



Otsego County Board of Commissioners

225 West Main Street • Gaylord, Michigan 49735

989-731-7520 • Fax 989-731-7529

NOTICE OF MEETING

The Otsego County Board of Commissioners will hold a regular meeting on Tuesday, November 9, 2006 beginning at 9:30 a.m., in the Multi-Purpose Room of the J. Richard Yuill Alpine Center, Gaylord, Michigan 49735.

AGENDA

1. Call to Order
2. Invocation
3. Pledge of Allegiance
4. Roll Call
5. Approval of Minutes
 - a. Regular Meeting of October 24, 2006 w/attachments
6. Consent Agenda
 - a. Planning Commission Recommendations
 1. Otsego County Ordinance #06-04 - Text Amendment
 2. Otsego County Ordinance #06-04 - Text Amendment
 3. Otsego County Ordinance #06-04 - Text Amendment
 4. Otsego County Ordinance #06-03 - Zoning Map
 - b. OCR 06-48 MERS Program "E" Increase
 - c. OCR 06-49 US EPA Brownfield Redevelopment Grant
 - d. OCR 06-51 ROD Data Agreement
7. Administrator's Report
8. City Liaison, Township & Village Representatives
9. Correspondence
10. Special Presentations
 - a. Bill Kerr - Millage Report
 - b. Diann Axford - Treasurer's Quarterly Report
 - c. Dona Wishart - Otsego County Commission on Aging
11. New Business
 - a. Financials
 1. Warrant B2006-44
 2. Warrant B2006-45
 - b. OCR 06-47 Sanitary Regulations
 - c. OCR 06-50 87th District Court Resolution
 - d. Clerk Marriage Performance Fee
12. Public Comment
13. Board Remarks
14. Adjournment

October 24, 2006

The Regular meeting of the Otsego County Board of Commissioners was held in the Multi-Purpose Room of the J. Richard Yuill Alpine Center. The meeting was called to order at 9:30 a.m. by Chairman Beachnau. Invocation by Commissioner Glasser, followed by the Pledge of Allegiance led by Commissioner Olsen.

Roll call:

Present: Bates, Beachnau, Liss, Olsen, Glasser, Hyde, Bentz.

Excused: Backenstose, Johnson.

The regular meeting of October 10, 2006 minutes with attachments were approved as presented.

Consent Agenda:

The Personnel Committee moves to adopt the call-in policy as presented. Motion carried via unanimous consent. (see attached)

The Budget and Finance Committee moves to adopt the County owned vehicle policy. Motion carried via unanimous consent. (see attached)

OCR-06-43 Consent to Assignment of Lease.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

OCR-06-44 County Administrator Authorized Signatory.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

OCR-06-45 Mortgage Discharge Ralston.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

William Light was appointed to the Otsego County Board of Canvassers for a term of one (1) year from October 20, 2006 through October 20, 2007 to fill a vacancy. Motion carried via unanimous consent.

Administrator's report:

John Burt reported on Alpine Center repairs; DHS is vacating the Alpine Center November 30, 2006; Gas cards; Cross street gate to be put up; Jail Committee meeting October 27, 2006; Animal Control director search.

Commissioner Bates reported on the grants awarded to the City of Gaylord and the City Hall bids.

Mary Jergenson reported that Senator Tony Stamas will be in Gaylord on Thursday October 26, 2006.

Special Presentations:

Bill Kerr Millage report was moved to the November 9, 2006 meeting.

Rachel Frisch presented the Board with the 3rd quarter financial report.

New Business:

Motion by Commissioner Liss, to approve Warrant B2006-42 in the amount of \$123,556.62 with prepaids in the amount of \$44,038.92 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bentz, to approve Warrant B2006-43 in the amount of \$78,981.82 as presented. Ayes: Unanimous. Motion carried.

Motion by Commissioner Bates, to approve OCR-06-42 Honoring Keith Huff as presented.

Roll Call Vote:

Ayes: Unanimous.

Nays: None.

Motion carried/Resolution adopted. (see attached)

The Board presented Keith Huff with a clock and thanked him for his service with the County.

Sheriff James McBride presented Keith Huff with a certificate and congratulated him on his years of service.

Board Remarks:

Commissioner Glasser: Reported on the Budget progress.

Commissioner Hyde: Reported on the drill at the High School lockdown for 9-1-1. Airport terminal update.

Commissioner Bentz: Building and Grounds.

Commissioner Beachnau: Chamber of Commerce Business Expo at Treetops, October 25,
2006 at 5:00 p.m.
Executive Committee meeting.
Sportsplex Board meeting.
Right to Life Banquet October 30, 2006 at Treetops.

Sheriff James McBride reminded the Board of the retirement party for Richard Gould on October 27, 2006 in the Multi-Purpose room from 12:00 p.m.-1:30 p.m.

Meeting adjourned at 10:00 a.m. at the call of the Chair.

Paul M. Beachnau, Chairman

Susan I. DeFeyter, County Clerk



Call-In Policy

On-Call/Emergency Call-Back Pay Policy

An emergency call-back is defined as an unscheduled request made by an appropriate management official (appropriate authorization may be specific to a department policy) for an employee to return to work to do unforeseen or emergency work after leaving the building or work location at the end of his or her regular shift and before the beginning of the next regularly scheduled shift. An on-call employee who is called back to work outside his or her normal work schedule shall be paid for the time worked or a minimum of two (2) hours, whichever is greater. Department Directors shall establish reasonable maximum response times (between 15 and 60 minutes) for their departments.

Time worked while on call will be calculated at the employee's regular rate of pay. If an employee is called back to work, he or she will be paid for travel time. If an on-call employee is not called back, no pay will be earned. Overtime compensation is applicable only when total hours worked exceed the regular full-time work cycle.

Emergency call-backs that occur during paid holiday leave will be considered overtime. Justification must be provided to the Department Director to validate that the call-back is an emergency.

Employees who are on call must adhere to all of Otsego County's policies, including Substance Abuse and Testing. Any variance from such policies may result in disciplinary action, up to and including termination.



County Owned Vehicle Policy

1. Purpose. The intent of this policy is to establish a procedure for employees of the County of Otsego who operate county owned vehicles.
2. Authority. Otsego County Board of Commissioners.
3. Application. This policy will apply to all employees, elected or appointed, who may operate vehicles owned by the County of Otsego.
4. General Policy.

All employees who are assigned County owned vehicles to carry out their duties as County employees shall leave all County owned vehicles at their normal employment site or office location. Any County employee who operates a County owned vehicle shall use the vehicle assigned to them for county business purposes only. The use of County owned vehicles for personal use is prohibited, and shall result in referral to the Attorney General or disciplinary action up to and including discharge.

Use of County-owned vehicles must be in compliance with all state and federal laws, local ordinances and applicable county policies.

Adoption of this policy supercedes previously adopted county-wide or departmental policies which may be in conflict with this policy.

Failure to follow this policy may result in revocation of an assigned vehicle, or in disciplinary action up to and including termination of employment.

5. Supervisory Responsibilities.

It shall be the responsibility of the County Administrator and Management Team members to:

- A. Promote the safe operation of county vehicles.
- B. Administer and enforce all state and federal laws, county and/or departmental policies and procedures regarding vehicle operation which may be applicable.

6. Employee Responsibilities.

- A. Safely operate county vehicles conforming to all state laws, local ordinances and county and/or departmental policies regarding the operation of a motor vehicle.

- B. Maintain a valid and properly classified operator's license and provide proof of such license as required by county and/or departmental administration.
- C. Advise an immediate supervisor immediately of the loss of a valid operator's license due to suspension, revocation or expiration.
- D. Employees assigned county-owned vehicles are to take proper care of the interior and exterior appearance and services of county-owned vehicles at the scheduled times and/or every 4,000 miles. Failure to do so may result in disciplinary action. Upholding the maintenance requirement is the responsibility of the Department Director.
- E. Promptly report any and all vehicle safety defects found during such inspections. These shall be reported to the immediate supervisor and the person responsible for vehicle maintenance and repair.
- F. Require that all occupants utilize safety belts.
- G. Employees shall operate county vehicles in a safe and courteous manner. Employees shall not exceed the speed limit unless in pursuit or emergency.
- H. Violations, citations, fines, and other actions taken by any police jurisdiction against any employee while driving a county vehicle shall be the responsibility of the employee and may be cause for disciplinary action by the county.
- I. Employees shall notify his/her department director of any points incurred on their driver's license for situations including, but not limited to, accidents, speeding tickets, driving under the influence, and driver's license suspensions or revocations.
- J. The use of tobacco in any form is prohibited in county-owned vehicles.
- K. Maintenance on county-owned vehicles will be performed by the Otsego County Bus System staff, unless the work can be performed at an equivalent or lesser cost, or if the timeliness of having the vehicle services by the Bus System would create a hardship for the department.
- L. The Department Director of each department shall turn into the Bus System Director the mileage of each county-owned vehicle each quarter. This will be on the first day of January, April, July, and October, no later than the 5th day in order to keep accurate records.
- M. All County vehicles will have an "official county vehicle" sticker placed on the vehicle, except for those vehicles that have an alternative sticker identifying their Department.

7. Prohibited Usage or Practices

- A. Allowing any non-county employees to operate a county vehicle.
- B. Operating the vehicle in contravention to applicable state laws, local ordinances or county and/or departmental policies or procedures.
- C. Using any assigned vehicle for any illegal purpose as defined by federal law, state law, county or local ordinance.
- D. No county vehicle shall be used for personal use, including commuting to and from the office, general recreation or vacations.

8. Exceptions
Exceptions to this policy must be reviewed and approved by the Board of Commissioners.
9. Effective Date
The effective date of this policy is October 24, 2006.

**RESOLUTION NO. OCR 06-43
CONSENT TO ASSIGNMENT OF LEASE**

OTSEGO COUNTY BOARD OF COMMISSIONERS
October 24th, 2006

WHEREAS, the Otsego County Board of Commissioners entered into a 10-year land lease for airport hangar 19 with Superior Aviation, Inc. on April 11, 2006; and

WHEREAS, Superior Aviation, Inc. wishes to assign their interest in the lease to Martinaire Hangar, LLC; and

WHEREAS, it is in the best interest of the Gaylord Regional Airport and Otsego County to consent to the assignment of the lease; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners hereby approves the assignment and assumption of Superior Aviation's interest in their Gaylord Regional Airport Land Lease, from Superior Aviation, Inc. to Martinaire Hangar, LLC.

**CONSENT TO ASSIGNMENT OF LEASE
AND ADDENDUM TO LEASE
OTSEGO COUNTY, SUPERIOR AVIATION AND MARTINAIRE HANGER, L.L.C.**

This Consent to Assignment and Addendum to Lease ("Agreement") is made this ___ day of October among the County of Otsego, acting through the Gaylord Regional Airport Committee, (the "Lessor"), Superior Aviation, Inc. a Michigan corporation ("Superior"), and Martinaire Hangar, L.L.C., a Delaware single member limited liability company ("Martinaire").

Lessor hereby consents to the assignment and assumption of Superior's, as lessee, interest in that certain Gaylord Regional Airport Land Lease, Non-Commercial, dated September 1, 2006 (the "Lease"), from Superior to Martinaire.

Superior agrees to assign its interest in the Lease to Martinaire and Martinaire shall accept the assignment and assumption of the Lease. Martinaire hereby assumes all the terms and conditions of the Lease and the amendment to that Lease, as provided for herein.

Martinaire agrees to pay all costs incurred as the result of the installation and upgrade of the electrical service to the premises, including, but not limited to, utility poles or underground service, wires, meter, mast, and service boxes when the electrical service is upgraded to the premises and the current electrical service to the premises is discontinued from the Gaylord Regional Airport's electrical service. Upon completion, Martinaire agrees to pay all the monthly electricity costs and fees for the electricity to the premises for the remaining term of the Lease directly to the utility company providing the electrical service. Martinaire understands that, as of the date of this Agreement, there is no specific date when the change will occur. The Gaylord Regional Airport Commission shall notify Martinaire of the electrical service upgrades and provide Martinaire with plans and specifications of such upgrades. Martinaire shall approve such plans and specifications based upon the electrical requirements of Martinaire.

County of Otsego

Superior Aviation, Inc., a Michigan corporation

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Dated: _____

Dated: _____

Martinaire Hangar, L.L.C., a single
member limited liability company

By _____

Name: _____

Title: _____

Dated: _____

OCR- 06-44
RESOLUTION AUTHORIZING
COUNTY ADMINISTRATOR TO SIGN
AUTHORIZED OTSEGO COUNTY DOCUMENTS

OTSEGO COUNTY BOARD OF COMMISSIONERS
October 24, 2006

WHEREAS, the Otsego County Board of Commissioners has hired a County Administrator; and

WHEREAS, it is the intention of the County Board of Commissioners to be a deliberative Policy making body; and

WHEREAS, it is the function of the County Administrator to implement County policies, execute Board actions and mandates, and direct County functions; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners hereby designates the County Administrator as the official signatory of Board approved leases, contracts, and other legal documents; and be it further

RESOLVED, that the Chair of the Otsego County Board of Commissioners continue to be authorized to sign said documents in the absence of the County Administrator; and be it further

RESOLVED, that Board Rule 2.3.2 remains valid as the Chair must continue to "sign orders, resolutions, and minutes of the board".

**RESOLUTION NO. OCR 06-45
AUTHORIZING RESOLUTION**

OTSEGO COUNTY BOARD OF COMMISSIONERS
October 24th, 2006

WHEREAS, the Otsego County Board of Commissioners is the owner of a property located at 5031 East Martin Lake Rd Gaylord, Michigan 49735 and has a mortgage recorded in Liber 624, Pages 197-200, in the name of Theresa Ralston, a single woman and Robert Ralston and Jan Ralston, husband and wife

WHEREAS, said Mortgage has been paid in full; now, therefore, be it

RESOLVED, that Otsego County hereby issues a DISCHARGE OF MORTGAGE to, Theresa Ralston a single woman, and Robert Ralston and Jan Ralston, husband and wife; and be it further

RESOLVED, that the Otsego County Administrator, on behalf of the Otsego County Board of Commissioners, be authorized to sign said document.

**RESOLUTION NO. OCR 06-42
HONORING KEITH HUFF**

OTSEGO COUNTY BOARD OF COMMISSIONERS
October 24th, 2006

WHEREAS, Otsego County residents have been faithfully served by Russell Keith Huff since June 1, 1974; and

WHEREAS, the Otsego County Board of Commissioners appreciates the dedication and service that Keith has provided for over 32 years; and

WHEREAS, as the Director of the Otsego County Animal Control Department he has guided the department through many changes including the successful implementation of the County's No-Kill Policy; now, therefore be it,

RESOLVED, that the Otsego County Board of Commissioners wishes to honor Keith in his retirement and express their pride in his accomplishments; and be it further

RESOLVED, that the Otsego County Board of Commissioners wishes Keith good health, much happiness and enjoyment in his retirement.



November 9, 2006
Agenda

Otsego County Land Use Services

1068 Cross Street
Gaylord, Michigan 49735
Telephone (989)731-7420
Fax (989)731-7429

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners

FROM: Richard Edmonds, Director of Land Use Services

SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

GENERAL INFORMATION

Following discussion with the Zoning Administrator, the Land Use Services Director and the Zoning Enforcement Officer the Planning Commission determined that the Zoning Ordinance definitions for "Restricted Yard Uses" was ambiguous and difficult to enforce.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the regulations for Restricted Yard Uses currently found in the Zoning Ordinance at Section 18.34 so that Section 18.34 will be changed to read as follows:

SECTION 18.34 RESTRICTED USES

No parcel shall be used for the open or unenclosed storage, disposition, wrecking, dismantling, baling, salvaging, location, accumulation or abandonment, either temporarily or otherwise, of any discarded, disused or dismantled vehicles, machinery, junk, or junked articles, or any parts thereof, unless located in a Zoning District that permits such use and a site plan has been approved by the Planning Commission.

As used in this Section the following terms shall have the meanings as prescribed in this section.

- A. "discarded, disused vehicle" includes, but is not limited to, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours, or more, after the consent of the owner or occupant of the property has been revoked.
- B. "discarded, disused or dismantled Vehicle" includes, any vehicle that is not licensed for use upon the highways or waterways of the State of Michigan, and shall also include, whether licensed or not, any vehicle that is inoperable, except that one (1) unlicensed vehicle that is used for snow plowing purposes shall be permitted and one (1) vehicle that is inoperable or unlicensed in addition to the snow plowing vehicle, may be permitted so long as that vehicle is repaired and licensed within thirty (30) days of notice by the Zoning Administrator, and one (1) additional vehicle that is kept under cover and where the grass around the vehicle is kept mowed and where the owner can show on going progress toward restoration.

- C. "Junk" includes, but is not limited to, broken and/or inoperable machinery or vehicles, or parts relating to machinery or vehicles, or broken and unusable furniture, stoves, refrigerators, or other appliances.

Exemption - Agricultural Operations. Any vehicle or parts of vehicles that are part of a farm operation as defined by the Michigan Right to Farm Act, 1980 P.A. No. 93, MCL 286.471, et. seq., and conducted in accordance with the State of Michigan's Generally Accepted Agricultural and Management Practices (GAAMPs) shall be exempt from the provisions of this Section 18.34.

OTSEGO COUNTY
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE ARTICLE 18 "SPECIFIC REQUIREMENTS FOR CERTAIN USES" SECTION 18.34 "RESIDENTIAL RESTRICTED YARD USES" BY CHANGING THE HEADING OF THE SECTION SO THAT IT APPLIES TO ALL PARCELS AND BY ADDING DEFINITIONS OF 'JUNK' SO THAT THERE IS NO CONFUSION REGARDING THAT TERM FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.34 "Residential Restricted Yard Uses" shall be amended by changing the heading of the Section and by adding definitions of junk so there is no confusion regarding that term so that Section 18.34 shall read as follows:

SECTION 18.34 RESTRICTED USES

No parcel shall be used for the open or unenclosed storage, disposition, wrecking, dismantling, baling, salvaging, location, accumulation or abandonment, either temporarily or otherwise, of any discarded, disused or dismantled vehicles, machinery, junk, or junked articles, or any parts thereof, unless located in a Zoning District that permits such use and a site plan has been approved by the Planning Commission.

As used in this Section the following terms shall have the meanings as prescribed in this section.

- A. "discarded, disused vehicle" includes, but is not limited to, any vehicle which has remained on private property for a period of 48 continuous hours, or more, without the consent of the owner or occupant of the property, or for a period of 48 continuous hours, or more, after the consent of the owner or occupant of the property has been revoked.
- B. "discarded, disused or dismantled Vehicle" includes, any vehicle that is not licensed for use upon the highways or waterways of the State of Michigan, and shall also include, whether licensed or not, any vehicle that is inoperable, except that one (1) unlicensed vehicle that is used for snow plowing purposes shall be permitted and one (1) vehicle that is inoperable or unlicensed in addition to the snow plowing vehicle, may be permitted so long as that vehicle is repaired and licensed within thirty (30) days of notice by the Zoning Administrator, and one (1) additional vehicle that is kept under cover and where the grass around the vehicle is kept mowed and where the owner can show on going progress toward restoration.
- C. "Junk" includes, but is not limited to, broken and/or inoperable machinery or vehicles, or parts relating to machinery or vehicles, or broken and unusable furniture, stoves, refrigerators, or other appliances.

Exemption - Agricultural Operations. Any vehicle or parts of vehicles that are part of a farm operation as defined by the Michigan Right to Farm Act, 1980 P.A. No. 93, MCL 286.471, et. seq., and conducted in accordance with the State of Michigan's Generally Accepted Agricultural and Management Practices (GAAMPs) shall be exempt from the provisions of this Section 18.34.

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: _____
Paul Beachnau, County Board Chairman

By: _____
Susan DeFeyter, County Clerk

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners

FROM: Richard Edmonds, Director of Land Use Services

SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

GENERAL INFORMATION

Following adoption of the Michigan Zoning Enabling Act (PA 110 of 2006) the State revised the regulations for notice requirements in zoning matters. The Planning Commission determined that the Zoning Ordinance notice regulations should be updated to comply with current State regulations.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the notice requirements found in various parts of the Zoning Ordinance and to correct all references to the County Zoning Act which has been repealed by the Michigan Zoning Enabling Act. The proposed ordinance with the necessary changes is attached.

OTSEGO COUNTY
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE SO THAT NOTICE REQUIREMENTS FOR VARIOUS ZONING MATTERS ARE IN COMPLIANCE WITH THE MICHIGAN ZONING ENABLING ACT (PA 110 OF 2006) AND SO THAT ALL REFERENCES TO THE COUNTY ZONING ACT WHICH HAS BEEN REPEALED ARE CHANGED TO READ "MICHIGAN ZONING ENABLING ACT" FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The title of the Otsego County Zoning Ordinance shall be amended to read as follows:

TITLE

AN ORDINANCE enacted under Public Act 110 of 2006, as amended, governing the lands and waters lying outside the limits of incorporated cities and villages within Otsego County, Michigan, to regulate and restrict the location and use of buildings, structures and land for trade, industry, residence, and for public and semipublic or other specified uses; and to regulate and limit the height and bulk of buildings and other structures; to regulate and to determine the size of yards and open spaces; to regulate and limit the density of population; to encourage resource protection, farming, and forestry activities; and for said purposes to divide the County into districts and establish the boundaries thereof; providing for changes in this Ordinance; defining certain terms; providing for enforcement; establishing a Board of Appeals; and imposing penalties for the violation of Ordinance.

Section 2. The Otsego County Zoning Ordinance Article 2 "Definitions" "Uses Subject to Special Conditions" shall be amended to read as follows:

USES SUBJECT TO SPECIAL CONDITIONS: Refers to special land uses pursuant to PA 110 of 2006, as amended, and also pursuant to uses referred to in this ordinance as Special Approvals, Special Uses, Special Land Uses or Conditional Uses authorized by special permit.

Section 3. The Otsego County Zoning Ordinance Article 3 "Zoning Districts and Maps" Section 3.7 "Structure of Uses and Information" shall be amended to read as follows:

SECTION 3.7 STRUCTURE OF USES AND INFORMATION

3.7.1 The structure of uses in this Ordinance is as follows:

Uses are allowed only in specified zoning districts. Where allowed, uses are either by right or they are special land uses.

Uses by right often have specific requirements which must be met, as spelled out in various local, state and federal laws and the provisions of this Ordinance, principally Article 18 but also including the definitions section of Article 2 and the zoning district articles themselves.

Special land uses shall be permitted in a zoning district only after review and approval. Such decisions are considered discretionary under the state enabling legislation (MCLA 125.3502). All discretionary decisions are governed by Article 16, which spells out criteria and procedures, including giving notice to property owners.

Section 4. The Otsego County Zoning Ordinance Article 16 "Permitted Uses Subject to Special Conditions" Section 16.5 "Public Hearing Requirements" shall be amended to read as follows:

SECTION 16.5 – PUBLIC HEARING REQUIREMENTS

Following receipt of a complete special use permit application, the Planning Commission shall hold a public hearing. The notices for all public hearings before the planning commission concerning requests for special use permits and planned unit developments shall comply with all of the following:

- A. The content of the notice shall include all of the following information:
 1. A description of the nature of the proposed special use or planned unit development request.
 2. A description of the property on which the proposed special use or planned unit development will be located. The notice shall include a listing of all existing street addresses within the property. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property.
 3. The time, date, and place the proposed special use or planned unit development request will be considered.
 4. The address where and the deadline when written comments will be received concerning the proposed special use or planned unit development request.
- B. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
- C. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for Special Use or Planned Unit Development not less than 15 days before the scheduled public hearing.
- D. The notice shall also be sent by first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property on which the proposed special use or planned unit development will be located and to the occupants of all structures within 300 feet of the property on which the proposed special use or planned unit development will be located not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.

Section 5. The Otsego County Zoning Ordinance Article 18 "Specific Requirements for Certain Uses" Section 18.9 "Discretionary Approval Conditions" shall be amended to read as follows:

SECTION 18.9 DISCRETIONARY APPROVAL CONDITIONS

Whenever the Planning Commission, Zoning Board of Appeals, Zoning Administrator, or other official or body with authority to make a discretionary decision as provided for in The Michigan Zoning Enabling Act (PA 110 of 2006 as amended) determines that a fence, greenbelt, berm, landscaping or other buffering or screening device or land use arrangement shall be necessary, said body or official may require such condition per the requirements of the applicable section of this Ordinance. This includes the lighting requirements of Section 18.19, the outdoor speaker requirements of Section 18.41, and the fencing requirements of Section 18.10.

Section 6. The Otsego County Zoning Ordinance Article 21 "Planned Unit Development (PUD)" Section 21.2 "Procedure", paragraph 21.2.4 "A Hearing" shall be amended to read as follows:

A hearing by the Planning Commission in accord with the requirements of the special use procedure established in Article 16; Section 16.5 shall be initiated after review of the preliminary site plan by the County Planning Commission.

Section 7. The Otsego County Zoning Ordinance Article 22 "Administration and Enforcement" Section 22.7 "Changes and Amendments" shall be amended to read as follows:

SECTION 22.7 CHANGES AND AMENDMENTS

The County may from time to time, on recommendation from the Planning Commission, or on petition, amend, supplement or change the District boundaries or the regulations herein, or subsequently established herein, pursuant to the authority and procedure established in Public Act 110 of 2006, as amended. The notices for all public hearings before the planning commission or County Board of Commissioners concerning proposed zoning ordinance amendments (zoning text or map amendments) shall comply with all of the following applicable provisions:

- A. For a proposed amendment to the text of the zoning ordinance, the notice shall comply with all of the following:
 - 1. The content of the notice shall include all of the following information:
 - a. A description of the nature of the proposed zoning ordinance amendment.
 - b. The time, date, and place the proposed zoning ordinance will be considered.
 - c. The places and times at which the proposed zoning ordinance amendment may be examined.
 - d. The address where and the deadline when written comments will be received concerning the proposed zoning ordinance amendment.
 - 2. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
 - 3. The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.

- B. For a proposed zoning ordinance amendment rezoning an individual property or 10 or fewer adjacent properties, the notice shall comply with all of the following:
 - 1. The content of the notice shall include all of the following information:
 - a. A description of the nature of the proposed zoning ordinance amendment.
 - b. A description of the property or properties proposed for rezoning. The notice shall include a listing of all existing street addresses within the property or properties. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property or properties. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property or properties.
 - c. The time, date, and place the proposed zoning ordinance will be considered.
 - d. The places and times at which the proposed zoning ordinance amendment may be examined.
 - e. The address where and the deadline when written comments will be received concerning the proposed zoning ordinance amendment.
 - 2. The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
 - 3. The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.

- 4 The notice shall also be sent first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property or properties proposed for rezoning and to the occupants of all structures within 300 feet of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant is not known, the term "occupant" may be used in making notification under this subsection.
 - 5 The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.
- C. For a proposed zoning ordinance amendment rezoning 11 or more adjacent properties, the notice shall comply with all of the following:
1. The content of the notice shall include all of the following information:
 - a. A description of the nature of the proposed zoning ordinance amendment.
 - b. The time, date, and place the proposed zoning ordinance will be considered.
 - c. The places and times at which the proposed zoning ordinance amendment may be examined.
 - d. The address where and the deadline when written comments can be sent concerning the proposed zoning ordinance amendment.
 - 2 The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
 - 3 The notice shall be sent by first-class mail or personal delivery to the owners of the property or properties proposed for rezoning not less than 15 days before the scheduled public hearing.
 - 4 The notice shall be given by first-class mail to each electric, gas, and pipeline public utility company, each telecommunication service provider, each railroad operating within the district or zone affected, and the airport manager of each airport, that registers its name and mailing address with the County clerk for the purpose of receiving the notice of public hearing.

Section 8. The Otsego County Zoning Ordinance Article 23 "Board of Appeals" Section 23.7 "Notice of Hearing" shall be amended to read as follows:

SECTION 23.7 NOTICE OF HEARING

The Board of Appeals shall make no recommendation except in a specific case and after a public hearing conducted by said board. The notices for all public hearings before the zoning board of appeals concerning appeals, interpretations, and variances shall comply with all of the following:

1. The content of the notice shall include all of the following information:
 - a. A description of the nature of the appeal or interpretation request or variance request.
 - b. For a Variance request or if the appeal or interpretation request involves a specific parcel, then the notice shall describe the property involved. The notice shall also include a listing of all existing street addresses within the property. Street addresses, however, do not need to be created and listed if no such addresses currently exist within the property. If there are no street addresses, other means of identification may be used, such as using tax parcel identification numbers or including a map showing the location of the property.
 - c. The time, date, and place the appeal or interpretation request or variance request will be considered.

- d. The address where and the deadline when written comments will be received concerning the appeal or interpretation request or variance request.
- 2 The notice shall be published in a newspaper of general circulation within the County not less than 15 days before the scheduled public hearing.
- 3 The notice shall be sent by first-class mail or personal delivery to the person filing the appeal or requesting the interpretation or requesting the variance and, for a variance request or if the appeal or interpretation request involves a specific parcel, to the owners of the property involved not less than 15 days before the scheduled public hearing.
- 4 For a variance request or if the appeal or interpretation request involves a specific parcel, then the notice shall also be sent by first-class mail or personal delivery to all persons to whom real property is assessed within 300 feet of the property involved and to the occupants of all structures within 300 feet of the property involved not less than 15 days before the scheduled public hearing, regardless of whether the property or occupant is located in the County. If the name of the occupant or tenant is not known, the term "occupant" may be used in making notification under this subsection.

Section 9. The Otsego County Zoning Ordinance Article 26 "Conflicting Regulations and Repeal of Prior Ordinances" shall be amended to read as follows:

ARTICLE 26 CONFLICTING REGULATIONS AND REPEAL OF PRIOR ORDINANCES

Whenever in the county there are provisions in two or more laws or ordinances that have conflicting provisions, the law or ordinance with the more stringent requirements or regulations shall govern, except where a township has a validly enacted zoning ordinance under the provisions of Public Act 110 of 2006, The Michigan Zoning Enabling Act, then for as long as such zoning ordinance remains lawful and in effect, its regulations shall govern the use of land within that township.

Section 10. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 11. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: _____
Paul Beachnau, County Board Chairman

By: _____
Susan DeFeyter, County Clerk

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners

FROM: Richard Edmonds, Director of Land Use Services

SUBJ: Zoning Ordinance Text Amendment

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the following Zoning Ordinance Text Amendment.

GENERAL INFORMATION

Following review of the Zoning Ordinance it was noticed that the Zoning Ordinance had never been updated to note the new name of the Land Division Act. The Planning Commission determined that the Zoning Ordinance should be amended to correct this information.

The Planning Commission is recommending that the County Board adopt an ordinance to amend the Section 18.14 "Land Division" so that references to the "Subdivision Control Act" are corrected to read "Land Division Act" so that the specific paragraphs within Section 18.14 will be changed to read as follows:

- 18.14.1 Approval Required. For the purposes of this Ordinance, the County shall not recognize any lot which was not either a lot of record as of the effective date of this Amendment or which has not been subsequently approved by the Approving Authority as designated by the municipality in accordance with the provisions of the Land Division Act, P.A. 288 of 1967, as amended.

- 18.14.4.4 No Land Divisions shall be granted which are contrary to, or in violation of, the State of Michigan P.A. 288 of 1967, as amended, The Land Division Act, or this Ordinance.

OTSEGO COUNTY
ORDINANCE NUMBER: 4

AN ORDINANCE TO AMEND THE TEXT OF THE OTSEGO COUNTY ZONING ORDINANCE ARTICLE 18 "SPECIFIC REQUIREMENTS FOR CERTAIN USES" SECTION 18.14 "LAND DIVISIONS" TO CORRECT REFERENCES TO THE SUBDIVISION CONTROL ACT BY CHANGING THE REFERENCE TO READ "LAND DIVISION ACT" FOR THE HEALTH, SAFETY AND WELFARE OF THE CITIZENS OF THE COUNTY.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.14 "Land Divisions" Paragraph 18.14.1 shall be amended to correct references to the Subdivision Control Act so that they reference the Land Division Act so that paragraph 18.14.1 shall read as follows:

18.14.1 Approval Required. For the purposes of this Ordinance, the County shall not recognize any lot which was not either a lot of record as of the effective date of this Amendment or which has not been subsequently approved by the Approving Authority as designated by the municipality in accordance with the provisions of the Land Division Act, P.A. 288 of 1967, as amended.

Section 2. The text of the Otsego County Zoning Ordinance Article 18 "Specific Requirements for certain uses" Section 18.14 "Land Divisions" Paragraph 18.14.4.4 shall be amended to correct references to the Subdivision Control Act so that they reference the Land Division Act so that paragraph 18.14.4.4 shall read as follows:

18.14.4.4 No Land Divisions shall be granted which are contrary to, or in violation of, the State of Michigan P.A. 288 of 1967, as amended, The Land Division Act, or this Ordinance.

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: _____
Paul Beachnau, County Board Chairman

By: _____
Susan DeFeyter, County Clerk

Otsego County Land Use Services

1068 Cross Street
Gaylord, Michigan 49735
Telephone (989)731-7420
Fax (989)731-7429

October 23, 2006

MEMORANDUM

TO: Paul Beachnau, Chairman Otsego County Board of Commissioners

FROM: Richard Edmonds, Director of Land Use Services

SUBJ: Rezoning request for property located at the intersection of Matelski Road and Old 27 North on the North side of Matelski Road and on the West side of Old 27 North Livingston Township Parcel Number 080-003-300-030-00

The purpose of this memo is to provide the County Board of Commissioners with the Recommendation of the County Planning Commission regarding the above listed Rezoning Request.

GENERAL INFORMATION

The above referenced request is for the Rezoning of .34 acres of vacant land located as noted above. The property in question is currently zoned B-2 "General Business" and the request is for the parcel to be Rezoned to R-2 "General Residential"

Site Location

The property is vacant land with no address. The property is just north of the intersection of Matelski Road and Old 27 North. The tax ID number for the parcel is: 080-003-300-030-00. The legal description for the parcel is:

Part of Section 3 Livingston Township desc as: beginning 150' North of the intersection of S line of Section 3 and W line of US 27 ROW, then N 100' alg W line of US 27 ROW, then W 200', the S 100' parallel with the west Section Line of Section 3, then E to POB.

Natural Features

The property is flat vacant land with some scrub vegetation remaining on the property. The property has had a dwelling in the past which was removed several years ago. There are no special natural features on the property at this time.

Contours

The property is flat, there is no significant change in elevation.

PLANNING COMMISSION REVIEW

Article 22 "Administration" regulates changes and amendments to the Zoning Ordinance. Section 22.7 "Changes and Amendments" states

"The County may from time to time, on recommendation from the Planning Commission, or on petition, amend, supplement or change the District boundaries or the regulations herein, or subsequently established herein, pursuant to the authority and procedure established in Public Act 110 of 2006 as amended."

No other Articles or sections of the Zoning Ordinance apply when considering a Rezoning or Ordinance Amendment.

Based on the Michigan Zoning Enabling Act the County Planning Commission must insure that the "Map Amendment" (Rezoning) is based upon a "plan". That refers to the County's Master Land Use Plan.

Based on the Future Land Use Map the property in question is designated as "Residential" along Old 27 North.

It should be noted that the Future Land Use Map is a guide. The designated areas are not strict boundaries as in the Zoning Map.

RECOMMENDATION

The Planning Commission voted unanimously to recommend that this request be approved and advised that other similar property along Old 27 North be reviewed for rezoning in the immediate future.

The Planning Commission reviewed the following factors.

- a. the character of the area in which the subject property is located
- b. the property itself and any physical limitations and suitability to the particular use
- c. the affect of the rezoning on property values, and
- d. the general trend and character of population development
- e. Is the proposed rezoning consistent with surrounding uses
- f. will there be adverse physical impact on surrounding properties
- g. will there be adverse impact on property values in the adjacent area
- h. Have there been changes in the land use or other conditions in the area or the community which justify the change
- i. will the rezoning create a deterrent to the improvement or development of adjacent property in accordance with existing regulations
- j. will rezoning grant a special privilege to an individual property owner when contrasted with other property owners in the area (spot zoning)
- k. Are there substantial reasons why the property cannot be used in accordance with its present zoning classification
- l. Is the rezoning in conflict with the future land use map or the Master Plan
- m. Is the site served by adequate public facilities or is the applicant able to provide them
- n. Are there sites nearby already properly zoned that can be used for the intended purpose
- o. Are there other remedies available besides rezoning.

The Planning Commission determined that:

The site is zoned commercial and it can not currently be used for residential purposes.

There is commercial property in the area that could better handle the commercial needs.

Rezoning of this property at this time would help reduce sprawl

The site is not served by adequate public facilities for commercial development.

The site is Master Planned for Residential Use.

Based on the above noted criteria the Planning Commission has recommended approval of the Rezoning from B-2 General Business to R-2 General Residential.

OTSEGO COUNTY
ORDINANCE NUMBER: 3

AN ORDINANCE TO AMEND THE CURRENT OTSEGO COUNTY ZONING MAP SO THAT THE BELOW DESCRIBED PARCEL OF LAND IS REZONED AS INDICATED.

OTSEGO COUNTY, STATE OF MICHIGAN ORDAINS:

Section 1. The current Otsego County Zoning Map shall be amended so that the following described parcel of land shall be Rezoned as indicated:

Common Address:	5042 Old 27 North
General Location:	150' north of intersection of Matelski Road and Old 27 North
Township:	Livingston Township
Tax ID Number:	080-003-300-030-00
Legal Description:	Part of Section 3 Livingston Township desc as: beginning 150' North of the intersection of S line of Section 3 and W line of US 27 ROW, then N 100' alg W line of US 27 ROW, then W 200', the S 100' parallel with the west Section Line of Section 3, then E to POB.
Existing Zoning:	B-2 "General Business"
New Zoning:	R-2 "General Residential"

Section 2. Validity.

If any section, provision or clause of this Ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect any remaining portions or application of this Ordinance which can be given effect without the invalid portion or application.

Section 3. Effective Date.

This Ordinance shall become effective eight (8) days after its first publication.

OTSEGO COUNTY

By: _____
Paul Beachnau, County Board Chairman

By: _____
Susan DeFeyter, County Clerk



MUNICIPAL EMPLOYEES' RETIREMENT SYSTEM OF MICHIGAN

UNIFORM RESOLUTION FOR ADOPTING BENEFIT PROGRAM "E" INCREASE TO BE EFFECTIVE ON ADJUSTMENT DATE JANUARY 1, 2007

Must be filed with MERS by November 22, 2006, to be effective for Calendar 2007

Note: Numbers 1 and 2 must be completed.

1. As authorized by Section 20 of the MERS Plan Document as revised the Otsego County (Participating Municipality)

6902-1 (Municipality No.) adopts for the following (circle only A or B):

A. All retirees and beneficiaries.

or

B. Retirees and beneficiaries in Divisions: 01, 02, 10, 11, 12, 13, 14, 20 Specify Division Number(s)

2. The increase will be (Traditional E or Flexible E—choose either A or B):

A. Traditional E (For all who retired on or before December 31, 2005, as computed in the actuary's cost analysis.)

Two percent (2%) of the retirement allowance payable immediately prior to the adjustment date, for each complete calendar year since the last adjustment date for which Benefit E was adopted, or effective date of retirement allowance, whichever is shorter.

or

B. Flexible E (Complete the following.)

1) Type of increase % or flat dollar amount per month \$

2) Increase applies in the following manner:

(a) Only those retired on or before

(b) Number of years for adjustment

I certify that this Resolution was adopted by the Otsego County Board of Commissioners at its meeting held on November 9, 2006, Governing Body

Dated: 11-9-06

Signature of Authorized Official

Chair, Board of Commissioners

Title



Otsego
COUNTY
M I C H I G A N

Otsego County Board of Commissioners
225 West Main Street • Gaylord, Michigan 49735
989-731-7520 • Fax 989-731-7529

Please review the below cost analysis by the MERS actuary which is based upon Benefit Program E's longstanding *traditional* annual 2% increase of the amount of each retirement allowance since the last date Benefit E was adopted.

Retirees are eligible to receive Benefit E when they are retired one full year prior to January 2007.

Increase in Actuarial Accrued Liability

\$71,868 County
\$22,454 Courts
\$94,322 Total

***Increase in Annual Contribution**

\$ 3,986 County
\$ 1,204 Courts
\$ 5,190 Total

**30 year level percent of payroll amortization of
increase in actuarial accrued liability*

If you choose to adopt Benefit Program E to be effective in calendar year 2007, the attached Uniform Resolution must be completed and filed with MERS by November 22, 2006.

Otsego County (6902)
Gnrl Non Union (01)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	18
Annual Amount	\$116,504
Retirees Affected by Benefit E	
Number	18
Annual Amount - Present	\$116,504
Annual Amount - After E Increase	\$118,834
Increase in Actuarial Accrued Liability	\$17,076
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$916
December 31, 2005 Annual Valuation Active Member Payroll	\$383,487
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.24%

Municipality # 6902
Division # 01

Otsego County (6902)
Shrf Non Union (02)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	3
Annual Amount	\$19,460
Retirees Affected by Benefit E	
Number	3
Annual Amount - Present	\$19,460
Annual Amount - After E Increase	\$19,849
Increase in Actuarial Accrued Liability	\$3,548
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$190
December 31, 2005 Annual Valuation Active Member Payroll	\$186,710
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.10%

Municipality # 6902
Division # 02

Otsego County (6902)
Gnrl Local 214 (10)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	9
Annual Amount	\$39,221
Retirees Affected by Benefit E	
Number	9
Annual Amount - Present	\$39,221
Annual Amount - After E Increase	\$40,370
Increase in Actuarial Accrued Liability	\$7,935
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$426
December 31, 2005 Annual Valuation Active Member Payroll	\$1,220,698
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.03%

Municipality # 6902
Division # 10

Otsego County (6902)
Gnrl Local 1534 (11)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	1
Annual Amount	\$6,121
Retirees Affected by Benefit E	
Number	1
Annual Amount - Present	\$6,121
Annual Amount - After E Increase	\$6,244
Increase in Actuarial Accrued Liability	\$1,327
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$71
December 31, 2005 Annual Valuation Active Member Payroll	\$471,984
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.02%

Municipality # 6902
Division # 11

Otsego County (6902)
Elctd Officials (12)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	1
Annual Amount	\$789
Retirees Affected by Benefit E	
Number	1
Annual Amount - Present	\$789
Annual Amount - After E Increase	\$805
Increase in Actuarial Accrued Liability	\$138
Corresponding Increase in Annual Contribution (22 year amortization of increase in actuarial accrued liability - payments increase 4.5% each year)	\$9

Municipality # 6902
Division # 12

Otsego County (6902)
Electd/Appt Spvs (13)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	11
Annual Amount	\$166,285
Retirees Affected by Benefit E	
Number	11
Annual Amount - Present	\$166,285
Annual Amount - After E Increase	\$169,610
Increase in Actuarial Accrued Liability	\$32,045
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$1,719
December 31, 2005 Annual Valuation Active Member Payroll	\$795,367
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.22%

Municipality # 6902
Division # 13

Otsego County (6902)
46th Trial Court (14)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees

Number	7
Annual Amount	\$104,561

Retirees Affected by Benefit E

Number	7
Annual Amount - Present	\$104,561
Annual Amount - After E Increase	\$106,652

Increase in Actuarial Accrued Liability	\$22,454
---	----------

Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$1,204
--	---------

December 31, 2005 Annual Valuation Active Member Payroll	\$1,696,009
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Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.07%
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Municipality # 6902
Division # 14

Otsego County (6902)
Sheriff Union (20)
Benefit Program E

Under Benefit Program E, each retirement benefit being paid before the program becomes effective is redetermined the next January 1 by multiplying the retirement benefit otherwise payable by the following percent: 100% plus 2% for each full year in the period from the date the retirement benefit became effective (or the last applicable E adoption date, if later) to the January 1 as of which the redetermination is being made (1/1/2007). Retirees already covered under Benefit Program E-1 or E-2 are not affected.

CONTRIBUTION TO SUPPORT BENEFIT PROGRAM E
(EFFECTIVE 1/1/2007)

Based on December 31, 2005 Valuation Data

Retirement Allowances Being Paid December 31, 2005

All Retirees	
Number	3
Annual Amount	\$50,837
Retirees Affected by Benefit E	
Number	3
Annual Amount - Present	\$50,837
Annual Amount - After E Increase	\$51,854
Increase in Actuarial Accrued Liability	\$9,799
Corresponding Increase in Annual Contribution (30 year level percent of payroll amortization of increase in actuarial accrued liability)	\$526
December 31, 2005 Annual Valuation Active Member Payroll	\$365,937
Corresponding Increase in Annual Contribution as a Percentage of Active Member Payroll	0.14%

Municipality # 6902
Division # 20

RESOLUTION NO. OCR 06-49
**Resolution in Support of an Application for U.S. EPA Brownfield
Redevelopment Grant**
by the Otsego County Brownfield Redevelopment Authority
Otsego County, Michigan

Whereas, the U.S. Environmental Protection Agency (EPA) provides grants and loans to communities through its Brownfield Grant Program to encourage reuse of brownfield properties by funding environmental assessment and response activities;

Whereas, Otsego County has formed the Otsego County Brownfield Redevelopment Authority (OCBRA) under Act 381, PA 1996 as amended that seeks to redevelop brownfields throughout Otsego County; and

Whereas, The Otsego County Brownfield Redevelopment Authority is actively identifying potential brownfield redevelopment opportunities and is working to remove barriers to redevelopment; and

Whereas, EPA Brownfield Assessment Grant funds can be used to remove unknowns regarding the environmental conditions of property that can be a barrier to its redevelopment; and

Whereas, Local governments, agencies, and the private sector have developed strong cooperative partnerships to meet community development goals, including encouraging investment and reuse of contaminated sites; and

Whereas, the Otsego County Board of Commissioners supports the Otsego County Brownfield Redevelopment Authority in its efforts to encourage investment on brownfield properties and supports the submittal of a grant application to the EPA; and

Whereas, the Otsego County Brownfield Redevelopment Authority intends to submit a brownfield grant application to the EPA and to use those funds to benefit the community and stimulate private investment; now, therefore, be it

Resolved, that the Otsego County Board of Commissioners supports the Otsego County Brownfield Redevelopment Authority in the submittal of a grant application to the U.S. Environmental Protection Agency for a community-wide brownfield assessment grant.

RESOLUTION NO. OCR 06-51
Register of Deeds Data Agreement

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 9, 2006

WHEREAS, the Otsego County Register of Deeds is a statutory sub division of Otsego County which is the statutory repository of all documents of record pertaining to real property located within the County of Otsego; and

WHEREAS, the Register of Deeds receives requests for documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds; and

WHEREAS, the Register of Deeds occasionally wishes to enter into agreements with parties requesting these documents of record that detail the ownership rights to the data; now, therefore, be it

RESOLVED, that at the request of the Register of Deeds, the County Administrator is authorized to sign Agreements (form attached) for the distribution of the documents of record requested from the Register of Deeds.

AGREEMENT

THIS AGREEMENT("Agreement") is made effective this ____ day of _____ 200__, by and between _____ ("the party of the first part"), and The County of Otsego, a Michigan Municipal Corporation("Otsego") **and the Otsego County Register of Deeds**. Pursuant to the provisions of MCL 600.2567, **600.2567a, 565.551, 24.401, et seq.**

In consideration of the mutual promises, covenants, and agreements hereinafter set forth, and for other good and valuable consideration, the parties agree as follows:

WHEREAS, Otsego County Register of Deeds is a statutory sub division of Otsego which is the statutory repository of all documents of record pertaining to real property located within the County of Otsego, State of Michigan; and

WHEREAS, the party of the first part, desires to acquire **all pages of all documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper** copies of all pages of all documents of **record** recorded by the Otsego County Register of Deeds; and

WHEREAS, the parties agree that they will mutually benefit from an agreement whereby the party of the first part will agree to purchase copies of all pages of all documents recorded by Otsego County Register of Deeds during the effective term of this agreement.

NOW THEREFORE:

1. **Term.** The term of this agreement shall be for a period of **one year**, commencing **on the effective date of this Agreement**.
2. **Renewal.** This agreement shall **not** be automatically renewed for an additional term(s) unless one of the parties **notifies** the **other party**, in writing, of its intention to **extend this Agreement upon mutually agreed terms and conditions** at least Thirty (30) days prior to the end of the term.
3. **Fees.** The party of the first part shall receive **all pages of all documents of record in a data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds** at the price of twenty-five cents(.25) per page. **The parties shall confer on the type of electronic data transfer medium and the final selection of the medium is by the Register of Deeds.** If obtaining copies by paper, the party of the first party agrees to supply their own paper.
4. **Payment.** Payment in full will be made for all copies within fifteen (15) days of invoice or this contract will be considered terminated. **The Register of Deeds shall send a monthly invoice by the 10th of each month.**

5. **Use of Copies.** The party of the first part agrees to use any copies acquired during the effective term of this agreement only for internal insurance underwriting purposes unless otherwise agreed to by Otsego County and the Register of Deeds in advance and in writing. **The parties agree that any other use or dissemination to any third party shall be prohibited. If any other use or dissemination to any third party occurs, this Agreement is automatically terminated and any moneys due and owing shall be immediately paid.** Otsego County reserved the right to seek all legal and/or equitable remedies available for any violations of this provision.
6. **Assignment.** This Agreement is not assignable or transferable to any third party caused by any reason. **Any assignment or transfer or attempt shall automatically terminate this Agreement.**
7. **Specific Performance – Incidental, Consequential and Punitive Damages Prohibited.** In no event shall either party be liable to the other party for specific performance of the terms hereof or for any incidental, consequential, speculative or punitive damages. **The sole and exclusive obligation of the County and the Register of Deeds is limited to providing all pages of all documents of record in an electronic data transfer medium as defined in MCL 24.401 or paper copies of all pages of all documents of record recorded by the Otsego County Register of Deeds.**
8. **General Provisions.**
 - A. **Captions.** The captions, headings, and arrangements used in this agreement are for convenience only and do not in any way affect, limit, simplify, or modify the terms and provisions of this agreement.
 - B. **Number and Gender of Words.** Whenever the singular number is used, the same shall include the plural where appropriate, and words of any gender shall include each other gender where appropriate.
 - C. **Notices.** All notices, demands, and requests and other communications required or permitted hereunder shall be in writing, and shall be deemed to be delivered, whether actually received or no, when sent; (i) by personal delivery; or (ii) by facsimile transmission to the following address:

Susan I. DeFeyter
Otsego County Clerk/Register of Deeds
225 W. Main Street
Gaylord, MI 49735
Telephone: 989-731-7550
Facsimile: 989-731-7519

- D. **Governing Law**. It is intended by the parties that the laws of the State of Michigan shall govern the validity, construction, enforcement and interpretation of this agreement, Otsego County shall be the proper venue for any such actions.
- E. **Entirety and Amendments**. This agreement embodies the entire agreement between the parties and supersedes all prior agreements, understandings, warranties and representations, if any, whether verbal or written, relating in any way to this agreement. This agreement may be amended or supplemented only by an instrument in writing executed by both parties hereto.
- F. **Invalid Provisions**. If any provision of this Agreement is held to be illegal, invalid or unenforceable, said provision shall be fully severable; the remainder of the agreement shall be construed and enforced as if such illegal, invalid or unenforceable provision had never comprised a part of the agreement; and the remaining provisions of the agreement shall remain in full force and effect and shall not be affected by the illegal, invalid or unenforceable provision or by its severance from the agreement. Furthermore, in lieu of such illegal, invalid or unenforceable provision, there shall be added automatically as a part of this agreement a provision as may be possible which is and shall be legal, valid and enforceable.
- G. **No Third Party Beneficiaries**. Except as otherwise specifically provided herein, nothing expresses or implied in this agreement is intended, or shall be construed, to confer upon or give any person, firm or corporation other than THE PARTY OF THE FIRST PART and OTSEGO COUNTY **and the Register of Deeds**, any rights or remedies under or by reason of this Agreement.
- H. **Authority**. The party of the first party represents and warrant to Otsego County **and the Register of Deeds** that is has full legal and statutory powers under relevant internal by-laws or rules and regulation to enter into this Agreement.
- I. **Survival of Representations**. The representations, warranties, covenants and agreements contained in this agreement shall forever survive the termination of this Agreement.
- J. **Effective Date**. As used herein, the term "Effective Date" shall be the date as first written above. The parties hereto have executed this agreement effective as of the date first above written.

By:
Its:

County Administrator

10/31/2006
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OTSEGO COUNTY
PREPAID INVOICE LIST

PG 1
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WARRANT: B2006-44 10/31/2006

VENDOR	VENDOR NAME	R	INVOICE	PO	TYPE	DUE DATE	AMOUNT	VOUCHER	CHECK COMMENT
CASH ACCOUNT: 0001A 001000 CASH									
1946	PHARMACARE	00000	7004581-575		DD	10/23/2006	9,425.85	20816	14509 RX 10/01/06 - 10/15/06
1208	MERS	00000	168008-16803		DD	10/18/2006	36,987.28	20582	14550 168008 168031 CNTY RETIREM
3728	BORDNER, TIMOTHY	00000	115	371100284	INV	10/25/2006	2,244.60	20866	15526 CONTRACTED INSPECTIONS
3007	INTERNAL REVENUE	00002	3RD-QTR-06		INV	10/25/2006	811.41	20907	15527 38-6004882 3RD QTR 06
							49,469.14	CASH ACCOUNT 0001A	001000 TOTAL

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1091 IMPREST CASH - JURY FUND	1 101E131 930930	00002	CIRCT CT	INV 10/31/2006	JURY SVCS	424.40	06-18905-SD	20885	
1091 IMPREST CASH - JURY FUND	1 101E131 930940	00002	CIRCT CT	INV 10/31/2006	WITNESS	8.50	06-19114-FY	20970	
1091 IMPREST CASH - JURY FUND	1 101E131 930940	00002	CIRCT CT	INV 10/31/2006	WITNESS	16.80	06-19115-FY	20969	
3698 RACHEL AKIN	1 0701L 271000	00000	GEN AGENCY	INV 10/19/2006	RESTITUT	52.50	ALAN-AKIN	20684	
1570 ALLTEL	1 588E699 930210	00006	OPERATIONS	INV 10/19/2006	TELEPHONE	129.54	SEPT-212006	20840	
1485 ALS MARKET	1 0701L 271000	00000	GEN AGENCY	INV 10/19/2006	RESTITUT	4.80	67617-68262	20827	
1485 ALS MARKET	1 0701L 271000	00000	GEN AGENCY	INV 10/19/2006	RESTITUT	5.70	OMMAR	20688	
1504 AMERICAN FIDELITY ASSURAN	1 0704L 231280	00000	COURT PAYROLL	INV 11/01/2006	AMER FID	39.00	88809-11-06	20905	
1504 AMERICAN FIDELITY ASSURAN	1 0704L 231280	00001	COURT PAYROLL	INV 11/01/2006	AMER FID	180.99	NOV-2006	20904	
2863 ANGEL OPPERMAN	1 212E430 940010	00000	ANM CTRL	INV 10/19/2006	OUTSIDE	150.00	101906	20748	
2625 ARROW SANITATION	1 281E537 940010	00000	AIRPORT	INV 10/19/2006	OUTSIDE	77.00	AIRPORT1006	20979	

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2625 ARROW SANITATION	1 637E265 940010	00000	BLDG GRNDS	INV	10/19/2006	239.25	SEPT-06	20844	
				OUTSIDE		239.25			
						316.25			
1377 ARROW UNIFORM RENTAL	1 588E699 940010	0000069901063	OPERATIONS	INV	10/19/2006	35.55	06-774957	20834	
				OUTSIDE		35.55			
						35.55			
1008 AT&T	1 588E699 930210	0000569901107	OPERATIONS	INV	10/19/2006	168.82	2315979262	20977	
				TELEPHONE		168.82			
						168.82			
1627 AUTO OWNERS	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	5,080.50	WISE	20700	
				RESTITUT		5,080.50			
						5,080.50			
3587 BAY COUNTY TREASURER'S OF	1 101E131 930450	00001	CIRCT CT	INV	10/31/2006	23.85	065349	20884	
				SHIP/MAIL		23.85			
						23.85			
4016 BLARNEY CASTLE OIL	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	14.40	67617-68262	20823	
				RESTITUT		14.40			
						14.40			
4016 BLARNEY CASTLE OIL	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	13.30	OMMAR	20691	
				RESTITUT		13.30			
						27.70			
4166 BOSMAN, SANDRA	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	105.00	67992	20830	
				RESTITUT		105.00			
						105.00			
1394 BRONCO OIL	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	14.40	67617-68262	20819	
				RESTITUT		14.40			
						14.40			
1394 BRONCO OIL	1 0701L 271000	00000	GEN AGENCY	INV	10/19/2006	13.30	OMMAR	20695	
				RESTITUT		13.30			
						27.70			
3334 GALE BURNS		00000		INV	10/19/2006		PICKVETT	20702	

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
4151 CAPITAL ONE BANK	1 0701L 271000	GEN AGENCY		RESTITUT		3,045.00			
				CHECK TOTAL		3,045.00			
							06-3443	20683	
3166 CARDINAL'S PARTY STORE	1 0701L 271000	GEN AGENCY		RESTITUT		50.00			
				CHECK TOTAL		50.00			
							67617-68262	20822	
3166 CARDINAL'S PARTY STORE	1 0701L 271000	GEN AGENCY		RESTITUT		9.50			
				CHECK TOTAL		9.50			
							OMMAR	20692	
1044 CARTERS FOOD CENTER	1 0701L 271000	GEN AGENCY		RESTITUT		88.80			
				CHECK TOTAL		88.80			
							67617-68262	20817	
1044 CARTERS FOOD CENTER	1 0701L 271000	GEN AGENCY		RESTITUT		58.90			
				CHECK TOTAL		58.90			
							OMMAR	20697	
1046 CDW GOVERNMENT INC	1 101E267 801020	PROSECUTOR		INVT	10/19/2006	154.50			
	2 101E721 801030	PLAN ZONE		TECHNICAL		154.50			
				CHECK TOTAL		147.70			
							XP55066	20703	
1046 CDW GOVERNMENT INC	1 101E130 930450	TRIAL CT		SHIP/MAIL	10/19/2006	454.85			
	2 256E215 726000	ROD AUTO		SUPPLIES		454.86			
	3 266E901 970440	CAP OUTLAY		PROP-CMPTR		454.86			
				CHECK TOTAL		1,364.57			
							XQ03011	20679	
3326 CHARTER	1 595E351 726000	JAIL COMM		SUPPLIES	10/19/2006	52.11			
				CHECK TOTAL		52.11			
							752958010900	20753	
1051 CITY OF GAYLORD	1 212E430 920200	ANM CTRL		H2O/SEWAGE	10/19/2006	37.91			
				CHECK TOTAL		37.91			
							7TH-ST-SEPT0	20752	
1051 CITY OF GAYLORD	1 281E537 920200	AIRPORT		H2O/SEWAGE	10/19/2006	19.04			
				CHECK TOTAL		19.04			
							AIRPT-0906	20841	

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1051	CITY OF GAYLORD			0000069901052	INV 10/19/2006	62.31	ENERGYDR09	20835	
	1 588E699 920200			OPERATIONS	H2O/SEWAGE				
1051	CITY OF GAYLORD			00000	INV 10/19/2006	62.31	LVGSTINA0906	20716	
	1 637E265 920200			ALPCT BLDG GRNDS	H2O/SEWAGE	126.11			
1051	CITY OF GAYLORD			00000	INV 10/19/2006	144.03	XST09-1006	20715	
	1 637E265 920200			INDUS BLDG GRNDS	H2O/SEWAGE	144.03			
						389.40			
						CHECK TOTAL			
1059	CONSUMERS ENERGY			00000	INV 10/19/2006	8.00	031203000906	20718	
	1 637E265 930620			ALPCT BLDG GRNDS	ELECTRIC	8.00			
1059	CONSUMERS ENERGY			0000069901053	INV 10/19/2006	1,453.86	032472060906	20836	
	1 588E699 930620			OPERATIONS	ELECTRIC	1,453.86			
1059	CONSUMERS ENERGY			0000043000494	INV 10/19/2006	120.46	037730020906	20751	
	1 212E430 930620			ANM CTRL	ELECTRIC	120.46			
1059	CONSUMERS ENERGY			0000053700118	INV 10/19/2006	296.96	504949006090	20978	
	1 281E537 930620			AIRPORT	ELECTRIC	296.96			
1059	CONSUMERS ENERGY			00000	INV 10/19/2006	3,596.13	81080011006	20845	
	1 637E265 930620			ALPCT BLDG GRNDS	ELECTRIC	3,596.13			
						5,475.41			
						CHECK TOTAL			
1059	CONSUMERS ENERGY			00001	INV 11/02/2006	280.20	10-10-06	20712	
	1 101E141 930620			FOC	ELECTRIC	280.20			
	2 215E141 930620			FOC	ELECTRIC	49.45			
						329.65			
						CHECK TOTAL			
1562	CORECOMM			00000	INV 10/23/2006	43.90	OCT-2006	20704	
	1 101E131 930210			CIRCT CT	TELEPHONE	43.90			
						43.90			
						CHECK TOTAL			
4172	ESTATE OF SHERRI L CRANE,			00000	INV 10/31/2006	28.82	06-7566-DE	20889	
	1 1010148 626030			PROBATE	CURR SVCS	28.82			
						28.82			
						CHECK TOTAL			
1573	DELAJE LANDEN FINANCIAL S			00001	INV 11/01/2006	224.16	06111316257	20711	
	1 101E141 920520			FOC	RENT-VEHC	224.16			
	2 215E141 920520			FOC	RENT-VEHC	39.56			
						263.72			

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1492 DTE ENERGY	1 588E699	930610	0000069901065	INV	10/19/2006	20.00	1000240906	20838	
			OPERATIONS	NATURL GAS		20.00			
						CHECK TOTAL			
						263.72			
4015 FAMILY VIDEO	1 0701L	271000	00000	INV	10/19/2006	12.00	67617-68262	20820	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						12.00			
4015 FAMILY VIDEO	1 0701L	271000	00000	INV	10/19/2006	9.50	OMMAR	20694	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						21.50			
3706 FED EX	1 101E215	930450	00000	INV	10/19/2006	20.09	8-473-76436	20870	
			CLERK/ROD	SHIP/MAIL					
						CHECK TOTAL			
						20.09			
2927 PAMELA KAY FENNELL	1 0701L	271000	00000	INV	10/25/2006	31.00	67585-67724	20880	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						31.00			
1099 FIRST NATIONAL BANK OF GA	1 0701L	271000	00001	INV	10/19/2006	335.00	HARRIS	20686	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						335.00			
1120 GAYLORD PLUMBING & HEATTN	1 0701L	271000	00000	INV	10/19/2006	430.76	RYPKOWSKI	20699	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						430.76			
4152 GERALDINE GOODENOW	1 0701L	271000	00000	INV	10/19/2006	89.00	WISE	20701	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						89.00			
3314 JOSEPH GRUPIDO	1 0701L	271000	00000	INV	10/25/2006	330.00	62378	20882	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						330.00			
4158 HANOVER INSURANCE	1 0701L	271000	00000	INV	10/19/2006	100.00	WOHLFIEL	20733	
			GEN AGENCY	RESTITUT					
						CHECK TOTAL			
						100.00			

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3538 DIANA HARROLD	1 101E131 940010	00000	CIRCT CT	INV 10/31/2006	OUTSIDE	25.00	06-7663-MI	20968	
				CHECK TOTAL		25.00			
1145 IMAGE FACTORY INC	1 101E253 726000	00000	TREASURER	INV 10/19/2006	SUPPLIES	312.00	LTHD-1000	20906	
				CHECK TOTAL		312.00			
1148 INSTITUTE OF CONTINUING L	1 101E131 726200	00000	CIRCT CT	INV 10/31/2006	BOOKS	81.50	499648	20710	
				CHECK TOTAL		81.50			
1154 JOHNSON OIL COMPANY	1 0701L 271000	00001	GEN AGENCY	INV 10/19/2006	RESTITUT	33.60	67617-68262	20821	
				CHECK TOTAL		33.60			
1154 JOHNSON OIL COMPANY	1 0701L 271000	00001	GEN AGENCY	INV 10/19/2006	RESTITUT	28.50	OMMAR	20693	
				CHECK TOTAL		28.50			
1847 JP MORGAN CHASE BANK	1 569E906 990210 1995	00000	DEBT SVC	INV 10/19/2006	AGENT FEE	225.00	BOND-PAYMNT	20666	
				CHECK TOTAL		225.00			
1847 JP MORGAN CHASE BANK	1 569E906 990210 1994	00000	DEBT SVC	INV 10/19/2006	AGENT FEE	225.00	BOND-PAYMT	20668	
				CHECK TOTAL		225.00			
1747 KEVIN KING	1 101E166 940010	00000	FMLY CNSL	INV 10/31/2006	OUTSIDE	175.00	OCT-2006	20713	
				CHECK TOTAL		175.00			
1156 KMART	1 0701L 271000	00001	GEN AGENCY	INV 10/25/2006	RESTITUT	230.00	62224	20869	
				CHECK TOTAL		230.00			
4069 LAFOREST, JOSEPH	1 0701L 271000	00000	GEN AGENCY	INV 10/25/2006	RESTITUT	6.00	67584-67723	20879	
				CHECK TOTAL		6.00			

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3620	LATITUDE SUBROGATION SERV	00000		INV	10/19/2006				
	1 0701L	271000	GEN AGENCY	RESTITUT		1,890.90			
						CHECK TOTAL			
						1,890.90			
							RYPKOWSKI	20698	
4170	WILMA LITTLETON	00000		INV	10/31/2006				
	1 0701L	286002	GEN AGENCY	RFPD DIST		35.00			
						CHECK TOTAL			
						35.00			
							06-583337-SI	20887	
4154	JANEE LOVISKI	00000		INV	10/19/2006				
	1 0701L	255000	GEN AGENCY	CUST DEP		25.00			
						CHECK TOTAL			
						25.00			
							REFUND	20747	
1934	MANCINO'S	00000		INV	10/19/2006				
	1 0701L	271000	GEN AGENCY	RESTITUT		14.40			
						CHECK TOTAL			
						14.40			
							OMMAR	20690	
4159	KURT MCPHEE	00000		INV	10/19/2006				
	1 0701L	271000	GEN AGENCY	RESTITUT		25.00			
						CHECK TOTAL			
						25.00			
							FENNELL	20734	
1202	MID NORTH PRINTING INC	00000		INV	10/23/2006				
	1 101E301	726000	SHERIFF	SUPPLIES		169.70			
						CHECK TOTAL			
						169.70			
							76388	20929	
4157	ROBERT MITCHELL	00000		INV	10/19/2006				
	1 0701L	271000	GEN AGENCY	RESTITUT		100.00			
						CHECK TOTAL			
						100.00			
							WOHLFIELD	20732	
3434	NORTHWESTERN BANK-CARDMEM	00000		INV	10/19/2006				
	1 281E537	930210	AIRPORT	TELEPHONE		107.58			
	2 645E270	930500	HR	TRAVEL		260.34			
	3 645E201	704400	FINANCE	TRAINING		234.00			
	4 101E101	704400	BOC	TRAINING		179.00			
	5 588E697	726000	ADMIN	SUPPLIES		229.96			
	6 481E901	970300	CAP OUTLAY	PROP-IMPRV		5,257.00			
						CHECK TOTAL			
						6,267.88			
							OCT-16-06JB	20918	

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1545	OMS COMPLIANCE SERVICES	I	00000	INV	10/23/2006	6,267.88			
	1 588E699 930600			MEMB/DUES			39707-40273	20745	
	2 588E699 726000			SUPPLIES		112.00			
						40.00			
1545	OMS COMPLIANCE SERVICES	I	00000	INV	10/23/2006	152.00			
	1 588E699 726000			SUPPLIES			40277-40185	20815	
						109.50			
						261.50			
1234	OTSEGO COUNTY		00001	INV	10/19/2006	15.67			
	1 101E145 930450			SHIP/MAIL			JUROR	20642	
						15.67			
2649	OTSEGO COUNTY TREAS		00000	INV	10/19/2006	21.43			
	1 101E253 726000			TREASURER			POST-SUPPLY	20908	
	2 617E253 726000			TAX FORECL		44.41			
						65.84			
2649	OTSEGO COUNTY TREAS		00000	INV	10/19/2006	21.43			
	1 101E253 726000			TREASURER					
	2 617E253 726000			TAX FORECL		44.41			
						65.84			
4017	PARKSIDE COUNTRY STORE		00000	INV	10/19/2006	7.20			
	1 0701L 271000			GEN AGENCY			67617-68262	20828	
						7.20			
4017	PARKSIDE COUNTRY STORE		00000	INV	10/19/2006	5.70			
	1 0701L 271000			GEN AGENCY			OMMAR	20687	
						5.70			
4156	CYRIL C. PESSINA		00000	INV	10/31/2006	652.51			
	1 101E131 801023			CIRCT CT			03-2935-FH	20709	
				APP ATTN		652.51			
4155	AARON PROUT		00000	INV	10/19/2006	25.00			
	1 0701L 255000			GEN AGENCY			REFUND	20746	
				CUST DEP		25.00			
3061	DALE RICHARDSON		00000	INV	10/19/2006	25.00			
						25.00	GALL	20685	

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DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
4168 BRUCE ROZNOWSKI	1 0701L	271000	GEN AGENCY	RESTITUT		150.00	63796	20868	
	1 0701L	271000	GEN AGENCY	RESTITUT	10/25/2006	150.00			
						CHECK TOTAL			
						150.00			
2060 SANE	1 0701L	271000	GEN AGENCY	RESTITUT		25.00	63950	20873	
	1 0701L	271000	GEN AGENCY	RESTITUT	10/25/2006	25.00			
						CHECK TOTAL			
						105.00			
2060 SANE	1 0701L	271000	GEN AGENCY	RESTITUT		45.00	66130	20881	
	1 0701L	271000	GEN AGENCY	RESTITUT	10/25/2006	45.00			
						CHECK TOTAL			
						190.00			
2795 ARTHUR SMITH	1 101E131	930830	00000	INVT	10/31/2006	30.00	05-7522-GA	20888	
	2 101E131	930500	CIRCT CT	CARE GIVER TRAVEL		9.60			
						CHECK TOTAL			
						39.60			
4014 SOLLI'S	1 0701L	271000	00000	INVT	10/19/2006	19.20	67617-68262	20818	
	1 0701L	271000	GEN AGENCY	RESTITUT		17.10	OMMAR	20696	
						CHECK TOTAL			
						3.00			
4150 TALON GROUP	1 1010215	694000	00000	INVT	10/19/2006	3.00	L1112-P716	20682	
	1 1010215	694000	CLERK	OVER SHORT		3.00			
						CHECK TOTAL			
						3.00			
1347 TELEPHONE SUPPORT SYSTEMS	1 101E141	920400	00000	INVT	10/31/2006	75.65	35060	20714	
	2 215E141	920400	FOC	MAINT SVC		13.35			
						CHECK TOTAL			
						89.00			

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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3866 THE BANK OF NORTHERN MICH	1 588E699 920520	0000069901075	OPERATIONS	RENT-VEHC	10/19/2006	876.25	100051275-5	20833	
						CHECK TOTAL			
						876.25			
4169 THOMAS CREATIVE APPAREL	1 101E131 726000	00000	CIRCT CT	INV 10/31/2006		343.15	137703	20886	
				SUPPLIES		CHECK TOTAL			
						343.15			
4179 JOHN W. UJLAKY	1 101E131 801023	00000	CIRCT CT	INV 10/31/2006		2,247.80	05-3388-FC	20971	
				APP ATTN		CHECK TOTAL			
						2,247.80			
1320 UNDERGROUND SECURITY COMP	1 101E253 940010	00000	TREASURER	OUTSIDE	10/19/2006	109.35	YEARLY-RECOR	20775	
						CHECK TOTAL			
						109.35			
1429 UNITED WISCONSIN GROUP	1 0704L 231870	00000	PAYROLL	INS-LIFE/D	10/23/2006	3,052.06	11-2006	20744	
						CHECK TOTAL			
						3,052.06			
1429 UNITED WISCONSIN GROUP	1 101E131 704140	00001	CIRCT CT	INV 11/01/2006		259.94	800268-NOV06	20707	
	2 101E141 704140	FOC		LIFE/DISAB		95.87			
	3 215E141 704140	FOC		LIFE/DISAB		16.92			
						CHECK TOTAL			
						372.73			
3955 US IMAGING	1 101E215 930650	00000	CLERK/ROD	INV 10/19/2006		36.00	-64--76--112	20909	
				FILM		CHECK TOTAL			
						36.00			
1122 VERIZON NORTH	1 588E699 930210	0000069901097	OPERATIONS	TELEPHONE	10/19/2006	61.48	00022309006	20955	
						CHECK TOTAL			
						61.48			
1122 VERIZON NORTH	1 588E699 930210	0000069901056	OPERATIONS	TELEPHONE	10/19/2006	61.48	00022309006	20837	
						CHECK TOTAL			
						61.48			
1122 VERIZON NORTH	1 637E265 930210	00000	BLDG GRNDS	INV 10/19/2006		35.01	04030809006	20717	
				TELEPHONE		CHECK TOTAL			
						35.01			
1122 VERIZON NORTH		00000		INV 10/19/2006		35.01	87122280906	20754	

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CASH ACCOUNT: 0001A 001000 CASH

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2406 VILLAGE MARKET	1 637E265 930210		BLDG GRNDS	TELEPHONE		1,448.37			
	1 0701L 271000		GEN AGENCY	RESTITUT	10/19/2006	21.60	67617-68262	20826	
						1,448.37			
						1,606.34			
2406 VILLAGE MARKET	1 0701L 271000		GEN AGENCY	RESTITUT	10/19/2006	17.10	OMMAR	20689	
4162 VISTA PRINT	1 101E682 726000		0000069000379	INV	10/23/2006	21.25			
	2 233E690 726000		5CDBG HOUSING	VEV AFFAIR SUPPLIES		21.24			
						42.49			
						42.49			
1400 WALMART COMMUNITY BRC	1 212E430 726050		0000043000501	INV	10/19/2006	57.78	10-23-06	20843	
			ANN CTRL	MAINT SUPP					
1400 WALMART COMMUNITY BRC	1 212E430 726050		0000043000495	INV	10/19/2006	175.70	101906	20750	
			ANN CTRL	MAINT SUPP					
						175.70			
						233.48			
1413 WASTE MANAGEMENT	1 588E699 940010		0000069901064	INV	10/19/2006	149.60	038147318380	20839	
			OPERATIONS	OUTSIDE					
						149.60			
						149.60			
1869 WEST PAYMENT CENTER	1 269E145 726200		00000	INV	11/02/2006	209.00	812300846	20706	
			LAW LIB	BOOKS					
1869 WEST PAYMENT CENTER	1 269E145 726200		00000	INV	11/02/2006	159.00	812300973	20705	
			LAW LIB	BOOKS					
						159.00			
						368.00			
2860 WINN TELECOM	1 588E699 930210		0000069901073	INV	10/19/2006	378.94	091506	20832	
			OPERATIONS	TELEPHONE					
2860 WINN TELECOM	1 212E430 930210		0000043000496	INV	10/19/2006	105.77	101506	20749	
			ANN CTRL	TELEPHONE					
2860 WINN TELECOM	1 281E537 930210		0000053700115	INV	10/19/2006	76.98	101506AIRPT	20842	
			AIRPORT	TELEPHONE					
						76.98			

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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-44 10/31/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2860 WINN TELECOM	1 588E699 930210			OPERATIONS	10/19/2006	372.59	101506BUS	20831	
				TELEPHONE		934.28			
				CHECK TOTAL		372.59			
4068 MARINA WOODCOX	1 0701L 271000			GEN AGENCY	10/25/2006	13.00	67583-67722	20874	
				RESTITUT		13.00			
				CHECK TOTAL		13.00			
1914 XEROX CORPORATION	1 101E267 920410			PROSECUTOR	10/19/2006	293.24	020188418	20735	
				SVC CNTRCT		293.24			
1914 XEROX CORPORATION	1 588E699 940010			OPERATIONS	10/19/2006	249.30	020610248	20956	
				OUTSIDE		249.30			
				CHECK TOTAL		249.30			
119 INVOICES				WARRANT TOTAL		42,469.74			
				CASH ACCOUNT BALANCE		5,424,833.94			

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CASH ACCOUNT: 0001A 001000 CASH

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3841	24/7 SEWER AND DRAIN CLEARANCE	0000043000503	INV	10/20/2006					
	1 212E430 726050	ANM CTRL	MAINT SUPP			70.00	4196	20861	
						CHECK TOTAL			
						70.00			
3698	RACHEL AKIN	00000	INV	10/27/2006					
	1 0701L 271000	GEN AGENCY	RESTITUT			7.50	68288	20954	
						CHECK TOTAL			
						7.50			
3957	JACQUELIN ALLSOPP	0000072000361	INV	10/20/2006					
	1 101E721 703040	PLAN ZONE	PER DIEM			35.00	OCT-06	21105	
	2 101E721 930500	PLAN ZONE	TRAVEL			6.00			
						CHECK TOTAL			
						41.00			
1570	ALLTEL	0000069901115	INV	10/20/2006					
	1 588E699 930210	OPERATIONS	TELEPHONE			129.34	OCT-21-06-BU	21045	
						CHECK TOTAL			
						129.34			
1570	ALLTEL	00000371000289	INV	10/20/2006					
	1 249E371 930230	BUILDING	CELL PH			381.32	OCT-4-20062	21100	
						CHECK TOTAL			
						381.32			
1828	ALPINE COMPUTERS	0000069901071	INV	10/20/2006					
	1 588E699 726000	OPERATIONS	SUPPLIES			328.55	0610170932	20848	
						CHECK TOTAL			
						328.55			
3565	AMERICAN MESSAGING	00000	INV	10/20/2006					
	1 101E648 930210	MED EXAM	TELEPHONE			34.38	4737786	20865	
						CHECK TOTAL			
						34.38			
1549	ANDYS BP	00000	INV	10/27/2006					
	1 0701L 271000	GEN AGENCY	RESTITUT			50.00	7653-68031	20935	
						CHECK TOTAL			
						50.00			
3440	APCO INTERNATIONAL	0000042700248	INV	10/20/2006					
	1 261E427 704400	EMGR SVCS	TRAINING			86.00	96030	20770	
						CHECK TOTAL			
						86.00			
1026	ARTS AUTO ELECTRIC SERVIC	0000069901076	INV	10/20/2006					
	1 588E699 726050	OPERATIONS	MAINT SUPP			228.73	930847	20895	
						CHECK TOTAL			
						228.73			

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CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2464	AUTO OWNERS INSURANCE COM	00000		INV	10/27/2006	228.73			
1	0701L 271000	GEN AGENCY		RESTITUT		198.00	65616-66109	20938	
				CHECK TOTAL		198.00			
3687	ANN BERRY	00000		INV	10/27/2006	40.66			
1	0701L 271000	GEN AGENCY		RESTITUT		40.66	65642-68029	20933	
				CHECK TOTAL		40.66			
3476	BOB MITCHELL & ASSOCIATES	0000069000383		INV	10/20/2006	8,602.50			
1	101E450 940010	REMONUMEN		OUTSIDE		8,602.50	11560	21005	
				CHECK TOTAL		8,602.50			
3728	TIMOTHY BORDNER	0000037100291		INV	10/20/2006	2,525.10			
1	249E371 801020	BUILDING		PROFESSNL		2,525.10	BLDG	21098	
				CHECK TOTAL		2,525.10			
4114	BOYNE HIGHLANDS RESORT	0000026700263		INV	10/20/2006	131.43			
1	101E267 726000	PROSECTOR		SUPPLIES		131.43	ZL6340	21033	
				CHECK TOTAL		131.43			
3503	RONALD C. BRAND	0000069000387		INV	10/20/2006	300.00			
1	101E450 703040	REMONUMEN		PER DIEM		300.00	100606	21002	
				CHECK TOTAL		300.00			
2698	BUILDING DEPARTMENT	0000025700079		INV	10/20/2006	117.47			
1	101E257 930450	EQ		SHIP/MAIL		117.47	POSTAGE09300	21027	
				CHECK TOTAL		117.47			
3701	BUREAU OF CONSTRUCTION CO	0000037100290		INV	10/20/2006	1,866.44			
1	249E371 801020	BUILDING		PROFESSNL		1,866.44	ALP-CROSS	21099	
				CHECK TOTAL		1,866.44			
4187	CADILLAC NEWS	0000026700264		INV	10/20/2006	33.80			
1	101E267 930300	PROSECTOR		ADVERTISE		33.80	04105396	21032	
				CHECK TOTAL		33.80			

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CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1341 WILLIAM L CAREY	1 101E131 801020	00000	CIRCT CT	INV	11/25/2006	12,034.39	11-01-06	21007	
				PROFESSNL		12,034.39			
				CHECK TOTAL		12,034.39			
1048 CARQUEST AUTO PARTS	1 588E699 726025	0000069901077	INV	10/20/2006	40.80	13629	20897		
				OPERATIONS		40.80			
				JANITORIAL		40.80			
				CHECK TOTAL		40.80			
4191 CARTERS INC CORP OFFICE	1 0701L 271000	00000	GEN AGENCY	INV	11/01/2006	27.50	11-04-9-06	21008	
				RESTITUT		27.50			
				CHECK TOTAL		27.50			
1711 CASE CREDIT	1 588E699 726025	0000069901087	INV	10/20/2006	82.17	16462	20899		
				OPERATIONS		82.17			
				JANITORIAL		82.17			
				CHECK TOTAL		82.17			
1711 CASE CREDIT	1 588E699 726050	0000069901103	INV	10/20/2006	350.47	16769	20957		
				OPERATIONS		350.47			
				MAINT SUPP		350.47			
				CHECK TOTAL		350.47			
1711 CASE CREDIT	1 588E699 726050	0000069901117	INV	10/20/2006	41.77	16905	21044		
				OPERATIONS		41.77			
				MAINT SUPP		41.77			
				CHECK TOTAL		41.77			
1042 CCP INDUSTRIES INC	1 588E699 726050	0000069901108	INV	10/20/2006	164.81	21480876	21040		
				OPERATIONS		164.81			
				MAINT SUPP		164.81			
				CHECK TOTAL		164.81			
1046 CDW GOVERNMENT INC	1 101E228 726000	0000022800027	INV	10/20/2006	52.99	CJG3652	21025		
				IT SUPPLIES		52.99			
				CHECK TOTAL		52.99			
1047 CELLULAR ONE	1 101E267 930210	0000026700257	INV	10/20/2006	50.09	210284851710	21039		
				PROSECUTOR TELEPHONE		50.09			
				CHECK TOTAL		50.09			
1047 CELLULAR ONE	1 101E301 930210	0000030100499	INV	10/20/2006	61.45	210305281510	20992		
				SHERIFF TELEPHONE		61.45			
				JAIL TELEPHONE		30.73			
				CHECK TOTAL		92.19			
1424 CHERRY LAN SYSTEMS INC	1 256E215 920410	00000	ROD AUTO	INV	11/01/2006	2,400.00	NOV-2006	21086	
				SVC CNTRCT		2,400.00			
				CHECK TOTAL		2,400.00			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1354 THOMAS J CHEVALIER, MS	1 101E267 930940			0000026700259 INV	10/20/2006	106.00	100306	21037	
				PROSECUTOR WITNESS					
				CHECK TOTAL		2,400.00			
2491 CHLD & FAMILY SERVICES	1 292E662 930810			00000 CHILD CARE	11/01/2006	3,831.19	9-06	21079	
	2 292E662 930830			CHILD CARE		122.00			
				OTHER INST CARE GIVER					
				CHECK TOTAL		3,953.19			
2902 CM HAYES ODS	1 0701L 271000			00000 GEN AGENCY	11/01/2006	40.00	--04-3127	21056	
				RESTITUT					
				CHECK TOTAL		40.00			
1059 CONSUMERS ENERGY	1 637E265 930620			00000 ALPCT BLDG GRNDS	10/20/2006	143.26	023751008100	21009	
				ELECTRIC					
1059 CONSUMERS ENERGY	1 637E265 930620			00000 ALPCT BLDG GRNDS	10/20/2006	143.26	48430011006	21010	
				ELECTRIC					
				CHECK TOTAL		140.24			
1065 CROSSROADS INDUSTRIES	1 0701L 271000			00000 GEN AGENCY	10/27/2006	196.00	67639-68024	20948	
				RESTITUT					
				CHECK TOTAL		196.00			
1860 TRACEY CRUZ	1 101E131 930210			00000 CIRCT CT	11/09/2006	23.00	10-31-06	20988	
				TELEPHONE					
				CHECK TOTAL		23.00			
4127 C. SCOTT DIETZE	1 481E901 970300			0000053700117 INV	10/20/2006	383.50	INVOICE-1	20950	
				CAP OUTLAY PROP-IMPRV					
				CHECK TOTAL		383.50			
1082 DUNNS	1 588E699 726000			0000069901078 INV	10/20/2006	116.79	561594	20901	
	2 588E699 726025			OPERATIONS SUPPLIES		217.36			
				OPERATIONS JANITORIAL					
				CHECK TOTAL		334.15			
1082 DUNNS	1 588E699 726000			0000069901051 INV	10/20/2006	136.44	5625410-5627	20860	
				OPERATIONS SUPPLIES					
				CHECK TOTAL		136.44			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1082 DUNNS	1 261E427 726000	0000042700246	EMGR SVCS	INV	10/20/2006	29.56	562639	20772	
1082 DUNNS	1 0101A 106000	00000	GF ASSET	INV	10/20/2006	71.97	563148	20731	
1082 DUNNS	1 588E699 726000	0000069901094	OPERATIONS	INV	10/20/2006	33.52	5637930	20965	
1082 DUNNS	2 588E699 726025	OPERATIONS	JANITORIAL			89.68			
1082 DUNNS	1 0101A 106000	00000	GF ASSET	INV	10/20/2006	23.99	563953	20953	
1082 DUNNS	1 0101A 106000	00000	GF ASSET	INV	10/20/2006	71.97	564431	21021	
4094 DYNAMIC PHYSICAL THERAPY	1 101E351 726035	0000035100634	JAIL	INV	10/20/2006	87.00	091106	20757	
1528 EMPLOYERS MUTUAL CASUALTY	1 0701L 271000	00000	GEN AGENCY	INV	10/27/2006	153.00	68213-67502	20946	
1088 JOHN G ERNST	1 101E721 703040	0000072000353	PLAN ZONE	INV	10/20/2006	35.00	OCT-06	21102	
	2 101E721 930500	PLAN ZONE	TRAVEL			4.20			
1118 EXTREME POWER SPORTS	1 0701L 271000	00001	GEN AGENCY	INV	10/27/2006	102.00	65615-66108	20939	
1094 FAMILY HEATING & COOLING	1 588E699 726025	0000069901079	OPERATIONS	INV	10/20/2006	112.63	7917	20903	
1094 FAMILY HEATING & COOLING	1 588E699 726025	0000069901109	OPERATIONS	INV	10/20/2006	173.00	8422	21048	
						CHECK TOTAL			
						173.00			
						285.63			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1095 FARM BUREAU INSURANCE	1 0701L 271000	00001	GEN AGENCY	INV 10/27/2006	RESTITUT	40.00	68197	20936	
						CHECK TOTAL			
						40.00			
1080 FIDELAR DOUBLEDAY INC	1 101E215 726000	00000	CLERK/ROD	INV 11/01/2006	SUPPLIES	2,013.18	DD03093	21065	
						CHECK TOTAL			
						2,013.18			
1802 FIFTH THIRD BANK	1 0701L 271000	00000	GEN AGENCY	INV 10/27/2006	RESTITUT	45.00	67744-68117	20941	
						CHECK TOTAL			
						45.00			
1099 FIRST NATIONAL BANK OF GA	1 0701L 271000	00001	GEN AGENCY	INV 10/27/2006	RESTITUT	360.00	64497-66575	20931	
						CHECK TOTAL			
						360.00			
3628 FLETCH'S	1 588E699 726050	0000069901124	OPERATIONS	INV 10/20/2006	MAINT SUPP	211.48	609649	21096	
						CHECK TOTAL			
						211.48			
1104 FORMS TRAC ENTERPRISES IN	1 101E131 726000	00000	CIRCT CT	INV 11/09/2006	SUPPLIES	511.85	51996	21023	
						CHECK TOTAL			
						511.85			
1108 G NEIL COMPANIES	1 101E131 726000	00000	CIRCT CT	INV 11/09/2006	SUPPLIES	46.99	8839603	20991	
						CHECK TOTAL			
						46.99			
4126 GRAND TRAVERSE WIRING, LL	1 481E901 970300	0000053700112	CAP OUTLAY	INV 10/20/2006	PROP-IMPRV	1,000.00	202006-11	20773	
						CHECK TOTAL			
						1,000.00			
3680 GALLMEIER, MICHAEL	1 292E662 930830	00000	CHILD CARE	INV 11/01/2006	CARE GIVER	21.50	10-20-06	21078	
						CHECK TOTAL			
						21.50			
2281 GASLIGHT MEDIA	1 588E699 940010	0000069901105	OPERATIONS	INV 10/20/2006	OUTSIDE	107.70	17083	20966	
						CHECK TOTAL			
						107.70			

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CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2281 GASLIGHT MEDIA	1 588E699 940010	0000069901119	INV	10/20/2006	59.95	17718	21047		
		OPERATIONS	OUTSIDE						
2281 GASLIGHT MEDIA	1 101E664 930240	00000	INV	10/20/2006	800.00	17720	21019		
		DISTRIBUTE	NETWORK						
					800.00				
					967.65				
					CHECK TOTAL				
1119 GAYLORD COMMUNITY SCHOOLS	1 292E662 801030	00000	INV	11/01/2006	10,682.69	J-A-S-06	21067		
		CHILD CARE	TECHNICAL						
					10,682.69				
					10,682.69				
					CHECK TOTAL				
1117 GAYLORD FORD	1 588E699 726050	0000069901096	INV	10/20/2006	191.32	10004	20963		
		OPERATIONS	MAINT SUPP						
1117 GAYLORD FORD	1 588E699 726050	0000069901095	INV	10/20/2006	150.98	18109	20962		
		OPERATIONS	MAINT SUPP						
					291.69				
1117 GAYLORD FORD	1 588E699 726050	0000069901054	INV	10/20/2006	335.68	9887	20854		
		OPERATIONS	MAINT SUPP						
1117 GAYLORD FORD	1 588E699 726050	0000069901055	INV	10/20/2006	401.96	9971	20853		
		OPERATIONS	MAINT SUPP						
					401.96				
					1,371.63				
					CHECK TOTAL				
2524 GAYLORD GAS INC.	1 2490260 451010	0000037100287	INV	10/20/2006	10.00	REFUND	20985		
		P/S CHG/SV	BLDG PRMTS						
					10.00				
					10.00				
					CHECK TOTAL				
2862 GAYLORD VETERINARY SERVIC	1 212E430 930980	00000430000502	INV	10/20/2006	95.00	10-18-06	20862		
		ANM CTRL	STERILIZE						
					95.00				
					95.00				
					CHECK TOTAL				
1539 GOLDEN AUTO ELECTRIC	1 281E537 920400	0000053700114	INV	10/20/2006	85.00	44529	20864		
		AIRPORT	MAINT SVC						
					85.00				
					85.00				
					CHECK TOTAL				
1530 GORDON FOOD SERVICES	1 637E265 726050	00000	INV	11/02/2006	124.37	788037965	21114		
		BLDG GRNDS	MAINT SUPP						
					124.37				
					124.37				
					CHECK TOTAL				

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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1785 GRACE CENTER	1 292E662 801030	00000	CHILD CARE	INV 11/01/2006	375.69	375.69	9-06	21071	
			TECHNICAL			375.69			
					CHECK TOTAL	375.69			
4148 GREAT LAKES ELECTRICAL CO	1 2490260 451010	0000037100285	P/S CHG/SV BLDG PRMTS	INV 10/20/2006	141.00	141.00	REFUND	21111	
						141.00			
					CHECK TOTAL	141.00			
1574 GREAT LAKES PIPE & SUPPLY	1 588E699 726050	0000069901116	OPERATIONS MAINT SUPP	INV 10/20/2006	19.16	19.16	0068239	21041	
						19.16			
					CHECK TOTAL	19.16			
3790 RONALD HALM	1 0701L 271000	00000	GEN AGENCY	INV 10/27/2006	400.00	400.00	68246	20942	
						400.00			
					CHECK TOTAL	400.00			
4122 HARKNESS, PATRICIA	1 101E721 703040	0000072000352	PLAN ZONE PER DIEM	INV 10/20/2006	35.00	35.00	OCT-06	20722	
	2 101E721 930500		PLAN ZONE TRAVEL		9.00	9.00			
						44.00	OCT-16	21106	
						40.70			
					CHECK TOTAL	84.70			
3654 HERALD TIMES	1 101E267 930300	0000026700255	PROSECUTOR ADVERTISE	INV 10/20/2006	50.87	50.87	04103964-090	20737	
						50.87			
					CHECK TOTAL	50.87			
3171 MARCIA HODGE	1 101E131 930830	00000	CIRCT CT	INV 11/09/2006	30.00	30.00	05-7509-GA	20999	
	2 101E131 930500		CIRCT CT TRAVEL		6.60	6.60			
						36.60	05-7522-GA	20996	
						30.00			
					CHECK TOTAL	73.20			
2900 HOEFT, WILLIAM	1 0701L 271000	00000	GEN AGENCY	INV 11/01/2006	180.00	180.00	--04-3127	21059	
						180.00			
					CHECK TOTAL	180.00			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1135 HOEKSTRA TRANSPORTATION I	588E699 726050	0000069901057		INV MAINT SUPP	10/20/2006	213.60	C10045936	20851	
1135 HOEKSTRA TRANSPORTATION I	588E699 726050	0000069901080		INV MAINT SUPP	10/20/2006	213.60	C10045968	20891	
3081 HOLY CROSS CHILDRENS SERV	292E662 930810	00000		CHILD CARE OTHR INST	11/01/2006	4,998.30	SLOBODA1	21068	
1937 HOPS & SCHNAPPS	0701L 271000	00000		GEN AGENCY	10/27/2006	28.16	67199-68028	20934	
1937 HOPS & SCHNAPPS	0701L 271000	00000		GEN AGENCY	10/27/2006	302.11	BALANCE-PD	20945	
1951 CYNTHIA HUELLMANTEL	101E261 930500	00000		COOP EXT TRAVEL	10/20/2006	27.00	AUG-OCT-05	21113	
1140 HUFF EXCAVATING	0701L 271000	00000		GEN AGENCY	11/01/2006	500.00	--04-3127	21060	
2562 IMPREST CASH, OTSEGO COUN	588E699 726000	0000069901089		OPERATIONS SUPPLIES	10/20/2006	54.82	0740	20896	
3809 JETS SUBSURFACE PUMP	0701L 271000	00000		GEN AGENCY	10/27/2006	148.00	66443-67166	20949	
3809 JETS SUBSURFACE PUMP	0701L 271000	00000		GEN AGENCY	10/27/2006	180.00	67613-67990	20937	
1152 JIMS ALPINE AUTOMOTIVE		0000069901082		INV	10/20/2006	328.00	433766-43403	20893	

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CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1152 JIMS ALPINE AUTOMOTIVE	1 588E699 726050	OPERATIONS		MAINT SUPP		175.07			
	1 588E699 726050	OPERATIONS	000069901081	INV SUPP	10/20/2006	475.75	434039	20892	
1152 JIMS ALPINE AUTOMOTIVE	1 588E699 726025	OPERATIONS	000069901083	INV SUPP	10/20/2006	27.96	434483-43369	20894	
	2 588E699 726050	OPERATIONS	JANITORIAL	MAINT SUPP		344.62			
1152 JIMS ALPINE AUTOMOTIVE	1 588E699 726050	OPERATIONS	000069901091	INV SUPP	10/20/2006	300.52	435144	20922	
1152 JIMS ALPINE AUTOMOTIVE	1 588E699 726050	OPERATIONS	000069901090	INV SUPP	10/20/2006	203.65	435147	20921	
1152 JIMS ALPINE AUTOMOTIVE	1 588E699 726050	OPERATIONS	000069901122	INV SUPP	10/20/2006	23.89	435309	21095	
		CHECK TOTAL				1,551.46			
1154 JOHNSON OIL COMPANY	1 249E371 930660	BUILDING	0000037100286	INV GAS	10/20/2006	165.17	10143010	20990	
1154 JOHNSON OIL COMPANY	1 588E699 920400	OPERATIONS	0000069901098	INV MAINT SVC	10/20/2006	6.50	15760	20958	
1154 JOHNSON OIL COMPANY	1 588E699 930660	OPERATIONS	0000069901058	INV GAS	10/20/2006	10,332.92	26906026	20857	
		CHECK TOTAL				10,504.59			
1154 JOHNSON OIL COMPANY	1 0701L 271000	GEN AGNCY	00001	INV RESTITUT	10/27/2006	77.00	67503-68214	20947	
		CHECK TOTAL				77.00			
2839 KENNETH ARNDT	1 101E721 703040	PLAN ZONE	00000720000359	INV PER DIEM	10/20/2006	35.00	OCT-06	21110	
	2 101E721 930500	PLAN ZONE	TRAVEL			3.00			
		CHECK TOTAL				38.00			
3502 CARL KIISKILA	1 101E450 703040	REMOUNDMEN	00000690000386	INV PER DIEM	10/20/2006	300.00	10-06-27-06	21001	
		CHECK TOTAL				300.00			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1369 CHARLES KIEE	1 101E721 703040			0000072000356 INV	10/20/2006	35.00	OCT-06	21108	
	2 101E721 930500			PLAN ZONE PER DIEM TRAVEL		4.20			
						39.20			
				CHECK TOTAL		39.20			
1156 KMART	1 101E301 726000			0000030100497 INV	10/20/2006	15.67	11329001	20877	
	2 101E351 726015			SHERIFF JAIL SUPPLIES CLOTHES		5.98			
	3 101E351 726025			JAIL JANITORIAL		32.77			
						54.42			
				CHECK TOTAL		54.42			
3595 LAWSON PRODUCTS, INC.	1 588E699 726050			0000069901106 INV	10/20/2006	314.05	4934318	20967	
				OPERATIONS MAINT SUPP					
						314.05			
				CHECK TOTAL		314.05			
1165 LISTVAN PLUMBING & HEATTN	1 637E265 940010			00000 BLDG GRNDS	10/20/2006	166.00	101512	20729	
				OUTSIDE					
						166.00			
				CHECK TOTAL		166.00			
1165 LISTVAN PLUMBING & HEATTN	1 281E537 920400			0000053700119 INV	10/20/2006	94.00	101593	20983	
				AIRPORT MAINT SVC					
						94.00			
				CHECK TOTAL		260.00			
1174 JAMES L MADDIX	1 101E721 703040			0000072000354 INV	10/20/2006	35.00	OCT-06	21104	
	2 101E721 930500			PLAN ZONE PER DIEM TRAVEL		9.60			
						44.60			
				CHECK TOTAL		44.60			
1496 MAXIMUS INC	1 101E267 801020			0000026700256 INV	10/20/2006	1,000.00	1032033-004	20736	
				PROSECTOR PROFESSNL					
						1,000.00			
				CHECK TOTAL		1,000.00			
1171 MCVIEIGHS TRUCK SPRINGS IN	1 588E699 726050			0000069901092 INV	10/20/2006	286.92	98681	20923	
				OPERATIONS MAINT SUPP					
						286.92			
				CHECK TOTAL		286.92			
1171 MCVIEIGHS TRUCK SPRINGS IN	1 588E699 726050			0000069901093 INV	10/20/2006	332.40	98751	20924	
				OPERATIONS MAINT SUPP					
						332.40			
				CHECK TOTAL		619.32			
1393 METROPOLITAN UNIFORM	1 101E301 726046			0000030100493 INV	10/20/2006	171.50	770514	20725	
				SHERIFF UNIFORM					
						171.50			

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VENDOR	G/L	ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1575	MICHIGAN PUBLIC TRANSIT	A	0000069901068	INV	10/20/2006					
	1 588E699	930600	OPERATIONS	MEMB/DUES						
							1,764.00	855	20850	
							CHECK TOTAL			
							1,764.00			
2110	MICHIGAN STATE POLICE	-BF	0000030100496	INV	10/20/2006					
	1 0701L	228018	GEN AGENCY	SEX OFFEND						
							25.00	551252250	20876	
							CHECK TOTAL			
							25.00			
4004	MICHIGAN STATE POLICE		00000	GEN AGENCY	RESTITUT					
	1 0701L	271000								
							75.86	68275	20930	
							CHECK TOTAL			
							75.86			
1200	MICHIGAN STATE UNIVERSITY		00000	COOP EXT	OUTSIDE					
	1 101E261	940010								
							8,102.33	ONEILL-05-06	20952	
							CHECK TOTAL			
							8,102.33			
1202	MID NORTH PRINTING INC		0000043000500	INV	10/20/2006					
	1 212E430	930400	ANM CTRL	PRINTING						
							109.80	76347	20863	
							CHECK TOTAL			
							109.80			
1203	MID STATES BOLT & SCREW C		0000069901059	INV	10/20/2006					
	1 588E699	726050	OPERATIONS	MAINT SUPP						
							11.83	9083120004	20852	
							CHECK TOTAL			
							11.83			
2754	MMRMA		00000	INS BNDS	INSURANCE					
	1 101E851	930100								
							132,806.00	91385-1	21012	
							CHECK TOTAL			
							132,806.00			
1809	TERRY MOORE		00000	GEN AGENCY	RESTITUT					
	1 0701L	271000								
							800.00	--04-3127	21058	
							CHECK TOTAL			
							800.00			
1729	MORNING STAR PUBLISHING C		0000069901070	INV	10/20/2006					
	1 588E699	930300	OPERATIONS	ADVERTISE						
							150.74	00309289	20849	
							CHECK TOTAL			
							150.74			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1585 MSU EXTENSION									
1 101E261	726000	00000		INV	10/20/2006	89.42	OCT-06	21112	
2 101E261	726200	COOP EXT		SUPPLIES		507.00			
3 101E864	920410	COOP EXT		BOOKS		235.89			
		DISTRIBUTE		SVC CNTRCT					
						832.31			
						832.31			
4064 MARLEAH MUZZL									
1 0701L	271000	00000		INV	10/27/2006	15.00	67745-68118	20940	
		GEN AGENCY		RESTITUT		15.00			
						15.00			
1438 NENA									
1 261E427	704400	0000042700247		INV	10/20/2006	120.00	216985	20771	
		EMGR SVCS		TRAINING		120.00			
						120.00			
1218 NELSONS DRUG STORE									
1 101E351	726035	0000035100635		INV	10/20/2006	3,409.38	SEPT-06	20756	
		JAIL		MEDICAL		3,409.38			
						3,409.38			
2476 NORTHERN CREDIT BUREAU									
1 233E690	930150	0000069000380		INV	10/20/2006	36.00	7261	20987	
		FCDBG HOUSING		SVC CHGS		36.00			
						36.00			
2138 NORTHERN ENERGY, INC									
1 588E699	930660	0000069901088		INV	10/20/2006	946.66	957821	20902	
		OPERATIONS		GAS		946.66			
						946.66			
3386 NORTHERN IMAGING ASSOCIAT									
1 101E351	726035	0000035100633		INV	10/20/2006	43.55	070806	20767	
		JAIL		MEDICAL		43.55			
						43.55			
1495 NORTHERN TECH SUPPLY									
1 588E699	726050	0000069901066		INV	10/20/2006	23.28	NT4282	20858	
		OPERATIONS		MAINT SUPP		23.28			
						23.28			
1367 OFFICE DEPOT INC									
1 101E215	726000	0000021500091		INV	10/20/2006	88.33	356764209001	20739	
		CLERK/ROD		SUPPLIES		88.33			
						88.33			
1367 OFFICE DEPOT INC									
1 101E101	726000	0000017200070		INV	10/20/2006	32.82	357728219001	20984	
		BOC		SUPPLIES		32.82			
						32.82			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1467	ONEILL & CO SONY SHOWCASE	00000		INV	11/09/2006				
	1 101E131 920400	CIRCT CT		MAINT SVC		163.00	26623	21024	
				CHECK TOTAL		163.00			
1235	OTSEGO COUNTY EMS	0000069901099		INV	10/20/2006				
	1 588BE699 704400	OPERATIONS		TRAINING		405.00	100	20964	
				CHECK TOTAL		405.00			
2649	OTSEGO COUNTY TREAS	00000		INV	10/26/2006				
	1 101E131 930930	CIRCT CT		JURY SVCS		127.70		JURY-REIM	20926
				CHECK TOTAL		127.70			
1243	OTSEGO MEMORIAL HOSPITAL	0000035100621		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		69.82	090106	20768	
				CHECK TOTAL		69.82			
1243	OTSEGO MEMORIAL HOSPITAL	0000035100620		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		18.19	091606	20766	
				CHECK TOTAL		18.19			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100624		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		40.00	030706	20759	
				CHECK TOTAL		40.00			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100623		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		40.00	050206	20758	
				CHECK TOTAL		40.00			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100627		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		46.00	050806	20762	
				CHECK TOTAL		46.00			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100628		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		47.50	050906	20763	
				CHECK TOTAL		47.50			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100629		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		40.00	051606	20760	
				CHECK TOTAL		40.00			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100630		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		47.50	051806	20764	
				CHECK TOTAL		47.50			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100631		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		62.50	091206	20765	
				CHECK TOTAL		62.50			
2746	OTSEGO MEMORIAL HOSPITAL/	0000035100631		INV	10/20/2006				
	1 101E351 726035	JAIL		MEDICAL		62.50	091606	20769	
				CHECK TOTAL		62.50			

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2746 OTSEGO MEMORIAL HOSPITAL/	1 101E351 726035	JAIL		MEDICAL		64.50			
	1 101E351 726035	JAIL		MEDICAL		64.50	091906	20761	
						47.50			
						435.50			
3438 GERALD PECK	1 249E371 801020	BUILDING		PROFESSNL		50.00	INSP-102406	20986	
						50.00			
						50.00			
3688 ANGIE PERRY	1 0701L 271000	GEN AGENCY		RESTITUT		108.18	65643-68030	20932	
						108.18			
						108.18			
1257 THOMAS J PUDVAN	1 101E648 801020	MED EXAM		PROFESSNL		380.00	SEPT-OCT-06	20878	
	2 101E648 930210	MED EXAM		TELEPHONE		20.00			
	3 101E648 930460	MED EXAM		TRANSPORT		637.00			
						1,037.00			
						1,037.00			
1572 JIM QUANDT	1 101E721 703040	PLAN ZONE		PER DIEM		35.00	OCT-06	21103	
	2 101E721 930500	PLAN ZONE		TRAVEL		12.60			
						47.60			
						47.60			
2323 QUIZNOS OF GAYLORD	1 0701L 271000	GEN AGENCY		RESTITUT		403.47	through-7-06	20927	
						403.47			
						403.47			
1260 RAINBOW PLAQUE CO	1 101E351 726000	JAIL		SUPPLIES		59.25	2924	20875	
						59.25			
						59.25			
2686 RANDY STULTS	1 101E721 703040	PLAN ZONE		PER DIEM		35.00	OCT-06	21107	
	2 101E721 930500	PLAN ZONE		TRAVEL		7.80			
						42.80			
						42.80			
1554 REDWOOD TOXICOLOGY LABORA	00000			INV	11/01/2006		01225920069	21069	

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VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
2989 WILLIAM REITER	1 0701L 271000			CHILD CARE	OTH SVCS	98.00			
				GEN AGENCY	RESTITUT	160.00	--04-3127	21055	
				CHILD CARE	OTH SVCS	98.00			
				GEN AGENCY	RESTITUT	160.00			
				CHILD CARE	OTH SVCS	98.00			
				GEN AGENCY	RESTITUT	160.00			
2840 RICHARD WOLTOWIAK	1 101E721 703040			PLAN ZONE	PER DIEM	35.00	OCT-06	21109	
	2 101E721 930500			PLAN ZONE	TRAVEL	1.50			
				CHILD CARE	OTH SVCS	36.50			
				GEN AGENCY	RESTITUT	36.50			
				CHILD CARE	OTH SVCS	36.50			
				GEN AGENCY	RESTITUT	36.50			
2443 STEVE RIOZZI	1 233E690 703040			SCDBG	HOUSING	35.00	101906	20726	
				CHILD CARE	OTH SVCS	35.00			
				GEN AGENCY	RESTITUT	35.00			
				CHILD CARE	OTH SVCS	35.00			
				GEN AGENCY	RESTITUT	35.00			
3475 CARL ROBINSON	1 101E450 703040			REMONUMEN	PER DIEM	300.00	100606	20998	
				CHILD CARE	OTH SVCS	300.00			
				GEN AGENCY	RESTITUT	300.00			
				CHILD CARE	OTH SVCS	300.00			
				GEN AGENCY	RESTITUT	300.00			
1867 ROSCOMMON COUNTY	1 292E662 930810			CHILD CARE	OTH INST	2,212.00	800	21070	
				CHILD CARE	OTH SVCS	2,212.00			
				GEN AGENCY	RESTITUT	2,212.00			
				CHILD CARE	OTH SVCS	2,212.00			
				GEN AGENCY	RESTITUT	2,212.00			
4189 ROWLEY BROTHERS, INC.	1 588E699 726025			OPERATIONS	JANITORIAL	215.00	84915100	21042	
				CHILD CARE	OTH SVCS	215.00			
				GEN AGENCY	RESTITUT	215.00			
				CHILD CARE	OTH SVCS	215.00			
				GEN AGENCY	RESTITUT	215.00			
3499 DONALD E. SAGASSER, P.S.	1 101E450 703040			REMONUMEN	PER DIEM	300.00	1006	21004	
				CHILD CARE	OTH SVCS	300.00			
				GEN AGENCY	RESTITUT	300.00			
				CHILD CARE	OTH SVCS	300.00			
				GEN AGENCY	RESTITUT	300.00			
2060 SANE	1 0701L 271000			GEN AGENCY	RESTITUT	12.00	64326	20943	
				CHILD CARE	OTH SVCS	12.00			
				GEN AGENCY	RESTITUT	12.00			
				CHILD CARE	OTH SVCS	12.00			
				GEN AGENCY	RESTITUT	12.00			
1544 GLORIA SAWYER	1 292E662 930500			CHILD CARE	TRAVEL	11.80	10-19-06	21080	
				CHILD CARE	OTH SVCS	11.80			
				GEN AGENCY	RESTITUT	11.80			
				CHILD CARE	OTH SVCS	11.80			
				GEN AGENCY	RESTITUT	11.80			

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L	ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1544	2	292E662 930830	CHILD CARE		CARE GIVER		11.25			
		GLORIA SAWYER	00000		INV 11/01/2006		23.05			
	1	292E662 930500	CHILD CARE		TRAVEL		57.76	10-6-06	21072	
	2	292E662 930830	CHILD CARE		CARE GIVER		18.50			
		GLORIA SAWYER	00000		INV 11/01/2006		76.26			
	1	292E662 930830	CHILD CARE		CARE GIVER		6.50	10-9-06	21073	
		THOMAS SAWYER	00000		INV 11/01/2006		6.50			
	1	292E662 930830	CHILD CARE		CARE GIVER		105.81			
		THOMAS SAWYER	00000		INV 11/01/2006		6.00			
	1	292E662 930830	CHILD CARE		CARE GIVER		6.00	10-19-06	21077	
		THOMAS SAWYER	00000		INV 11/01/2006		57.12			
	1	292E662 930500	CHILD CARE		TRAVEL		21.50	10-20-06	21075	
	2	292E662 930830	CHILD CARE		CARE GIVER		78.62			
		THOMAS SAWYER	00000		INV 11/01/2006		13.12			
	1	292E662 930500	CHILD CARE		TRAVEL		6.50	10-26-06	21074	
	2	292E662 930830	CHILD CARE		CARE GIVER		19.62			
		THOMAS SAWYER	00000		INV 11/01/2006		18.50			
	1	292E662 930830	CHILD CARE		CARE GIVER		122.74	10-6-06	21076	
		SCHBITTERLEIN, KARL	00000		INV 11/01/2006		20.00			
	1	07011 271000	GEN AGENCY		RESTITUTI		20.00	--04-3127	21054	
		SCHINDLER ELEVATOR CORP	00000		INV 10/20/2006		1,220.79			
	1	637E265 920410	BLDG GRNDS		SVC CNTRCT		1,220.79	8101664412	21018	
		JAMES L. SCHWANDT	0000069000385		INV 10/20/2006		150.00			
	1	101E450 703040	REMONUMEN		PER DIEM		150.00	102706	20997	
		SCIENTIFIC BRAKE & EQUIPM	0000069901084		INV 10/20/2006		120.10			
	1	588E699 726050	OPERATIONS		MAINT SUPP		120.10	2262710045	20900	
		CHECK TOTAL					120.10			

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3787 BRUCE SCOTT	1 233E690			0000069000388	INV 10/20/2006	400.00	18-2005-23-2	21081	
				SCDBG HOUSING	OUTSIDE	400.00			
						CHECK TOTAL			
1368 SNAP ON INDUSTRIAL	1 588E699			0000069901112	INV 10/20/2006	518.56	15930655	21052	
				OPERATIONS	MAINT SUPP				
1368 SNAP ON INDUSTRIAL	1 588E699			0000069901113	INV 10/20/2006	388.33	15954829	21053	
				OPERATIONS	MAINT SUPP				
						CHECK TOTAL			
1460 SOFT WASH & LUBE CENTER	1 588E699			0000069901086	INV 10/20/2006	20.00	092206	20898	
				OPERATIONS	OUTSIDE				
						CHECK TOTAL			
3551 SPARROW REGIONAL LABORATO	1 101E648			00000	INV 10/20/2006	1,642.00	80230347	21020	
				MED EXAM	AUTOPSIES				
						CHECK TOTAL			
1285 STANDARD ELECTRIC COMPANY	1 637E255			00000	INV 10/20/2006	10.34	596215	20730	
				BLDG GRNDS	MAINT SVC				
						CHECK TOTAL			
4188 STATE BAR OF MICHIGAN	1 101E267			0000026700265	INV 10/20/2006	965.00	DUES-06-07	21031	
				PROSECTOR	MEMB/DUES				
						CHECK TOTAL			
1874 STATE ELECTRONICS	1 261E427			0000042700245	INV 10/20/2006	184.95	98-100572	20755	
				EMGR SVCS	MAINT SUPP				
1874 STATE ELECTRONICS	1 588E699			0000069901072	INV 10/20/2006	125.50	98-100575	20846	
				OPERATIONS	OUTSIDE				
						CHECK TOTAL			
1291 STATE OF MICHIGAN	1 281E537			0000053700116	INV 10/20/2006	172.50	MJ289855	20951	
				AIRPORT	OUTSIDE				
						CHECK TOTAL			
1295 STATE OF MICHIGAN				00000	INV 11/01/2006		OCTOBER-2006	21064	

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OTSEGO COUNTY
DETAIL INVOICE LIST

CASH ACCOUNT: 0001A 001000 CASH WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3866 THE BANK OF NORTHERN MICH	1 588E699 920520	0000069901120		INV	10/20/2006	876.25	10-26-06	21046	
		OPERATIONS		RENT-VEHC					
						876.25			
						876.25			
1979 THERESA'S TRANSCRIPTION S	1 101E131 801030	00000		INV	11/09/2006	152.75	7091	20995	
		CIRCT CT		TECHNICAL					
1979 THERESA'S TRANSCRIPTION S	1 101E131 801030	00000		INV	11/09/2006	89.30	7093	20994	
		CIRCT CT		TECHNICAL					
						89.30			
						242.05			
1963 THERIAULT, REGINA	1 101E131 930210	00000		INV	11/09/2006	23.00	10-31-06	21003	
		CIRCT CT		TELEPHONE					
						23.00			
1311 DONALD L TOBER	1 101E721 703040	0000072000355		INV	10/20/2006	35.00	OCT-06	21101	
		PLAN ZONE		PER DIEM					
		PLAN ZONE		TRAVEL		7.50			
						42.50			
						42.50			
2521 TOTTEN'S BODY SHOP	1 101E301 726050	0000030100494		INV	10/20/2006	181.77	27983	20723	
		SHERIFF		MAINT SUPP					
		SHERIFF		MAINT SVC		52.80			
						234.57			
						234.57			
1318 TRIPL M TIRE INC	1 588E699 726050	0000069901060		INV	10/20/2006	326.84	2-GS75935	20856	
		OPERATIONS		MAINT SUPP					
1318 TRIPL M TIRE INC	1 588E699 726050	0000069901100		INV	10/20/2006	240.10	2-GS76131	20959	
		OPERATIONS		MAINT SUPP					
1318 TRIPL M TIRE INC	1 588E699 920400	0000069901111		INV	10/20/2006	24.00	276202	21043	
		OPERATIONS		MAINT SVC					
1318 TRIPL M TIRE INC	1 588E699 726050	0000069901101		INV	10/20/2006	297.00	3-67143	20960	
		OPERATIONS		MAINT SUPP					
		OPERATIONS		MAINT SVC		90.00			
						387.00			
1318 TRIPL M TIRE INC	1 588E699 920400	0000069901061		INV	10/20/2006	296.95	75730-75707	20855	
		OPERATIONS		MAINT SVC					
						296.95			

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OTSEGO COUNTY
DETAIL INVOICE LIST

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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
3097 TRUGREEN CHEMILAWN	1 637E265 940010	00000		BLDG GRNDS	OUTSIDE	102.90	450752	20728	
				OUTSIDE		102.90			
				CHECK TOTAL		102.90			
1338 UNITED BUILDING CENTERS	1 0701L 271000	00000		GEN AGENCY	RESTITUT	300.00	--04-3127	21057	
				RESTITUT		300.00			
				CHECK TOTAL		300.00			
2454 UP RENTAL	1 0701L 271148	00000		GEN AGENCY	RESTITUT	10.00	1130	21066	
				RESTITUT		10.00			
				CHECK TOTAL		10.00			
1870 UPS	1 281E537 930450	00000		AIRPORT	SHIP/MAIL	19.92	X35300416	20738	
				SHIP/MAIL		19.92			
1870 UPS	1 101E101 930450	00000		BOC	SHIP/MAIL	6.93	X35300426	20919	
				SHIP/MAIL		6.93			
				CHECK TOTAL		26.85			
2423 ROLLAND VALENTINE	1 588E699 940010	00000		OPERATIONS	OUTSIDE	60.00	DOT	21097	
				OUTSIDE		60.00			
				CHECK TOTAL		60.00			
3915 ROBERT B. VARNNEY	1 233E690 940010	00000		SCDBG HOUSING	OUTSIDE	1,050.00	100460-COMP	20989	
				OUTSIDE		1,050.00			
				CHECK TOTAL		1,050.00			
1122 VERIZON NORTH	1 637E265 930210	00000		BLDG GRNDS	TELEPHONE	210.00	9403011006	21011	
				TELEPHONE		210.00			
1122 VERIZON NORTH	1 101E267 920410	00000		PROSECTOR	SVC CNTRCT	37.82	PROS-06	21038	
				SVC CNTRCT		37.82			
				CHECK TOTAL		247.82			
3508 VILLAGE OF VANDERBILT TRE	1 0516A 026000 TAX06 DELQ TAX	00000		TX REC DEL		98.81	OCT-2006-COL	21088	
	2 5160170 445100 TAX06 FIN CHG/SV	00000		INT TAXES		1.98			
				INT TAXES		1.98			
				CHECK TOTAL		100.79			

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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUPLICATE	AMOUNT	INVOICE	VOUCHER	CHECK
1334 WALKER BROTHERS	1 588E699 920400	0000069901085	INV	10/20/2006	1,321.11	11934	20890		
		OPERATIONS	MAINT SVC						
		CHECK TOTAL			1,321.11				
1335 LAW OFFICES OF BENNETT &	1 0701L 271000	00001	INV	11/01/2006	121.50	9-04-9-06	21006		
		GEN AGENCY	RESTITUT						
		CHECK TOTAL			121.50				
1825 WALMART BUSINESS	1 101E267 726000	0000126700260	INV	10/20/2006	11.90	0019-3475-0C	21036		
		PROSECUTOR	SUPPLIES						
		CHECK TOTAL			11.90				
1381 WASH N GO MANAGEMENT INC	1 101E301 920410	0000030100492	INV	10/20/2006	30.00	3601	20724		
		SHERIFF	SVC CNTRCT						
		CHECK TOTAL			30.00				
1413 WASTE MANAGEMENT	1 588E699 940010	0000069901114	INV	10/20/2006	149.60	038617218383	21049		
		OPERATIONS	OUTSIDE						
		CHECK TOTAL			149.60				
1869 WEST PAYMENT CENTER	1 101E267 726200	0000026700261	INV	10/20/2006	633.16	6040998638	21035		
		PROSECUTOR	BOOKS						
		CHECK TOTAL			633.16				
1339 WILBER AUTOMOTIVE SUPPLY	1 588E699 726050	0000069901102	INV	10/20/2006	13.05	645444	20961		
		OPERATIONS	MAINT SUPP						
		CHECK TOTAL			13.05				
1330 WMJZ	1 588E699 930300	0000069901062	INV	10/20/2006	180.00	06090848	20859		
		OPERATIONS	ADVERTISE						
		CHECK TOTAL			180.00				
1914 XEROX CORPORATION	1 101E267 920410	0000026700262	INV	10/20/2006	257.00	020936086	21034		
		PROSECUTOR	SVC CNTRCT						
		CHECK TOTAL			257.00				
1914 XEROX CORPORATION	1 101E864 920410	00000	INV	10/20/2006	244.21	020936101	21015		
		DISTRIBUTE	SVC CNTRCT						
		CHECK TOTAL			244.21				

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OTSEGO COUNTY
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CASH ACCOUNT: 0001A 001000 CASH

WARRANT: B2006-45 11/02/2006

VENDOR	G/L ACCOUNTS	R	PO	TYPE	DUE DATE	AMOUNT	INVOICE	VOUCHER	CHECK
1914 XEROX CORPORATION	1 101E864 920410	00000	DISTRIBUTE	INV 10/20/2006		303.00	020936102	21017	
1914 XEROX CORPORATION	1 101E864 920410	00000	DISTRIBUTE	INV 10/20/2006		303.00	020936103	21013	
1914 XEROX CORPORATION	1 101E864 920410	00000	DISTRIBUTE	INV 10/20/2006		300.48	020936104	21016	
1914 XEROX CORPORATION	1 101E131 920520	00000	CIRCT CT	INV 11/09/2006		244.21	020936105	21085	
1914 XEROX CORPORATION	1 101E864 920410	00000	DISTRIBUTE	INV 10/20/2006		244.21	020936106	21014	
1914 XEROX CORPORATION	1 588E699 940010	00000	OPERATIONS	OUTSIDE		153.29	020936108	21050	
1914 XEROX CORPORATION	1 101E864 920410	00000	DISTRIBUTE	INV 11/01/2006		101.00	196793554	21082	
1509 YOUNG GRAHAM & ELSENHUTME	1 260E130 801025	00000	TRIAL CT	INV 10/20/2006		1,305.80	9620	21022	
1656 ZEE MEDICAL	1 588E699 726000	00000	OPERATIONS	INV 10/20/2006		74.94	139337531	20847	
CHECK TOTAL						1,305.80			
CHECK TOTAL						1,305.80			
CHECK TOTAL						74.94			
CHECK TOTAL						74.94			
WARRANT TOTAL						261,499.78			
CASH ACCOUNT BALANCE						4,991,276.45			

RESOLUTION NO. OCR 06-47
Northwest Michigan Community Health Agency
New & Amended Regulations

WHEREAS, Michigan Law, being 1978 PA 368, Sec.2441(1), requires that a regulation of a district health department be approved by the governing entity of each of its members; and

WHEREAS, this county is a member of the Northwest Michigan Community Health Agency which is a district health department and the Board of Commissioners is the governing entity of this county; and

WHEREAS, the Board of Health of the district health department has recommended approval of the proposed amendment to the Emmet County Sanitary Code and the proposed District Sanitary Code for the Counties of Antrim, Charlevoix and Otsego; and

WHEREAS, this county desires to approve the District Sanitary Code and the amendment to the Emmet County Sanitary Code that are described below; therefore, be it

RESOLVED, that:

1. the attached regulation adopted by the Board of Health of the Northwest Michigan Community Health Agency known as the District Sanitary Code and applicable to the Counties of Antrim, Charlevoix and Otsego is approved; and
2. the attached regulation adopted by the Board of Health of the Northwest Michigan Community Health Agency known as the Amendment of the Emmet County Sanitary Code is approved.

**NORTHWEST MICHIGAN COMMUNITY HEALTH AGENCY
DISTRICT SANITARY CODE
ANTRIM, CHARLEVOIX and OTSEGO COUNTIES**

ARTICLE I AUTHORITY, JURISDICTION AND ADMINISTRATION

1-1 INTENT

The intent of this code is to protect the environment and the public health, safety and welfare in Antrim, Charlevoix and Otsego Counties.

1-2 AUTHORITY AND TITLE

The District Board of Health of Antrim, Charlevoix, Emmet and Otsego Counties governs the District Health Department currently known as the Northwest Michigan Community Health Agency. Under authority Act 368 of the Public Acts of 1978, the District Board of Health may enact these regulations for the protection of public health and sanitation. These regulations shall be known as the District Sanitary Code and may be called the "code" elsewhere in these regulations.

1-3 JURISDICTION AND ADMINISTRATION

The Health Officer shall have jurisdiction throughout Antrim, Charlevoix and Otsego Counties, including all cities, villages and townships, in the administration and enforcement of these regulations, including all amendments hereafter adopted unless otherwise specifically stated. Nothing herein contained shall be construed to restrict or abrogate the authority of any municipality to adopt more restrictive ordinances. The Health Officer shall have the right to delegate any administrative or enforcement authority or duty granted by this code to an employee or agent of the Northwest Michigan Community Health Agency or its successor.

1-4 ENFORCEMENT

All premises affected by these regulations shall be subject to inspection by the Health Officer, and the Health Officer may collect such samples for laboratory examination as he deems necessary for the enforcement of these regulations.

1-5 RIGHT OF ENTRY AND INSPECTION

The Health Officer may inspect any premises at reasonable times with the consent of the owner or person in charge of the premises. No person shall molest or resist the Health Officer in the discharge of the Health Officer's duty. In the event that a Health Officer is refused permission to inspect any premises at reasonable times, the Health Officer shall have authority to apply for an administrative search warrant pursuant to MCL 333.2241 through MCL 333.2247; MSA 14.15(2241) through MSA 14.15(2247).

1-6 ESTABLISHMENT AND HANDLING OF FEES

All fees for service shall be established by the District Board of Health. All fees for service shall be collected by the Northwest Michigan Community Health Agency and shall be receipted for and deposited with the Charlevoix County Treasurer and credited to the Northwest Michigan Community Health Agency.

1-7 ABATEMENT OF NUISANCES

Nothing stated in this code shall be construed to limit the power of the Health Officer to order the immediate and complete abatement of a public nuisance or menace to public health.

1-8 AMENDMENTS

The Northwest Michigan Community Health Agency, with the approval of all Boards of Commissioners of Antrim, Charlevoix, Emmet and Otsego Counties, may from time to time amend, supplement or change these regulations. Notice of a public hearing on any such proposed changes shall be given by the Northwest Michigan Community Health Agency as provided in MCL 333.2442; MSA 14.15(2442).

The regulations of this code are standards supplemental to the rules and regulations duly enacted by the Michigan Department of Community Health, and the laws of the State of Michigan relating to public health. Where any of the provisions of this code and the provisions of any local ordinance, statute, State rule or regulation, the more restrictive shall prevail.

1-10 REPORTS

The Health Officer shall present an Annual Report to the Boards of Commissioners. The report shall be presented after January 1 and before May of each year.

ARTICLE II

DEFINITIONS

As used in this code or a permit that is issued pursuant to this code, the following definitions shall apply:

2-1 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.

2-2 ABSORPTION SYSTEM

Absorption system is the collective term for trench or bed excavations used to uniformly distribute septic tank effluent to subsurface soil by means of a network of distribution piping in washed aggregate with covering soil and vegetation. A trench contains one pipe. A bed contains two or more pipes.

2-3 ADVANCED TREATMENT SYSTEM (ATS)

An advanced treatment system (ATS) is a on-site wastewater system that provides for the collection, treatment and uniform disposal of wastewater using advanced technologies to pre-treat wastewater effluent prior a soil absorption system.

2-4 APPROVED/APPROVAL

Approved or approval denotes that a condition, facility, thing, premise, action or use, is in satisfactory compliance with the intent, purpose and applicable standards of these regulations.

2-5 AVAILABLE PUBLIC WATER SUPPLY

"Available public water supply" means a waterworks system that provides water for drinking or household purposes to persons other than the supplier of the water and is located in a right-of-way, easement, highway, street or public way which crosses, adjoins, or abuts upon the property and passing not more than 200 feet at the nearest point from a structure and when the local governmental agencies having jurisdiction will allow connection to that water supply.

2-6 AVAILABLE PUBLICLY OPERATED SEWER SYSTEM

“Available publicly operated sewer system” means a public sanitary sewer system located in a right-of-way, easement, highway, street or public way which crosses, adjoins, or abuts upon the property and passing not more than 200 feet at the nearest point from a structure in which sanitary sewage originates and when the local governmental agencies having jurisdiction will allow connection to that sewer.

2-7 BEDROOM

Any space in the conditioned area of a dwelling unit or accessory structure which is used for the placement of beds, bunks, fold-away beds or other furniture used for sleeping, or which could reasonably be expected to be used as such.

2-8 BENEFITED PARCEL

A “benefited parcel” means land which will be served by a proposed sewage treatment and disposal system.

2-9 BURDENED LAND

The term “burdened land” means the land over or under which any portion of a sewage treatment and disposal system will be located.

2-10 CONVENTIONAL SUBSURFACE SEWAGE DISPOSAL SYSTEM

A system which includes a building sewer, one or more septic tanks, a subsurface drain field, and all associated connections, fittings, and appurtenances.

2-11 DISTRIBUTION DEVICE

The term “distribution device” means a watertight receptacle installed with proper footings, provided with outlets on the same horizontal plane, used for the purpose of assuring the equal distribution of the septic tank effluent when such effluent is being disposed of by means of any absorption field, trench or bed.

2-12 DISTRIBUTION HEADER / MANIFOLD

A conduit used to disperse septic tank effluent in equal amounts to the pipelines in a soil absorption system.

2-13 DISTRIBUTION SYSTEM

A “distribution system” is a system of pipe lines used to disperse septic tank effluent uniformly throughout a soil absorption system.

2-14 DISTRICT BOARD OF HEALTH

The term “District Board of Health” shall mean the District Board of Health of Antrim, Charlevoix, Emmet and Otsego Counties.

2-15 DOSING

Application of septic tank effluent to the absorption field in controlled amounts, so as to intermittently flood and rest the soil.

2-16 DOSING CHAMBER, PUMPING CHAMBER

A watertight tank or receptacle used for the purpose of retaining septic tank effluent pending its automatic discharge to a selected point in the distribution system.

2-17 ELEVATED ABSORPTION (MOUND) SYSTEM

Any soil absorption system having its infiltrative surface at or any distance above the natural ground surface.

2-18 FILL MATERIAL

“Fill material” shall mean clean medium textured sand, free of clay, silt, black dirt, and vegetation or other undesirable foreign material, or other material specified and approved by the Health Officer.

2-19 GARBAGE

Rejected food wastes, including waste accumulation of animal, fruit or vegetable matter used or intended for food or that attend the preparation, use, cooking, dealing in or storing of meat, fish, fowl, fruit, or vegetables or other putrescible wastes.

2-20 GRADE DROP-OFF

“Drop-off” means a man-made cut or natural slope where side slope is in excess of 50%.

2-21 GRAVITY FLOW

Flow without induced pressure, as characterized by a free liquid surface.

2-22 HABITABLE BUILDING

The term “Habitable Building” shall mean any structure or part thereof where persons live, sleep, reside, are employed, or congregate and which is occupied in whole or in part.

2-23 HABITABLE ROOM

“Habitable room” means a room or enclosed floor space suitable for human living, sleeping, cooking, or eating purposes. A habitable room does not include bathrooms, water closet compartments, laundries, pantries, foyers, or communicating corridors, closets and storage spaces.

2-24 HEALTH AGENCY

The term “Health Agency” shall mean the Northwest Michigan Community Health Agency or successor agency or health department serving the counties of Antrim, Charlevoix, Emmet and Otsego.

2-25 HEALTH OFFICER

The term “Health Officer” shall mean the Director of the Northwest Michigan Community Health Agency and/or his authorized representatives.

2-26 IMPERVIOUS

Impervious shall mean any material which does not percolate one (1) inch of water in sixty (60) minutes, using standard percolation tests.

2-27 INFILTRATIVE SURFACE

The soil - aggregate interface below an absorption bed, trench, drywell, block trench ect. where effluent begins to fill the pore spaces of the porous material below an soil absorption system.

2-28 LICENSED PROFESSIONAL ENGINEER

The term "licensed professional engineer" shall mean a professional civil engineer who is licensed under article 20 of the occupational code, Act 299 of the Public Acts of 1980, being §§399.2001 to 339.2014 of the Michigan Compiled Laws.

2-29 LOW PRESSURE DISTRIBUTION

Flow induced by pumping or other means as characterized by minimum pressures of two(2) feet of piezometric head (or 0.87 pounds per square inch) in the distribution piping.

2-30 MAXIMUM HIGH GROUNDWATER ELEVATION

"Maximum high ground water elevation" means the elevation of the upper surface of the zone of saturation as may occur during the normally wet periods of the year. The term includes perched and apparent conditions that are seasonally saturated for a time period in excess of two weeks. For the purpose of this code, the high ground water elevation will be determined by observing subsurface saturated conditions and/or groundwater indicators, such as soil mottling and redoximorphic features.

2-31 MOTTLING

Mottling, also known as redoximorphic features, is the result of the oxidation, reduction and translocation of soil minerals (primarily iron and manganese) and begins to occur after a soil has been periodically saturated for significant lengths of time. The actual standing water may be above or below the mottled zone resulting from seasonal fluctuations in water table or in response to other temporal climatic events.

2-32 NATURAL GROUND SURFACE

The ground surface formed on the site through the forces of nature and not significantly altered by man through excavating, importing fill soil or other means.

2-33 ORDINARY HIGH WATER MARK

The term "ordinary high water mark" means the line between upland and bottomland which persists through successive changes in water levels, below which the presence and action of the water are so common or recurrent that the character of the land is marked distinctly from the upland and is apparent in the soil itself, the configuration of the surface of the soil, and the vegetation.

On an inland lake that has an established legal lake level, it means the high established level. Where water returns to its natural level as the result of the permanent removal or abandonment of a dam, it means the natural ordinary high water mark.

On Great Lakes waters regulated by the Michigan Department of Environmental Quality, the term refers to the known high water elevation established at 580.5 feet International Great Lakes Datum (IGLD) 1985 for Lake Michigan and its connected tributaries.

2-34 OWNERS, PERSONS OWNING PREMISES

The terms "owners" and "persons owning premises" shall mean both the owner of title and of record and those occupying or in possession or control of any property or premises.

2-35 PERSON

The term "person" shall mean an individual, firm, partnership, party, corporation, company, society, association or other legal entity.

2-36 PREMISES

'Premises' shall mean a tract or parcel of land which is occupied or on which a habitable building is located and shall include the building.

2-37 PUBLIC WATER SUPPLY

A "public water supply" means a water supply which provides water for drinking or household purposes to persons other than the supplier of water and that meet the definitions of public water supplies as outlined in Act 399, P.A. 1976 as amended.

2-38 REPLACEMENT WATER WELL

A water well that is installed to provide water to a premise as a result of the existing water well or water supply being unable to provide water of adequate quantity or quality or when the construction or location of the existing water well or water supply poses a potential threat to the public health.

2-39 RUBBISH

Non-putrescible solid wastes excluding ashes consisting of both combustible and non-combustible wastes, such as paper, cardboard, metal containers, yard clippings, wood, glass, bedding, crockery, demolished building materials and litter of any kind that will be detrimental to the public health and safety.

2-40 SEPARATE, LEGALLY RECOGNIZED PARCEL

A "separate, legally recognized parcel" means a parcel of land, which is described in a legal description separate from the benefited parcel and which was created in compliance with applicable law.

2-41 SEPTIC TANK

A watertight receptacle used for the purpose of receiving all sewage and so designed as to permit the collection of solids from such wastes and to permit such retained solids to undergo decomposition therein.

2-42 SEPTIC TANK MARKER

The term "septic tank marker" means a device to mark the location of the effluent inspection port of the septic tank.

2-43 SEPTIC TANK RISER

The term "septic tank riser" means a device that is connected to a septic tank, extends to ground surface and has a cover or lid which prevents unauthorized access. Risers present a means to readily locate and provide access for inspection and routine maintenance of a septic tank.

2-44 SEWAGE

The liquid waste from all habitable buildings, as well as human excreta, as well as wastes from toilets, urinals, sinks, laundries, shower baths, bath tubs, dishwashers, garbage grinders, and septic tank overflow or effluent and any other liquid waste of organic or chemical nature, either singularly or in any combination.

2-45 SEWAGE TREATMENT AND DISPOSAL FACILITIES

Those devices used in the treatment and disposal of sewage, including but not limited to, a privy, seepage pit, dry well, block trench, sewer line, septic tank, absorption field, trench, or bed.

2-46 SEWAGE TREATMENT AND DISPOSAL SYSTEM

The term "sewage treatment and disposal system" shall mean the method of disposing of sewage by means of a sewer line connected to a septic tank or aerobic tank and one or more of the following: dry well, seepage pit, block trench, absorption field, trench or bed or any other similar device or devices approved by the Health Officer.

2-47 SEWAGE (EFFLUENT) FILTER

A device intended to filter suspended solids from septic tank effluent prior to conveyance to a soil absorption field.

2-48 SEWER LINE

Any watertight pipe or conduit used for the conveying of sewage.

2-49 SOIL PERMEABILITY

The measure of the rate at which liquid (typically water) passes in one direction through soil under saturated conditions.

2-50 STREAM

A stream is a natural or artificial body of water that has definite banks, a bed, and visible evidence of a flow of water.

2-51 SUCCESSOR BUILDING

Any premise that replaces a premise that during construction, remodeling or renovation activities and which becomes uninhabitable for any amount of time or is greater than fifty (50) percent replaced.

2-52 SURFACE WATER

The term "surface water" means any of the following: the Great Lakes and their connecting waterways, inland lakes, rivers, streams, ponds and areas that present standing water.

2-53 TOE OF MOUND

The perimeter of a mound where it's fill material and cover meets the natural ground surface.

2-54 WATER SUPPLY

"Water supply" means a system of pipes and structures through which water is obtained, including, but not limited to, the source of the water, such as wells, surface water intakes, or hauled water storage tanks, and pumping and treatment equipment, storage tanks, pipes and appurtenances, or a combination thereof, used or intended to furnish water for domestic or consumer use.

2-55 WATER TABLE

The highest elevation in the soil where all voids are filled or have been filled with water, as may be indicated by a free water surface or soil mottling or other information.

2-56 WELL

“Well” means an opening in the surface of the earth for the purpose of removing groundwater for domestic use, irrigation well, recharge well, waste disposal well or a well used temporarily for dewatering purposes during construction.

ARTICLE III LAND DIVISIONS, SUBDIVISIONS AND CONDOMINIUM DEVELOPMENTS

3-1 REQUIREMENTS

A permit or approval of a parcel less than one acre, a proposed platted subdivision development or a proposed condominium development, where the development is not served by a publicly operated water supply system and public sanitary sewer system, shall be issued if the requirements of this code have been met.

3-2 DEVELOPMENT PROPOSALS

Developments which propose the use of individual water supply and/or sewage treatment and disposal systems, privately owned public water supply and/or privately owned community wastewater treatment and disposal systems or the use of existing water supply and/or sewage treatment and disposal systems shall be submitted to the Health Officer for review and approval. A licensed professional engineer or licensed land surveyor shall prepare and submit for review a development report and supporting documentation regarding the suitability of the site for the proposed use.

The licensed professional engineer or licensed land surveyor shall submit a certification of suitability of the site for the proposed use in regards to the installation of or use of existing water supplies and/or sewage treatment and disposal systems through the submittal of a narrative outlining his/her findings and conclusions which support his/her certification of suitability.

Four copies of the site report, site development plan and supporting documentation shall be submitted to the Health Officer and shall include but not be limited to the following:

- A. A narrative statement and site development plan that articulates and conveys the proposed use, size and arrangement of units and/or lots.
- B. Indicate all areas in excess of twelve (12) percent slope. Also, show all natural drainage areas and structures.
- C. A site development plan in a scale not to exceed 1":60'.
- B. In the case of waterfront property indicate high water elevations and two (2) foot vertical contour intervals if ground water table is within sixty inches (60") of the natural ground surface.
- D. Show maximum high ground water table where such is within sixty inches (60") of the natural ground surface.
- E. The location and results of soil evaluations using procedures acceptable to the Health Agency.
- F. For developments proposing to utilize individual or privately owned public water supplies, information which demonstrates the availability of ground water that is of acceptable quality and quantity in a formation which is adequately protected with respect to potential sources of contamination must be provided.
- G. The proposed name of the development.

- H. Location as to Section Number, Town, Range, Township and County.
- I. The name and address of the owner, proprietor and applicant.
- J. North point, date, street names, unit and/or lot and development dimensions.
- K. Typical layout of the single family dwelling and facilities for each individual unit and/or lot. If the proposed use of units and/or lots will be for other than single family residences, the use and location shall be indicated and a typical layout showing building and facility locations provided for each unit and/or lot so used.
- L. Existing and proposed contours where site modifications are proposed. Site modifications shall be shown in two (2) foot vertical contour intervals.
- M. Existing and proposed utility easements.
- N. Location of existing structures, wells and sewage treatment and disposal systems.
- O. Location of lakes, rivers, streams or other surface waters or where conditions of ponding or flooding are known to occur and where such conditions may be in conflict with the development of safe and adequate systems for water supply and sewage treatment and disposal systems.
- P. Any potential sources of contamination of proposed water supplies for the project.
- Q. The location of water supplies used to determine water supply suitability relative to development location.
- R. The signature and seal of the licensed professional engineer or licensed land surveyor preparing the report.
- S. Other information as deemed necessary by the Health Agency to demonstrate site suitability.

3-3 ENVIRONMENTAL APPROVAL

A development plan shall be approved when conditions noted in the site report, supporting documentation and certification of suitability or when the unit and/or lot size or arrangement of units and/or lots have been demonstrated to meet the requirements of this code. The review of the development plan shall take into account the anticipated use to be made of any unit, lot or division of land.

The Health Officer shall review the information submitted and determine if the information is accurate, representative and adequately supports the certification of suitability. If the Health Officer determines the development plan, supporting documentation and certification of suitability adequately demonstrates that the proposed development meets the requirements of this code and all state statutory requirements or administrative rules, then he shall send to the municipal corporation an approval of environmental suitability.

3-4 DEED RESTRICTIONS, RESTRICTIVE COVENANTS AND ADVISORIES

The agency may require, as a condition of approval, that the owner record deed restrictions, restrictive covenants and/or advisories for the protection of the public health, safety and welfare and the environment.

3-5 FINAL APPROVAL

Final approval of a development which proposes the use of individual water supply and/or sewage treatment and disposal systems, privately owned public water supply and/or privately owned community wastewater treatment and disposal systems or the use of existing water supply and/or sewage treatment and disposal systems shall not be granted approval until the conditions and/or restrictions for approval have been made

4-5 TERM OF PERMITS

Any construction permit issued pursuant to the requirements of the preceding sections shall be valid for the term of twenty-four (24) months from the date of issuance, unless revoked as provided in the following.

Any operation permit issued pursuant to the requirements of the preceding sections shall be valid for the term of up to thirty-six (36) months from the date of issuance and expiring on December 31st of the third calendar year, unless revoked as provided in the following.

4-6 PERMIT ON-SITE

A copy of the signed construction permit must be at the site of a proposed or existing residence for which the construction permit was issued, during the construction of and until the final inspection has resulted in an approval by the Health Officer of the sewage treatment and disposal system.

4-7 CHANGES AND REVISIONS

No changes shall be made in the approved plans without the written consent of the Health Agency and the property owner or the property owner's authorized agent. A revision in development plans, constructing or installing sewage treatment and disposal facilities inconsistent with the permit or a change in site conditions, from those upon which the approval was based, will require an application for a new permit, and all sections of this code pertaining to new permits will then apply.

4-8 CRITERIA FOR CONSTRUCTION PERMIT APPROVAL – CONVENTIONAL SUBSURFACE SEWAGE TREATMENT AND DISPOSAL SYSTEM

A conventional subsurface sewage treatment and disposal system may be permitted at a site where all of the following site characteristics or conditions exist:

- A. A publicly operated sewage system is not available.
- B. The property served includes sufficient area for the minimum isolation distances required in Table 5-6.
- C. The soil permeability rate is sixty (60) minutes per inch or more rapidly permeable.
- D. The maximum high groundwater level is greater than sixty inches (60") below the natural ground surface. A vertical separation of forty-eight inches (48") shall be provided between the infiltrative surface of subsurface soil absorption system and maximum high groundwater elevation.
- E. In the case of property adjoining surface water, the natural ground surface is greater than sixty inches (60") above the ordinary high water mark.
- F. Bedrock or impervious soil stratum is not within seventy-two inches (72") of the natural ground surface.
- G. The natural ground slope does not exceed twelve (12) percent.

4-9 CRITERIA FOR CONSTRUCTION PERMIT APPROVAL -- ELEVATED ABSORPTION FIELD (MOUND)

An elevated absorption field (mound) may be permitted at a site where all of the following conditions are met:

- A. A publicly operated sewage system is not available.
- B. Suitable area meeting the requirements of Section 4-8 of this Article is not available on the site.
- C. A remote location to which sewage may be pumped meeting the requirements of Section 4-8 of this

Article is not available.

- D. The minimum horizontal isolation distances required in Table 5-6 can be provided.
- E. The soil permeability rate is sixty (60) minutes per inch or more rapidly permeable.
- F. The maximum high groundwater elevation is greater than twenty-four inches (24") from the natural ground surface. A vertical separation of forty-eight inches (48") shall be provided between the infiltrative surface of soil absorption system and maximum high groundwater elevation.
- G. In the case of property adjoining surface water, the natural ground surface is greater than twenty-four inches (24") above the ordinary high water mark.
- H. Bedrock or impervious soil stratum is not within forty-eight inches (48") of the natural ground surface.
- I. The natural ground slope does not exceed twelve (12) percent.
- J. The natural ground slope does not exceed six (6) percent at a site where the soil permeability rate is thirty (30) minutes per inch or less rapidly permeable.
- K. Peat, muck, or marl is not within sixty inches (60") of the natural ground surface.
- L. The site is not subject to flooding.

4-10 CRITERIA FOR CONSTRUCTION PERMIT APPROVAL – ADVANCED TREATMENT SYSTEM (ATS)

An Advanced Treatment System shall be permitted where the applicant has provided competent, material and substantive evidence which allows the Health Agency to find that all of the following standards have been met and all of the following required information has been provided:

- A. A publicly operated sewage system is not available.
- B. Suitable area meeting the requirements of Section 4-8 of this Article is not available on the site.
- C. A remote location to which sewage may be pumped meeting the requirements of Section 4-8 of this Article is not available.
- D. The minimum horizontal isolation distances required in Table 5-6 can be provided.
- E. The disposal location for effluent from an ATS shall be located a minimum of 100 feet from surface water. Where the ordinary high water mark of the body of water can or has been determined, the effluent disposal location shall be measured from that point.
- F. The soil permeability is sixty (60) minutes per inch or more rapidly permeable.
- G. The ATS Unit is NSF/ANSI 40, Class I-2005 certified for residential wastewater treatment systems.
- H. The proposed ATS is capable of producing effluent with:
 - a. For discharges further than 150 feet from a surface water body:
 - i. Biological Oxygen Demand (BOD₅) less than or equal to 30 mg/L
 - ii. Total Suspended Solids (TSS) less than or equal to 30 mg/L
 - iii. Total Inorganic Nitrogen (TIN) less than or equal to 30 mg/L
 - b. For discharges within 150 feet from a surface water body:
 - i. Biological Oxygen Demand (BOD₅) less than or equal to 30 mg/L

- ii. Total Suspended Solids (TSS) less than or equal to 30 mg/L
 - iii. Total Inorganic Nitrogen (TIN) less than or equal to 30 mg/L
 - iv. Total Phosphorous (TP) less than or equal to 5 mg/L
- I. The maximum high groundwater elevation is greater than eighteen inches (18") from the natural ground surface. A vertical separation of thirty-six inches (36") shall be provided between the infiltrative surface of soil absorption system and maximum high groundwater elevation.
 - J. In the case of property adjoining surface water, the natural ground surface is greater than twenty-four (24") above the known high water mark or greater than twenty-four inches (24") above the ordinary high water mark of Lake Michigan.
 - K. Bedrock or impervious soil stratum is not within twenty-four inches (24") of the natural ground surface.
 - L. The natural ground slope does not exceed twelve (12) percent.
 - M. The natural ground slope does not exceed six (6) percent at a site where the soil permeability rate is thirty (30) minutes per inch or less rapidly permeable.
 - N. Peat, muck, or marl is not within sixty inches (60") of the natural ground surface.
 - O. The site is not subject to flooding. A wetland determination may be required prior to issuance of a construction permit.
 - P. The applicant shall provide the Health Agency with the maintenance specifications of the manufacturer and the maintenance specifications of the engineer for the entire ATS.
 - Q. The applicant shall provide the Health Agency with a notarized copy of a Notice of Advanced Treatment System that has been recorded with the Register of Deeds in the county in which the premises is located and which contains the page and liber numbers of the recordation.
 - R. An approved operation permit is acquired for the proposed Advanced Treatment System (ATS).

4-11 CONSTRUCTION PERMIT ISSUANCE

If the proposed construction meets the requirements of this code, a construction permit shall be issued by the Health Agency.

4-12 MAINTENANCE CONTRACTS – ADVANCED TREATMENT SYSTEM (ATS)

A maintenance contract shall be submitted to this Health Agency for approval and is required prior to issuance of the operation permit for an Advanced Treatment System (ATS). At a minimum the maintenance contract shall provide that:

- A. The ATS shall be inspected and the effluent sampled /evaluated not less than twice annually by a maintenance contractor who shall be a licensed professional engineer, State of Michigan or nationally registered sanitarian in private practice or a certified ATS inspector. The maintenance provider's license, registration, or certification must be current and in good standing.
- B. The maintenance contractor shall provide the Health Agency with a proposed operation and maintenance schedule for review.
- C. The ATS system must have the capabilities for offsite remote monitoring 24 hours a day, 7 days a week by the manufacturer, distributor and/or maintenance provider.

- D. The first operation and maintenance inspection shall be conducted thirty (30) to ninety (90) days of ATS start-up.
- E. The inspection(s) and any regular maintenance required by the manufacturer, design engineer and operation permit shall be prepaid for three (3) years.
- F. The semi-annual inspection shall determine and inspection report shall describe whether the ATS:
 - i. Is functioning in compliance with the standards of section 4-10(H.) and include all analytical testing which has been done to make this determination.
 - ii. Continues to be compliance with the maintenance specifications of the manufacturer.
 - iii. Continues to be compliance with the maintenance specifications of the engineer for the ATS.
 - iv. Continues to be compliance with conditions imposed by all permits issued by the Health Agency
 - v. The ATS is performing in the manner in which it was approved.
- G. The inspection report must include a description of all maintenance performed on the ATS or any of its components since the last inspection report.
- H. The maintenance contract must be assignable to subsequent owners of the premises, which is equipped with the ATS.
- I. The maintenance contractor acknowledges the obligation to notify the Health Agency of a discontinuation of services as required by Section 4-13.
- J. An inspection report shall be submitted to the Health Agency and the property owner within thirty (30) days of any inspections required by the Health Agency.
- K. The Health Agency, as deemed necessary, may require additional inspections and inspection parameters.

4-13 TERMINATION OF MAINTENANCE CONTRACT – ADVANCED TREATMENT SYSTEM (ATS)

The property owner and maintenance contractor shall notify the Health Agency within thirty (30) days if for any reason the services required by the maintenance contract are no longer being performed.

4-14 CRITERIA FOR OPERATION PERMIT APPROVAL –ADVANCED TREATMENT SYSTEM (ATS)

An operation permit shall be issued by the Health Agency if the applicant has provided competent, material and substantive evidence which allows the Health Agency to find that all of the following standards have been met:

- A. The ATS is functioning in compliance with the standards of section 4-10(H.) based on analytical analysis and field observations of the ATS and its effluent.
- B. The ATS continues to be in compliance with the maintenance specifications of the manufacturer.
- C. The ATS continues to be in compliance with the operation and maintenance specifications established by the design engineer.
- D. The property owner has a valid maintenance contract in effect as required by this code.
- E. The ATS and property owner continue to be in compliance with conditions of any permits issued by the Health Agency and the Michigan Public Health Code.

An operation permit shall be valid only as long as the ATS remains in compliance with the requirements and restrictions stated on construction and operation permits as well as the performance standards outlined in 4-10(H.).

4-15 FAILURE OF AN ADVANCED TREATMENT SYSTEM (ATS)

If the ATS fails to meet the standards in Section 4-10(H.), any provision of the maintenance contract or a condition of the construction permit or operation permit, the owner shall immediately notify the Health Officer of the failure and, at his or her sole expense, immediately take action to identify and correct the cause(s) of the failure. Corrections and additional effluent sampling shall be conducted to demonstrate compliance with Section 4-10(H.) without endangerment to public health or the environment.

Where the cause of failure cannot be corrected within a one-month period, the owner shall enter into an agreement approved by the Health Officer to provide for the proper disposal of septage generated on the property. The Health Officer shall approve such an agreement if it provides, in a timely manner, for the lawful disposal of septage by a State of Michigan licensed septage hauler until such time as the ATS can operate as required by the operation permit.

4-16 INSPECTIONS AND APPROVAL— ALL SEWAGE TREATMENT AND DISPOSAL SYSTEMS AND FACILITIES

The Health Officer shall make such inspections at the site as the Health Officer deems necessary. The owner or the owner's agent shall notify the Health Officer when the project is ready for inspection. Notification must be provided a minimum of two (2) working days or forty-eight (48) hours prior to anticipated system completion and desired final inspection by the Health Officer.

The system must be left in a condition that allows for proper inspection and may not be put into use prior to an inspection and approval by the Health Officer, except with the permission of the Health Officer and submittal of a sewage treatment and disposal system affidavit.

Engineered systems shall be inspected by the design engineer and an affidavit with an "as-built" drawing shall be submitted to the Health Agency within five (5) working days.

4-17 INSPECTIONS AND APPROVAL— ELEVATED ABSORPTION SYSTEMS (MOUNDS)

For elevated absorption (mound) systems, the following inspections shall be performed by a licensed professional engineer and the engineer shall certify the inspection on a form provided by the Health Agency:

- A. A licensed professional engineer shall inspect the site immediately prior to, during and after fill placement. The engineer shall establish site benchmarks and inspect for and certify that:
 1. The site was properly scarified prior to fill placement.
 2. There was no significant compacting or smearing of the infiltrative surface.
 3. Acceptable fill material is used.
 4. Such fill is properly placed.
- B. The Health Officer and a licensed professional engineer shall inspect the site after installation of the distribution piping but prior to final cover and shall observe the system perform during a dosing cycle. The Health Officer and a licensed professional engineer shall inspect for and certify that:
 1. The system is properly constructed and the dosing pump is of adequate size.
 2. That the system is adequately and uniformly distributing the liquid.
- C. A licensed professional engineer shall inspect the site when installation is completed. The engineer shall inspect for and certify that:

1. The elevated absorption field has been properly covered and graded.
 2. The surface perimeter of the elevated absorption field has been stabilized to prevent erosion.
- D. Health Officer shall make such additional inspections at the site as the Health Officer deems necessary.

In no event shall the system be deemed an "adequate" facility for the treatment and disposal of sewage under Section 4-1 until the required inspections and certifications are satisfactorily completed and submitted to the Health Agency. Inspection by a licensed professional engineer shall be at the expense of the occupant, applicant, owner, or agent. An inspection and certification by a private, registered sanitarian shall be acceptable in place of inspection and certification by a licensed professional engineer as required by this Section.

4-18 INSPECTIONS – ADVANCED TREATMENT SYSTEMS (ATS)

For Advanced Treatment Systems, the following inspections shall be performed by a licensed professional engineer and the engineer shall certify the inspection on a form provided by the Health Agency:

- A. A licensed professional engineer shall inspect the advanced treatment unit or facility immediately prior to, during and after installation and certify that:
1. The advanced treatment unit or facility is installed according to the engineered site plan.
 2. The advanced treatment system is installed in compliance with the ATS construction permit and all conditions.
 3. All system components and appurtenances are installed correctly.
 4. Advanced treatment unit or facility is in good working condition, functioning properly and meets all manufacturer design parameters.

If an elevated absorption field (mound) is to be used as part of the sewage treatment and disposal system, all of the requirements of Section 4-17 INSPECTIONS AND APPROVAL – ELEVATED ABSORPTION SYSTEMS (MOUNDS) must be met.

4-19 CONDEMNATION OF EXISTING INSTALLATIONS

The Health Officer may condemn an existing sewage treatment and disposal system, where the effluent therefrom is exposed to the surface of the ground or is permitted to drain onto the surface of the ground or into any lake, river, storm sewer or stream, or where the seepage of effluent may endanger a public or private water supply or where a public nuisance is created by a system improperly constructed or maintained. An individual sewage treatment and disposal system so condemned shall be repaired, rebuilt, or replaced by a system constructed according to provisions of this code within a period of time specified by the Health Officer.

4-20 SUCCESSOR BUILDINGS

A building or mobile home using an existing sewage treatment and disposal system may be replaced or succeeded by a building or mobile home which may use the same treatment and disposal system provided approval of the Health Officer is first obtained and the system is deemed adequate for the replacement building in terms of the stated requirements of this code.

4-21 CHANGE OF USE

Any change in use of an existing building or sewage treatment and disposal system shall require approval of the Health Officer as to the adequacy of the sewage treatment and disposal system in terms of the stated requirements of this code.

ARTICLE V

REQUIREMENTS FOR CONSTRUCTION OF INDIVIDUAL SEWAGE TREATMENT AND DISPOSAL SYSTEMS

5-1 DESIGN CRITERIA

The standards herein shall be the minimum design criteria and shall apply to sewage treatment and disposal systems for single family dwellings and duplexes.

For systems serving other establishments, including multiple dwellings, and public or semi-public buildings such as apartments, condominiums, motels, restaurants, gasoline service stations and the like, design specifications found in the "Manual of Septic Tank Practice", U.S. Public Health Services publication number 526; in the "Design Manual; Onsite Wastewater Treatment and Disposal Systems", U.S. EPA Report number EPA 625/R-00/008 (February 2002); and in the "Michigan Criteria for Subsurface Sewage Disposal, (April 1994) of the Michigan Department of Public Health will apply as a guide and provide appropriate design standards.

For all sewage treatment and disposal systems, plans and specifications shall be submitted. If the plans and specifications meet the requirements of this code and any applicable state statutes and rules, a permit shall be issued by the Health Agency.

5-2 SEPTIC TANKS

Design and construction of septic tanks shall be subject to the approval of the Health Officer prior to construction or installation. In general, the design specifications found in *Residential Wastewater Systems*, National Association of Home Builders of the United States, 1980, as revised, or the *EPA Design Manual* shall apply as guidelines.

The minimum liquid capacity of a septic tank serving a single dwelling shall be 1,000 gallons for a dwelling having three (3) bedrooms or less, and 250 additional gallons for each additional bedroom in excess of three (3).

A septic tank owner or his agent shall regularly inspect the tank and shall arrange for the removal and safe disposal of the contents of the tank whenever the top of the sludge layer is within twelve (12) inches below the bottom of the outlet baffle, or whenever the scum layer is within three (3) inches above the bottom of the outlet baffle.

5-3 SEPTIC TANK RISERS

Each septic tank installed, where the top of the tank is greater than eighteen inches (18") below finished grade, shall have a septic tank riser installed and terminated at finished grade. Septic tank risers shall be installed to provide access for routine maintenance, minimize odors and to prevent unauthorized and unsupervised entry.

5-4 SEPTIC TANK MARKERS

Septic tank markers shall be used to identify the outlet baffle of the septic tank when a riser is not used or necessary.

5-5 SEWAGE (EFFLUENT) FILTERS

Each septic system installed shall be equipped with a sewage (effluent) filter in the outlet baffle of the septic tank or in the discharge line of a pump system. If multiple tanks are installed, the filter shall be installed in the last tank.

5-6 HORIZONTAL ISOLATION REQUIREMENTS

The components of a sewage treatment and disposal system shall be located not closer than the following horizontal distances away from the item named:

**TABLE 5-6 MINIMUM HORIZONTAL ISOLATION DISTANCES
(FEET TO SEWAGE TREATMENT AND DISPOSAL SYSTEM COMPONENT)**

FROM	Absorption Field	Toe of Mound	Sewers ¹	Sewers ²	Septic Tank ³
Wells ⁴ or Suction Lines	50	50	10	50	50
Pressure Water Line (buried)	10	10	10	10	10
Property Line	10	10	10	10	10
Foundation Wall	10	10	NA	5	5
Grade Drop-Off	20	20	5	10	10
Lake, Stream or Surface Water ⁵	100	175 (100 ⁶)	10	50	50

¹Cast Iron, Schedule 40 PVC (plastic) or equivalent. ²Other materials, including force main. ³Includes pump and dosing chambers. ⁴Applies to individual residential water supply wells, for Type II A or B, and Type III water supplies refer to Act 399, P.A. 1978. ⁵In the case of Lake Michigan or connected water bodies, isolation shall be measured from the Ordinary High Water Mark as defined in Article II. In the case of other lakes or streams, isolation shall be measured from the known high water mark. ⁶Minimum horizontal isolation for Advanced Treatment Systems.

5-7 FINAL TREATMENT AND DISPOSAL

Final treatment and disposal of all septic tank effluent shall be by means of application to the soil below an absorption field. The absorption field piping may flow by gravity, dosing or low pressure. The design, construction and materials of absorption fields shall be subject to the prior approval of the Health Officer.

5-8 ABSORPTION FIELD AREA

A new absorption field shall provide bottom area for a minimum of two (2) bedrooms. An absorption field, trench or bed shall provide not less than the following basal areas for each bedroom served:

**TABLE 5-8 MINIMUM SOIL ABSORPTION FEILD BOTTOM AREA
(SQUARE FEET PER BEDROOM)**

SOIL PERMEABILITY Min. Per Inch	SOIL TYPE	TRENCH AREA REQUIRED	BED AREA REQUIRED
> 6	Course to Medium Sand	125	250
6 to 10	Fine Sand	165	330
10 to 12	Loamy Sand	190	380
12 to 30	Sandy Loam	250	500
30 to 45 ++	Sandy Clay Loam	300	Not Suitable
40 to 60++	Loam, Silt Loam	330	Not Suitable
60++	Clay Loam, Silty Clay Loam Silty Clay, Clay	Not Suitable	Not Suitable

++ soils can have varying amounts of sand, silt and clay and therefore can have a wide range of

permeabilities. Some soil types may exceed permeabilities listed.

Soil determinations and percolation rates are to be based on field evaluations. However, when percolation tests are conducted, the procedure for percolation tests outlined in the "Michigan Criteria for Subsurface Sewage Disposal" (April, 1994) shall be followed.

5-9 ABSORPTION TRENCHES

An absorption trench shall have one (1) distribution pipe centered in the trench width. Trench spacing shall be not less than as follows:

TABLE 5-9 MINIMUM SPACING OF ABSORPTION FIELD TRENCHES

TRENCH BOTTOM Width (Inches)	MINIMUM SPACING Center to Center (Feet)
18 to 24	6.5
24 to 30	7.0
30 to 36	7.5

5-10 ABSORPTION BEDS

An absorption bed shall have two (2) or more parallel distribution pipes. The outermost pipes shall be located not closer than six (6) inches and not further than two (2) feet from the bed side wall. The maximum spacing center to center of distribution pipes shall be four (4) feet for gravity flow and five (5) feet for low pressure distribution.

The following additional requirements shall apply to trenches and beds:

TABLE 5-10 TRENCH AND BED CONSTRUCTION DETAILS

ITEM	MAXIMUM	MINIMUM
Number of trenches	----	2
Length of single lateral pipe (feet)	100	----
Width of trench (inches)	36	18
Trench or bed bottom below finished grade (inches)	30	----
Depth of aggregate below laterals (inches)	----	6
Depth of aggregate above laterals (inches)	----	2
Total depth of aggregate	----	12
Below pipe within root area of trees	----	12
Size of Aggregate ¹ (inches)	1 ½	1/2
Slope of trench or bed bottom	Level	Level
Slope of gravity flow pipe (inches per foot)	2	1/8
Diameter of gravity flow pipe (inches)	----	4

¹Clean washed stone

5-11 FILTER FABRIC

Filter (geotextile) fabric is required for all soil absorption systems at the interface between the top of the drainfield aggregate and the final disposal field soil cover. Filter fabric must be a non-woven fabric with a weight not to exceed 2.0 oz. per square yard.

5-12 PUMPING

Where site conditions require, septic effluent may be pumped to the absorption field. Pumping shall be from a separate chamber downstream from the septic tank. Pumping capacity shall be sufficient to deliver the required flow against static head and pipe friction.

The 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 be provided with a septic tank riser. Design and construction of pump chambers shall be subject to the prior approval of the Health Officer. Force mains shall be adequately protected against freezing.

5-13 DOSING

A sewage treatment and disposal system may include provisions for dosing the absorption field. When dosing is employed, the frequency shall be suitable for the absorption field soil texture, and the dosing volume shall be compatible with the distribution pipe volume.

5-14 LOW PRESSURE DISTRIBUTION

When effluent is applied by means of low pressure distribution piping, the distribution network and its perforations (orifices) shall be sized to provide acceptably uniform application rates when lateral pipe friction is considered. As a guide, the calculated application flow rates should not differ by more than ten (10) percent in the orifices of a single lateral pipe, nor by more than fifteen (15) percent in the orifices of all the lateral pipes.

The minimum inside diameter of low pressure distribution piping shall be one (1) inch and the minimum diameter of pipe perforations shall be one quarter (1/4) inch. Orifice shields shall be utilized to uniformly distribute septic tank effluent and to prevent orifice obstruction. The design of a low pressure distribution system shall be in accordance with generally accepted engineering practices.

5-15 ELEVATED ABSORPTION SYSTEM (MOUND)

An elevated absorption field (mound) shall be subject to all applicable requirements stated elsewhere in Article V, and to the following additional requirements:

- A. Preferred location shall be on level ground or at the crest of slopes. In any location, adequate means for diverting surface run-off shall be provided.
- B. An elevated absorption field on sloping ground shall have its longer dimension across the slope. Vertical requirements for isolation from water or unsuitable soils shall be measured at the up-slope edge or corner of the field.
- C. The ground below a mound shall be free of brush, stumps, and long grasses. The natural soil shall be scarified in a manner which provides good interface with the sand fill, but which does not compact or otherwise alter the soil structure. Plowing to eight (8) inches deep is an acceptable method. Rototilling is not. On sloping ground, furrows shall be made to lie across the slope. Site preparation shall not proceed when unusual moisture content has made the soil vulnerable to smearing or compacting.
- D. Mound fill material shall be subject to the prior approval of the Health Officer. Before the absorption aggregate is placed, the fill material shall be compacted sufficiently to insure against future settlement and loss of vertical isolation distance.

The depth of the fill shall be adequate to maintain four (4) feet of vertical separation from the infiltrative surface of the bed to the following:

1. Maximum high ground water level.

2. Ordinary high water mark of an adjoining lake or stream.
 3. Pervious or fractured rock.
 4. Impervious soil or rock.
- E. The absorption field area shall be as required in Table 5-8 for the fill material used. The preferred shape for a bed is long and narrow.
 - F. The base of the fill material at the natural soil (i.e., toe of mound) shall have an area which equals or exceeds the area required in Table 5-8 for the natural soil type in the column for bed bottom. On a sloping site, only the area directly below the absorption field and downslope to the toe of the mound may be considered as contributing to the required area.
 - G. Effluent shall be distributed by means of low-pressure distribution piping. Distribution piping shall be provided with a means to clean and maintain the distribution network (clean-outs, lateral sweeps etc.)
 - H. Perimeter fill material must extend from the final finished grade and extend in all directions from the absorption field in a 3:1 slope.
 - I. The covering material above the absorption field shall be loamy sand or sandy loam in texture at least six (6) inches deep at the sides and twelve (12) inches deep at the center of the field. In addition, the entire mound shall have at least six (6) inches of topsoil cover, and shall have grass cover established and maintained to prevent soil erosion.
 - J. An elevated absorption system shall be designed by a licensed professional engineer. The plans and specifications shall be in accordance with generally accepted engineering practices and shall bear the engineers stamp or seal.

5-16 ALTERNATIVE METHODS

An alternative method of sewage treatment and disposal may be approved by the Health Officer if it provides equal or better treatment of sewage than the methods provided in this code.

5-17 PRIVIES AND OTHER TOILET DEVICES

All privies and other toilet devices shall be constructed and maintained in accordance with Act 273, of the Public Acts of 1939 and the regulations adopted by the state Council of Health June 6, 1940, as last revised on July 20, 1946, entitled: "A Regulation Pertaining to the Construction and Maintenance of Outhouses and to Safeguard the Public Health by Preventing the Spread of Disease and the Existence of Sources of Contamination."

5-18 SEWAGE TREATMENT AND DISPOSAL SYSTEM EASEMENTS

Any sewage disposal and treatment system that requires the use of a legally-recognized parcel of land other than the premises where the sewage is generated (called the "off-site parcel") for any portion of the sewage disposal and treatment system must be in compliance with the following.

- A. If the applicant will place any portion of the sewage disposal system on a separate, legally recognized parcel, then an easement must be prepared and recorded in accordance with this section. A third party must have ownership of the burdened land. If the parcels are owned by the applicant, then the applicant shall comply with section 5-18(D).
- B. The easement shall be in a recordable form approved by the Health Agency. The Health Agency shall determine whether the form of the easement meets this code, whether the easement document is ambiguous and the easement document is legally binding.

- C. In addition to the application fee and prior to a decision on the application, the applicant shall reimburse the Health Agency for all attorney fees incurred by the Health Agency related to legal review of the easement. The Health Agency will seek such legal review only when it has a good faith question regarding the form, completeness, or legality of the easement. The Health Agency shall set and revise the application fee as needed to cover the Health Agency's estimated costs in processing an application.
- D. If the applicant will place any portion of the sewage disposal system on a separate, legally recognized parcel that is also owned by the applicant, then the applicant shall have prepared and sign an affidavit in a form approved by the Health Agency that contains at a minimum the legal descriptions of the burdened land and the benefited parcel; the names of all owners; the existence of the portion of the sewage disposal system that is located on the burdened parcel; and a statement that, at the time of separation of the common ownership of the benefited and burdened parcels, an easement document must be prepared and recorded with the County Register of Deeds as required by this regulation and the terms of the septic permit that is located on the benefited parcel.

If a septic permit is issued for a sewage disposal system and any portion of that sewage disposal system will be located on a separate, legally recognized parcel that is also owned by the applicant, then it shall be a condition of the permit that the applicant prepare and record the affidavit described above and, in addition, that an easement be created and recorded as required by this code if the common ownership of the benefited and burdened parcels is terminated.

- E. For purposes of maintenance and repair of the sewage disposal system, the easement shall include an area which is at least 10 feet from any portion of any component of the sewage disposal system.
- F. Plans must be submitted for a drain field that will be located on burdened land. Plans shall include a survey that shows the boundaries of the burdened land and the location of the drain field. The survey shall be certified by a registered land surveyor within sixty (60) days of the date of the submission to the Health Agency of the application for the sewage disposal system permit.
- G. If the easement is in a form which has not been pre-approved by the Health Agency, then, in addition to the requirements that are specified in section 5-18(B), the easement document must include the legal description of the easement; the legal descriptions of the burdened land and the benefited parcel; the purpose or land use of the buildings being served by the septic system (for example, single family residential or commercial), the maximum effluent burden which can be placed on the burdened land (for example, a drain field for a three-bedroom house); that there may be no increase in the effluent discharge on the burdened land without an easement amendment which has been approved by the Health Agency and the owner of the burdened land will run with the benefited and burdened parcels.
- H. The Health Agency shall require written evidence that all requirements of these regulations have been met.
- I. The Health Agency shall require proof that all documents which must be in recordable form have been recorded with the County Register of Deeds prior to the issuance of the sewage disposal system permit.
- J. The sewage disposal system shall meet all requirements of this code.
- K. An operation permit must be obtained from the Health Agency for any sewage disposal system requiring an easement. The operation permit shall allow the use of off-site or remote disposal of residential or commercial wastewater for a maximum of three (3) years from the time of permit issuance.

A new operation permit must be obtained every three (3) years for as long as the easement is used in conjunction with a benefited parcel for the purposes of sewage conveyance and disposal and also when there is any change in use of the benefited parcel.

A complete application for an operation permit for an off-site system shall consist of an Health Agency-approved application form which contains all specified information so that the Health Agency can make a determination regarding whether the standards for the issuance of the operation permit have been met. An application that is not complete shall not be approved.

- L. An operation permit shall be issued by the Health Agency if the applicant has provided competent, material and substantial evidence which allows the Health Agency to find that all of the following standards have been met:
1. Risers are secure and watertight.
 2. Effluent filters are clean and functional.
 3. All pumps, floats and alarms are functioning properly.
 4. Adequate pressure exists to provide for proper conveyance and uniform distribution of wastewater to the final disposal area.
 5. No evidence of failure of any component of the system or observance of sewage on the ground surface exists.

The Health Agency may impose operation permit conditions that are designed to promote compliance with the standards listed above as part of the issuance of an operation permit. An operation permit shall be valid only as long as the sewage disposal system remains in compliance with the requirements and restrictions stated on construction and operation permits.

M. No person shall:

1. Use or occupy a premises on a benefited parcel when the sewage disposal system that serves the benefited parcel is not in compliance with these regulations, the operation permit or operation permit conditions.
2. Use or occupy a premises that is required by law to be served by a sewage disposal system when any portion of the sewage disposal system is located on 2 or more legally recognized parcels of land unless there is compliance with these regulations.

ARTICLE VI

WELLS AND WATER SUPPLIES

It is hereby recognized that supply of safe potable water is fundamental to individual, public, and community health; that water supply facilities installed and operated in a proper manner are necessary for safeguarding public health; that water supplies furnishing water for human consumption need to be isolated and protected from sewage or other sources of pollution; and that contamination of water resources and supplies, or the creation of conditions menacing the public health, should be prevented.

6-1 WATER SUPPLIES

All water supplies shall be located, constructed and maintained in accordance with the specifications outlined in Act 399, P.A. 1978 and Part 127 of Act 368, P.A. 1976 and administrative rules.

6-2 PERMIT REQUIRED

It shall be unlawful for any person to install a water supply within Antrim, Charlevoix or Otsego County unless a permit has been issued by the Health Officer

6-3 PERMIT APPLICATION

An application signed by the applicant, for a permit to install a water well shall be required for any installation. A plan of the proposed water well installation, with such data as the Health Officer may require shall be submitted on forms supplied by the Health Agency.

6-4 CRITERIA FOR PERMIT APPROVAL

The Health Officer shall have the right to deny a permit where one or more of the following conditions exist:

- A. An available public water supply exists.
- B. The property served lacks sufficient area to achieve the minimum isolation distances required in Table 6-8 and in applicable state law and regulations.
- C. The site is subject to ponding or flooding.
- D. No wastewater facilities are proposed, exist or are allowable on the site.

6-5 PERMIT ISSUANCE

If the proposed installation meets the requirements of this code, a permit shall be issued by the Health Agency.

6-6 INSPECTIONS

The Health Officer shall make such inspections at the site as he deems necessary.

6-7 DEVIATION FROM TERMS OF THE PERMIT

Failure to construct according to the terms of the permit shall be deemed a violation of these regulations for which the owner and/or installer shall be held liable. Such failure may result in the revocation of the permit and proper abandonment of the well.

6-8 ISOLATION DISTANCES

A private residential well shall be located not closer than the following horizontal distances away from the source of pollution named:

TABLE 6-8 MINIMUM HORIZONTAL ISOLATION DISTANCES

SOURCE OF POLLUTION	MINIMUM DISTANCE (FEET)
Septic Tank	50
Absorption Field	50
Building Sewer of Cast Iron, Schedule 40 PVC (plastic) or equivalent	10
Building Sewer of other materials, including force mains	50
Oil and Gas Wells	300
Other sources	50

Other water supply wells shall be isolated in accordance with state statutes and administrative rules.

6-9 CONTAMINATED WATER SUPPLIES

When at least two (2) consecutive samples of water from an existing well show coliform organisms present, such water supplies shall be considered contaminated. Consecutive samples shall mean those taken by the Health Officer at least seven (7) days apart.

Contaminated water supplies shall be repaired or replaced to meet the requirements of this code within a time

period specified by the Health Officer. Contaminated water supplies which, in the judgment of the Health Officer, represent an immediate health hazard shall be posted with suitable signs at each outlet, or the outlet shall be made inoperative.

6-10 ABANDONMENT OF WELLS

At the time a replacement water well is installed, an approved public water supply is connected to a premise or if an existing water well is no longer in use or becomes a potential threat to the public health or groundwater supply; the existing water well shall be plugged in accordance with the requirements outlined in Part 127, Act 368, of the Public Acts of 1978 and Administrative Rules as amended.

6-11 PUMP AND WELL ROOMS

A room housing pumping equipment or the top of a well casing shall be constructed above the established ground surface and shall permit access to the pump for maintenance or repair, or may be located below grade if the containing room is located in or attached to an approved basement. In certain specific locations, a below grade installation may be permitted if approved in writing by the Health Officer.

ARTICLE VII

PUBLIC HEALTH NUISANCES

7-1 HEALTH OFFICER

It shall be the duty of the Health Officer to investigate all nuisances, sources of filth, and potential sources of illness that may be injurious to the health of the inhabitants of Antrim, Charlevoix, or Otsego counties.

7-2 ABATEMENT

Whenever any nuisance, source of filth, or potential cause of illness shall be found, the Health Officer shall order the owner or occupant thereof to remove or abate same within a specified time, but such correction shall not be required in less than twenty-four (24) hours. Failure to comply with such an order shall be deemed a violation of this code.

ARTICLE VIII

GARBAGE AND RUBBISH

8-1 SCOPE

These regulations are intended to complement the requirements of Part 115 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, and the administrative rules promulgated pursuant to that Act.

8-2 ACCUMULATION OF GARBAGE

No person shall permit to accumulate upon his premise any garbage except in durable, covered containers of rodent proof, fly proof and watertight construction. Garbage containers shall not be filled to overflowing or permitted to become foul smelling or a breeding place for vermin or flies.

8-3 ACCUMULATION OF RUBBISH

No person shall permit to accumulate upon his premise any rubbish except in durable containers with close fitting covers, except that bulky rubbish such as tree limbs, weeds, large cardboard boxes, and the like, may be bundled and stored so as not to provide a harborage or breeding place for rodents.

8-4 DISPOSAL OF GARBAGE AND RUBBISH

Garbage and rubbish shall be disposed of in a manner which creates neither a nuisance nor a menace to health, and in accordance with the provisions of Part 115 of the Natural Resources and Environmental Protection Act, Public Act 451 of 1994, as amended, and the administrative rules promulgated pursuant to that Act.

An individual disposing of garbage and rubbish from his own household upon his own property shall do so in a manner that does not create a nuisance or hazard to public health. The disposal or accumulation of garbage or rubbish that may invite the breeding or collection of flies, mosquitoes, or rodents is prohibited.

ARTICLE IX

VARIANCES

9-1 VARIANCE – WHEN PERMITTED

- A. A variance from the requirements of this code is not permitted for the new structures, the expansion of an existing structure, the replacement of an existing structure when the replacement structure has more bedrooms or has an increased floor area or the construction or operation of a new sewage disposal and treatment system.
- B. A variance from the requirements of this code may be granted by the Health Officer for the replacement of an existing sewage disposal and treatment system for an existing structure if the proposed structure does not violate section 9-1(A).

9-2 VARIANCE STANDARDS

Where, owing to special conditions of the property, strict compliance with the provisions of this code would be physically impossible for the replacement of an existing sewage disposal and treatment system, the Health Officer shall have the power to authorize one or more variances from the requirements of this code. No such variance of the provisions of this code shall be granted unless all of the following facts and conditions exist:

- A. There are exceptional or extraordinary circumstances or conditions applicable to the property.
- B. The granting of such variance will not be detrimental to the health, welfare and safety of the public or materially injurious to other properties in the area which it is located.
- C. The proposed variance is for a sewage disposal and treatment system that is a replacement for a failed or inoperative, existing sewage disposal and treatment system and the structure to be served by the replacement system does not violate section 9-1(A).

9-3 WRITTEN DECISION

A decision regarding a request for a variance made by the Health Officer or Board of Appeals shall be made in writing and shall include the facts and the basis for the determination regarding whether the variance standards were met or not met.

9-4 CONDITIONS ON VARIANCE

Conditions may be imposed on the variance that are designed implement compliance with the performance standards of this code or that are necessary to provide the same protection to persons or the environment as if there had been strict compliance with the provisions of this code.

9-5 DENIAL OF VARIANCE – APPEAL

The denial of a variance may be appealed to the Board of Appeals.

ARTICLE X PERMIT REVOCATION

10-1 REVOCATION OF PERMITS

Any permit issued pursuant to this code 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 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 is not constructed or operated as stated in the permit application;
- D. the permit holder does not comply with the requirements of this code or the terms of the applicable permit;
or
- E. the permit application is incomplete or inaccurate.

10-2 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. 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 sixty (60) days of the date of the posting 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 that the sewage treatment system is constructed as required by 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.

ARTICLE XI

BOARD OF APPEALS

11-1 BOARD OF APPEALS FOR EACH COUNTY

The Board of Commissioners of each county shall appoint three (3) persons who shall serve as a Board of Appeals for that county. One (1) or more alternates may also be appointed. An alternate may serve in the absence or disqualification of a regular member of the Board of Appeals. The duty of such Board shall be to consider appeals from the decision of the officials charged with the enforcement of the code and which relate to property that is located within that county.

11-2 COMPENSATION

The compensation for each member shall be that sum established for regular Board of Health meetings, and shall be paid by the County to its own Board of Appeals.

11-3 APPEALS

Each appeal shall be in writing and shall be filed with the Health Officer. Such appeal must specify the following: the order, requirement, decision or determination that is being appealed; the section(s) of this code that apply to the appeal; and those facts on which the appellant will rely to support the appeal. An appeal that is incomplete is not ripe for decision by the Board of Appeals.

An appeal must be filed within thirty (30) days after the date of the decision that is being appealed. An untimely appeal shall be dismissed by the Board of Appeals. The appellant shall deposit a fee with the Health Officer when the appeal is filed. Fees for appeals shall be as established by the Board of Health.

The Health Officer shall transmit to the Board of Appeals a summary report of all previous action taken and the entire file pertaining to the subject of the appeal.

The final disposition of such appeal shall be in writing, concurred in by two (2) or more members of the Board, and may reverse, modify, or affirm the decision or the determination made by the Health Officer.

The Board of Appeals may impose conditions on the appellant or the property or premises in its decision. Any such conditions shall be designed to implement compliance with this code as much as the facts of the situation permit and to provide the same protection to persons or the environment as if there had been strict compliance with the provisions of this code.

11-4 HEARINGS

The Board of Appeals shall set a reasonable time for the hearing and give due notice thereof to the appellant. The Board of Appeals shall decide the appeal within a reasonable time. The hearing shall be held in the county in which the property that is related to the subject matter of the appeal is located.

11-5 DECISION AND STANDARD FOR DECISION

The decision of the Board of Appeals shall be the final administrative decision, shall be in writing, and shall include specific findings of fact by the Board of Appeals, and further, shall be subject to such judicial review as by law may be provided.

The Board of Appeals may affirm, reverse, wholly or in part, a decision of the Health Officer. In deciding an appeal, the Board of Appeals shall determine (1) whether the Health Officer properly interpreted the code and (2) whether the decision of the Health Officer was factually correct. The Board of Appeals may include any conditions in its decision that the Health Officer could have made. Decisions shall be made by a majority of a quorum of the Board of Appeals.

11-6 MEETINGS - RULES OF PROCEDURE

The Board of Appeals shall meet at such times as the Board may determine. The Board shall set a place of meeting and all meetings shall be open to the public. The Board shall adopt its own rules of procedure, and keep a record of its proceedings, showing the question(s) considered. The presence of three (3) members of the Board or alternate members of the Board shall constitute a quorum. Said meetings shall be conducted in accordance with the "Open Meetings Act", as amended.

11-7 NOTICES

The Board of Appeals may send notice to the adjoining land owners surrounding the parcel of land in

question, or any other interested person, but is not required to do so.

**ARTICLE XII INTERPRETATION, INJUNCTIVE RELIEF, PENALTY,
 SEVERABILITY AND AMENDMENTS**

12-1 INTERPRETATION

Where not inconsistent with the text, words used in the present tense include the future; words in the singular include the plural; and words in the plural include the singular. The word "shall" is always mandatory and not merely directory. Words or terms not defined herein shall be interpreted in the manner of their common meaning.

12-2 INJUNCTIVE RELIEF

Notwithstanding the existence or pursuit of any other remedy, the Health Officer may maintain in a court of competent jurisdiction, an action for an injunction or other process against any person to restrain or prevent violations of the code.

12-3 VIOLATION - CIVIL INFRACTION

No person or legal entity shall violate any provision or requirement of this code. A violation of this code shall be a municipal civil infraction as provided in MCL 600.113(c). A minimum fine of \$200.00 plus all damages, attorney fees and costs allowed by law shall be imposed for each violation. The failure to pay a court order authorized under MCL 600.8727 as amended shall allow the Health Officer to file a lien against the premises or property that is related to the violation as authorized by MCL 600.8737, as amended. Each day in which a person fails to comply with the provisions of this code shall constitute a separate and complete violation.

12-4 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.

12-5 AMENDMENTS

The District Board of Health, with the approval of Antrim, Charlevoix, Emmet and Otsego County Boards of Commissioners, may from time to time amend, supplement or change these regulations with the approval of all Boards. Any such amendment, supplement, or change of these regulations shall be preceded by such public hearings and notice as are required by state statute.

Amendment of Emmet County Sanitary Ordinance

Section 1. Amendment of Title. The title of “Emmet County Sanitary Ordinance” is hereby amended to be “Emmet County Sanitary Code” and all references to “ordinance” contained in the regulations shall be changed to “code.”

Section 2. Amendment of Article 4. Article 4 of the Emmet County Sanitary Code is hereby amended to add a new section 4-18 and a new section 4-19 which shall read in their entirety as follows:

4-18 SEWAGE DISPOSAL SYSTEM EASEMENTS

Easements for sewage disposal systems must comply with this section.

Definitions: As used in this section, the following terms shall have the following meanings:

“Applicant” means the person who owns a benefited parcel.

“Benefited parcel” means land which will be served by a sewage disposal system or a proposed sewage disposal system.

“Burdened land” means the land over and under which any portion of a sewage disposal system will be located.

“Separate, legally recognized parcel” means a parcel of land which is described in a legal description separate from the benefited land.

“Third party” means all owners of the burdened land.

4-18.1 If the applicant will place any portion of the sewage disposal system on a separate, legally recognized parcel, then an easement must be prepared and recorded in accordance with this section. A third party must have ownership of the burdened land. If the parcels are owned by the applicant, then the applicant shall comply with section 4-18.4.

4-18.2 The easement shall be in a recordable form approved by the Health Agency. The Health Agency shall determine whether the form of the easement meets this code, whether the easement document is ambiguous, and whether the easement document is legally binding.

4-18.3 In addition to the application fee and prior to a decision on the application, the applicant shall reimburse the Health Agency for all attorney fees incurred by the Health Agency related to legal review of the easement. The Health Agency will seek such legal review only when it has a good faith question regarding the form, completeness, or legality of the easement. The Health Agency shall set and revise the application fee as needed to cover the Health Agency’s estimated costs in processing an application.

4-18.4 If the applicant will place any portion of the sewage disposal system on a separate, legally recognized parcel that is also owned by the applicant, then the applicant shall

have prepared and sign an affidavit in a form approved by the Health Agency that contains at a minimum the legal descriptions of the burdened land and the benefited parcel; the names of all owners; the existence of the portion of the sewage disposal system that is located on the burdened parcel; and a statement that, at the time of separation of the common ownership of the benefited and burdened parcels, an easement document must be prepared and recorded with the Emmet County Register of Deeds as required by this regulation and the terms of the septic permit that is located on the benefited parcel.

- 4-18.5 For purposes of maintenance and repair of the sewage disposal system, the easement shall include an area which is at least 10 feet from any portion of any component of the sewage disposal system.
- 4-18.6 Plans must be submitted for a drain field that will be located on burdened land. Plans shall include a survey that shows the boundaries of the burdened land and the location of the drain field. The survey shall be certified by a registered land surveyor within 60 days of the date of the submission to the Health Agency of the application for the sewage disposal system permit.
- 4-18.7 If the easement is in a form which has not been pre-approved by the Health Agency, then, in addition to the requirements that are specified in section 4-18.2, the easement document must include the legal description of the easement; the legal descriptions of the burdened land and the benefited parcel; the purpose or land use of the buildings being served by the septic system (for example, single family residential or commercial); the maximum effluent burden which can be placed on the burdened land (for example, a drain field for a three-bedroom house); that there may be no increase in the effluent discharge on the burdened land without an easement amendment which has been approved by the Health Agency and the owner of the burdened land; and a requirement that the easement will run with the benefited and burdened parcels.
- 4-18.8 The Health Agency shall require written evidence that all requirements of these regulations have been met.
- 4-18.9 The Health Agency shall require proof that all documents which must be in recordable form have been recorded with the Emmet County Register of Deeds prior to the issuance of the sewage disposal system permit.
- 4-18.10 The sewage disposal system shall meet all requirements of the Emmet County Sanitary Code.
- 4-18.11 An **operation permit** must be obtained from the Health Agency for any sewage disposal system requiring an easement. The **operation permit** shall allow the use of off-site or remote disposal of residential or commercial wastewater for a maximum of 3 years from the time of permit issuance. A new **operation permit** must be obtained every 3 years for as long as the easement is used in conjunction with a benefited parcel for the purposes of sewage conveyance and disposal and also when there is any change in use of the benefited parcel. A complete application for an **operation permit** for an off-site system shall consist of a Health Agency-approved application form which contains all specified information so that the Health Agency can make a determination regarding whether the

standards for the issuance of the **operation permit** have been met. The Health Agency shall set the **operation permit** fee. An application that is not complete shall not be approved.

4-18.12 An **operation permit** shall be issued by the Health Agency if the applicant has provided competent, material and substantial evidence which allows the Health Agency to find that all of the following standards have been met:

- (a) Risers are secure and watertight.
- (b) Effluent filters are clean and functional.
- (c) All pumps, floats and alarms are functioning properly.
- (d) Adequate pressure exists to provide for proper conveyance and uniform distribution of wastewater to the final disposal area.
- (e) No evidence of failure of any component of the system or observance of sewage on the ground surface exists.

The Health Agency may impose **operation permit** conditions that are designed to promote compliance with the standards listed above as part of the issuance of an **operation permit**. An **operation permit** shall be valid only as long as the sewage disposal system remains in compliance with the requirements and restrictions stated on construction and operation permits.

4-18.13 No person shall:

- (a) Use or occupy a benefited parcel when the sewage disposal system that serves the benefited parcel is not in compliance with these regulations, the operation permit or operation permit conditions.
- (b) Use or occupy a premises that is required by law to be served by a sewage disposal system when any portion of the sewage disposal system is located on 2 or more legally recognized parcels of land unless there is compliance with these regulations.

4-19 **DIVISIONS OF LAND**

When a sewage disposal system or any component of the sewage disposal system is located on a legally recognized parcel of land, no person shall divide that parcel without compliance with these regulations. This requirement shall apply even if the divisions are under common ownership.

Section 3. Amendment of Article 9. Article 9 of the Emmet County Sanitary Code is hereby amended to change section 9-2 which shall read in its entirety as follows:

9-2 ADVANCED TREATMENT SYSTEMS (ATS)

Technological improvements in on-site wastewater treatment and disposal have made it possible to have treatment systems that are alternatives to conventional sewage disposal systems and are also consistent with the protection of the public health and environmental resources. When properly designed and maintained, an advanced treatment system (ATS) can provide better environmental protection than conventional treatment systems. These advanced treatment systems are particularly advantageous when the criteria for a conventional drain field system cannot be met. To function effectively an ATS must be properly designed, constructed and maintained. To help ensure that an ATS functions properly, the Health Agency requires that a **construction permit** be obtained for the design and installation of an ATS; an **operation permit** be obtained for the operation of an ATS; and a **maintenance contract** exist for an ATS.

Definition: As used in this section, the following term shall have the following meaning:

“Advanced Treatment System (ATS)” means an on-site wastewater system that provides for the collection, treatment and uniform disposal of wastewater using advanced technologies to pre-treat wastewater effluent prior to final disposal.

9-2.1 An ATS may be required on sites when a new or replacement conventional treatment system cannot meet the criteria for the issuance of a permit for a conventional treatment system. A property owner may request permits for an ATS even if the proposed site would be suitable for a conventional treatment system. No premises may be equipped with an ATS without a **construction permit** and no ATS may be used in conjunction with a premises without an **operation permit**.

9-2.2 A completed application for a **construction permit** for an ATS shall consist of a Health Agency-approved application form which contains all specified information required in the application, detailed engineered plans signed by and bearing the seal of a licensed professional engineer and the application fee. Any site modifications are to be shown in detail on the engineered plans. If the applicant does not own a fee simple interest in the land, a consent form, approved by the Health Agency must be signed by the owner of the fee simple interest. The Health Agency shall set the application fee. An application that is not complete shall not be approved.

9-2.3 A **construction permit** shall be issued by the Health Agency if the applicant has provided competent, material and substantial evidence which allows the Health Agency to find that all of the following standards have been met and all of the following information has been provided:

- (a) The disposal location for effluent from an ATS shall be located a minimum of 100 feet from a body of water. Where the ordinary high water mark of the body of water can or has been determined, the effluent disposal location shall be measured from that point.

- (b) The ATS is capable of continuously producing an effluent with:
 - (1) For discharges further than 150 feet from a water body:
 - (i) **Biological Oxygen Demand (BOD5)** less than or equal to **30mg/L.**
 - (ii) **Total Suspended Solids (TSS)** less than or equal to **30 mg/L.**
 - (iii) **Total Inorganic Nitrogen (TIN)** less than or equal to **30 mg/L.**
 - (2) For discharges within 150 feet of a water body:
 - (i) **Biological Oxygen Demand (BOD5)** less than or equal to **30mg/L.**
 - (ii) **Total Suspended Solids (TSS)** less than or equal to **30 mg/L.**
 - (iii) **Total Inorganic Nitrogen (TIN)** less than or equal to **30 mg/L.**
 - (iv.) **Total Phosphorus** less than or equal to **5 mg/L.**
- (c) The site of the proposed ATS has a minimum of 18 inches of naturally occurring permeable soils below natural ground surface and does not show evidence of high groundwater table conditions within 12 inches of the natural ground surface. The natural ground surface is formed by the forces of nature and not through the activities of man.
- (d) A wetland determination may be required prior to issuance of the construction permit.
- (e) The infiltrative surface of the final disposal media receiving pre-treated effluent must be separated from the high groundwater table, impermeable soil layer or other restrictive strata by no less than 36 inches.
- (f) The proposed system must also meet all other requirements, standards and criteria for permit approval as outlined in Article 4, SEWAGE DISPOSAL, and Article 7, CONSTRUCTION STANDARDS.
- (g) The applicant shall provide the Health Agency with the maintenance specifications of the manufacturer and the maintenance specifications of the engineer for the entire ATS.
- (h) The applicant shall provide the Health Agency with a notarized copy of a Notice of Advanced Treatment System that has been recorded with the Emmet County Register of Deeds and which contains the page and liber numbers of the recordation.

9-2.4

A **maintenance contract** shall be submitted to this Health Agency for approval and is required prior to issuance of the operation permit. At a minimum the maintenance contract shall provide that:

- (a) The ATS shall be inspected and the effluent sampled not less than twice annually by a maintenance contractor who shall be a State of Michigan Licensed

Professional Engineer, State of Michigan or nationally registered Environmental Sanitarian or a certified ATS inspector. The maintenance provider's license, registration or certification must be current and in good standing.

- (b) The maintenance contractor shall provide the Health Agency with a proposed operation and maintenance schedule for review.
- (c) The first operation and maintenance inspection shall be conducted within 60 days of ATS start-up.
- (d) The inspection(s) and any regular maintenance required by the manufacturer shall be prepaid for 3 years.
- (e) The annual inspection shall determine and the inspection report shall describe whether the ATS:
 - (i) Is functioning in compliance with the standards of section 9-2.3 and include all analytical testing which has been done to make this determination;
 - (ii) Continues to be in compliance with the maintenance specifications of the manufacturer;
 - (iii) Continues to be in compliance with the maintenance specifications of the engineer for the ATS;
 - (iv) Continues to be in compliance with conditions imposed by all permits issued by the Health Agency; and
 - (v) Is performing in the manner in which the ATS was approved.
- (f) The inspection report must include a description of all maintenance performed on the ATS or any components since the last inspection report.
- (g) The maintenance contract must be assignable to subsequent owners of the premises which is equipped with the ATS.
- (h) The maintenance contractor must acknowledge the obligation to notify the Health Agency of a discontinuation of services as required by section 9-2.5.
- (i) An inspection report shall be submitted to the Health Agency and the property owner within 30 days of any inspections required by the Health Agency.
- (j) The Health Agency, as deemed necessary, may require additional inspections and inspection parameters.

9-2.5 The property owner and maintenance contractor shall notify the Health Agency within 30 days if for any reason the services required by the maintenance contract are no longer being performed.

9-2.6 An **operation permit** must be obtained from the Health Agency as a requirement for a premises to be equipped with or used in conjunction with an ATS. The operation permit shall allow the use of the ATS for a maximum of 3 years from the time of permit issuance. A new operation permit must be obtained every 3 years for as long as the ATS is used in conjunction with the premises. A completed application for an operation permit for an ATS shall consist of a Health Agency-approved application form which contains all specified information and sufficient information so that the Health Agency can make a determination regarding whether the standards for the issuance of the operation permit have been met. The Health Agency shall set the operation permit fee. An application that is not complete shall not be approved.

9-2.7 An **operation permit** shall be issued by the Health Agency if the applicant has provided competent, material and substantial evidence which allows the Health Agency to find that all of the following standards have been met:

- (a) The ATS is functioning in compliance with the standards of section 9-2.3 based on analytical review of the ATS and its effluent;
- (b) The ATS continues to be in compliance with the maintenance specifications of the manufacturer;
- (c) The ATS continues to be in compliance with the operation and maintenance specifications established by the design engineer;
- (d) The property owner has a valid maintenance contract in effect as required by this code; and
- (e) The ATS and property owner continue to be in compliance with conditions of any permits issued by the Health Agency and the Michigan Public Health Code.

An operation permit shall be valid only as long as the ATS remains in compliance with the requirements and restrictions stated on the construction and operation permits as well and performance standards in section 9-2.3.

9-2.8 If the ATS fails to meet the standards in Section 9-2.3 any provision of the maintenance contract or a condition of the construction permit or operation permit, the owner shall immediately notify the Health Officer of the failure and, at his or her sole expense, immediately take action to identify and correct the cause(s) of the failure. Corrections and additional effluent sampling shall be conducted to demonstrate compliance with Section 9-2.3 without endangerment to public health or the environment.

Where the cause of failure cannot be corrected within a one-month period, the owner shall enter into an agreement approved by the Health Officer to provide for the proper disposal of septage generated on the property. The Health Officer shall approve such an agreement if it provides, in a timely manner, for the lawful disposal of septage by a State

of Michigan licensed septage hauler until such time as the ATS can operate as required by the operation permit.

- 9-2.9 If the property owner fails to apply for an operation permit, or fails to submit the proper operation and maintenance documentation to the Health Agency or fails to correct system deficiencies as required to meet performance standards, the system will be deemed a public nuisance and shall be in violation of this code.
- 9-2.10 The operation permit shall be transferable. Within 60 days of a change of ownership, the new owner shall apply to the Health Agency for approval of a transfer of the operation permit, which approval shall not be unreasonably withheld.
- 9-2.11 Operation permits shall expire on December 31 of the third year after issuance. Completed applications for renewal shall be submitted to the Health Agency no later than October of the third year.
- 9-2.12 The Health Agency shall have the right to revoke an operation permit of an ATS if it finds that one or more of the following occurs:
- (a) An operation report is not submitted as required.
 - (b) The ATS fails to meet the standards in section 9-2.3.
 - (c) Any of the conditions of the operation permit are not met.
 - (d) The property owner fails to comply with any corrective orders of the Health Agency.

The Health Agency shall provide the permit holder with written notice of the basis for the revocation and the opportunity to meet with a representative of the Health Agency at which time the permit holder shall have the opportunity to show by a preponderance of the evidence that there is no basis for the revocation. If the permit holder meets with the Health Agency, but is dissatisfied with the decision of the Health Agency, the permit holder may request review of that decision to the Administrator (Director of the Health Agency). The request must be in writing, must contain the reasons why the decision of the Health Agency did not comply with the code and must be filed with the Health Agency within 20 days after the date of the decision of the Health Agency that results from the meeting between the permit holder and the Health Agency. In addition to a request for review to the Administrator, or in the alternative, the permit holder may file an appeal of the revocation under Article 10, APPEALS.

Section 4. Amendment of Article 14. Article 14 of the Emmet County Sanitary Code is hereby amended to change section 14-1 which shall read in its entirety as follows:

14-1 VIOLATIONS

A person who violates any provision of this code is responsible for a civil infraction as provided in MCL 333.2461. A minimum fine of \$200.00 plus damages, attorney fees and costs allowed by law shall be imposed for each violation. Each day that a violation is permitted to continue shall constitute a separate infraction.

Section 5. Severability.

If any section, provision or clause of this code or the application thereof to any person or circumstance shall be invalid, such invalidity shall not affect any remaining portion or application of the code which can be given effect without the invalid portion or application.

Section 6. Savings.

A prosecution which was pending on the effective date of this amendment and which arose from a violation of a provision repealed by this amendment, or a prosecution which is started within one (1) year after the effective date of this amendment arising from a violation of a provision repealed by this amendment and which was committed prior to the effective date of this amendment, shall be tried and determined exactly as if the provision had not been repealed.

Section 7. Repeal.

Section 9-2, including subsections 9-2.1 through 9-2.5, and Article 14 of Ordinance No. 02-10 are repealed.

Section 8. Effective Date.

This amendment shall become effective 45 days after adoption by the Board of the Northwest Michigan Community Health Agency, and approval by the Boards of Commissioners of the Counties of Antrim, Charlevoix, Emmet and Otsego, whichever is later.

RESOLUTION NO. OCR 06-50
Support for Reorganization of the 87th District Court

OTSEGO COUNTY BOARD OF COMMISSIONERS
November 9, 2006

WHEREAS, the Probate Judges of Crawford and Kalkaska Counties have statutory District Court authority; and

WHEREAS, those judges handle all District Court cases in their respective counties and 87th District Court Judge Patricia A. Morse handles cases only in Otsego County; and

WHEREAS, the court staff of the district court is allocated and funded based on county lines and no longer a shared expense; now, therefore, be it

RESOLVED, that the Otsego County Board of Commissioners request the State Court Administrator to seek legislation to reorganize the 87th District Court into three separate district courts; and be it further

RESOLVED, that this legislation is requested to be effective by the end of the 2007 term of the Legislature.