CONTRACT FOR MUNICIPAL LAND USE SERVICES ADMINISTRATION (LAND USE PLANNING, ZONING, ZONING ADMINISTRATION AND BUILDING CODE COMPLIANCE) 2013-2014

WHEREAS, Otsego County (the County) and Elmira Township (the Township) agree that it is in the interest of the Citizens of the County and the Township and the overall development of the County and the Township to centralize administration of Land Use Services; and

WHEREAS, the County and the Township agree that Land Use Services includes Land Use Planning, Zoning and Zoning Administration and Enforcement; and

WHEREAS, the County and the Township agree that because the County's offices are centrally located and because the County can provide professional and administrative personnel, and office space to the Township so that the land use within the Township can be developed uniformly with joint cooperation and with one location for citizens to go for more efficient service with one set of rules.

Agreements

The County and the Township hereby enter into this Contract for services. This contract shall be in effect for a period of two (2) years beginning January 1, 2013 and continuing in effect until December 31, 2014.

Responsibilities of the Township

1. Funding for the Land Use Services Zoning function is distributed among participating townships using an equal blend of the latest State Equalized Values and population for each township (see Attachment A). Elmira Township agrees to provide a total of $6,180.00 in 2013 and $6,180.00 in 2014 to assist in covering the costs of operation and staffing of the Planning & Zoning Department
2. The Township will pay the annual contribution amount as noted above by May 1st of each year of this contract.
3. The Township Board will select their representative, with confirmation by the Otsego County Board of Commissioners, to serve on the Otsego County Planning Commission.

Responsibilities of the County

1. The County shall provide full and complete professional Land Use Planning.
2. The County shall provide professional planning personnel on staff to assist Township officials from all Townships within Otsego County, officials from the City of Gaylord, the Village of Vanderbilt, citizens, land owners and developers with Land Use Planning questions and procedures and municipal cooperation.

3. The County shall maintain digital maps for zoning and land use planning purposes.
4. The County shall appoint and operate a County Planning Commission for the purposes of administering the County Plan and the County Zoning Ordinance.
5. The County shall appoint and operate a County Zoning Board of Appeals for the purposes of interpreting and ruling on requests involving administration of the Zoning Ordinance.
6. The County shall ensure that the Township is informed and advised of any proposed land use changes or proposed ordinance text changes or special land use requests or other similar requests presented to the Planning Commission and any requests presented to the Zoning Board of Appeals involving land within the Township.
7. The County shall provide professional personnel on staff to administer and enforce the zoning ordinance regulations and all other land use regulations.
8. The County shall regularly provide reports to the Township at the Township Association meetings. The report shall include but is not limited to a financial report showing the expenses of the Planning & Zoning Department, the fee schedule for permits issued, the number and type of permits issued; and the revenue received.
9. The County will pay for legal expenses related to zoning functions and decisions.
10. Funds related to the Otsego County Land Use Department Planning & Zoning will be maintained in a fund separate from the County's General Fund.

Either party may terminate this Agreement for any or no reason upon one hundred eighty (180) day written notice.

In the event of termination of this Agreement, the Township shall be responsible only for costs pro-rated to the date of termination.

Otsego County and Elmira Township.

Entered into this 12th day of July 2012 between Otsego County and Elmira Township

Otsego County

John Burt, County Administrator

Susan DeFeyter, County Clerk

Elmira Township

Diane Franckowiak, Supervisor

Susan Schaedig, Township Clerk