, structure, tent, shelter, trailer or vehicle or portion thereof, which is occupied, will be occupied, or was heretofore occupied in whole or part as home, residence, living or sleeping, or other gathering place designed or used by one or more human beings either permanently or transiently, or occupied in whole or in part as a business wherein one or more human beings is engaged in commercial or industrial activities either on a permanent or temporary basis.~~

Section 4.110 ~~————~~ DWELLING "UNFIT FOR HUMAN HABITATION"-(Moved to Definition Section)

~~When it is dangerous or detrimental to life or health because of want of repair, defects in the drainage, plumbing, lighting, ventilation, water supply, or their construction, infection with contagious disease or the existence on the premises of an unsanitary, unsafe or hazardous condition likely to cause sickness, illness, or to endanger the health of occupants of the dwelling, such dwelling shall be unfit for human habitation.~~

ARTICLE III — GENERAL REQUIREMENTS

Section 7.1 COMPLAINTS CONCERNING PUBLIC HEALTH NUISANCES

All complaints concerning alleged public health nuisances shall be submitted to the Health Officer. Such complaints shall include specific details regarding the situation, including the nature and location of the alleged nuisance condition, the date and time of the occurrence, the person responsible, the names of the witnesses, and the name and address of the complainant. The Health Officer may require such complaints to be submitted in writing and signed.

Section 4.210-7.2 VACATION ORDER

Whenever it is determined by the Health Officer that a dwelling is unfit for human habitation, the Health Officer may issue an order requiring all persons living in the dwelling to vacate it within not fewer than 10 days nor more than 30 days. The order shall mention the specific reasons upon which such determination is based. The Health Officer may post a notice on such premises declaring that they are unfit for habitation, and it shall be unlawful for any person to move into, reside in, or offer for rent, lease, or ~~sale~~transfer, a dwelling which has been declared by the Health Officer to be unfit for human habitation until such dwelling has been brought within the requirements of this ~~Code Article~~. After the dwelling has been vacated, it must be secured against unauthorized entry by the property owner. It shall be unlawful for any person to remove, deface, or destroy any posted notice declaring the premises unfit for human habitation.

Section 4.220-7.3 PUBLIC HEALTH NUISANCE

Whenever a sewage disposal facility or part thereof, a water supply or part

thereof, or a dwelling is in violation of the Code or otherwise is determined unfit for human habitation, then such dwelling, structure, excavation, alteration, business pursuit or thing in or about a dwelling or its lot or the plumbing, sewage, drainage, light, ventilation, or condition of premises is unfit for human habitation shall be deemed a public health nuisance, and subject to enforcement as provided herein or by law.

Section ~~4.230~~ 7.4

HEALTH OFFICERS DUTY

The Health Officer may order purified, cleaned, disinfected, renewed, altered, repaired, or improved any dwelling, excavation, building, structure, sewer, plumbing pipe, passage, premises, ground or thing in or about a dwelling or its lot, where such condition constitutes a hazard to the public health, safety or welfare. The Health Officer shall cause such orders to be served on the tenant and owner or his rental agent, but such order also may be served on any person who by contract has assumed the duty of doing the things which the order specifies. In event of non-compliance, the Health Officer shall within 10 days after such refusal institute appropriate legal action to enforce said order.

ARTICLE III — TATTOOING (Covered by State Law)

Section 4.310 — DEFINITION

~~Tattooing is the creation of an indelible mark or figure upon the human body by insertion of pigment into or under the skin, or by the production of scars.~~

Section 4.320 — GENERAL

~~License required — It shall be unlawful for any person to operate any practice, business, or occupation of tattooing within the jurisdiction of Benzie-Leelanau District Health Department, unless said person possesses a valid license then in force issued by the Health Officer.~~

Section 4.330 — POWERS AND DUTIES OF THE HEALTH OFFICER

Section 4.331 — GENERAL

~~The Health Officer shall have the authority to regulate the design, installation, operation and maintenance of any tattooing practice, business, or occupation under the jurisdiction of Benzie-Leelanau District Health Department.~~

Section 4.332 — POWER TO ESTABLISH GUIDELINES

~~The Health Officer may establish guidelines or an internal policy concerning the interpretation of this ARTICLE by Benzie-Leelanau District Health Department personnel. Such guidelines or internal policy shall be subject to review and approval by the Board of Health.~~

Section 4.340 — LICENSING PROCEDURES

Section 4.341

~~A person shall comply with all applicable requirements of these Environmental Health Regulations for Benzie-Leelanau District Health Department in order to be entitled to receive and retain a license. A license shall not be transferable as to person or place. The license shall be placed in a conspicuous place in every establishment.~~

Section 4.342

~~Every license issued hereunder shall expire at midnight on December 31, following date of issuance, or as otherwise stated on the license. Any required license shall be deemed to be in effect as of the date of the Health Officer's approval of the application for same.~~

Section 4.343

~~Any person desiring to engage in the practice, business, or occupation of tattooing shall make written application for a license on forms provided by the Health Officer. Failure on the part of the applicant to fully complete the required application may be deemed cause for refusal to issue a license.~~

Section 4.344

~~Upon receipt of a properly completed application accompanied by the appropriate fee, established by the Board of Health of the Benzie-Leelanau District Health Department, the Health Officer shall make an inspection and shall determine compliance with the applicable provisions of the statutes and these Environmental Health Regulations for Benzie-Leelanau District Health Department. Upon confirmation that the applicable requirements have been satisfactorily met, a license shall be issued to the Applicant by the Health Officer. The Applicant may thereafter be referred to as "Licensee".~~

Section 4.350 — LICENSE ACTIONS

Section 4.351 — DENIAL OF LICENSE

~~If the Health Officer finds that a license application is incomplete or the issuance of a license, as requested in the application, will not comply with the requirements of these regulations, he shall issue a notice to the Applicant in writing that the license will not be issued, citing the deficiencies or non-complying items that constitute the reasons for not issuing the license. Until the Applicant has satisfactorily complied with the requirements of these regulations and the terms and conditions of the Notice, the Applicant shall be denied a license.~~

Section 4.352 — SUSPENSION OF LICENSE

~~Any license issued pursuant to the provisions of these regulations may be suspended by the Health Officer for failure of the Licensee to comply with the applicable requirements of said Regulations. Upon notification of such suspension the Licensee shall immediately cease operations.~~

Section 4.360 — INSPECTION OF TATTOOING PREMISES

~~The Health Officer shall have the authority to inspect every premise and location at which the practice of tattooing is being carried on within the jurisdiction of these Regulations and shall make as many inspections and reinspections as are deemed necessary for the enforcement of these regulations and applicable statutes.~~

Section 4.370 — NOTICE OF SUSPENSION OF LICENSE

Whenever, in the opinion of the Health Officer, continued operation of a tattooing practice, business, or occupation would create a substantial hazard to the public health, the Health Officer may issue a written notice to the Licensee or operator thereof, citing such conditions and stating that the license is immediately suspended and that all tattooing operations shall be discontinued at once. The Licensee shall immediately comply with the Notice of Immediate Discontinuance of Operation and there shall be no further tattooing until or unless the license shall have been reinstated.

Section 4.380 — REINSTATEMENT OF SUSPENDED LICENSES

Any person whose license has been suspended may, at any time, make a written application for reinstatement of the license. Such a written application shall include a statement signed by the applicant to the effect that, in the applicant's opinion, the conditions causing such suspension of the license have been corrected. Within reasonable time, not exceed ten working days following the receipt of such application, the Health Officer shall make a reinspection. If the Applicant is then in satisfactory compliance with these regulations and applicable statutes, the license shall be reinstated.

Section 4.390 — UNLAWFUL CONDITIONS OF TATTOOING PREMISES

Needles, dyes, inks and other materials or equipment used in tattooing shall be kept in a clean, sterile and non-toxic condition and the environment of the premises shall be such as to prevent transmission of etiologic agents. Violation of this provision is hereby declared detrimental to health and dangerous to human life and shall be considered a nuisance for purposes of Section of 4.22 of these Regulations.

CHAPTER ~~V~~ VIII – CODE ENFORCEMENT

Section 8.1 ENFORCEMENT

To ensure compliance with this Code, the Health Officer may inspect, investigate, or authorize an inspection or investigation to be made of any matter, thing, premises, place, person, record, vehicle, incident or event to enforce the provisions of this Code. The Health Officer may apply for an inspection or an investigation warrant pursuant to Section 2241 to 2246 or

Section 7504 to 7507, Act 368 of P.A. 1978, as amended, or any other type of administrative or search warrant authorized by law.

Section ~~5.100~~ 8.2

VIOLETION OF THE CODE

Upon receipt of information that there is a violation of the Code or its regulations the Board of Health, or the Health Officer or the Health Officer's his/her designated representative may:

- A. Issue a Cease and Desist Order and suspend any permit, Certificate or other approval issued pursuant to this Code to the owner or other person violating this ~~Code Article.~~ The Cease and Desist Order may be appealed by and afford the owner or other interested person Notice and Opportunity for Hearing as provided in Sec. 5.19 of this Article ~~Chapter IX;~~
- B. Request the prosecuting attorney in the County where the violation has occurred or is occurring to commence an action to enjoin the act or practice and obtain injunctive relief and abatement upon a showing that a person has violated, or is continuing to violate, any Article or provision of the Code in a manner that may become injurious to public health, safety or welfare. Upon approval of the Board of Health, the Health Officer may obtain the services of a special attorney to commence and prosecute such action for injunctive relief or abatement. The action authorized by this paragraph shall include all injunctive relief to restrain, prevent or correct a violation of law, rule or order which the Health Officer has a duty to enforce; or to restrain, prevent or correct any activity or condition which the Health Officer believes "adversely effects the public health" as authorized by Act 368, P.A. of 1978, as amended, 1978 PA 368, part 127; MCLA 333.1101 et seq.; MSA 14.15 et seq., or other law. In addition to injunctive or other relief as authorized herein, the Health Officer may seek costs of avoiding, correcting, removing or abating the violation requiring immediate response, including any other costs authorized by law in such action.

Section ~~5.110~~ 8.3

RESTRAINING ORDER

Notwithstanding any other provision herein, if a Health Officer reasonably believes that any activity or condition in violation of this Code adversely affects the public health, then such Health Officer is authorized to seek to obtain an injunction to restrain, prevent or correct any such activity or condition and to assess the costs thereof, including the costs of coming upon the premises and correcting, abating, removing or remediating any such activity or condition in the event that the owner refuses to take such action on a reasonable request.

Section ~~5.120~~ 8.4

CIVIL FINES OR PENALTY

Any person who violates a provision of the Code or order of the Health Officer shall be subject to the penalties authorized by section 2443 of the Public Health Code (MCL333.2443), which is in effect as of the effective date of this Code, or as authorized by any amendment to the Public Health Code. As of the effective date of this Code, the Public Health Code provides that a person, who commits any such a violation, shall be guilty of a misdemeanor and subject to imprisonment for not more than 6 months or a fine of up to \$200.00. ~~or makes a false statement or representation with respect to any material matter under this Code, should be liable for fines or civil penalties of not more than \$1,000.00.~~ —If a violation is of a continuing nature, then each day that a violation occurs shall be considered a separate offense and shall be subject to a separate fine or penalty for each such occurrence. Any person who violates a provision of this Code, or who makes a false statement under the Code, shall be subject to an assessment of costs for enforcement action authorized and required, including, but not limited to the cost of abatement, remediation, prevention of further violation, expert witness fees and actual attorney fees. Any enforcement action taken under this provision shall not constitute a waiver of any other claims or remedy of a Health Officer or the Health Department as provided for in this Code ~~and Regulations~~, or other law.

Section ~~5.130~~ 8.5

INJUNCTION

Notwithstanding the existence of any other remedy, a Health Officer, without posting a bond, may maintain an injunction or equitable action to restrain, prevent or correct the violation of law, rule, or order which the Health Officer has the duty to enforce, or restrain, prevent or correct any activity or condition which the Health Officer reasonably believes adversely affects the public health. The costs of such action, including the costs of restraining, preventing or correcting such violation, and witness fees and attorney fees as authorized by law, shall be assessed against the defendant, as authorized by law.

Section ~~5.140~~ 8.6

ISSUANCE OF A CIVIL CITATION

If a local Health Department representative or Health Officer believes that a person is violating a provision of this Code or an order issued pursuant to this Code which the local Health Department has the authority and duty to enforce, the representative may issue a citation at that time or not later than ninety (90) days after discovery of the alleged violation. The citation shall be written and

shall state with particularity the nature of the violation including reference to the section, rule, order or regulation believed to be, or have been, violated, the civil penalty established for such violation, if any, and a right to appeal the citation pursuant to Section 2462 of ~~1978 PA 368~~ Act 368, P.A. of 1978, as amended; ~~MCLA 333.2462; MSA 14.15(2462); or 5.19~~ Chapter IX of this Code ~~and its Regulations~~. The citation shall be delivered or sent by certified mail to the alleged violator. This provision is optional, and a decision by the Health Officer not to issue a citation shall not be construed to waive any other rights or remedies authorized by law or this Code.

- a. The alleged violator may petition the local Health Department for a Hearing not later than twenty (20) days after receipt of the citation, and the Hearing shall be held within thirty (30) days after receipt of the petition. The Administrative Hearing shall be conducted in accordance with ~~Section 5.19~~ Chapter IX of this Code, except that for this Hearing the Health Officer shall conduct the hearing and make the decision and not the Appeals Board. After the Hearing, the Health Officer may affirm, dismiss or modify the citation. The decision of the local Health Officer shall be final, unless within sixty (60) days of the decision the ~~Board of Health or its duly delegated committee~~ Appeals Board grants review of this citation, and after such review, affirms, dismisses or modifies the citation.
- b. A person aggrieved by a final decision of the Health Officer or the ~~Board of Health or its designated committee~~ Appeals Board, may petition for review the Circuit Court of the county where the property or premises is located. In the event that the sewage disposal system or water supply crosses the boundaries of two counties, a petition for review may be filed not later than sixty (60) days following receipt of the final decision from the Health Officer, ~~Board of Health or its designated committee~~ Appeals Board, and not later than the time period provided by the Michigan Court Rules, as amended. The time periods for appeal shall begin to run the day after the date of such final decision.
- c. A civil penalty for violation pursuant to this Section shall be final if a petition for an Administrative Hearing or Review is not received by the ~~Health Department or Board of Health~~ Appeals Board within the time specified in this Section. In the event a civil penalty is not paid, the Health Officer is authorized to commence a civil action to collect the same in the County in which the violation occurred or the defendant resides, and such action shall be an addition to any other action authorized by law.
- d. In addition to the authority to issue and serve a civil citation as described above, the Health Officer or a designee of the Health Officer may issue or serve an appearance ticket pursuant to 1927 PA 175, Chapter 4; MCLA 764.9(a)-(g); MSA 28.868(1)-(7). The Sheriff's Department of the county in which the violation is alleged shall also have authority to issue or serve an appearance ticket pursuant to these regulations and applicable law.

Section ~~5.150~~8.7

ASSESSMENT AGAINST THE PROPERTY

If the owner or person violating a provision of this Code refuses on demand to pay such expenses incurred by the Health Department to abate, correct or remove a violation, unsanitary condition or public health nuisance under Section ~~5.151~~8.8, the sum shall be assessed against the property and shall be collected and treated in the same manner as taxes assessed under the general tax laws of this State.

Section ~~5.151~~8.8

REMOVAL OF A NUISANCE

In the alternative, a Health Officer may petition a Circuit Court for removal of such nuisance, unsanitary condition or violation of this Code, and a Court, upon finding that a violation or nuisance may be injurious to the public health, may order the removal, abatement or destruction of the violation or public health nuisance at the expense of the defendant, and in such instance any order or bench warrant issued to the sheriff or other law enforcement officer may be fashioned to accomplish such purposes.

Section ~~5.160~~

ISSUANCE OF A WARRANT

~~If an owner of the premises in which a condition causing nuisance, unsanitary condition or person violating the provision of this Code does not comply with an order to such owner or person to avoid, correct or remove such condition which the Health Officer has reason to believe exists, the Health Officer may cause such violation, nuisance or unsanitary condition to be removed and may seek a warrant for this purpose. In such event, the owner of the premise shall upon demand pay the reasonable expenses incurred. Warrants shall be based upon facts which establish a reasonable belief that such nuisance, unsanitary condition or violation exists.~~

Section ~~5.170~~8.9

INSPECTIONS AND INVESTIGATIONS

To ~~assure~~ensure compliance with this Code ~~and its regulations~~, the ~~local Health Department or a Health Officer~~ may inspect, investigate or authorize an inspection or investigation to be made of any matter, thing, premise, place, person, record, vehicle, incident or event where a Health Officer has reason to believe that noncompliance with the laws enforced by ~~a the state or a Health Department~~ exists. The Health Officer may seek administrative warrants,

search warrants or court orders for access to the person, real property or personal property to be inspected or investigated.

Section ~~5.171~~ 8.10 RIGHT TO OBTAIN SAMPLES

An inspection, under Section ~~5.17~~ 8.9, shall include the right to obtain samples where a Health Officer has reason to believe that there is a likelihood of contamination of surface water, ground water, water supply or other unsanitary conditions. ~~Upon written notice, an owner or occupant of premises for which such inspection is sought shall provide a reasonable opportunity to a Health Officer or his/her designated representative. In the event an owner or occupant fails or refuses to provide such opportunity for inspection within ten (10) days of such written notice, a Health Officer shall have the right to petition a Circuit Court for an order enforcing this Section.~~

Section 8.11 OBSTRUCTION OF HEALTH OFFICER

It shall be unlawful for any person to refuse to permit the Health Officer to make an inspection or investigation authorized by law and it shall be unlawful for any person to molest or resist the Health Officer in the discharge of their duties.

Section ~~5.190~~ ~~HEARINGS AND APPEALS~~-(Clarified better in Chapter IX)

~~In the event that an owner or interested person is adversely affected by any determination under this Code, the owner or such interested person may request in writing a Hearing before the Board of Health or its designated Committee within thirty (30) days of the date of such determination. Upon receipt of such request, the health officer shall issue a Notice of Hearing within fifteen (15) days of the receipt of the request, and a Hearing shall be held at the next regular meeting of the Board of Health, or its designated Committee, scheduled for such purposes; provided, that a Hearing shall be conducted not later than sixty (60) days from the date of Notice of Hearing. The Hearing shall be conducted with flexibility in regard to rules of evidence and because of the quasi-administrative nature of the proceeding, and the decision of affirming, reversing or modifying, any such determination shall be based upon a majority vote of the Board of Health or its designated committee, and based upon the whole record of testimony and exhibits received at the Hearing. A decision of the Board of Health or its designated committee shall state the reasons and grounds for such decision, and the decision shall be in writing, and a copy shall be furnished to the owner, any interested person, and the health officer. In reviewing a~~

determination, the Board of Health shall not reverse or modify any decision of the health officer unless the owner or an interested person can show any of the following:

- a. that there is no feasible and prudent alternative site, method or corrective action; or
- b. that the sewage disposal system, if applicable, will not contaminate or pollute a water supply, potable ground water, surface water and/or adversely affect or endanger the public health.

The determinations required under (a) and (b) shall be based upon facts presented at the hearing, the application, and any supporting documents.

Chapter IX – HEARINGS AND APPEALS

Section 9.1 PURPOSE

In order to provide for reasonable and equitable interpretations and applications of the provisions of this Code, there is hereby created an "Appeals Board".

Section 9.2 APPEALS BOARD MEMBERS

The Appeals Board shall be comprised of six (6) members consisting of three (3) members from Benzie County and three (3) members from Leelanau County.

- 1. The Appeals Board members for each county are appointed by the individual County Boards of Commissioners
- 2. Each Board of Commissioners appoint:
 - a. One (1) member of the Board of Commissioners
 - b. Two (2) Members-at-Large from their respective County

Section 9.3 DUTIES OF THE APPEALS BOARD

The Appeals Board shall have the following duties:

- 1. To resolve disputes on interpretation of this Code.;
- 2. To handle appeals from administrative decisions.;

Section 9.4 PROCEDURES OF THE APPEALS BOARD

In the event that an owner or interested person is adversely affected by any determination under this Code, the owner or such interested person may request in writing a hearing before the Appeals Board within thirty (30) days of the date of such determination. Supporting documentation shall accompany the petition and shall include adequate information for the Appeals Board to adequately review, discuss and render a decision. Upon receipt of such request, the Health Officer shall issue a Notice of Hearing within fifteen (15) days of the receipt of the request, and a Hearing shall be held at the next regular meeting of the Appeals Board scheduled for such purposes; provided, that a Hearing shall be conducted not later than sixty (60) days from the date of Notice of Hearing. The Hearing shall be conducted with flexibility in regard to rules of evidence and because of the quasi-administrative nature of the proceeding, and the decision of affirming, reversing or modifying, any such determination shall be based upon a majority vote of the Appeals Board, and based upon the whole record of testimony and exhibits received at the Hearing. Any decision of the Appeals Board is final. The Appeals Board may impose conditions on any affirmative decision.

Section 9.5 DETERMINATION REVIEW BY THE APPEALS BOARD

In reviewing a determination, the Appeals Board shall not reverse or modify any decision of the Health Officer unless the owner or an interested person can show any of the following:

- a. that there is no feasible and prudent alternative site, method or corrective action; or
- b. that the sewage disposal system, if applicable, will not contaminate or pollute a water supply, potable ground water, surface water and/or adversely affect or endanger the public health.

The determinations required under (a) and (b) shall be based upon facts presented at the hearing, the application, and any supporting documents.

Section 9.6 DECISIONS OF THE APPEALS BOARD

In considering a decision, the Appeals Board shall:

- a. Consider a questioned provision in light of other provisions of the Code;
- b. Consider the intent of the Code;
- c. Seek advice of legal counsel, if needed;
- d. Limit the scope of its decision to the subject of the appeal;
- e. State the grounds or reasons for its decision.

The Appeals Board shall furnish the petitioner and Health Officer with a written statement of its final decision to affirm, dismiss or modify the decision of the Health Officer, including the reasons and grounds for such decision, within thirty (30) days following the hearing of any appeal.

Section 9.7 VARIANCES

Individual variances from the requirements of the Code may be made by the Health Officer after having determined, based on the facts and applicable Code sections, that all of the following conditions exist:

- a. That no substantial health hazard or public health nuisance is likely to occur therefrom;
- b. That strict compliance with the Code requirements would result in unnecessary or unreasonable hardship;
- c. There are exceptional or extraordinary circumstances or conditions applicable to the subject property
- d. That no state statute or other applicable laws would be violated by such variances, and;
- e. That the proposed variance would provide essentially equivalent protection of the public interest.

A variance shall not be granted due to a self-created condition or the result of actions of the property owner or previous property owner(s) which occurred after the enactment of the Code provisions for which the variance is sought.

The decision to grant a variance(s) shall be made in writing and shall include the facts and the basis for granting the variance. The decision of the Health Officer may be appealed to the Appeals Board. In considering such an appeal, the Appeals Board shall consider the factors contained in Section 9.6, which includes the conditions contained in Section 9.7.

CHAPTER VI – PERMIT REVOCATION (Moved to Chapter IV)

Section 6.110 — REVOCATION OF PERMIT

Any permit issued pursuant to these regulations may be revoked by the Health Officer if the Health Officer finds that one or more of the following circumstances exist:

- f. Changes have taken place on or to the site or premises so that the construction or operation of the object of the permit cannot comply with this code;
- g. The object of the permit is not constructed, is not operated, is not maintained or does not perform as required by this code or the applicable permit;
- h. The premises to be served by the object of the permit or on which a permit is used to conduct a business is not constructed or operated as stated in the permit application;
- i. The permit holder does not comply with the requirements of these regulations or the terms of the applicable permit; or
- j. The permit application is incomplete or inaccurate.

Section 6.120 — PERMIT REVOCATION PROCEDURE

The revocation of a permit shall be taken pursuant to notice to the permit holder by the mailing of the notice of revocation via first class mail to the permit holder at the mailing address of the permit holder as provided in the application for the permit. The Health Officer may, but is not required to post the notice of revocation on the premises.

The notice of revocation shall contain the reasons for the revocation and notice that the permit holder has the right to request a meeting with the Health Officer. The request for the meeting shall be in writing and shall be made within thirty (30) days of the date of the mailing of the notice of revocation. After the meeting, the Health Officer may continue the revocation, rescind the revocation or impose such conditions of the reinstatement of the permit as are necessary to require compliance with this regulation. If the permit holder is not satisfied with the decision of the Health Officer after the meeting, then the permit holder may appeal the Health Officer's decision to the Board of Appeals.

Commissioner Reports

Art Jeannot
Commissioner Report
December 13, 2022

- Participated in 5 meetings on behalf of the County since our November 22nd meeting.
- **12/1 – Northern MI Counties Association**
 - Our Legislators are considering moving presidential primaries in Michigan from March to February.
 - The Mental Health bills moving through the Senate were defeated. This could possibly be re-visited in the new year.
 - Clare County is reviewing the investment to build a juvenile detention center.
 - New officers were elected for 2023-2024. Richard Schmidt, a Manistee County Commissioner was elected Chairman.
- **12/1 – Lake Township**
 - Bob Blank has resigned effective December 31st as the Zoning Administrator.
 - Josh Mills has been appointed to fill the duties of the Zoning Administrator.
 - Dottie Blank has resigned effective December 31st as the Clerk.
 - Anna Grobe has resigned effective December 31st as the Supervisor and effective January 1st will assume the Clerk duties.
 - The Supervisor position will be posted immediately. If the Trustees or the County Election Commissions are not able to appoint a new Supervisor within 45 days of the beginning of the vacancy, the County Clerk will call for a special election.
- **12/6 – Networks Northwest**
 - Continued discussion on the strategic plan.
 - The Council of Governments and the NWNW board meetings for 2023 are changing from 6 meetings to 4 meetings.
- **12/8 – Platte Township**
 - Election turnout was approximately 70%.
- **12/12 – Almira Township**
 - I will report any relevant information at our meeting.
- **Other**
 - Met with Josh Stoltz to discuss activity at Grow Benzie.
 - I am facilitating a round table for the December 12th new commissioner training in Grayling. This is put on by MSU Extension.

County Administrator Report

Committee Of The Whole

**THE BENZIE COUNTY BOARD OF COMMISSIONERS
COMMITTEE OF THE WHOLE
November 22, 2022**

The Benzie County Board of Commissioners met as a Committee of the Whole on Tuesday, November 22, 2022, in the Frank Walterhouse Board Room, 448 Court Place, Government Center, Beulah, Michigan.

The meeting was called to order by Vice Chair Rhonda Nye at 11:33 a.m.

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

The Pledge of Allegiance was recited.

Agenda:

Motion by Roelofs, seconded by Miller, to approve the agenda as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Commissioner Warsecke requested that “subject to change” be added after the 1:30 p.m. agenda time. Commission Nye stated that item c) Commissioner Pay and item a) HR update will be switched.

Minutes:

Motion by Warsecke, seconded by Miller, to approve the Committee of the Whole minutes of October 25, 2022, as presented. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

11:35 a.m. Public Input - None

Human Resources:

a. Commissioner Pay

Katie Zeits handed out the Compensation Rules for County Commissioners from MSU Extension. Discussion held regarding a pay increase for County Commissioners.

Motion by Sauer, seconded by Jeannot to recommend to the Board of Commissioners to increase the Board of Commissioners pay \$1,000.00 each, effective January 1, 2023, in each category. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

Motion by Sauer, seconded by Warsecke to recommend to the Board of Commissioners that the Chair and Vice Chair receive an additional \$500.00 pay increase each, effective January 1, 2023. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

b. Social Media Policy

Katie Zeits handed out a draft Social Media Policy for review and discussion. Motion by Roelofs, seconded by Jeannot to recommend to the Board of Commissioners to adopt the Social Media Policy of 11/22/2022. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

c. HR Update – written report presented

Buildings & Grounds Update:

- a. Discussion regarding First draft of 911 expansion project design: Rebecca Hubers, Cory Ellis and Sheriff Rosa were present and gave an update on the 911 expansion project.

Topics for Continued Discussion:

- a. Sheriff/Undersheriff wages discussion: Motion by Warsecke, seconded by Miller to recommend to the Board of Commissioners that the Sheriff and Undersheriff receive a 6½% wage increase, effective the first full pay period in January 2023. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, Sauer and Warsecke Nays: None Motion carried.

12:45 p.m. Commissioner Sauer excused.

- b. ARPA discussion regarding allocation of final 40% funding. Discussion held and this matter will be brought back to the Committee of the Whole in the Spring 2023.
- c. County Committee and Board list discussion: Katie Zeitz presented a list of the current County Committee Appointment list. Review the list and we will discuss it at the next meeting in December 2022.

1:10 p.m. Public Input - None

Motion by Roelofs, seconded by Warsecke, to adjourn at 1:10 p.m. Ayes: Jeannot, Markey, Miller, Nye, Roelofs, and Warsecke Nays: None Exc: Sauer Motion carried.

Committee of the Whole

Page 3 of 3

November 22, 2022

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

1. Removed.
2. Removed.
3. Adopt the Social Media Policy of 11/22/2022.
4. Sheriff and Undersheriff receive a 6½% wage increase, effective the first full pay period in January 2023.

Committee Appointments

To whom it may concern,

I, Todd Warren, would like to be reappointed to the Solid Waste Advisory Committee.
My current
will expire on 12/31/2022.

Sincerely,
Todd Warren

APPOINTMENT TO BOARD, COMMISSIONS AND AGENCIES

APPLICATION

DATE: Oct. 31, 2022

Name: Mary Dort

Address (including PO Box): 8345 Tucker Road Lake Ann, MI 49650

County District: Almira Township

Home Telephone: 231-633-2332

Occupation: Almira Twp. Deputy Clerk

Business Telephone: Twp. 231-275-5862

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

1. Emergency Medical Services

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

Please see attached resume, letter of interest.

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

RECEIVED

OCT 31 2022

TAMMY BOWERS
BENZIE COUNTY CLERK
BEULAH, MI 49617

1/8/14

October 31, 2022

From:

Mary Dort
8345 Tucker Road
Lake Ann, MI 49650

To:

Benzie County Commissioners
Benzie County Clerk
448 Court Place
Beulah, MI 49617

RE: Appointment to Benzie County Emergency Medical Services Advisory Committee

Dear Commissioners:

I would like to be considered for the Almira Township Representative position that was recently vacated by Martha (Marty) Dagneau-Bates on the County Emergency Medical Services Advisory Committee.

I retired from the Almira Township Fire/EMS Department in 2011 after working Basic Life Support ambulance, including working with Advanced Life Support personnel, for 30 years as a basic EMT. I also worked for a private ambulance service working both emergent transports and some basic transfers from Paul Oliver Memorial Hospital.

I have done medical and ambulance billing, and have been the EMS Coordinator while serving on Almira Township Fire/EMS.

I served as Almira Township Clerk for 11 years after being appointed in 2001 so I have experience working with budgets, accounts payable, payroll, and meeting protocols.

Thank you for your time in considering my application for this vacant position.

Sincerely,

A handwritten signature in cursive script that reads "Mary Dort".

Mary Dort

November 15th 8, 2022

Tammy Bowers
Benzie County Clerk
448 Court Place
Beulah, MI 49617

RE: Interest in Betsie Valley Trail Management Council

Please consider my appointment to the Betsie Valley Trail Management Council.

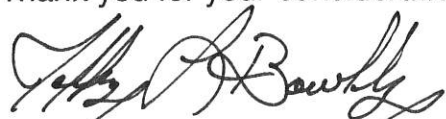
You will find that my professional background, interest in biking and long time residency in Benzie County combine to warrant your serious consideration to serve on the Council.

I am a retired business executive that has decades of experience working with County Government, non-profits and joint powers authorities. I understand the vision and direction of boards, committees and the interpersonal dynamics needed to successfully accomplish the mission of a cycling trail. You will note that my wife and I live in Beulah, are regular trail users and support the long and successful track record of the Council. It is with that vision, I would be honored to serve and commit my skills and background to the council.....and yes, I am willing to put forth work and sweat to continue making the trail one of the best in Michigan.

As brief background recap, I spent 40 years in the commercial liability insurance industry with over 15 of those directly involved in the Michigan Municipal League Liability Pool and the Minnesota Counties Insurance Trust. I have worked first hand with a variety of entities associated with State, county, joint power authorities and local governments. While that background may be useful, I am eager to learn and grow serving on a local Council that has a focused vision and mission.

You will find I am easy to blend into group and board dynamics and enjoy the company of other board and affiliated members and volunteers. Should you desire more information, please see my profile on LinkedIn or give me a call to discuss.

Thank you for your consideration



Jeff Bowlby
258 N. Center St.
Beulah, MI 49617

bowlby.jeff@gmail.com
(517)290-2194

RECEIVED

NOV 22 2022

TAMMY BOWERS
BENZIE COUNTY CLERK
BEULAH, MI 49617

APPOINTMENT TO BOARD, COMMISSIONS AND AGENCIES

APPLICATION

DATE: 11-18-2022

Name: Jeff Bowlby

Address (including PO Box): 258 N. Center PO 535 Beulah 49617

County District: Benzie Home Telephone: (517) 290-2194

Occupation: Retired Corp Officer Business Telephone: _____

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

1. Betsie Valley Trail Mgmt

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

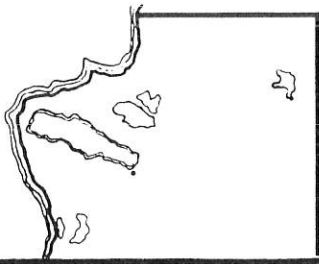
See attached letter

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

1/8/14



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: 11/14/2022

Name: Tyson Burch

Address (including PO Box): 20682 Betsie Highland Dr Interlochen

County District: Benzie Inland Home Telephone: (231) 590-0839

Occupation: Director of Transportation Business Telephone: _____
TCAPS

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

1. Veterans

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

USMC 1987 - 2007 CWO2

I want to continue assisting veterans of
Benzie County.

Approved Bob Felske VA Chair

PLEASE ATTACH A CURRENT OR UPDATED RESUME OR LETTER OF INTEREST

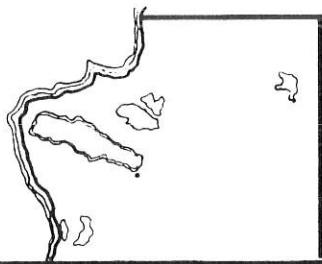
This application with resume' attached must be returned to:

BENZIE COUNTY CLERK
448 COURT PLACE
BEULAH, MI 49617

RECEIVED

NOV 14 2022

TAMMY BOWERS
BENZIE COUNTY CLERK
BEULAH, MI 49617



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: 11-14-2022

Name: DONALD E. SCHAFER

Address (including PO Box): 5423 BROWNING RD., P.O. BOX 513 BEULAH, MI 49617

County District: 3 Home Telephone: 231-882-5497

Occupation: RETIRED Business Telephone: —

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

1. REAPPOINTMENT BENZIE COUNTY VETERANS AFFAIRS COMMITTEE

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

Approved
Bob Jacobs VA Chair

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

RECEIVED

NOV 14 2022

TAMMY BOWERS
BENZIE COUNTY CLERK
BEULAH, MI 49617

Correspondence

BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
PUBLIC HEARING – SANITARY CODE
Monday, November 28, 2022 – 7:00 p.m.
Leelanau County Government Center – Upper Level Community Meeting Room
8527 E Government Center
Suttons Bay, MI 49682

or

Electronically, via conference call

To participate, dial: (213) 282-9788 and enter Conference ID: 531 702 57#

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Introductions
4. Summary of Proposed Amendments to the District Sanitary Code – Eric Johnston, Director
Environmental Health
5. Public Comment – Sanitary Code
6. Public Comment – General
7. Adjournment

BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
PUBLIC HEARING – SANITARY CODE
Wednesday, December 7, 2022 – 4:15 p.m.
Leelanau County Government Center – Upper Level Community Meeting Room
8527 E Government Center
Suttons Bay, MI 49682

or

Electronically, via conference call

To participate, dial: (213) 282-9788 and enter Conference ID: 964 439 243#

This is a Special Meeting of the Benzie-Leelanau District Health Department Board of Health. The purpose of this special meeting is to approve a policy for the enforcement of transfer of property regarding Chapter VI of the Revised Sanitary Code.

1. Call to Order/Roll Call
2. Pledge of Allegiance
3. Approval of the Agenda
4. Public Comment
5. Transfer Enforcement Policy Code for Revised Sanitary Code - Action
6. Public Comment
7. Board Comment
8. Adjournment

**BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
BOARD OF HEALTH MEETING
Wednesday, October 26, 2022 2:00 p.m.
Benzie Resource Center – Ingemar Johansson Conference Room
6051 Frankfort Hwy. Ste. 101
Benzonia, MI 49616**

Chairperson Dr. Barbara Conley called the meeting to order at 2:02 pm.

Members Present:

Gary Sauer - Benzie County Board of Commissioners
Ty Wessell – Leelanau County Board of Commissioners
Dr. Barbara Conley – Leelanau County Member at Large
Rhonda Nye – Benzie County Board of Commissioners
Dr. Mark Kuiper – Benzie County Member at Large – arrived at 2:04p.m.

Members Absent: None

Members Excused: Patricia Soutas-Little – Leelanau County Board of Commissioners

Staff Present:

Dr. Joshua Meyerson – Medical Director
Dodie Putney – Director of Administrative Services
Eric Johnston – Director of Environmental Health
Michelle Klein - Director of Personal Health
Dan Thorell – Interim Health Officer

Staff Excused: None

Guests Present: None

Pledge of Allegiance

Approval of Minutes:

Motion By: Wessell to approve the September 28, 2022, BOH meeting minutes.

Seconded By: Sauer

Voice Vote: 5 yeas 0 nay 1 excused **Motion carried**

Approval of the Agenda:

Motion By: Wessell to approve the agenda with removing Item 3 until a later date.

Seconded By: Conley

Voice Vote: 5 yeas 0 nay 1 excused **Motion carried**

Public Comment – None

Health Officer Update – Dan Thorell

A written report was distributed prior to the meeting for review. Please refer to it for details. Thorell went into detail about the State funding increase for the Type II water program and what that means for local health departments. MDHHS had visited the Benzie site to gain insight on day-to-day operations for administering water quality programs.

Thorell had passed the background check and was offered the full-time position of Health Officer. He is in the process of negotiating his contract with HDNWM. It was asked if the wage decided during the negotiation process would affect the amount that BLDHD is paying HDNWM. Yes, the wage and benefits that will be agreed upon will affect how much BLDHD will be paying HDNWM for the services of a Health Officer.

Sanitary Code Revision Update

A written revision of the code had been distributed for review prior to the meeting. Please refer to it for details. One of the attachments was a timeline that indicated how and when the quickest way to have this amended code go into effect for the two Counties. Johnston explained that the proposed code would have to go before a public hearing to receive comment and questions from the residents of both Counties. After the public hearing, the code along with any public comment would go before the BOH to be voted for recommendation for the County Boards to adopt. The code would then go before each County Commission to be voted into effect. Both Counties would have to accept it to make it an ordinance that could be enforced. It was questioned if the Board of Appeals would still be applicable. Yes, the Board of Appeals would exist. It was also suggested that the timeline for when communication going out to a property owner be reduced from 120 days to 30 days. The revised code will be available for the public to review at the BLDHD website and on the BLDHD's Facebook page. It was also decided that a motion needed to be made on what days it was decided to hold the public hearings on the updated sanitary code.

Motion By: Sauer to approve holding a Public Hearing Meeting at the Benzie Resource Center on November 21, 2022 at 7p.m., with the Leelanau Government Center being open with IT resources available to allow public to ask questions or express opinions from the second location. Having a second Public Hearing Meeting on November 28, 2022 at 7p.m., at the Leelanau Government Center with the Benzie Resource Center being open to the public with IT resources available to allow public to ask questions or express opinions from the second location.

Seconded By: Wessell

Roll Call Vote: Sauer- yeas, Nye- yeas, Conley- yeas, Wessell- yeas, Kuiper - yeas
5 yeas 0 nays 1 excused Motion carried

Accounts Payable

Motion By: Sauer to approve accounts payable and pay the bills in the amount of \$308,102.06

Seconded By: Wessell

Roll Call Vote: Sauer- yeas, Nye- yeas, Conley- yeas, Wessell- yeas, Kuiper - yeas
5 yeas 0 nays 1 excused Motion carried

Year End Update

Due to the amount of work that goes in to closing the fiscal year, the September financials will be presented at the November 30, 2022 BOH meeting.

Staff Reports:

Medical Director – Dr. Joshua Meyerson

It was asked, what was the CDC's current stance on the Covid vaccination for children? It is on the recommended list. Public schools have a required list of vaccinations and a recommend list. It was placed on the recommended list so uninsured or underinsured children would be eligible to be able to access this vaccine at no cost.

Personal Health – Michelle Klein

A report was distributed at the beginning of the meeting. Please refer to it for details. The Community Connections program is at capacity and has developed a policy for implementing a waiting list. As the application process opens for the School Wellness Programs, Klein will be putting in applications. If awarded, the funds will be used to provide a school nurse and a mental health provider for our other school districts.

Environmental Health – Eric Johnston

A report was distributed prior to the meeting. Please refer to it for details. In the report there was information about the number of permits that have been issued over the past few years. It did a comparison showing how the numbers have been trending up. It was asked what will happen if/when a recession hits the economy. Measures that had been taken during the 2008 housing crisis were discussed as possibilities for the future if a recession does occur.

Administrative – Dodie Putney

A report was distributed prior to the meeting. Please refer to it for details. Putney asked the BOH if the new format for the financial reporting was acceptable and it was agreed that everyone liked it. It was discussed that if the Leelanau Government Center was not going to be a good fit to move the Leelanau Environmental Health division, what other avenues should be reviewed? It was mentioned that finding commercial property to lease would be easiest in the southeast corner of Leelanau County near Greilickville. A concern that was brought up was, would a different location be able to serve residents effectively. The idea of surveying frequent users of the Environmental Health services would be the best course of action to see if there is a location that would be most convenient for them.

Public Comment – None.

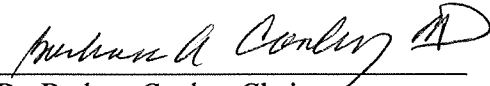
Board Comments – It was asked if there would be a December BOH meeting. At the February 2022 BOH meeting, it had been voted on not to hold a meeting in December.

Adjourn:

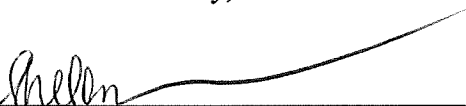
Motion By: Nye to adjourn the BOH meeting at 3:54 p.m.

Second By: Kuiper

Voice Vote: 5 yeas 0 nay 1 excused **Motion carried**



Dr. Barbara Conley, Chair



Shelley Jablon, Recording Secretary

BENZIE-LEELANAU DISTRICT HEALTH DEPARTMENT
BOARD OF HEALTH MEETING AGENDA
Wednesday, November 30, 2022 – 2:00 p.m.
Leelanau County Government Center-Upper Level Community Meeting Room
8527 E Government Center
Suttons Bay, MI 49682

or

Electronically, via conference call

To participate, dial: (213) 282-9788 and enter Conference ID: 968 971 309#

This is a Regular Meeting of the Benzie-Leelanau District Health Department Board of Health. Public Comment is encouraged at the beginning and end of the meeting. An individual's comment time may be limited based on the discretion of the Chair.

Call to Order/Roll Call

Pledge of Allegiance

Approval of Minutes from the Regular Board of Health Meeting of October 26, 2022.

Approval of the Agenda

Public Comment Period

1. Approval of the Revised Immunization Fee Schedule – Action
2. Revised Sanitary Code - Action
2. Health Officer Update – Dan Thorell
3. Personnel and Finance Committee Report-Personnel and Finance Committee
 - A. Accounts Payable – Action
 - B. September 2022 – Financial Statements - Action
 - C. October 2022 - Financial Statements – Action
4. Staff Reports
 - A. Medical Director – Dr. Joshua Meyerson
 - B. Personal Health – Michelle Klein
 - C. Environmental Health Director – Eric Johnston
 - D. Administrative- Dodie Putney

Public Comment Period

Board Comments

Adjourn

Personnel and Finance Comm. Meeting- November 30, 2022 1:00 pm
Leelanau County Government Center – Upper Level Community Meeting Room
Electronically via conference call:
(213) 282-9788 and enter Conference ID: 968 971 309#

EATON COUNTY BOARD OF COMMISSIONERS**NOVEMBER 16, 2022****RESOLUTION URGING STATE LEGISLATURE TO AMEND THE MICHIGAN AUTO INSURANCE REFORM ACT TO AMEND THE REIMBURSEMENT CAP FOR AUTO ACCIDENT VICTIMS AND HOME HEALTH CARE****Introduced by the Health and Human Services Committee**

Commissioner Rogers moved the approval of the following resolution. Seconded by Commissioner Lautzenheiser.

WHEREAS the Michigan No-Fault Auto Insurance Reform Act of 2019 introduced a fee cap, which took final effect on July 1, 2021; this cap set percentage limits on how much residential care facilities, home health care providers, and other persons can be reimbursed for providing treatment/care to auto accident victims; and

WHEREAS these reimbursement caps are 55% of the reimbursement rates that Home Care Providers were collecting in 2019; and


WHEREAS, 55% of a Home Health Care provider's 2019 collections, is an unsustainable reimbursement cap to continue caring for catastrophically injured individuals following an auto accident; and

NOW THEREFORE BE IT RESOLVED, that the Eaton County Board of Commissioners hereby urges the Michigan Legislature to amend the Michigan No-Fault Auto Insurance Reform Act to address a sustainable fee cap (i.e. Michigan's Workman's Compensation Fee Cap for Ancillary Services) for Home Health Care providers, in order to uphold these benefits that have been paid for by the survivors who are currently receiving and who will receive in-home, long-term care, when purchasing an Unlimited PIP Auto Insurance policy, paid by the Michigan Catastrophic Claims Association; and

BE IT FURTHER RESOLVED, that the Eaton County Clerk/Register of Deeds is requested to forward copies of the adopted resolution to the Governor of the State of Michigan, the State Senate Majority and Minority leaders, the State House Speaker and Minority Leader, the members of the Eaton County delegation to the Michigan Legislature, and the other 82 counties of Michigan as Commissioner Correspondence. Carried unanimously.

STATE OF MICHIGAN
COUNTY OF EATON

I certify that the foregoing is a true and accurate copy of the resolutions adopted by the Eaton County Board of Commissioners, that such resolutions were duly adopted at a regular meeting held on November 16, 2022, and that notice of such meeting was given as required by law.


Diana Bosworth, Clerk of the Eaton
County Board of Commissioners

LEGAL LEVELS	JAN. 1 - APR. 30	& NOV. 1 - DEC. 31	599.75
		MAY 1 - OCT. 31	600.25
B.M. N. SIDE BOAT RAMP	ELEV. 601.87		

599.75

MAY 1 - OCT. 31

600.25

B.M. N. SIDE BOAT RAMP ELEV. 601.87

RECEIVED

~~DEC 07 2022~~

TAMMY BOWERS
BENZIE COUNTY CLERK
BEULAH, MI 49617

LITTLE PLATTE LAKE ELEVATION

LEGAL LEVEL 586.7

B.M. 4 IRON NE ABUTMENT ELEV. 589.44

[illegible]



LETTER OF TRANSMITTAL

To: Benzie County Board of Commissioners	Date: December 1, 2022
Address: 448 Court Place Beulah, MI 49617	RE: West Benzie Joint Master Plan - Draft Plan Notification
Attention: Board of Commissioners	

WE ARE SENDING YOU (as checked below)::

☒ Enclosed ☐ Separately ☐ Plans ☐ Specifications
☐ Shop Drawings ☐ Photographs ☐ Change Order Other: _____

VIA (as checked below):

☒ Hand Delivery ☐ UPS ☐ UPS Next Day ☐ Fed Ex ☐ US Mail ☐ For Pick Up

Copies	Dates	Description	# of Pages
1	11/28/22	Release of Draft Plan Notification Letter	1
1	10/16/22	Plan Notification List	1

FOR (as checked below):

☐ For Approval ☐ Approved as Submitted ☐ Resubmittal ☐ As Requested
☐ Change Order ☐ Approved as Noted ☒ For your Use ☒ For Review and Comment

Other: _____

COMMENTS:

Please find this copy for your use and records, while Benzie County has no formal planning commission the WBJPC would welcome any comments. A public hearing will be scheduled after the 63 comment period - to be determined.

COPY TO:

PROJECT FILE

FROM:

Sara Kirk & West Benzie Joint Planning Commission

Sara Kirk

WEST BENZIE JOINT MASTER PLAN 2022

Benzonia Township & Platte Township, Benzie County, Michigan

November 28, 2022

PUBLIC NOTICE FOR WEST BENZIE JOINT PLANNING COMMISSION BENZONIA AND PLATTE TOWNSHIPS OF BENZIE COUNTY RELEASE OF DRAFT PLAN

In accordance with the requirements of Michigan's PA 33 of 2008 and related amendments, this is to notify you that Benzonia and Platte Townships, under the West Benzie Joint Planning Commission have undergone a planning process since January and have prepared a draft of the Master Plan document that is ready for public review.

Notice is now hereby given to any and all interested parties that the "West Benzie Joint Master Plan; including the 5-year Park & Recreation Plan, 2022" will be available for public review and comment for 63 days beginning October 19, 2022. The plan is available on the Benzonia Township website at <http://www.benzoniatownship.org/>. A hard copy is also available to view by appointment at the Benzonia Township offices and at the Platte Township Offices.

Benzonia Township Hall

1020 Michigan Avenue, P.O. Box 224

Benzonia, MI 49616

Phone: 231-882-4411

Email: supervisor@benzoniatownship.org

Platte Township Hall

11935 Fowler Rd

Honor, MI 49640

Phone: (231) 325-2459

Email: plattetownship@gmail.com

In combination with the Master Plan, the West Benzie Joint Planning Commission is updating the five-year Parks and Recreation Plan in accordance with Michigan Department of Natural Resources guidelines. When completed, the plan will serve as a guide for the acquisition and development of parks and recreation facilities over the next five (5) years.

The WBJPC would appreciate all comments regarding the Plan's content and how you feel it may affect planning efforts in your community. PLEASE BE NOTIFIED that you are invited to send a letter and/or email stating your opinions, position, or questions to Benzonia Township / West Benzie Joint Planning Commission, PO Box 224, 1020 Michigan Ave, Benzonia, MI 49616 or send an email to supervisor@benzoniatownship.org.

A public hearing will be scheduled and advertised, in accordance with the requirements of Michigan's PA 33 of 2008 and related amendments, after the 63-day review period – this will likely be held in January 2023. The Planning Commission thanks you for your cooperation and assistance in this effort!

Draft Released to Public 10/19/22

Enclosed is the list of notifications.

Submitted by Consultant:



Sara Kirk, ASLA, LEED AP
SRP Design Studio, LLC

PLANNING NOTIFICATIONS LIST

10/16/22

Entity Name Required	Contact	Mailing Address	City	State	ZIP
Networks Northwest	Terry Vandercook	600 E. Front Street, Ste 108, PO BOX 506 8527 E Government Center Dr, Suite 108,	Traverse City	MI	49685-0506
Leelanau County Planning Commission	Jenny Romo, Secretary	7276 Ole White Dr	Suttons Bay	MI	49682
Almira Township	Tammy Clous, Clerk	4760 Herring Grove Rd	Lake Ann	MI	49650
Blaine Township	Marjorie Rohn	PO Box 2129, 1651 Frankfort Hwy	Arcadia	MI	49613
Crystal Lake Township	Sue Sullivan	8161 Deadstream Road	Frankfort	MI	49635
Lake Township	Dorothy Blank, Clerk	PO Box 315, 11508 Honor Hwy	Honor	MI	46940
Homestead Township	Karen Mallon	14731 Thompson Ave, PO Box 570	Honor	MI	49640
Weldon Township	Fran Griffin	PO Box 247	Thompsonville	MI	49683
Gilmore Township	Shannon Spencley	PO Box 256	Elberta	MI	49628
Joyfield Township	Dolores Putney	P.O. Box 223	Benzonia	MI	49616
Village of Benzonia	Mardee Cutler, Clerk	PO Box 326	Benzonia	MI	49616
Village of Beulah	Dawn Olney	14150 US-31	Beulah	MI	49617
Benzie Bus	Jessica Carland	PO Box 68	Beulah	MI	49617
Benzie County Road Commission	Mr. Matthew Skeels	101 S Washington Square,	Honor	MI	49640
DTE Energy		1 Energy Plaza Dr	Lansing	MI	48933
Consumers Energy			Jackson	MI	49201

Planning notifications have been sent to the above list during the planning process. Notice to Plan, January 18, 2022. Release of Draft Plan October 18, 2022

Signed: Aileen Michaelak 12/1/22
 WBJPC Secretary Consultant



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

December 2, 2022

VIA E-MAIL

To Whom It May Concern:

SUBJECT: Department of Environment, Great Lakes, and Energy (EGLE)
Site-Specific Review Determination Letter Copy

Please note that you are receiving a copy of this Site-Specific Review Determination Letter because EGLE is required to notify all of the following parties within a watershed where the registration of either a Zone B cold-transitional or Zone C withdrawal has been approved: registered water users, water use permit holders, local government officials, conservation districts, regional planning agencies, watershed management planning committees, storm water committees, water users committees, and community water supplies.

As such, you may wish to establish or be included in a local water users committee to address any issues related to withdrawals within the watershed. Any questions regarding the establishment of a water users committee should be directed to Andy LeBaron, Permits Section, Water Resources Division, at 517-599-3792 or LeBaronA@Michigan.gov.

Sincerely,

James F. Milne, Supervisor
Water Use Assessment Unit
Water Resources Division
517-285-3253

Enclosure

cc: Andy LeBaron, EGLE



GRETCHEN WHITMER
GOVERNOR

STATE OF MICHIGAN
DEPARTMENT OF
ENVIRONMENT, GREAT LAKES, AND ENERGY
LANSING



LIESL EICHLER CLARK
DIRECTOR

December 2, 2022

VIA E-MAIL

Craig Bull
Bull Farms, LLC
2336 Wilshire Drive
Jenison, Michigan 49428

Dear Bull:

SUBJECT: Department of Environment, Great Lakes, and Energy (EGLE)
Site-Specific Review (SSR) 8733-202211-18

This letter is in response to your request for an SSR for a proposed large quantity water withdrawal located in Section 08 of Springville Township, T23N, R12W, Wexford County. Under Part 327, Great Lakes Preservation, of the Natural Resources and Environmental Protection Act, 1994 PA 451, as amended (NREPA), all new large quantity withdrawals are prohibited from causing an adverse resource impact (ARI) to the surface waters of the state.

EGLE examined all reasonably available information and determined that the withdrawal is **not likely** to cause an **ARI**, and you are hereby authorized to proceed with making the withdrawal. However, the withdrawal has been verified a Zone B withdrawal in Manistee River watershed (12756), which is classified as a cold-transitional large river. Please be advised that this determination is a presumption contingent upon the withdrawal conditions specified below and may be rebutted by a preponderance of evidence that the withdrawal has caused or is causing an ARI.

Based on the information provided through the Water Withdrawal Assessment Tool and discussions with your representative, the proposed withdrawal is registered with the following parameters:

Source:	Groundwater
<u>Location</u>	
Latitude:	44.409572°
Longitude:	-85.7826°
Capacity:	500 gallons per minute (gpm)
Pumping Frequency:	Intermittent
Months:	June-August
Days per Week:	4
Hours per Day:	24
Depth to the Top of the Screen Interval:	150 feet

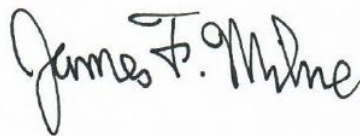
The registration number is Reg 8733-202211-18; a copy of the registration receipt is enclosed. Please be aware that you, or your well installer, should obtain all permits and authorizations required by other federal, state, and local regulations in addition to contacting your local environmental health department to obtain all necessary authorizations or permits prior to installing the irrigation well. You are advised to require your well driller to inform you of any potential alterations to the construction of your withdrawal (e.g., well depth, screened interval, pump installation, or location). If the actual construction or operation characteristics for this withdrawal vary from what is registered, please contact Nathaniel Shuff, Permits Section, Water Resources Division (WRD), at 517-599-3259; ShuffN@Michigan.gov or EGLE, WRD, P.O. Box 30458, Lansing, Michigan 48909-7958, to obtain approval to proceed pursuant to Subsection 32706b(5) of Part 327.

Within 60 days after completion of the well, your drilling contractor should provide you a copy of the well record and file copies with EGLE or local environmental health department in accordance with MCL 333.12707 of Part 127, Water Supply and Sewer Systems, of the Public Health Code, 1978 PA 368. This well must be constructed, and the withdrawal made operational by installing the pump in the well within 18 months of the date on the registration receipt.

Per Section 32725(2) of Part 327, EGLE is required to notify all registrants, permit holders, and local government officials within the watershed about the registration of the withdrawal and their authority to establish a water users committee. By copy of this letter, EGLE is providing notification. Any questions regarding the establishment of a water users committee should be directed to Andy LeBaron, Permits Section, WRD, at 517-599-3792 or LeBaronA@Michigan.gov.

If you have any questions or comments, please contact me. If you need to contact Nathaniel Shuff or me by mail, we can be reached at EGLE, P.O. Box 30458, Lansing, Michigan, 48909-7958.

Sincerely,

A handwritten signature in black ink that reads "James F. Milne". The signature is written in a cursive, flowing style.

James F. Milne, Supervisor
Water Use Assessment Unit
Water Resources Division
517-285-3253

Enclosure

cc: Benzie-Leelanau District Health Department
Benzie County Drain Commissioner
Benzie County Clerk
Grand Traverse County Health Department
Grand Traverse County Drain Commissioner
Grand Traverse County Clerk
District Health Department 10, Manistee County
Manistee County Drain Commissioner
Manistee County Clerk
District Health Department 10, Wexford County
Wexford County Drain Commissioner
Wexford County Clerk
Colfax Township Clerk, Benzie County
Grant Township Clerk, Grand Traverse County
Cleon Township Clerk, Manistee County
Dickson Township Clerk, Manistee County
Marilla Township Clerk, Manistee County [via United States Postal Service (USPS)]
Slagle Township Clerk, Wexford County (via USPS)
Springville Township Clerk, Wexford County (via USPS)
Wexford Township Clerk, Wexford County (via USPS)
Village of Mesick Clerk, Wexford County
Adam Gore, North Prairie Farms
Ben Komrska, Komrska Tree Farms, LLC
Casey Youker, Patchwork Farms
Dave Melcher, Farmers Transport
James Becraft, Pinnacle Heartland Op Co, LLC
Jodi Cochrane, Cochrane Tree Co., L.L.C.
Larry Usher, Whispering Meadows Ranch
Mike Geerlings, Scenic View Dairy (via USPS)
Pat's Place MHP (via USPS)
Ronald Gillison
Ronald Schwass
Tim Young
Abigail Eaton, Department of Agriculture and Rural Development
Jay Wesley, Department of Natural Resources
Brian Jankowski, EGLE
Andrew LeBaron, EGLE
Nathaniel Shuff, EGLE