

Local Emergency Planning Committee

Current Members	Date Appointed	Term Expires	Resigned (Date)
Toni Drier Elected Official		12/21 (Auto-renew yearly for all)	
Chris Anderson Agriculture		12/21	
Brian Gutowski Transportation		12/21	
Meghan Powers Community Group - Salvation Army		12/21	
Randy Weston EMS		12/21	
Jennifer McKay Local Environmental Group		12/21	
Dennis Halverson Health Dept		12/21	
Robert Kronberg Health Organization		12/21	
Jeff Mallory Airport		12/21	
Chuck Scott Media Representative		12/21	
Sheriff Pete Wallin Law Enforcement Representative		12/21	
Matt Breed Law Enforcement Representative		12/21	
Megan Andersons Emergency Management		12/21	
Al Welsheimer Fire Representative		12/21	
Jason Lee Emergency Management		12/21	
Mike McCully Emergency Management		12/21	
Jeff Kobe Tribal		12/21	

Local Emergency Planning Committee

Length of Term: Yearly auto renew

Purpose: This appointment is statutory and made pursuant to Section 7 of Community Corrections Act, 1988 PA 511. The Board's establishment is required and will provide structure for the implementation of the PA 511 grant monies. The transition from the joint relationship with Charlevoix County will be effective April 1, 2010.

Appointments: Nomination are made to the BOC by the LEPC Exec Board
See attached By-laws.

**THE BY LAWS
OF
THE EMMET COUNTY, MICHIGAN
LOCAL EMERGENCY PLANNING COMMITTEE**

ARTICLE I – NAME

The name of the Committee shall be the Emmet County Local Emergency Planning and Community Right-To-Know Committee (hereinafter referred to as the "LEPC").

ARTICLE II – AUTHORITY

The establishment of the LEPC is authorized by Title III of the Superfund Amendment and Reauthorization Act of 1986, known as the "Emergency Planning and Community Right-To-Know Act of 1986", or "SARA Title III", as implemented by Executive Order of the Governor of the State of Michigan.

ARTICLE III – PURPOSE

- A. The LEPC shall discharge the responsibilities delegated to Local Emergency Planning Committee by the State of Michigan and by federal law, including but not limited to:
1. Developing the Local Emergency Response Plans, as required.
 2. Providing for Community Right-To-Know procedures, as mandated.
 3. Overseeing the collection and storage of data required to implement these tasks.
- B. The LEPC will review, on at least an annual basis, new federal, state, or county legislation regarding emergency planning and community right-to-know and provide procedures to carry out those requirements.
- C. The LEPC will review all SARA TITLE III Tier II reports submitted within Emmet County. The review will be performed by a review committee appointed by the Chairperson of the LEPC. The review committee will be composed of at least three members of the LEPC, one of whom may be the Emergency Management Coordinator for Emmet County. The reports will be reviewed for accuracy and completeness using criteria from the annual reporting guidance issued by the State of Michigan Emergency Response Commission (SERC) and will be completed by July 1st of every year.

- D. In addition to the requirements set by law, the goals of the LEPC are to provide the following in Emmet County:
1. An increased awareness among emergency response professionals of the existence and the threat of hazardous and toxic chemicals located in Emmet County.
 2. A reduction in the threat that hazardous and toxic chemicals pose to people and the environment through the provision of knowledge and planning as to the proper handling of hazardous and toxic chemicals.
 3. Prevention of fires and accidents involving toxic and hazardous chemicals.
 4. The planning of appropriate responses to various threatening situations resulting from hazardous and toxic chemicals in the county.
 5. Encouragement of a reduction in the use of hazardous and toxic chemicals.
 6. Support for and collaboration with the Emergency Management Coordinator for Emmet County, the Federal Emergency Management Agency (FEMA), the SERC, and State and Federal Offices of Homeland Security in any actual emergency situation or training for emergency preparedness.

ARTICLE IV – JURISDICTION

Pursuant to Section 301(b) of SARA Title III, the Emergency Planning District shall encompass all of Emmet County with the exception of those townships or cities that may be recognized as an emergency management jurisdiction under Public Act 390 of 1976 (Michigan Emergency Management Act) and which have elected to become a separate Local Emergency Planning District.

ARTICLE V – MEMBERSHIP

- A. Membership on the LEPC shall be recommended by the LEPC Executive Board and approved by the Emmet County Board of Commissioners consistent with state and federal requirements.
- B. LEPC membership shall be composed of elected local officials, law enforcement representatives, fire service representatives, emergency services representatives, public health representatives, ambulance personnel,

hospitals, local environmental representatives, broadcast and print media, community groups, owners/operators of facilities subject to the requirements of SARA Title III, and other members of the public concerned with or affected by hazardous or toxic chemicals and emergency management issues, but total membership is not to exceed thirty (30) members. Any such expansion will be recommended by the Emmet County Board of Commissioners to the Michigan Emergency Planning and Community Right-To-Know Commission for approval.

- C. Members shall serve four-year terms beginning in January of even numbered years and may be reappointed. A member who wishes removal from the LEPC for any reason shall submit a statement to the LEPC within 30 days of requesting removal and may suggest another for appointment representing the same category of membership.
- D. Any member of the LEPC may appoint an alternate with the authority to vote at any LEPC meeting where the member is absent. Alternates will register with the secretary of the LEPC prior to the beginning of the meeting in which they will be participating. An alternate participating in a meeting shall be considered a member for purpose of these Bylaws.

ARTICLE VI – MEETINGS

- A. All business of the LEPC will be conducted in compliance with the Michigan Open Meetings Act (Public Act. No. 267 of 1976) or otherwise allowed by law.
- B. The agenda for each LEPC meeting shall include a period when any member of the public may address the LEPC, subject to reasonable time limits.
- C. A quorum for the conduct of LEPC business shall be five (5) or more of the members designated and serving on the committee.
- D. A majority for adopting any action by the LEPC shall be a majority of the members present when an action is proposed, and a quorum is present.
- E. The rules of procedure for the LEPC meetings shall be Robert's Rules of Order.
- F. There shall be an organizational meeting of the LEPC in January of every even numbered year wherein officers will be elected by majority vote and subcommittees appointed.
- G. The LEPC will meet four times a year or as often as necessary to conduct business. A tentative meeting schedule will be determined at the

organizational meeting and said schedule will be provided to the Emergency Management Coordinator for Emmet County and SERC representatives.

ARTICLE VII – OFFICERS

- A. The LEPC shall elect, in January of every even numbered year, a Chairperson, Vice-Chairperson, and Secretary who will take office at the next scheduled meeting.
- B. The powers and duties of the Chairperson will be to preside at meetings of the LEPC, appoint such committees and subcommittees as shall be needed to conduct the business of the LEPC, to sign required documents, and perform such other powers and duties as are customary for presiding officers of similar committees. The Chairperson will prepare an agenda for meetings.
- C. The powers and duties of the Vice-Chairperson will be to exercise the powers of the Chairperson in the Chairperson's absence and to carry out such other duties as may be directed by the Chairperson.
- D. The powers and duties of the Secretary will be to take and transcribe the minutes of each meeting for preparation and distribution to membership, coordinate and distribute official correspondence relative to SARA Title III, and periodically check roster for accuracy, and keep the files for new plans and reviews.
- E. The Chairperson, Vice-Chairperson, and Secretary shall constitute the Executive Board of the LEPC. The Executive Board shall be empowered to transact business of the LEPC between meetings of the members, as necessary, except that the Executive Board is not authorized to amend these bylaws or to amend or repeal any resolution of the LEPC. The Executive Board shall meet as needed. The Chairperson shall notify the Executive Board members meeting notices at least three (3) days before any meeting. A quorum of the Executive Board shall be a majority of its members present in person, and all business transacted by the Executive Board shall be by a majority vote of the members present in person. The Executive Board shall keep minutes of its proceedings, which shall be filed with the Secretary of the LEPC, and any action taken by the Executive Board shall be presented to the LEPC Committee for ratification at its next regular meeting.
- F. The LEPC Public Information Officer (PIO) will be designated by the Executive Board of the LEPC at the organizational meeting. The LEPC PIO shall be responsible for processing and releasing any information to the public.
- G. Elections Process:

1. An acting Chairperson will ask for nominations first for the office of Chairperson. Nominations will be made from the floor by members of the LEPC. A nomination must be seconded. Upon completion of all nominations, the acting Chairman will call for a vote on each nomination. The nomination receiving the most votes shall be awarded the office, subject to approval by the Emmet County Board of Commissioners.
2. Nominations will then be taken for the office of Vice-Chairperson and Secretary following the same procedures for selecting the Chairperson.

ARTICLE VIII – STATUS OF COMMITTEE FOR FUNDING AND ACCOUNTING

The committee shall operate as a part of Emmet County government, pursuant to, and in accordance with, all applicable laws, regulations, and ordinances. The LEPC, on behalf of Emmet County, may enter into and execute agreements with other governmental entities, advisory boards, committees, or councils and may enter into and execute all contracts, other obligations, and undertakings, but only after notification to and concurrence by the Emmet County Board of Commissioners.

ARTICLE IX – PUBLIC ACCESS

Any written documents prepared, owned, used, in the possession of, or retained by the LEPC, or any of its subcommittees, shall be made available to the public in accord with the Michigan Freedom of Information Act (Public Act No. 442 of 1976) and the community right-to-know reporting provisions of SARA Title III. Any such documents shall be located in a locked storage cabinet located in the Emergency Operations Center of Emmet County. Necessary access to the storage cabinet shall be arranged through the LEPC PIO.

ARTICLE X – RATIFICATION AND AMENDMENT

- A. These by-laws shall be in effect, upon approval of the Emmet Board of Commissioners following ratification at a meeting by a quorum of members of the LEPC, until such time as they may be amended or repealed.
- B. Amendment of the by-laws shall be by a recommendation of a quorum of members designated and serving on the LEPC to the Emmet County Board of Commissioners. Any proposed amendment to the by-laws shall be presented to the LEPC members at least 28 days prior to consideration for recommendation.

ARTICLE XI – FILING OF BY-LAWS AND AMENDMENTS THERETO

A copy of these by-laws and amendments to these by-laws shall be provided to the Emmet County Board of Commissioners, the Emmet County Clerk, the Michigan Emergency Planning and Community Right-to-Know Commission and any person who requests a copy.

ADOPTED BY THE LOCAL EMERGENCY PLANNING COMMITTEE FOR EMMET COUNTY, THIS 15th DAY OF SEPTEMBER 2020.

LEPC Chairperson

LEPC Secretary

Director CCE- EMP

ADOPTED BY THE EMMET COUNTY BOARD OF COMMISSIONERS, THIS _____ DAY OF _____, 2020.

By: _____

Its Chairman

By: _____

Its Clerk

Local Revenue Sharing Board- Petoskey

Current Members	Date Appointed	Term Expires	Resigned (Date)
Dennis Keiser, (Bear Creek) 937 Kolinski Road Petoskey, MI 49770 231-347-1723	9/5/2013	Indefinite	
Bob Wheaton		Indefinite	
Matt Koontz- Commissioner		12/31/22	

Appointed by: Emmet County Board of Commissioners

Purpose: This is a 3 member board consisting of 1 EC Commissioner; 1 appointed by Bear Creek Township Board (casino is located in Bear Creek); 1 appointed from the next most affected unit of government by the other two members.

Terms: per appointing body

The purpose of this board is to accept and review requests for the casino revenues received by the County pursuant to the 1999 Compact with the LTBB of Odawa Indians. The funds are distributed for specific uses on a percentage basis.

Local Revenue Sharing Board

Mackinaw City

Current Members	Date Appointed	Term Expires	Resigned (Date)
Scott Newman (Village appointment)	7/1/2021	7/1/2022	
Jeff Curth	4/2022	7/1/2022	
Toni Drier - Commissioner	6/2021	6/2022	

Established by: Resolution dated 6/21/18

Appointed by: The terms of the Resolution

3 members: 1 county commissioner, 1 appointee of Village of Mackinaw, 1 appointee of third local unit of government determined by Village and County Representative as most impacted. The county commissioner is appointed by ECBOC. The terms are per governing body.

See attached Resolution

**VILLAGE COUNCIL
VILLAGE OF MACKINAW CITY**
Emmet and Cheboygan Counties, Michigan

Trustee Belinda Mollen, supported by Trustee Tom Chastain, moved the adoption of the following resolution:

**BOARD OF COMMISSIONERS
COUNTY OF EMMET**
Emmet County, Michigan

Commissioner Ahrens, supported by Commissioner White, moved the adoption of the following resolution:

JOINT RESOLUTION NO. 18-001

**A JOINT RESOLUTION TO ESTABLISH AND APPOINT MEMBERS TO
THE EMMET COUNTY-MACKINAW CITY LOCAL REVENUE
SHARING BOARD**

WHEREAS, the Little Traverse Bay Bands of Odawa Indians (the "Tribe") requested to operate a second class III gaming casino within Emmet County (the "County") on property it owns within the jurisdictional limits of the Village of Mackinaw City (the "Village"); and

WHEREAS, in accordance with the December, 1998, compact executed between the Tribe and the State of Michigan, and the July, 2003, first amendment to such compact (collectively, the "Compact"), on December 7, 2017, the Village Council approved the Tribe's request to open and operate its second Class III gaming facility within the Village (the "Second Casino"); and

WHEREAS, the Tribe has operated the Second Casino as a Class III gaming facility since January 17, 2018; and

WHEREAS, Section 18 of the Compact requires the County and the Village to establish a Local Revenue Sharing Board to receive and direct the disbursement by the County Treasurer of the semi-annual payments from the Tribe as to the 2% net winnings of the Second Casino.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. In accordance with the terms of the Compact, the Village Council agrees to the establishment of the Emmet County-Mackinaw City Local Revenue Sharing Board (the "LRS Board") and it appoints Scott Newman to serve as its representative to the LRS Board for a one year term, such service being at the pleasure of the Village Council.
2. In accordance with the terms of the Compact, the County Board of Commissioners agrees to the establishment of the LRS Board and it appoints Toni Drier to serve as its representative to the LRS Board for a one year term, such service being at the pleasure of the County Board of Commissioners.
3. In accordance with the terms of the Compact, the appointed members of the LRS Board shall appoint a third representative from a third local unit of government determined by the Village and the County representatives to be most impacted by the Class III gaming facility, the three members shall establish the procedures and guidelines of the LRS Board, shall establish the criteria or a formula for the distribution of the revenues, determine the distribution of the revenues by a

unanimous vote and so advise the County Treasurer, and shall perform other functions as contemplated by the terms of the Compact.

4. The Village Manager, Village Attorney, County Administrator and County Corporation Counsel are directed to assist the LRS Board in effectuating the establishment of the LRS Board, including the drafting and executing of any necessary contracts or other documents, including Rules of Procedure and Guidelines for Distribution of Revenues.

5. All resolutions or parts of resolutions are, to the extent of any conflict with this Resolution, hereby rescinded. This Resolution does not affect in any way the Local Revenue Sharing Board created as a result of the first Class III gaming facility in the Petoskey area.

FOR THE VILLAGE COUNCIL:

Yeas: Pres. Robert Heilman, Trustees Robert Glenn, Tom Chastain, Paul Michalak, Belinda Mollen, Scott Newman, Mario Rodriguez.

Nays: None

Abstain: None

Absent: None

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

As the Village Clerk, I certify this is a true and complete copy of a resolution adopted by the Village Council of the Village of Mackinaw City at a duly noticed meeting held on June 21, 2018.

Date: June 21, 2018


Lana Jaggi, Village Clerk

FOR THE COUNTY BOARD OF COMMISSIONERS:

Yeas: Commissioner(s) Drier, Ahrens, MacInnis, Shorter, Scheel, Stakoe and White

Nays: Commissioner(s) None

Abstain: Commissioner(s) None

Absent: Commissioner(s) None

RESOLUTION DECLARED ADOPTED.

CERTIFICATION

As the County Clerk, I certify this is a true and complete copy of a resolution adopted by the Board of Commissioners of the County of Emmet at a duly noticed meeting held on 10/21/18, 2018.

Date: 10/21/18, 2018

Juli Wallin
Juli Wallin, County Clerk

Emmet County Medical Examiner

Current Members	Date Appointed	Term Expires	Resigned (Date)
Carl W. Hawkins, M.D. 1140 North State St. St. Ignace, MI 49781 231-357-5088	12/17 12/21	12/25	
Vacant (Deputy Medical Examiner)			

Appointed by: Emmet County Board of Commissioners

Must be a physician licensed in Michigan

Length of Term: 4 Year

Northern Michigan Regional Entity Board

Current Members	Date Appointed	Term Expires	Resigned (Date)
Terrance Newton 163 Mishe Mokwa Dr. Harbor Springs, MI 49740 231-838-4989 Terryn0227@gmail.com	4/17 12/20	4/20 12/23	

Appointed by: Board of Commissioners

Length of Term: 3 years

Purpose: One of ten prepaid inpatient health plan in the State of Michigan to manage the behavioral health (mental health, intellectual disability and substance use disorder) services for people enrolled in Medicaid.

This is not a county board, but requires the Board appoint someone.

North Country Community Mental Health Services Board

Current Members	Date Appointed	Term Expires	Resigned (Date)
Karla Sherman 105 Division St. Petoskey, MI 49770 231-499-5505 kalsherman@yahoo.com	6/2015 3/18/2021	3/31/2024	
David White - (Commissioner) 2572 Hunters Ridge Petoskey, MI 49770 231-499-5296 David.white@emmetcounty.org	1/2021	12/2022	

Established in: Under 1996 Legislation, MCL 330.1212; MCL 330.1222

Appointed by: Emmet County Board of Commissioners

Length of Term: 3 years, staggered

Purpose: Serves Antrim Charlevoix, Cheboygan, Emmet, Kalkaska & Ostego and ensures the provision of behavioral health services that improve the quality of life in the community.

Northern Lakes Economic Alliance (NLEA)

Current Members	Date Appointed	Term Expires	Resigned (Date)
David Cluley 3994 Hendricks Rd. Petoskey, MI 49770 616-443-9496 Cluleyd1@comcast.net	2/7/2022	2/2024	
George Ranville 219 W. Jamet St. Mackinaw City, MI 49701 616-862-8018 George.ranville@bieredemac.com	2/7/2022	2/2024	
Reginald Smith 600 Arlington #7 Petoskey, MI 49770 231-881-6948 regs@staffords.com	2/7/2022	2/2024	
Neil Ahrens (Commissioner) 5200 W. Lake St. Harbor Springs, MI 49740 231-881-6607 nahrens@emmetcounty.org	1/2022	12/2022	
Dave Boyer (Administrator) 231-348-1712 dboyer@emmetcounty.org			

Appointed by: Emmet County Board of Commissioners

Length of Term: 2 years

Purpose: See attached by-laws



Northern Lakes
ECONOMIC ALLIANCE

**BY-LAWS
of the
NORTHERN LAKES ECONOMIC ALLIANCE**

ARTICLE I: Name and Purposes

The name of this corporation shall be the Northern Lakes Economic Alliance.

This Corporation is organized exclusively for charitable, religious, educational, and scientific purposes, including, for such purposes, the making of distributions to organizations that qualify as exempt organizations under Section 501(c)3 of the Internal Revenue Code or corresponding section of any future federal tax code.

To establish, implement and fund a non-profit economic development organization which serves to enhance the economy in its service area.

To engage in retaining existing business and attracting new industry to its service area. To engage in activities which encourage the retention and creation of jobs, especially for low-income individuals. To educate entrepreneurs on how to start and operate a business. To educate businesses on how to operate effectively, to expand, and to retain and create jobs. To make information and technology, including that found at universities and colleges, available to businesses in the Northern Lakes Economic Alliance service area.

To engage in area development, redevelopment or renewal. To engage in community revitalization and community empowerment activities by teaching low-income and community leaders the principles and techniques of community economic development. To engage in commercial property rehabilitation and redevelopment activities for the purpose of stimulating new investment, business development, and job development in deteriorating neighborhoods, blocks, and buildings. To engage in other activities aimed at combating community deterioration.

To work with a Community Development Corporation as a support organization to the Northern Lakes Economic Alliance, and to provide organizational input for the purpose of engaging in economic development and housing development activities serving low-income communities.

To engage in partnerships with other non-profit organizations, state and federal agencies, universities and colleges, which enhance the service providing capabilities of the Northern Lakes Economic Alliance.

To engage in fund raising activities, and to receive and administer funds as permitted by the Michigan Non-Profit Corporation Act and section 501(c)3 of the U.S. Internal Revenue Code, to provide for the attainment of the foregoing purposes.

Notwithstanding any other provision of these articles, the Corporation shall not conduct or carry on any activities not permitted to be conducted or carried on by an organization exempt under section 501(c)3 of the Internal Revenue Code and other related legislation and regulations as they now exist or as they may hereafter be amended, or by an organization to which contributions are deductible under section 170(c)2 of the Internal Revenue Code and related legislation and regulations as they may exist or hereafter be amended.

No part of the funds of this Corporation shall inure to the benefit of any trustee, or individual, and no substantial part of the direct or indirect activities of Corporation shall consist of carrying on propaganda, or otherwise attempting to influence legislation, and this Corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office.

Upon dissolution of the organization, the assets of the Corporation shall be distributed either to a nonprofit 501(c)3 organization designated by a majority vote of the board of directors, or distributed pro rata among the counties and municipalities based on their financial contributions in that fiscal year.

ARTICLE II: Board of Directors

Section 1. Number and Makeup of Directors. The Boards of Commissioners of Charlevoix, Emmet, Antrim, and Cheboygan Counties shall appoint a total of up to five (5) directors who are residents of their respective county to terms of one (1) or two (2) years. One of the five shall be a county commissioner.

The Northwest Michigan Industrial Association, North Central Michigan College, Michigan State University, and the Charlevoix-Emmet Intermediate School District shall each appoint one (1) director to serve on the Board for terms of one (1) or two (2) years.

The Board may appoint additional at-large members, not subject to third party approval.

Section 2. Vacancies. Vacancies on the Board of Directors shall be filled as follows: (a) if the vacancy was created by the departure of a board member appointed by a county then by that county; (b) if by the departure of a board member appointed by the Northwest Michigan Industrial Association, North Central Michigan College, Michigan State University, or by the Charlevoix-Emmet Intermediate School District, then by that entity (c) if the departure was created otherwise then by the Board of Directors, at its discretion.

Section 3. Powers. The Board of Directors shall manage the business of the corporation and may exercise all the powers of the corporation.

Section 4. Resignation or Removal. A director may resign at any time by written notice to the Board Chair. A director may be removed by the appointing entity with or without cause. A director may be removed by the Board of Directors with or without cause.

Section 5. Executive Committee. The executive committee is comprised of the Board Chair, the Vice-Chair, the Secretary, the Treasurer and at least one board member at large appointed by the Board; the President shall also serve in a non-voting capacity. At a minimum there must be at least one committee member from each county. If the Board Chair deems it necessary, the executive committee shall have the authority to carry out the functions of the Board in lieu of a Board meeting except for amendments to these By-Laws or the Articles of Incorporation. The executive committee shall appoint the members of the personnel and finance committees.

Section 6. Committees. The Board of Directors may from time to time establish or dissolve standing committees of the Board. Standing committees shall include a personnel committee and a finance committee. The Board Chair may appoint, or dissolve ad-hoc committees as the need dictates. The President serves as a non-voting member of each standing committee.

Section 7. Conflict of Interest. A Board member shall not simultaneously serve as the President or as a paid staff member. Further, it is the responsibility of a board member to disclose to the Board of Directors any contractual relationship he or she, or any family member, or any entity he or she is employed by, controls, has, or proposes to have with the Corporation which relationship must be approved by the Board.

ARTICLE III: Meetings of Directors

Section 1. Times and Places of Meetings. Meetings of the Board will be held at the time and place fixed by the Board.

Section 2. Annual Organizational Meeting. An annual organizational meeting of the Board for the purpose of electing officers and for such other purposes as directed by the Board shall be held at a date selected by the Board.

Section 3. Notice of Annual Organizational Meeting. Written notice of the annual organizational meeting of the directors stating the time, place and purpose of the meeting, shall be given either personally, by mail, by facsimile, or by electronic mail to each director no less than 10 nor more than 60 days prior to the date fixed for the meeting.

Section 4. Special Meetings. Special meetings of the Board may be called by the Board, the Executive Committee, the Board Chair, or the President.

Section 5. Notice of Special Meetings. Written notice of special meetings stating the time, place and purpose of the meetings, shall be given to each director. When provided personally, by telephone, by facsimile, or by electronic mail, the notice shall be given not less than two days in advance of the date fixed for the meeting. When provided by mail, the notice shall be sent not less than five days in advance of the date fixed for the meeting.

Section 6. Waiver of Notice of Meetings. Notice of any meeting of the Board of Directors need not be given to any person who signs a waiver of notice before or after the meeting. Attendance of a director at a meeting of the Board constitutes a waiver of notice of such meeting, except when the director protests at the beginning of the meeting that the meeting is not lawfully called or convened.

Section 7. Quorum. A majority of the directors present in person or by remote communication shall constitute a quorum for the transaction of business.

Section 8. Voting Rights. Each director present in person or by remote communication at a meeting of the Board shall be entitled to one vote.

ARTICLE IV: Officers

Section 1. Election. The Board, at its annual organizational meeting, shall elect a Board Chair, Board Vice-Chair, Secretary, and Treasurer for the upcoming year. At a meeting prior to the annual meeting, the Chair shall appoint a nominating committee which will consist of at least four members of the Board of Directors. The nominating committee shall propose a slate of candidates for officers and shall secure the consent of its nominees to serve if elected. It shall report its nominations at the annual meeting. Nothing herein shall prohibit nominations from the floor at the annual meeting.

Section 2. Resignation and Removal. Any officer may resign at any time by written notice to the full Board of Directors. An officer may be removed with or without cause by a vote of the Board.

Section 3. Board Chair. The Board Chair shall preside at all meetings of directors and shall perform all other duties necessary or appropriate to the office of Board Chair. The Board Chair shall serve as Chair of the Executive Committee and Personnel Committee.

Section 4. Board Vice-Chair. The Board Vice-Chair shall perform such duties assigned by the Board Chair and the Board of Directors. The Board Vice-Chair shall succeed to the chairmanship in case of vacancy in that office. The Board Vice-Chair has the responsibility to serve as chair in the absence of the Board Chair.

Section 5. Secretary. The Secretary shall maintain the minutes of all meetings of the Board of Directors and shall perform such duties assigned by the Board Chair or the Board of Directors. The Secretary shall sign all Board minutes.

Section 6. Treasurer. The Treasurer shall (a) have charge and custody over corporate funds and securities; (b) keep accurate books and records of corporate receipts and disbursements; (c) deposit all moneys and securities received by the corporation at such depositories in the corporation's name that may be designated by the board; (d) complete all required corporate filings; and (e) perform all duties incident to the office and other duties assigned by the Chair or the Board. These duties may be delegated by the Treasurer to staff with the consent of the executive committee.

Section 7. President. The President shall be the chief executive officer of the corporation and shall have authority over the general control and management of the business and affairs of the corporation. The President shall have power to appoint or discharge employees, agents, or independent contractors, to determine their duties, and to fix their compensation. The President shall sign all corporate documents and agreements on behalf of the corporation, unless the Chair or the Board instructs that the signing be done with or by some other officer, agent, or employee. The President shall see that all actions taken by the Board are executed and shall perform all other duties incident to the office. This is subject, however, to the Chair's right and the right of the Board to delegate any specific power to any other officer of the corporation.

ARTICLE V: Indemnification

Section 1: For purposes of this Article V, the term "officer" or "officers" shall not include the President of the corporation. The officers and the directors of the corporation shall not be personally liable to the corporation for monetary damages for a breach of an officer's or director's fiduciary duty, except in the following instances: (1) A breach of the officer's or director's duty of loyalty to the corporation; (2) Acts or omissions not in good faith or that involve intentional misconduct or a knowing violation of law; (3) A violation of MCL 450.2551(1); (4) A transaction from which the officer or director derived an improper personal benefit; (5) An act or omission occurring before the effective date of this provision; (6) An act or omission that is grossly negligent.

If, after the adoption of this Article, the Michigan Nonprofit Corporation Act is amended to further eliminate or limit the liability of a director or officer, then a director or officer of the corporation (in addition to the circumstances in which a director or officer is not personally liable as set forth in the preceding paragraph) shall, to the fullest extent permitted by the Michigan Nonprofit Corporation Act, not be liable to the corporation, as so amended. No amendment to or alteration, modification or repeal of this Article shall increase the liability or alleged liability of any director or officer of the corporation for or with respect to any acts or omissions of such director or officer occurring prior to such amendment, alteration, modification or repeal.

Section 2: The corporation assumes all liability to any person, other than the corporation, for all acts or omissions of a director incurred in the good faith performance of the director's duties.

Section 3: The corporation assumes all liability for all acts or omissions of a officer or director if all of the following conditions are met: (1) The officer or director

was acting, or reasonably believed he or she was acting, within the scope of his or her authority; (2) The officer or director was acting in good faith; (3) The officer's or director's conduct did not amount to gross negligence or willful and wanton misconduct; (4) The officer's or director's conduct was not an intentional tort; (5) The officer's or director's conduct was not a tort arising out of the ownership, maintenance, or use of a motor vehicle for which tort liability may be imposed as provided in MCL 500.3135.

Section 4: In the event that a representative of the corporation, who is neither a director or officer, was, or shall become a party to any proceeding referred to above, the corporation may, by a majority vote of the Board of Directors, indemnify and/or reimburse such person in the same manner as herein provided for directors and officers.

Section 5: Expenses, including attorney fees, incurred in defending a civil or criminal action, suit or proceeding, may be paid by the corporation in advance of the final disposition of such action, suit or proceeding as authorized by the Board of Directors, upon receipt of any undertaking by or on behalf of such director, officer or employee, to repay such amount, unless it shall ultimately be determined that he or she is entitled to be indemnified by the corporation as authorized by this Article.

Section 6: The Board of Directors may, to the full extent permitted by law, authorize an appropriate officer or officers to purchase and maintain, at the corporation's expense, insurance (1) to indemnify the corporation for any obligation which it incurs as a result of the indemnification of directors, officers and employees under the provisions of this Article, and (2) to indemnify directors, officers and employees in instances in which they may not otherwise be indemnified by the corporation under the provisions of this Article.

ARTICLE VI: General Provisions

Section 1. Checks. All checks or demands for money and notes of the corporation shall be signed by such bonded persons as the Board of Directors shall designate.

Section 2. Fiscal Year. The fiscal year of the corporation shall be October 1 to September 30 unless otherwise established by the Board of Directors.

Section 3. Organization Dissolution. Upon dissolution of the organization, the assets shall be distributed either to a non-profit 501(c)3 organization designated by a majority vote of the board of directors or distributed prorata among the counties and municipalities based on their financial contributions in that fiscal year.

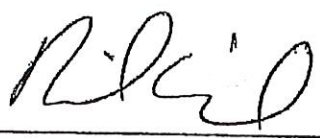
Section 4. Seal. The Board of Directors may adopt a corporate seal.

ARTICLE VII: Amendments

These by-laws may be amended or repealed by a majority of the Board of Directors entitled to vote thereon at any meeting, provided that at least fourteen calendar days notice has been given of the proposed changes in the by-laws which notice must be accompanied by the proposed changes.

SR: revised 02/92
revised 07/27/95
revised 1/28/99
revised 12/02/99
AC: revised 01/20/05
WW: revised 05/19/05
AH: revised 01/19/06
AH: revised 3/15/07
AH: revised 7/23/09
AH: revised 7/15/10

Attested: _____


Secretary



Northern Lakes
ECONOMIC ALLIANCE

Annual "Conflict of Interest" Policy Bylaws Conformation Form

To: All NLEA Board of Directors

To conform to our NLEA Bylaws regarding potential for conflict of interest, please review our NLEA Bylaws (below) and if there are any areas that apply to you, please fill out and return this form to Andy Hayes. Thank-you.

Send to: Andy Hayes any of the following ways:
Mail: NLEA, PO Box 8, Boyne City, MI 49712
Fax: 231-582-3213
Email: andy@northernlakes.net

Article II, Section 7. Conflict of Interest. A Board member shall not simultaneously serve as the President or as a paid staff member. Further, it is the responsibility of a board member to disclose to the Board of Directors any contractual relationship he or she, or any family member, or any entity he or she is employed by, controls, has, or proposes to have with the Corporation which relationship must be approved by the Board.

Board member name: _____

A) Please list areas to disclose:

1.

2.

3.

Signed: _____ Date: _____

B) I have no areas that need to be disclosed

Signed: _____ Date: _____



Northern Lakes
ECONOMIC ALLIANCE

Code of Conduct for NLEA Board of Directors

High standards of honesty, integrity, and impartiality are essential to Northern Lakes Economic Alliance's (NLEA) reputation and success. In order to maintain a high level of trust and credibility NLEA expects its Directors to adhere to the following code of conduct. This Code of Conduct is not intended to cover every issue that may arise, but instead seeks to set out basic principles to guide the directors, officers and employees of Northern Lakes Economic Alliance ("NLEA").

As a member of the board of directors of the Northern Lakes Economic Alliance I affirm to abide by the following Code of Conduct for Directors:

1. I am committed to endeavors targeted at providing resources designed to enhance the economy in Antrim, Charlevoix, Cheboygan and Emmet counties to retain and create quality jobs.
2. I am committed to fully participate in meetings, workshops, and activities related to the core mission of the NLEA.
3. I am committed to adequately prepare myself to understand and be able to intelligently discuss the issues, practices, procedures, programs, and activities of the NLEA in my role as a Director.
4. I recognize that authority rests with the collective Board of Directors and I will make no personal promises nor take any private action that may compromise the NLEA, its board, staff, reputation, or standing.
5. I recognize that my role as a member of the Board of Directors is restricted to contributing to the establishment of policy and that it is the role of the President to oversee the day-to-day administration and operation of the NLEA staff and activities, and I am committed to not interfere with the President's role.
6. I will maintain the confidentiality for matters entrusted to me pertaining to the activities of the Alliance, its core partners, benefactors, or clients, which, if disclosed, could damage prospective development activities or diminish the credibility or reliability of the Alliance, its staff, Directors, core partners, benefactors, or clients.
7. In all matters pertaining to the Alliance, I will provide accurate information for the consideration of fellow Directors, and staff.
8. I will not openly criticize actions taken by the collective Board of Directors.
9. I will not use my position as Director for personal gain or for the gain of family or friends, and will disclose fully and immediately any potential conflict of interest that could arise between my personal interests or those of the NLEA, its core partners, or clients.
10. I am committed to refer all complaints and concerns to the President as chief administrative officer and commit to not surprise my fellow Directors or President by initially voicing these complaints without notice during meetings of the Board of Directors as a whole.

Director

Date

My signature indicates that I have read, understand, affirm and agree to abide by the Code of Conduct for Directors. I further understand that failure to adhere to the Code of Conduct could result in censure or my removal as a Director from the Board.

3

3

3

Parks and Recreation

Current Members	Date Appointed	Term Expires	Resigned (Date)
Paul Fairbairn 2287 Bester Rd. Harbor Springs, MI 49740 231-340-0562	5/23/2019 3/17/2022	3/2025	
Randall McCune 7969 Pickerel Lake Rd. Petoskey, MI 49770 231-622-1888 (cell) Randymccune88@gmail.com	12/19/2019 3/17/2022	3/2025	
Jim Rummer 2800 W. Stutsmanville Rd. Harbor Springs, MI 49740 231-330-2276	5/23/2019 3/17/2022	3/2025	
Jim Harrington 212 State St. Petoskey, MI 49770 989-619-4204 Jharrington10@gmail.com	3/18/2021	3/2024	Justin Blohm resigned 3/2021 at the end of his term
Dave Bachelor - Commissioner 231-838-8239 dbachelor@emmetcounty.com Toni Drier – Commissioner 231-420-6832 tdrier@emmetcounty.org	1/2022	12/2022	

Established by: Resolution – 7/13/1989; Amended Resolution March 19, 2009. Amended Feb. 7, 2022.

Appointed by: Emmet County Board of Commissioners

Length of Term: 3 years, staggered

Planning Commission

Current Members	Date Appointed	Term Expires	Resigned (Date)
Kelly Alexander 8886 Trails End Mackinaw City, MI 49701 231-436-5636 Kellyalexander1359@yahoo.com	12/2017 12/2020	12/2023	
Tom Urman 1351 Click Rd. Petoskey, MI 49770 231-881-3379 Cell thomasurman@charter.net	12/2017 12/2020	12/2023	
John Eby 3533 Brutus Road Alanson, MI 49706 231-529-6520	12/2012 12/2015 1/2019 12/2021	12/2024	
Julie Hinterman 5294 Snowmass Tr. Harbor Springs, MI 49740 810-429-2780 mjhinterman@icloud.com	8/2021	12/2022	Lauri Hartman resigned 7/2021
James Scott 2150 Maxwell Road Petoskey, MI 49770 231-348-5070 Hadarack68@gmail.com	12/2012 12/2015 1/2019 12/2021	12/2024	
David Laughbaum 1081 N. Pleasantview Road Pellston, MI 49769 231-539-8927 Laughbaum7@gmail.com	12/2017 12/2020	12/2023	
Brian Bates 4012 Atkins Rd. Petoskey, MI 49770 231-340-0104 Bmb8910@gmail.com	1/2021	12/2023	

Planning Commission

Toni Drier – Commissioner 231-420-6832 tdrier@emmetcounty.org Charlie MacInnis – Commissioner 231-330-1408 cmacinnis@emmetcounty.org			
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See attached Ordinance and By-laws

(MCL 125.3815 - Effective 3/17/11)

9 Members: 1 may be nonqualified elector, up to 3 County Commissioners/ex officio members (may not serve as chair); County officers may not serve; every reasonable effort should be made to include member of a public school board or an administrative employee of a school district, diverse geographic areas of County, and diverse interest, including agricultural, natural resources, governmental/municipal, economic/business, engineering/architectural, tourism, social/recreational interests.

Terms: 3-years

Appointed by the ECBOC

COUNTY OF EMMET PLANNING COMMISSION ORDINANCE
OF March 17, 2011
Amended DATE 2022

WHEREAS, The Emmet County Board of Commissioners did adopt the Emmet County Planning Commission Ordinance of March 17, 2011, and it now desires to amend the existing Ordinance .

NOW THEREFORE, THE COUNTY OF EMMET ORDAINS THAT SAID ORDINANCE SHALL READ AS FOLLOWS:

EMMET COUNTY PLANNING COMMISSION ORDINANCE
Of March 17, 2011
Amended DATE 2022

AN ORDINANCE to create a Planning Commission for the County of Emmet as authorized by P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.*, for the purpose of having planning and zoning in Emmet County, to create, organize, enumerate powers and duties, and to provide for the regulation and subdivision of land, coordinated and harmonious development of the County; and to function in cooperation with other constituted authorities of incorporated and unincorporated areas within the State where Emmet County exists.

THE COUNTY OF EMMET ORDAINS:

Section 1. Creation: There shall be an Emmet County Planning Commission pursuant to P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et. seq.*, hereinafter referred to as the Commission, with the powers and duties as therein set forth and as hereinafter provided. This ordinance shall be officially known and described as the "Emmet County Planning Commission Ordinance."

Section 2. Membership:

- A. The Planning Commission shall consist of nine (9) members appointed by the Emmet County Board of Commissioners. To be qualified to be a member and remain a member of the Planning Commission, the individual shall meet the following qualifications:
 - 1. shall be a qualified elector of Emmet County, except that one member may be a non-qualified elector;
 - 2. shall not be an officer (including Clerk, Treasurer, Register of Deeds, Sheriff, and Prosecuting Attorney) or employee of the County;
 - 3. shall meet the conditions provided for each individual member in Sections 2.B. and 2.C of this Ordinance, except the geographical location of the individual's residency may be considered optional.
- B. Members shall be appointed for three-year terms. However when first appointed a number of members shall be appointed to one-year, two-year, or three-year terms such that, as nearly as possible, the terms of $\frac{1}{3}$ of all Planning Commission members will expire each year. If a vacancy occurs, the vacancy shall be filled for the unexpired term in the same manner as provided for an original appointment such that, as nearly as possible, the terms of $\frac{1}{3}$ of all Planning Commission members continue to expire each year.

- C. Membership shall be determined as follows:
1. Ex officio members shall include up to two (2) members of the Emmet County Board of Commissioners. The terms of office of ex officio members shall coincide with their terms of office on the legislative body. Such County Commissioners shall not hold the position of chair of the Planning Commission.
 2. Every reasonable effort shall be made to insure that the membership of the Planning Commission includes a member of a public school board, or an administrative employee of a school district included, in whole or in part, within the County's boundaries.
 3. Every reasonable effort shall be made to insure that diverse geographic areas of the County are represented. These areas are generally identified by similar characteristics and population base, as the northern region, mid-region, southern-region, and coastal region.
 4. Every reasonable effort shall be made to insure that diverse interests of the County are represented. These include: agriculture, natural resources, governmental/municipal, economic/business, engineering/architectural, tourism, and social/recreation interests.

Section 3. Liaisons:

The Planning Commission, in its bylaws, may name "liaisons" to the Planning Commission. The purpose of liaisons shall be to provide certain Emmet County officials the ability to participate in discussions with the Planning Commission in addition to speaking at its meetings. At a minimum, liaisons shall include:

1. Planning Department staff, and their agents and consultants.
2. Emmet County Civil Counsel.

Section 4. Training:

Appointed members of the Planning Commission are encouraged to attend educational programs designed for Michigan planning commissions. Training will be available if the adopted Emmet County budget for that fiscal year includes funds to pay for tuition, registration, and travel expenses for the training.

Section 5. Members, Appointment and Terms:

- A. In September of each year the Emmet County Clerk shall determine which members' terms of office expire, and shall determine those members' eligibility and desire to continue to serve.
- B. If a vacancy is expected, then in November of each year, the Clerk shall place an advertisement(s) in a newspaper with general circulation in Emmet County to seek applications or nominations.
- C. In January of each year the Emmet County Board of Commissioners shall consider the applications and nominations received, and appoint members to the Planning Commission by a majority vote for a three year term of office which shall end December 31, at 11:59 PM of the respective year.

Section 6. Removal from Office:

- A. The Board of Commissioners may remove a member of the Planning Commission for misfeasance, malfeasance, or nonfeasance in office upon written charges and after a public hearing. Failure to disclose a potential conflict of interest shall be considered malfeasance in office. Failure to repeatedly attend Planning Commission meetings shall be considered nonfeasance in office.
- B. The secretary of the Planning Commission shall report any member who has missed three consecutive regular meetings to the Board of Commissioners

Section 7. Membership; Vacancies:

The Board of Commissioners shall fill any vacancy in the membership of the Planning Commission for the unexpired term in the same manner as the initial appointment.

Section 8. Membership; Transition:

- A. The transition from the previous Emmet County Planning Commission and the Planning Commission established in this Ordinance shall have immediate effect. The Board of Commissioners shall make an initial appointment of all nine (9) members to serve out the remainder of their staggered three (3) year terms. Appointments shall then follow the requirements outlined in Section 2. of this Ordinance.
- B. All other aspects of this Ordinance shall have immediate effect.

Section 9. Membership; Compensation: All members of the Planning Commission shall serve as such with compensation determined by the Board of Commissioners for meeting attendance plus mileage.

Section 10. Meetings:

- A. The Planning Commission shall meet at least once every other month and a majority of the Planning Commission shall constitute a quorum for the transaction of the ordinary business of said Planning Commission, and all questions which shall arise at their meetings shall be determined by a vote of the majority of the members of the Planning Commission.
- B. The affirmative vote of the majority of the members of the Planning Commission, regardless if vacancies or absences exist or not, shall be necessary for the adoption, or recommendation for adoption, of any plan, or amendment to a plan.

Section 11. Powers and Duties:

- A. The Planning Commission shall have the powers and duties set forth in P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3801 *et seq.*; and P.A. 110 of the Public Acts of 2006, as amended, being the Michigan Zoning Enabling Act, (M.C.L. 125.3101 *et seq.*). The Planning Commission is exempted from preparing a Capital Improvement Plan (CIP). The Board of Commissioners delegates the responsibility of preparing a CIP to the County Administrator.
- B. The Planning Commission shall be designated as a metropolitan county planning commission, pursuant to section 37(1) of P.A. 33 of 2008, as amended, being the Michigan Planning Enabling Act, M.C.L. 125.3837(1); and the Planning Commission shall serve as a coordinating agency for all planning committees or commissions that are now or may be within the County of Emmet.
- C. The Planning Commission shall have authority to apply for and receive grants from any government agency or the federal government and to receive gifts.

Section 12. Meetings; Records:

The Planning Commission shall adopt Bylaws for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations, which records shall be made available to the public in compliance with the Freedom of Information Act, Public Act 442 of 1976, MCL 15.231 *et seq.*

Section 13. Approval, Ratification, and Reconfirmation:

All official actions taken by all Emmet County Planning Commissions preceding the Planning Commission created by this Ordinance are hereby approved, ratified and reconfirmed. Any project, review, or process taking place at the effective date of this Ordinance shall continue with the Planning Commission created by this Ordinance, subject to the requirements of this Ordinance, and shall be deemed a continuation of

any previous Emmet County Planning Commission. This Ordinance shall be in full force and effect from and after its adoption and publication.

Section 14. Severability:

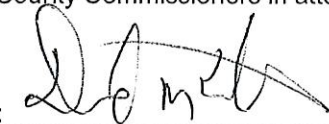
The invalidity of any clause, sentence, paragraph, or part of this Ordinance shall not affect the validity of the remaining parts of this Ordinance.

Section 15. Effective Date:

This Ordinance shall take effect upon its publication.

Passed by the Board of Commissioners of the County of Emmet on DATE, at its regular meeting with 6 County Commissioners in attendance, 4 voting aye, 2 nay.

Signed: _____

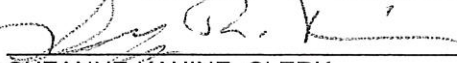


David White, Chair
Emmet County Board of Commissioners

STATE OF MICHIGAN)
COUNTY OF EMMET)

I, Suzanne Kanine, Clerk of the County of Emmet, and of the Emmet County Board of Commissioners, do hereby certify that the foregoing was duly adopted by a majority vote of the Board on the 17th day of November, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the County of Emmet this 17th day of November, 2022 at Petoskey, Michigan.



SUZANNE KANINE, CLERK

**BY-LAWS
EMMET COUNTY PLANNING COMMISSION**

ARTICLE I- AUTHORITY:

These by-laws are adopted by the Emmet County Planning Commission pursuant to 2008 PA 33, as amended, being the Michigan Planning Enabling Act and 2006 PA 110, as amended, being the Michigan Zoning Enabling Act.

ARTICLE II- JURISDICTIONAL AREA:

The Emmet County Planning Commission's jurisdictional area encompasses all of the unincorporated areas of Emmet County, Michigan.

ARTICLE III- PURPOSES:

The purposes of this Commission shall be:

- a) To maintain a Master Plan for the physical development of Emmet County.
- b) To promote the adoption and execution of the Master Plan.
- c) To encourage sound development and wise land use practices in Emmet County.
- d) To encourage and assist public and private agencies in improving the attractiveness of the County.
- e) To further cooperation between governmental and private agencies toward these purposes.
- f) To further economic development in balance with land use and resource management considerations.
- g) To administer County-wide zoning for unincorporated areas of Emmet County and for Townships without their own zoning regulations.

ARTICLE IV- COMMISSION MEETINGS

Meetings and hearings of the Planning Commission will be held in the Commissioners' Room at the Emmet County Building, 200 Division Street, Petoskey, Michigan 49770, unless public notice of the meeting states a different location. Regular meetings, and any meetings where official business is to be conducted, shall be open to the public. Regular meetings of the Commission shall be scheduled monthly at a time and place designated by the Chairperson. The Planning Commission Chair may cancel a regularly scheduled monthly meeting fifteen (15) days prior to that meeting provided no cases are scheduled to be reviewed. Notice of the cancellation shall be posted as soon as practicable. Regular meetings shall not be cancelled so as to violate the statutory requirement that the Planning Commission shall meet at least 4 times a year.

Special meetings may be held, as needed, upon the call of the Chairperson. An applicant may request a Special Meeting which shall be subject to appropriate fees established by the Emmet County Board of Commissioners. The applicant shall be required to meet all applicable Zoning Ordinance standards and the Application Process of the Zoning Ordinance. The Chairperson may authorize or deny a Special Meeting request. No Special Meeting may be authorized within 7 days of the Regular Planning Commission meeting, unless agreed upon by a consensus of the Planning Commission members during a scheduled meeting.

All meetings of the Planning Commission shall comply with the Open Meetings Act, 1976 PA 267.

ARTICLE V - QUORUM

A majority of the appointed commission members shall be present to constitute a quorum.

ARTICLE VI- OFFICERS OF THE COMMISSION:

The officers of the Commission shall consist of a Chairperson, a Vice-Chairperson and a Secretary who shall all be members of the Commission and shall serve after elected for one year. Officers shall be elected at the first meeting, but not later than the second meeting of the calendar year by a majority vote of the membership of the Commission present at the time of the election. The officers so elected shall also be designated the Executive Committee.

ARTICLE VII - DUTIES OF OFFICERS OF THE COMMISSION:

SECTION 1: The Chairperson

The Chairperson shall be the chief officer of the Commission and shall preside at all meetings of the Commission. The Chairperson shall appoint all committees and be an ex-officio member of each. The Chairperson shall have a vote on all resolutions as a Commissioner.

SECTION 2: The Vice-Chairperson

The Vice-Chairperson shall serve as Chairperson, if for any reason the Chairperson is absent or otherwise unable to perform the duties of Chairperson.

SECTION 3: The Secretary

The Secretary, or one so assigned, shall keep the official minutes of each meeting of the Commission and assume any other duties assigned by the Chairperson. The Secretary shall assign the Chairperson duties if the Chairperson and Vice-Chairperson are absent.

SECTION 4: Vacancies

Should any vacancy occur among the officers of the Commission a replacement shall be elected at the first meeting after the vacancy occurs.

ARTICLE VIII - COMPENSATION:

Members may receive compensation and be reimbursed for out-of-pocket expenses as approved by the County Board of Commissioners.

ARTICLE IX- ANNUAL REPORT:

An annual report will be made not less than once each year, by the Commission, to County Board of Commissioners.

ARTICLE X - PARLIAMENTARY PRACTICE:

For meetings of the Commission, the rules of parliamentary practice shall be the same as those which govern the conduct of meetings of the County Board of Commissioners.

ARTICLE XI – ORDER OF BUSINESS:

- a) Roll Call
- b) Approval of Minutes of Previous Meeting
- c) Public Hearings (other than those conducted under the Michigan Zoning Enabling Act)
- d) Unfinished Business
- e) New Business
- f) Public Comment
- g) Other Business

h) Adjournment

The Chairperson of the Commission may, as a point of discretion, change the normal order of business. Items carried on an agenda from meeting-to-meeting by postponing, tabling, or adjourning action may be limited, and may be automatically deleted from the agenda after a fourth (4th) hearing (See item #4, Tabling).

ARTICLE XII- ZONING PROCEDURES:

For the purposes of conducting zoning business in Emmet County, the Planning Commission has the overall responsibility for zoning administration as stipulated in the Michigan Planning Enabling Act (2008 PA 33) and the Michigan Zoning Enabling Act (2006 PA 110).

1. ZONING CHANGES:

In considering any zoning changes, as either proposed by individuals or on the motion of the Commission, the Commission shall evaluate the impact of any changes on: specific sites, the Township Community affected, and the Master Plan. To the extent practical and as required by law, adjoining property owners of record and any affected municipality shall be notified of pending zoning district changes.

2. HEARING FORMAT:

As a policy, the format for the conduct of all public hearings shall be in accordance with the following procedures for the conduct of a public hearing, as well as the State Law:

Subjects considered at public hearings can vary significantly in terms of community impact, public interest, and technical complexity. Therefore, as is deemed appropriate to the situation, the chairperson may:

- a) Request those who wish to comment on any matter brought before the Commission to identify themselves and to ask their questions or state their opinions in a concise manner. The Planning Commission appreciates and considers the interests and concerns of the public, and encourages individuals to express themselves in a civil and cogent manner.
- b) The Planning Commission, if appropriate, may limit the time that individuals (or groups) may have the floor to express their concerns. For example, the Chair may declare at the beginning of the hearing on a specific case, that individuals speaking limit their comments to a maximum time of five (5) minutes.

3. VOTING AND CONFLICTS OF INTEREST:

Planning Commission recommendations on proposed zoning actions shall be by roll call vote. The roll shall generally and as practicable, be called in mixed random order or be called in sequentially mixed alphabetical order, beginning with the first name in the order on the first issue voted.

Except for those decisions that may be expressly required by law or these rules to be decided by a greater majority, procedural and other questions arising at a meeting shall be decided by a majority of the members present. Whether the motion is for approval or denial, a motion requiring a majority vote fails on a tie vote so that no decision is made.

Whenever a question is put by the Chairperson, every member present will vote on the question. No member may abstain from voting unless excused by the Chairperson, or unless there is a conflict of interest.

Members will avoid conflicts of interest, including, but not limited to, deliberating, voting, or reviewing a question or case in which the member has a personal interest or a duty or loyalty to a third party that competes with or is averse to the proper exercise of the member's official duties.

When a conflict of interest becomes apparent to a member, the member will do all of the following:

- 1) Disclose the apparent conflict as soon as practicable at a meeting of the Board, and request the Chair to excuse him or her from participation;
- 2) Refrain from all participation in the matter; and
- 3) During the deliberation of the question or case, leave the meeting room until the agenda item is concluded.

The following relationships will be deemed a conflict of interest:

- (a) Relationships to other people, including:
 - (1) Family relationship whether by blood or affinity.
 - (2) Relationship as legal guardian, trustee, agent, broker or personal administrator.
 - (3) Relationship as employer/employee, mortgagor/mortgagee or consultant/client.
 - (4) Relationship as officer or member of a corporation, partnership, or limited liability company.
 - (5) Contractual relationship (for goods or services).
 - (6) Appointment on retainer, whether or not service has been provided.
- (b) Any of the above legal or contractual relationships associated with family members, members of partnerships, or officers or members of corporations or limited liability companies in which the Commissioner holds an interest.
- (c) An interest in real property near or affected by the decision being made, whether the interest is held as an individual or arises out of one of the above relationships.

The following will not generally be deemed a conflict of interest:

- (a) Relationship as officer or member of board of directors of a:
 - (1) Professional, fraternal, civic, or public service organization.
 - (2) Neighborhood association.
 - (3) Community organization.
 - (4) Nonprofit corporation.
- (b) Holding personal accounts, commercial accounts, or lines of credit in a financial

institution.

- (c) Election or appointment to public office or as a member of a public body, unless otherwise prohibited by law.
- (d) Personal relationship.
- (e) Residing or owning property in the neighborhood.

4. POSTPONING CASES

- A) A request for postponement will be taken based on good cause, i.e., policy of the Planning Commission, policy of the Township of impact, time for more research, correct errors, redraft the site plan, or other reasons to solicit a fair hearing of the case.
- B) The date, time and place for a matter to be reheard must be set. This could be 30 days or perhaps six (6) months into the future, so long as it is announced at the first public hearing (or re-advertised).
- C) A case that is not ready by the second hearing and a decision cannot be rendered, because of the inaction of the applicant, may be dropped from the agenda and require the applicant to re-apply ready for action.

Cases should not be carried for longer than two (2) monthly hearings beyond the hearings held as part of the standard procedure, a total of four (4) hearings. If there is no active progress demonstrated by the applicant and if it appears that the case is losing scrutiny by affected and concerned citizens in the area, the case may be dropped from the agenda.

5. DECISIONS:

All decisions affecting zoning amendment recommendations need not be made on the day of the initial presentation or hearing of the zoning request. Testimony and information obtained at hearings may initially be taken under advisement and a final decision rendered at any designated special or regular meeting within a reasonable time for the case in question.

ARTICLE XIII - ADMINISTRATIVE REVIEW

Any qualified application as provided in Section 20.07 of the Emmet County Zoning Ordinance may be reviewed administratively by the Planning Commission. The Planning Director/Zoning Administrator and the designated Planning Commission members shall meet on an as-needed basis during a given month to administratively review site plans.

1. DESIGNATION OF PLANNING COMMISSION MEMBERS FOR ADMINISTRATIVE REVIEW

The Planning Commission Chairperson shall nominate two (2) Planning Commission members to serve in an advisory role in administratively reviewing qualified site plans. The Planning Commission Chairperson shall consult with the Planning Commission to nominate the two primary Commissioners designated to participate in the administrative review process. The Planning Commission shall hold a roll call vote to formally select

each of the two Commissioners designated to participate in the administrative review process. The appointments will be reviewed by the Planning Commission annually during the election of officers as specified in Article VI of the bylaws.

2. DESIGNATION OF ALTERNATE PLANNING COMMISSION MEMBERS

The Planning Commission Chairperson shall nominate two (2) Planning Commission members to serve as alternates in the administrative review process in the event of the absence of one of the primary members. The Planning Commission Chairperson shall consult with the Planning Commission to nominate the two alternate members to participate in administrative review process. The Planning Commission shall hold a roll call vote to formally select each of the two alternate Commissioners designated to participate in the administrative review process. The appointments will be reviewed annually by the Planning Commission during the election of officers as specified in Article VI of the bylaws. The two alternate members shall be called to participate in administrative review on an alternating basis monthly.

ARTICLE XIV- AMENDMENT OF BY-LAWS:

These by-laws may be amended, altered, added to or repealed in whole or in part by a majority vote of the Commission members present at any regular or special meeting, provided that notice of the proposed change or changes shall be submitted by mail or electronic mail to all members of the Commission at least 15 days before the regular or Special meeting of the Commission at which they are to be considered.

Mail notices of proposed changes shall not be required when the members discuss the contents of such changes in one meeting for consideration at a subsequent meeting.

ADOPTED: March 4, 1974, by the Emmet County Planning Commission pursuant to Act 282 of the Public Acts of 1945, as amended.

AMENDED: May 6, 2021, by the Emmet County Planning Commission pursuant to the Michigan Planning Enabling Act (PA 33 of 2008)

SIGNED: _____

James Scott, Secretary, Emmet County Planning Commission
Date

Road Commission

Current Members	Date Appointed	Term Expires	Resigned (Date)
Mark Hoffman 907 Kolinski Rd. Petoskey, MI 49770 231-881-4362 smartstartdriving@charter.net	5/20/2021	12/24	Bert Notestine passed away 3/2021
Wade Williams 8036 Milton Rd. Alanson, MI 49706 231-838-1027	6/8/2020 12/22/2020	12/2026	
Frank Zulski 2465 Zulski Road Pellston, MI 49769 231-838-2834	12/16	12/22	
Brent Shank (Engineer Manager) (231) 347-8142 Ext. 0 bshank@emmetcrc.org	N/A	N/A	
Toni Drier – Commissioner 231-420-6832 tdrier@emmetcounty.org Dave White – Commissioner 231-499-5296 david.white@emmetcounty.org	1/21 1/21	12/22 12/22	

Established by: MCL 224.7

Appointed by: Emmet County Board of Commissioners

Length of Term: 6 Year, staggered

Meeting dates/times: Meetings last from 3 - 4 hours and are held as needed between May and November.

Sanitary Board of Appeals

Current Members	Date Appointed	Term Expires	Resigned (Date)
Tom Gallagher 6265 Hoyt Road Harbor Springs, MI 49740 231-526-6013 tom@hsexcavating.net	3/31/19 4/23/2020 3/18/20201 3/17/2022	3/31/2023	
William Shorter 6933 Driftwood Dr. Petoskey, MI 49770 231-838-5169 williamshorter@hotmail.com	3/18/2021 3/17/2022	3/31/2023	Paul Mooradian resigned 1/7/2021
Travis Johnson 3189 Merritt St. Petoskey, MI 49770 231-622-9368 Johns8tm@cmich.edu	3/17/2022	3/31/2023	Previously Eric Keiser
David Laughbaum 1081 N. Pleasantview Pellston, MI 49769 231/539-8927 H 231/590-6420 C	3/31/19 4/23/2020 3/18/2021 3/17/2022	3/31/2023	
Mike Wargel (Commissioner) 3820 Oden Rd. Alanson, MI 49706 231-838-6564 mwargel@emmetcounty.org	1/2022	12/31/2022	

Appointed by: Emmet County Board of Commissioners

Length of Term: 1 year

Meeting dates/times: Meetings last 3-4 hours and are held as needed between May and November

Purpose: Emmet County has a Sanitary Code Ordinance which covers the installation of on-site sewage disposal systems. If one is denied a permit to construct a sewage disposal system by the Health Department, because of soil conditions, size of a lot, etc., they have the right to appeal the Health Department's decision. The Sanitary Code Appeal Board hears such appeals, visits the site, conducts its own test, then meets with the applicant, hears all sides and renders a decision. If the Sanitary Code Appeals Board upholds the decision of the Health Departments, the applicant may appeal the decision to the Circuit Court. This board is made up of 3 members at large and 1 County Commissioner, who is chair of the Health Committee, a Standing Committee of the Board.

Veterans Affairs

Current Members	Date Appointed	Term Expires	Resigned (Date)
Dave Heinz 614 Valley Ridge Dr. Petoskey, MI 49770 231-622-8672 Friendship1dave@hotmail.com	9/23/2021	8/2025 – 4 yr.	Thomas Moss term ended 8/2021
Dallas Culvahouse 1057 Hoffman St. Petoskey, MI 49770 231-497-8787 231-582-6309 dculvahouse@ncmich.edu	9/23/2021	8/2025 – 4 yr.	Linda Henry term ended 8/2021
Matthew Blythe 2245 Catob Rd. Harbor Springs, MI 49740 231-242-0213 616-617-1813 Mblythe67@gmail.com	8/2017 8/2020	8/2024 – 3 yr. for first term, then 4	
Joaquin Tuncap 1754 Bellmer Rd. Petoskey, MI 49770 231-373-9429	8/2017 8/2019	8/2023 – 2 yr. for first term, then 4	
ONE COMMISSIONER Neil Ahrens Dave Bachelor – Alt.	1/2021	12/2022 – 1 yr.	

Appointed by: Emmet County Board of Commissioners (must meet statute requirements) (See attached)


Length of Term: 4 years, staggered

Purpose: By statute County Department of Veterans' Affairs Act 192 of 1953, MCL 35.621

See attached memo PA 420 of 2016

MEMO

TO: Emmet County Board of Commissioners
Juli Wallin
Mary Mitchell

FROM: Robert J. Engel, Civil Counsel 

DATE: August 2, 2017

RE: Make-Up of Veterans' Affairs Committee

As the Board is looking to fill the vacant positions in the Veterans' Affairs Committee created by the Board of Commissioners on September 21, 2006, this is a reminder as to who may be considered to sit on that Committee as well as the process for filling the positions on the Committee.

The September 2006 resolution called for a five (5) member committee. MCL 35.621 states the following as to membership on the committee:

- committee members must be residents of the county who have served honorably on active duty in the military
- at least one (1) member represents a congressionally chartered veterans' organization within the county, to be appointed upon the recommendation of the posts of each chartered veterans' organization within the county
- at least one (1) independent member who may or may not be a member of a congressionally chartered veterans' organization within the county
- each member shall have demonstrated knowledge, skills, and experience in public service, business, or finance
- a member of the board of commissioners who meet the above eligibility requirements may be appointed to the committee

As part of the process for appointing committee members and before appointment, the ECBOC shall provide notice of the openings on the committee in one or more newspapers in the county and to veteran service organizations in the county. I assume that this has taken place. Based on what is below, I also assume that the various veterans' organizations in the County have made their recommendation for consideration of one or more members of the Veterans' Affairs Committee.

Therefore, for someone to be appointed to the Veterans' Affairs Committee, the person, male or female, must be a resident of Emmet County. That information would be available to the County Clerk.

There must be proof that the person has served honorably on active duty in the military. I would suggest that the County Clerk should have, at a minimum, a verified copy of the person's discharge papers, or some other documented evidence of honorable service while on active duty in the military.

At least one of the members has to be appointed based on the recommendation of the posts of each chartered veterans' organization in Emmet County. This means that the commanders of the various posts, on behalf of their post, should recommend one or more people to be on the Committee.

At least one other member must be independent. That person or persons could be a member of a veterans' organization, but is not recommended for appointment from the veterans' organizations.

All members are required to "have demonstrated knowledge, skills, and experience in public service, business, or finance." This would seem to provide the need for something in writing to support this requirement.

One member of the Board of Commissioners may serve on the committee as long as that Board member meets all of the other qualifications. The statutory language uses the term "a" member of the county board of commissioners. This means only one Board member may serve on the Committee.

When the appointments are made, the determination needs to be made as to the term. Generally, the statute requires the term for serving on the Committee is four (4) years. However, the statute also requires that the terms of committee members first appointed shall be staggered so that there are not more than two (2) vacancies in a single year.

Since the Committee has been vacant for a number of years, I would suggest that the Board use the following schedule to meet the stagger requirements:

- First member - appointed for a one (1) year term, expiring September 1, 2018
- Second member - appointed for a two (2) year term, expiring September 1, 2019
- Third member - appointed for a three (3) year term, expiring September 1, 2020
- Fourth member - appointed for a four (4) year term, expiring September 1, 2021
- Fifth member - appointed for a four (4) year term, expiring September 1, 2021

Next year, the position of the member appointed for a one year term will have to be considered. At that time, the position would then be for a four (4) year term, expiring September 1, 2022. Subsequent years would be appointments for a four (4) year term.

If you have questions, please feel free to contact me.

Robert J. Engel
Civil Counsel
231-348-1722
rengel@emmetcounty.org

Act No. 420
Public Acts of 2016
Approved by the Governor
January 3, 2017
Filed with the Secretary of State
January 4, 2017
EFFECTIVE DATE: April 4, 2017

**STATE OF MICHIGAN
98TH LEGISLATURE
REGULAR SESSION OF 2016**

Introduced by Reps. Singh, Cochran, Schor, Rutledge and Jenkins

ENROLLED HOUSE BILL No. 4970

AN ACT to amend 1953 PA 192, entitled "An act to create a county department of veterans' affairs in certain counties, and to prescribe its powers and duties; and to transfer the powers and duties of the soldiers' relief commission in such counties," by amending section 1 (MCL 35.621), as amended by 2012 PA 235.

The People of the State of Michigan enact:

Sec. 1. (1) The county board of commissioners may create a county department of veterans' affairs. The county department of veterans' affairs shall be under the administration of a committee of 3 to 7 veterans, appointed by the county board of commissioners. Members appointed to the committee shall be residents of the county who have served honorably on active duty in the United States Armed Forces.

(2) Committee members appointed under subsection (1) shall include the following:

(a) At least 1 member representing a congressionally chartered veterans' organization within the county, to be appointed upon the recommendation of the posts of each chartered veterans' organization within the county.

(b) At least 1 independent member who may or may not be a member of a congressionally chartered veterans' organization within the county.

(3) Each committee member appointed under this section shall have demonstrated knowledge, skills, and experience in public service, business, or finance.

(4) If an opening on a committee of veterans occurs, the county board of commissioners shall provide notice of that opening to 1 or more newspapers within the county and to veteran service organizations within the county.

(5) Notwithstanding the provisions of any law to the contrary, a member of the county board of commissioners of a county is eligible for appointment under this section.

(6) Committee members appointed by the county board of commissioners under this section shall be appointed for a term of 4 years each. However, the terms for committee members first appointed shall be staggered so that not more than 2 vacancies are scheduled to occur in a single year. Vacancies shall be filled in the same manner as original appointments for the unexpired terms.

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

MCLS § 35.621

This document is current through 2016 Public Act 329.

Michigan Compiled Laws Service > Chapter 35 Veterans And Members of Armed Forces > Act 192 of 1953
County Department of Veterans' Affairs

§ 35.621. County department of veterans' affairs; creation; administration; committee; appointment, qualifications, and terms of members; vacancies.

The county board of commissioners may create a county department of veterans' affairs. The department shall be under the administration of a committee of 3 to 5 veterans, appointed by the county board of commissioners, who shall be residents of the county and who have served honorably on active duty in the United States armed forces or who served actively in the United States armed forces in a war or received an armed forces campaign or service medal, to be appointed upon the recommendation of the posts of each chartered veterans' organization within the county. Each member appointed shall have demonstrated knowledge, skills, and experience in public service, business, or finance. If an opening on a committee of veterans occurs, the county board of commissioners shall provide notice of that opening to 1 or more newspapers within the county and to veteran service organizations within the county. Notwithstanding the provisions of any law of this state to the contrary, a member of the board of commissioners of a county shall be eligible for appointment. Members appointed by the board of commissioners shall be appointed for a term of 4 years each. However, the terms for members first appointed shall be staggered so that not more than 2 vacancies are scheduled to occur in a single year. Vacancies shall be filled in the same manner as original appointments for the unexpired terms.

History

Pub Acts 1953, No. 192, § 1, eff October 2, 1953; amended by Pub Acts 1958, No. 156, eff September 13, 1958; 1968, No. 204, imd eff June 24, 1968; 1973, No. 153, imd eff December 6, 1973; 1996, No. 108, imd eff March 5, 1996; 2004, No. 11, imd eff February 26, 2004; Pub Acts 2012, No. 235, imd eff June 29, 2012.

Annotations

Notes

Prior codification:

MSA § 4.1153(1)

Effect of amendment notes:

Zoning Board of Appeals

Current Members	Date Appointed	Term Expires	Resigned (Date)
Craig Lively 3481 Shanley Rd. Petoskey, MI 49770 231-838-7481 petoskeyre@gmail.com	10/22/2020 1/2022	1/2025	Brian Bates resigned 1/25/2021
Jay Malott 2591 N. Lake Shore Drive Harbor Springs, MI 49740 248-904-0470 malottjay@aol.com	03/2017 3/18/2021 (missed 2020 appt. date)	03/2023	
William Alexander 8008 Trailsend Mackinaw City, MI 49701 231-373-2833 Alexander8008@sbcglobal.net	1/2019 1/2022	1/2025	
Mark Buday 924 S. Lamkin Dr. Harbor Springs, MI 49740 231-838-9693	Appointed 11/18 to fill the remainder of the term 10/22/2020	10/2023	
Jim Kargol (Alternate) 4141 Brubaker Rd. Petoskey, MI 49770 231-489-9544 Jimk8@live.com	9/23/2021	10/2024	
Toni Drier – Commissioner 4506 Van Rd. Levering, MI 49755 231-420-6832 tdrier@emmetcounty.org	1/2021	12/2021	

Zoning Board of Appeals

Appointed by: Emmet County Board of Commissioners

Length of Term: 3 years, staggered

Purpose: The Board consists of 5 members, one county commissioner and 4 citizens at large. The Board of Commissioners tried to appoint persons from various parts of the County so that every area is represented. The purpose of this committee is to hear appeals from persons who have been denied a rezoning or is seeking a variance from the Zoning Ordinance. In June of 2013, the Board voted to include an alternate on the ZAB.

The following townships have their own zoning board and therefore do not qualify to be on the Zoning Board of Appeals: Little Traverse, Pleasantview, Resort, West Traverse, City of Petoskey, City of Harbor Springs, Village of Mackinaw City, Alanson, Pellston.