

# State of the Nursing Home Sector

While nursing homes are better able to manage COVID-19, the pandemic has exacerbated a historic labor shortage, creating an access to care crisis for America's seniors and a capacity issue for other health care providers, like hospitals. Meanwhile, the economic recovery of the industry remains in limbo, as the chronically underfunded sector begins to lose vital COVID financial aid in 2023.

## COVID-19

Nursing home residents are better protected against severe illness due to COVID-19, thanks to vaccines, treatments, and infection control procedures.

**50+%** of residents are up to date on their vaccines.<sup>1</sup> This is **3x higher** than the general population.<sup>2</sup>



For nearly one straight year, weekly mortality rates have been below 0.5 per 1,000 residents.

## Historic Labor Shortage

Nursing homes have experienced the worst job loss of any health care sector.<sup>3</sup>

Providers are doing everything they can to recruit and retain caregivers, but they need help.

**210k** jobs lost over the course of the pandemic

**9/10** nursing home providers have increased wages and offered bonuses

**1994** last time workforce levels were at this level

**28-34%** increase in wages for nurses between 2020-2022<sup>5</sup>

**>13%** decline in nursing home workforce

**96%** of nursing homes find difficulty in hiring staff

**2027** At the current pace, nursing homes need 4 years to return to pre-pandemic workforce levels.

**97%** said the lack of interested or qualified candidates is a major obstacle to hiring new staff

**84%** of nursing homes are currently facing moderate to high levels of staffing shortages<sup>4</sup>



AHCA/NCAL launched a national workforce recruitment campaign, **Careers in Caring**<sup>6</sup>

<sup>1</sup> CMS, COVID-19 Nursing Home Data, as of Jan. 27, 2023

<sup>2</sup> CDC, COVID-19 Vaccinations in the United States, as of Jan. 27, 2023

<sup>3</sup> AHCA/NCAL, "Long Term Care Jobs Report" January 2023

<sup>4</sup> AHCA/NCAL, Survey of 524 Nursing Home Providers, January 2023

<sup>5</sup> CLA, "State of the Skilled Nursing Facility Industry: In-Depth Analysis on Increasing Costs and Local Impact" May 2022

<sup>6</sup> AHCA/NCAL, "Long Term Care Profession Launches National Campaign To Attract More Caregivers" January 11, 2023

## On the Financial Brink

**62%**

of nursing home residents rely on Medicaid<sup>7</sup>

**86%**

Medicaid only reimburses part of actual nursing home costs<sup>8</sup>

**8.5%** ↑

inflation for nursing home goods and services

**55%**

of nursing home providers say they are operating at a loss

**52%**

may not be able to continue operating for more than a year at the current pace

**COVID aid that helped many facilities stay afloat no longer available or ending in 2023:**

- Provider Relief Fund
- Medicaid enhanced FMAP
- State funding through the American Rescue Plan

## Access to Care Crisis

**54%**

of nursing home providers are having to limit new admissions due to staffing shortages

**465**

nursing homes have closed over the course of the pandemic **including 41%** that were 4 or 5-star facilities<sup>9</sup>

**67%**

are concerned their facility may have to close due to persistent workforce challenges

**18,071**

residents have been displaced and 22 counties have become nursing home deserts since 2020 due to facility closures

**37,011**

fewer beds since Feb. 2020

**76.6%**

occupancy nationwide, leaving **380,697** beds vacant<sup>10</sup>

## The Road to Recovery

Policymakers should prioritize nursing home residents and their caregivers for resources and support. An enforcement approach and unfunded government mandates will do little to address the core challenges in long term care and transform the industry.

- ▶ Rebuild the nursing home workforce through a **multi-faceted approach** to attract workers, not staffing mandates.
- ▶ Fully fund Medicaid, especially in the face of soaring inflation.
- ▶ Pass meaningful reforms, like in the **Care For Our Seniors Act**.

<sup>7</sup> Kaiser Family Foundation, "Distribution of Certified Nursing Facility Residents by Primary Payer Source"

<sup>8</sup> MACPAC, "Estimates of Medicaid Nursing Facility Payments Relative to Costs" January 2023

<sup>9</sup> AHCA/NCAL analysis of Centers for Medicare and Medicaid Services' (CMS) Quality, Certification and Oversight (QCOR) Reports

<sup>10</sup> CDC's National Healthcare Safety Network as of January 29, 2023

**Adult-Use Marijuana Payments**  
**Based on Marijuana Revenues Collected in Fiscal Year 2022**  
**February 2023**

Amount Available Per Marijuana Retail Store/Microbusiness \$ 51,841.21

<u>Municipality</u> <u>Number</u>	<u>Municipality</u> <u>Name</u>	<u>Municipality</u> <u>Type</u>	<u>County</u>	<u>Number of</u> <u>Licenses</u> <sup>(1)</sup>	<u>City, Village,</u> <u>Township</u> <u>Distributions</u> <sup>(2)</sup>	<u>County</u> <u>Distributions</u> <sup>(2)</sup>
46-3010	Addison	Village	Lenawee	1	51,841.21	
46-2010	Adrian	City	Lenawee	11	570,253.31	
01-0000	Alcona	County	Alcona	1		51,841.21
02-0000	Alger	County	Alger	3		155,523.63
03-0000	Allegan	County	Allegan	8		414,729.68
03-2010	Allegan	City	Allegan	3	155,523.63	
80-1010	Almena	Township	Van Buren	1	51,841.21	
04-0000	Alpena	County	Alpena	3		155,523.63
04-2010	Alpena	City	Alpena	2	103,682.42	
81-2010	Ann Arbor	City	Washtenaw	27	1,399,712.67	
05-0000	Antrim	County	Antrim	3		155,523.63
29-1010	Arcada	Township	Gratiot	1	51,841.21	
06-0000	Arenac	County	Arenac	3		155,523.63
06-1030	Au Gres	Township	Arenac	2	103,682.42	
35-1020	Ausable	Township	Iosco	1	51,841.21	
35-1030	Baldwin	Township	Iosco	4	207,364.84	
08-1020	Baltimore	Township	Barry	1	51,841.21	
09-1010	Bangor	Township	Bay	12	622,094.52	
80-2010	Bangor	City	Van Buren	2	103,682.42	
08-0000	Barry	County	Barry	1		51,841.21
13-2020	Battle Creek	City	Calhoun	10	518,412.10	
09-0000	Bay	County	Bay	27		1,399,712.67
09-2020	Bay City	City	Bay	13	673,935.73	
13-1040	Bedford	Township	Calhoun	2	103,682.42	
82-2020	Belleville	City	Wayne	1	51,841.21	
11-2010	Benton Harbor	City	Berrien	3	155,523.63	
10-0000	Benzie	County	Benzie	4		207,364.84
10-1020	Benzonia	Township	Benzie	4	207,364.84	
11-0000	Berrien	County	Berrien	15		777,618.15
68-1010	Big Creek	Township	Oscoda	1	51,841.21	
54-2010	Big Rapids	City	Mecosta	17	881,300.57	
12-0000	Branch	County	Branch	10		518,412.10
80-3020	Breedsville	Village	Van Buren	1	51,841.21	
11-2030	Buchanan	City	Berrien	5	259,206.05	
73-1070	Buena Vista	Township	Saginaw	1	51,841.21	
75-3010	Burr Oak	Village	St Joseph	1	51,841.21	
25-2005	Burton	City	Genesee	10	518,412.10	
83-2010	Cadillac	City	Wexford	2	103,682.42	
13-0000	Calhoun	County	Calhoun	26		1,347,871.46
30-3020	Camden	Village	Hillsdale	4	207,364.84	
79-2005	Caro	City	Tuscola	2	103,682.42	
14-0000	Cass	County	Cass	6		311,047.26
14-3010	Cassopolis	Village	Cass	2	103,682.42	
41-2010	Cedar Springs	City	Kent	5	259,206.05	



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<u>Number</u>	<u>Name</u>	<u>Type</u>	<u>County</u>	<u>Licenses</u> <sup>(1)</sup>	<u>Township</u>	<u>Distributions</u> <sup>(2)</sup>
					<u>Distributions</u> <sup>(2)</sup>	<u>Distributions</u> <sup>(2)</sup>
50-2010	Center Line	City	Macomb	8	414,729.68	
05-3020	Central Lake	Village	Antrim	1	51,841.21	
16-0000	Cheboygan	County	Cheboygan	4		207,364.84
16-2010	Cheboygan	City	Cheboygan	4	207,364.84	
73-3020	Chesaning	Village	Saginaw	2	103,682.42	
17-0000	Chippewa	County	Chippewa	6		311,047.26
12-2020	Coldwater	City	Branch	8	414,729.68	
56-2010	Coleman	City	Midland	1	51,841.21	
75-3040	Constantine	Village	St Joseph	4	207,364.84	
78-2010	Corunna	City	Shiawassee	2	103,682.42	
20-0000	Crawford	County	Crawford	2		103,682.42
70-1040	Crockery	Township	Ottawa	2	103,682.42	
59-1050	Crystal	Township	Montcalm	2	103,682.42	
36-2020	Crystal Falls	City	Iron	2	103,682.42	
61-1040	Dalton	Township	Muskegon	1	51,841.21	
80-3030	Decatur	Village	Van Buren	2	103,682.42	
21-0000	Delta	County	Delta	1		51,841.21
72-1030	Denton	Township	Roscommon	2	103,682.42	
17-3010	Detour	Village	Chippewa	1	51,841.21	
22-0000	Dickinson	County	Dickinson	2		103,682.42
03-2015	Douglas Village	City	Allegan	2	103,682.42	
33-2010	East Lansing	City	Ingham	4	207,364.84	
34-1050	Easton	Township	Ionia	1	51,841.21	
59-3010	Edmore	Village	Montcalm	2	103,682.42	
14-3020	Edwardsburg	Village	Cass	2	103,682.42	
13-1100	Emmett	Township	Calhoun	12	622,094.52	
67-2010	Ewart	City	Osceola	1	51,841.21	
03-2020	Fennville	City	Allegan	1	51,841.21	
63-2060	Ferndale	City	Oakland	5	259,206.05	
28-1040	Fife Lake	Township	Grand Traverse	1	51,841.21	
25-2040	Flint	City	Genesee	8	414,729.68	
52-1050	Forsyth	Township	Marquette	1	51,841.21	
20-1020	Frederic	Township	Crawford	2	103,682.42	
69-2010	Gaylord	City	Otsego	6	311,047.26	
25-0000	Genesee	County	Genesee	28		1,451,553.88
26-0000	Gladwin	County	Gladwin	1		51,841.21
27-0000	Gogebic	County	Gogebic	2		103,682.42
70-2030	Grand Haven	City	Ottawa	1	51,841.21	
41-2030	Grand Rapids	City	Kent	17	881,300.57	
28-0000	Grand Traverse	County	Grand Traverse	1		51,841.21
62-2015	Grant	City	Newaygo	1	51,841.21	
29-0000	Gratiot	County	Gratiot	1		51,841.21
82-2140	Hamtramck	City	Wayne	4	207,364.84	
01-2010	Harrisville	City	Alcona	1	51,841.21	

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80-2030	Hartford	City	Van Buren	2	103,682.42	
26-1110	Hay	Township	Gladwin	1	51,841.21	
63-2070	Hazel Park	City	Oakland	8	414,729.68	
30-0000	Hillsdale	County	Hillsdale	8		414,729.68
31-0000	Houghton	County	Houghton	4		207,364.84
31-2020	Houghton	City	Houghton	3	155,523.63	
33-0000	Ingham	County	Ingham	26		1,347,871.46
82-2170	Inkster	City	Wayne	3	155,523.63	
34-0000	Ionia	County	Ionia	4		207,364.84
34-2020	Ionia	City	Ionia	2	103,682.42	
35-0000	Iosco	County	Iosco	7		362,888.47
36-0000	Iron	County	Iron	4		207,364.84
22-2010	Iron Mountain	City	Dickinson	2	103,682.42	
36-2040	Iron River	City	Iron	1	51,841.21	
27-2020	Ironwood	City	Gogebic	2	103,682.42	
37-0000	Isabella	County	Isabella	5		259,206.05
38-0000	Jackson	County	Jackson	13		673,935.73
38-2010	Jackson	City	Jackson	1	51,841.21	
30-1080	Jefferson	Township	Hillsdale	1	51,841.21	
39-0000	Kalamazoo	County	Kalamazoo	30		1,555,236.30
39-1070	Kalamazoo	Township	Kalamazoo	4	207,364.84	
39-2020	Kalamazoo	City	Kalamazoo	17	881,300.57	
40-0000	Kalkaska	County	Kalkaska	8		414,729.68
40-3010	Kalkaska	Village	Kalkaska	8	414,729.68	
41-0000	Kent	County	Kent	30		1,555,236.30
78-2030	Laingsburg	City	Shiawassee	1	51,841.21	
43-0000	Lake	County	Lake	3		155,523.63
63-3070	Lake Orion	Village	Oakland	1	51,841.21	
33-2020	Lansing	City	Ingham	21	1,088,665.41	
44-0000	Lapeer	County	Lapeer	6		311,047.26
44-2020	Lapeer	City	Lapeer	6	311,047.26	
80-3040	Lawrence	Village	Van Buren	2	103,682.42	
45-0000	Leelanau	County	Leelanau	1		51,841.21
46-0000	Lenawee	County	Lenawee	17		881,300.57
38-1070	Leoni	Township	Jackson	10	518,412.10	
82-2180	Lincoln Park	City	Wayne	2	103,682.42	
41-2060	Lowell	City	Kent	7	362,888.47	
58-2010	Luna Pier	City	Monroe	1	51,841.21	
50-0000	Macomb	County	Macomb	14		725,776.94
63-2110	Madison Heights	City	Oakland	2	103,682.42	
05-3050	Mancelona	Village	Antrim	2	103,682.42	
51-0000	Manistee	County	Manistee	6		311,047.26
51-2010	Manistee	City	Manistee	5	259,206.05	
14-1050	Marcellus	Township	Cass	1	51,841.21	

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14-3030	Marcellus	Village	Cass	1	51,841.21	
51-1090	Marilla	Township	Manistee	1	51,841.21	
52-0000	Marquette	County	Marquette	12		622,094.52
52-1080	Marquette	Township	Marquette	2	103,682.42	
52-2020	Marquette	City	Marquette	4	207,364.84	
36-1060	Mastodon	Township	Iron	1	51,841.21	
54-0000	Mecosta	County	Mecosta	17		881,300.57
74-2040	Memphis	City	St Clair	1	51,841.21	
56-0000	Midland	County	Midland	1		51,841.21
58-0000	Monroe	County	Monroe	13		673,935.73
58-1120	Monroe	Township	Monroe	11	570,253.31	
59-0000	Montcalm	County	Montcalm	6		311,047.26
46-2030	Morenci	City	Lenawee	5	259,206.05	
37-2010	Mount Pleasant	City	Isabella	4	207,364.84	
25-1140	Mt Morris	Township	Genesee	3	155,523.63	
25-2070	Mt Morris	City	Genesee	1	51,841.21	
77-1060	Mueller	Township	Schoolcraft	1	51,841.21	
02-2010	Munising	City	Alger	3	155,523.63	
61-0000	Muskegon	County	Muskegon	22		1,140,506.62
61-1120	Muskegon	Township	Muskegon	6	311,047.26	
61-2020	Muskegon	City	Muskegon	12	622,094.52	
61-2030	Muskegon Heights	City	Muskegon	2	103,682.42	
21-1130	Nahma	Township	Delta	1	51,841.21	
52-1100	Negaunee	Township	Marquette	2	103,682.42	
50-2060	New Baltimore	City	Macomb	3	155,523.63	
62-0000	Newaygo	County	Newaygo	3		155,523.63
11-2060	Niles	City	Berrien	4	207,364.84	
81-1100	Northfield	Township	Washtenaw	3	155,523.63	
45-3020	Northport	Village	Leelanau	1	51,841.21	
63-0000	Oakland	County	Oakland	22		1,140,506.62
71-2010	Onaway	City	Presque Isle	1	51,841.21	
67-0000	Osceola	County	Osceola	1		51,841.21
35-1060	Oscoda	Township	Iosco	2	103,682.42	
68-0000	Oscoda	County	Oscoda	1		51,841.21
69-0000	Otsego	County	Otsego	6		311,047.26
70-0000	Ottawa	County	Ottawa	3		155,523.63
78-2040	Owosso	City	Shiawassee	4	207,364.84	
63-3110	Oxford	Village	Oakland	2	103,682.42	
38-1110	Parma	Township	Jackson	1	51,841.21	
80-1140	Paw Paw	Township	Van Buren	3	155,523.63	
58-2040	Petersburg	City	Monroe	1	51,841.21	
09-1120	Pinconning	Township	Bay	2	103,682.42	
43-1110	Pleasant Plains	Township	Lake	3	155,523.63	
63-2160	Pleasant Ridge	City	Oakland	1	51,841.21	

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31-1100	Portage	Township	Houghton	1	51,841.21	
39-2040	Portage	City	Kalamazoo	9	466,570.89	
71-0000	Presque Isle	County	Presque Isle	2		103,682.42
38-1120	Pulaski	Township	Jackson	1	51,841.21	
12-3010	Quincy	Village	Branch	2	103,682.42	
30-2030	Reading	City	Hillsdale	3	155,523.63	
52-1120	Republic	Township	Marquette	1	51,841.21	
82-2230	River Rouge	City	Wayne	6	311,047.26	
71-1140	Rogers	Township	Presque Isle	1	51,841.21	
50-3040	Romeo	Village	Macomb	1	51,841.21	
72-0000	Roscommon	County	Roscommon	2		103,682.42
73-0000	Saginaw	County	Saginaw	10		518,412.10
73-2020	Saginaw	City	Saginaw	6	311,047.26	
04-1060	Sanborn	Township	Alpena	1	51,841.21	
41-3040	Sand Lake	Village	Kent	1	51,841.21	
52-1140	Sands	Township	Marquette	2	103,682.42	
34-3070	Saranac	Village	Ionia	1	51,841.21	
03-1200	Saugatuck	Township	Allegan	2	103,682.42	
17-2010	Sault Ste Marie	City	Chippewa	5	259,206.05	
77-0000	Schoolcraft	County	Schoolcraft	1		51,841.21
78-0000	Shiawassee	County	Shiawassee	7		362,888.47
73-1220	Spaulding	Township	Saginaw	1	51,841.21	
13-2040	Springfield	City	Calhoun	1	51,841.21	
74-0000	St Clair	County	St Clair	1		51,841.21
75-0000	St Joseph	County	St Joseph	17		881,300.57
59-2030	Stanton	City	Montcalm	2	103,682.42	
75-2010	Sturgis	City	St Joseph	8	414,729.68	
13-3040	Tekonsha	Village	Calhoun	1	51,841.21	
25-1170	Thetford	Township	Genesee	6	311,047.26	
11-3090	Three Oaks	Village	Berrien	1	51,841.21	
75-2020	Three Rivers	City	St Joseph	4	207,364.84	
06-1110	Turner	Township	Arenac	1	51,841.21	
79-0000	Tuscola	County	Tuscola	8		414,729.68
50-2110	Utica	City	Macomb	2	103,682.42	
80-0000	Van Buren	County	Van Buren	13		673,935.73
79-1200	Vassar	Township	Tuscola	2	103,682.42	
79-2010	Vassar	City	Tuscola	4	207,364.84	
63-2240	Walled Lake	City	Oakland	3	155,523.63	
81-0000	Washtenaw	County	Washtenaw	40		2,073,648.40
11-1210	Watervliet	Township	Berrien	2	103,682.42	
82-0000	Wayne	County	Wayne	20		1,036,824.20
82-2300	Wayne	City	Wayne	4	207,364.84	
33-3030	Webberville	Village	Ingham	1	51,841.21	
83-0000	Wexford	County	Wexford	2		103,682.42

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62-2030	White Cloud	City	Newaygo	2	103,682.42	
61-2070	Whitehall	City	Muskegon	1	51,841.21	
37-1160	Wise	Township	Isabella	1	51,841.21	
81-2040	Ypsilanti	City	Washtenaw	10	518,412.10	
				<b>Total</b>	<b>\$ 29,756,854.54</b>	<b>\$ 29,756,854.54</b>

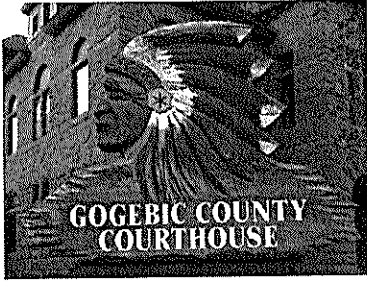
**Totals by Municipality Type**

<u>Municipality Type</u>	<u>Number of Municipalities</u>	<u>Number of Licenses</u>	<u>Total Amount Paid</u>
City	81	391	\$ 20,269,913.11
Village	26	48	2,488,378.08
Township	53	135	6,998,563.35
Total Cities, Villages and Townships			29,756,854.54
County	64	574	29,756,854.54
<b>Total Adult Use Marijuana Distributions</b>			<b>\$ 59,513,709.08</b>

<sup>(1)</sup> Number of Marijuana Retail Stores or Marijuana Microbusinesses located and licensed in the municipality as of 9/30/2022. Tribal Governments do not qualify for distributions under MCL 333.27964.

<sup>(2)</sup> Payments based on Michigan Regulation and Taxation of Marijuana Act, Section 14 (3)(a) and (3)(b) (MCL 333.27964).





# BOARD OF COUNTY COMMISSIONERS

Gogebic County

200 N. Moore St.

Bessemer, Michigan 49911

February 23, 2023

To Whom it May Concern:

Re: The Upper Peninsula Environmental Health Code

Dear Madams and Sirs:

On behalf of the Gogebic County Board of Commissioners, we have reviewed the changes to the U.P. Environmental Health Code including changes in the commercial systems and real estate transactions along with the strengthening of local enforcement.

Gogebic County is in full support of these new changes and would like to encourage the Baraga, Houghton, Keweenaw and Ontonagon Counties to attend a public hearing set for February 27, 2023 beginning at 5:30 PM at Michigan Tech Lakeshore Center, Community Room in Houghton, Michigan.

The resolution in support of the new Environmental Health Code will be on our March 8 agenda for adoption. The Gogebic County Board of Commissioners would like to encourage our neighboring counties to support these new Environmental Health Code Changes.

Thank you for your consideration,

Sincerely,

*Ramona Collins, Clerk*  
Board of Commissioners

District 1

Dan Siirila

District 2

Tom Laabs

District 3

Jim Byrns  
Vice Chair

District 4

Jim Lorensen  
Chair

District 5

Joe Bonovetz

District 6

Bob Orlich

District 7

George Peterson III



## Feeding America West Michigan Fact Sheet

### Overview:

Feeding America West Michigan is at the center of a united community effort driven by the core beliefs that hunger is unacceptable and meals can change lives. Our mission is to gather and distribute food to relieve hunger and increase food security in West Michigan and the Upper Peninsula.

Our 700+ agency partners run various types of programs, such as food pantries, meal sites, and youth programs, that ensure nutritious food reaches every corner of our 40-county service area. The food bank's agencies play a vital role in the charitable food system and in our mission.

### Transition Information:

Starting in March 2023, Feeding America West Michigan will:

1. Connect local food pantries and meal programs (agencies) directly to Feeding America West Michigan's main inventory system, giving them access to a wider variety of food to serve neighbors in need.
2. Implement monthly depot deliveries. This means Feeding America West Michigan will bring agencies' "orders" to convenient locations for pickup.
3. Increase the number of Mobile Food Pantries, which provide supplemental groceries—including produce, protein, dairy, grains and more—to anyone in need at no charge. Communities served by both Mobile Pantries and traditional hunger-relief programs have access to a greater variety of nutritious food. The location and times for Mobile Food Pantries can be found at [FeedWM.org/FindFood](https://www.FeedWM.org/FindFood).
4. Create new partnerships while evaluating and improving existing partnerships.

These changes are based on internal data showing that process improvements made in other parts of the Upper Peninsula nearly doubled the amount of food available. The execution of these changes coincides with the food bank assuming responsibility for distributing TEFAP product across the U.P.

Potential agency partners should contact the food bank about partnership using the screening form ([www.FeedWM.org/agency-inquiry](https://www.FeedWM.org/agency-inquiry)). Agencies will be able to receive product starting in April 2023.



# 2022 Fact Sheet

This is a reference document designed for staff to help keep external communication consistent. The document itself is not meant to be shared externally.



## The Basics

**Belief:** Hunger is unacceptable and our community has the power to change lives—one meal at a time.

**Vision:** A community in which all neighbors are nourished and empowered within an equitable food system.

**Mission:** To gather and distribute food to relieve hunger and increase food security in West Michigan and the Upper Peninsula.

## Service Area and Network

We fight hunger in partnership with **hundreds of food pantries and meal programs** (currently 700+ but this number is in flux) in **40 of Michigan's 83 counties**. Our main warehouse is located in Comstock Park and we have branches in Benton Harbor and Cadillac. We have partner distribution organizations (PDOs) in Harbor Springs and Houghton and a redistribution organization (RDO) in Traverse City. Externally, for simplicity's sake, we call PDOs and RDOs "large-scale distribution partners."

## Hunger in West Michigan and the Upper Peninsula

**More than 293,000 people (1 in 8)** in our region were food insecure in 2021—including nearly **65,000 children**. Being food insecure means you can't always access or afford enough food to live a healthy, active life.

## Food Acquisition and Distribution

We gather safe, surplus food from hundreds of farmers, manufacturers, distributors, retailers and the United States Department of Agriculture. In 2021, **241 food donors** supported the food bank, the top of which were Sam's Club, Meijer and Walmart—each donating over a million pounds of food. We also accept nonperishables from food drives, though they made up just **0.2 percent** of the food we received last year. To fill any nutritional gaps left by donations, we also purchase food at low costs.

In 2021, we distributed **24.6 million pounds** of food—equivalent to **20.5 million meals**. Fruits and vegetables made up **31 percent** of the food we distributed in 2021. Nearly **11 million pounds** were distributed through **1,481 Mobile Pantries**, which served **464,000 neighbors** (not necessarily unique individuals). The remaining food was distributed by partner food pantries and meal programs.

Last year, our **29 trucks** drove **392,121 miles**—equivalent to driving **16 times around the world**—to gather or distribute food.

## Financial Supporters

10 dollars can provide roughly three meals at a store. The food bank can use that same **10 dollars to provide 40 meals'** worth of nutritious food.

Approximately **9,538 individual donors**, **53 grantors** and **147 businesses** supported the food bank in 2021.

Donors can also fundraise virtually on our behalf. **43 fundraisers** were created through our JustGiving platform or through Facebook Fundraisers.

## Volunteers

Reclamation volunteers help us inspect, sort, repack and label food for distribution. In one hour of service, they can help provide up to 200 meals. In 2021, **566** reclamation volunteers served **24,577 hours**, helping distribute almost **2.8 million meals'** worth of food.



feeding our community  
**because meals  
can change lives**



## working together to end hunger

### how we work together



**gather** safe, surplus food from various sources including farmers, manufacturers, retailers and the USDA. We also purchase food to fill the gaps.



**prepare** food for distribution with help from volunteers.



**distribute** food to neighbors via hundreds of partner food pantries and meal programs.

At Feeding America West Michigan, we believe hunger is unacceptable and that our community has the power to change lives — one meal at a time.

That's why we've assembled a network of partners that we work alongside on our mission to relieve hunger and increase food security in West Michigan and the Upper Peninsula.

## 2021 impact by the numbers



**20.5 million** meals' worth of food filled neighbors' plates



That's equivalent to feeding **over 56,000 people** once daily for an entire year!



**1,481** Mobile Food Pantries brought groceries directly to high-need communities



Our truck drivers drove **392,121 miles** to deliver food to neighbors in need in every corner of our service area — from the Indiana border all the way to the Upper Peninsula



This is equivalent to traveling around the world nearly **16 times!**



## giving back to those who served



“ I have a heart for people and animals who are struggling or neglected or feel they don't belong. I can relate to that. ”

-Kimberly

Kimberly's a disabled veteran, whose health challenges make it impossible for her to keep a job. She believes she's called to help others, so she's grateful she can still serve her community.

One way she does so is by picking up fresh food from Mobile Pantries near her home in Ionia. Kimberly receives plenty of fresh produce and other food at the Mobile Pantries, both for herself and her neighbors.



There are **293,500** food insecure people in our service area. This represents 12.1% of the population (1 in 8 people).

**FEEDING  
AMERICA**  
West Michigan

Feeding America West Michigan, a 501(c)3 nonprofit, serves 40 of Michigan's 83 counties in partnership with hundreds of local food pantries and meal programs.



## how you can help feed west michigan and the upper peninsula



### donate funds

Every \$10 gift provides 40 meals' worth of nutritious food. Make an even bigger impact by starting a fundraiser with friends, family or coworkers!



### volunteer

Just 1 hour of volunteer time can help provide up to 200 meals.



### donate food

We will gladly accept donations of safe, surplus food from the food industry, or nonperishables from food drives.



### advocate

Learn about hunger on our website (FeedWM.org) and share what you learn with others! You can also follow us on social media and share our posts.

“ Feeding America West Michigan is a fantastic steward of our gifts. We know that our support will be used equitably and efficiently and will have the greatest impact possible. ”

-Marcus A. Jackson  
Vice President | Community and  
Economic Development Manager  
Fifth Third Bank



@feedingwestmich

FeedWM.org  
616.784.3250

**Administrative office**  
1950 Waldorf St NW, Suite 10B  
Grand Rapids, MI 49544

**Main warehouse**  
864 West River Center Drive NE  
Comstock Park, MI 49321



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**Corps of Engineers Public Notice – Project LRE-2022-00061-61-S23**

1 message

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PUBNO LRE <PUBNO.LRE\_PubNo@usace.army.mil>

Tue, Feb 14, 2023 at 1:16 PM

Dear Sir/Madam:

We are writing to inform you that the Detroit District has posted a public notice to our internet home page for the proposed project noted below.

File Number: LRE-2022-00061-61-S23

Applicant: Derek Bradway

Location: 17800 Houghton Canal Road, Houghton County, Houghton, Michigan

Waterway: Keweenaw Waterway (Portage Lake)

The applicant has requested authorization to construct a sand beach, a boat launch, and a permanent dock with seasonal floating dock attachments. Please visit our website (link below) to view the complete Public Notice and for information on how to submit comments.

<https://www.lre.usace.army.mil/Missions/Regulatory-Program-and-Permits/Public-Notices/>

Sincerely,

Regulatory Branch, Detroit District  
US Army Corps of Engineers

We would appreciate your feedback. Our National Customer Service Survey is located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>

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\* If you are receiving this via email:

- Click on the link above to open a browser window if the link is highlighted.
- If the link is not highlighted, open a web browser window and copy/paste the entire address into the address bar of the browser.

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\* If you are receiving this via standard mail:

- You have the option to request that a copy of the Public Notice be mailed to you. Please contact Kristi DeFoe at the above address, by E-Mail at [Kristi.M.DeFoe@usace.army.mil](mailto:Kristi.M.DeFoe@usace.army.mil) or by telephone at (313) 226-7718 to make your request.
  - Be sure to indicate File Number LRE-2022-00061-61-S23 when you make your request.
-



# Houghton City Council considers several ordinance revisions

By GARRETT NEESE  
gneese@mininggazette.com

HOUGHTON — Bees, vacant buildings and pollinator gardens will come up in ordinances to be formally introduced at Houghton's next city council meeting.

Draft versions of revisions of three ordinances were brought to the council Wednesday. The council took no action; instead, the council will take an additional two weeks to look over the ordinances and take more public comments.

Changes to property maintenance would let the city make contact with property owners who had abandoned houses, City Manager Eric Waara said. The lack of formal mechanism had hampered city code enforcement efforts, he said.

"This would allow us to bring our attorney in to make contact with someone and find out what's going on .... We're able to do a lot more when people are here, but when the absentee owner is halfway across the country, we don't have a lot of avenues, especially when they let a property go," he said.

Uninhabitable structures and unmaintained vacant buildings would be disallowed. So would partially built structures not progressing towards completion.

The city would require projects to have a valid and current building permit from the county, and to be completed within 12 months of the date the permit was issued. The city's building inspector would also be able to grant written extensions.

Owners would also have to register vacant or aban-

doned residential buildings with the city within 180 days.

The revised ordinance on animals would add restrictions on bees and unleashed dogs. Beekeeping would be banned within the city except in areas zoned for agricultural use.

In a letter to the council, Pete Cattelino of the Copper Country Beekeeping Club said the group believes beekeeping should be allowed in a "sound and responsible manner." He also asked if the city planned to reimburse beekeepers for any investment they made in hives and equipment.

Waara said the city had talked to beekeepers in crafting the ordinance, but said the city would also reach out to Cattelino for more input before the next meeting.

Councilor Mike Needham said the ordinance subcommittee had been concerned about its incompatibility with small lots in the city.

"You can't always control the spread of the thing you're doing, especially if it's bees," he said. "It's a tough one, because I love bees."

The ordinance would also require dog owners to keep their pets leashed unless on their property or in designated off-leash areas, such as a city dog park. Even there, owners should keep a leash or chain on hand, and the owner must be able to reasonably control them through vocal commands.

In a memo to the council, Waara said the issue had been prompted by complaints about people with unleashed dogs downtown and in city parks.

See Council Page 7A

If city of Houghton  
CAN do this, why  
Not CALUMET Twp  
or Houghton County?

We ARE  
A Mess!

Tuesday, Feb. 14, 2023

## Council

Continued from Page 1A

Language added to the city's nuisance ordinance would bar people from defacing trees, or attaching signs to them. It would also add language defining pollinator gardens ("a garden that is planted and maintained predominately with flowers that provide nectar or pollen for a range of pollinating insects and birds") and tighten other definitions, including lawns, gardens and noxious weeds.

In the memo to council, Waara said the city had frequently had to argue about what constituted a nuisance with people who had not wanted to cut their grass.

Marcia Goodrich, president of Keweenaw Wild Ones, a group that supports landscaping with native plants, said the group had concerns about the addition. She had worries it might prevent people from gardening with native plants.

"There's often some confusion as to what's a native plant and what's a noxious weed," she said. "There's a big difference, but that's not always clearly delineated in legislation."

Another proposed change to the nuisance ordinance would bar residents from moving shipping containers or semi-trailers onto residential property. Shipping containers have become increasingly popular as a form of modular home.

In other council action, it voted to appoint Dennis Garver to the Downtown Development Authority/Tax Increment Financing Au-





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**File Code:** 5400  
**Date:** February 21, 2023

Mr. Tom Tikkanen, Chairman  
Houghton County Board of Commissioners  
401 East Houghton Avenue  
Houghton, MI 49931

Dear Chairman Tikkanen:

I am writing to notify you of a land acquisition in progress on the Ottawa National Forest. The property fronts the Wild and Scenic East Branch of the Ontonagon River on the southwesterly side and is entirely located within the Wild and Scenic River (WSR) corridor.

Acquisition of this parcel is consistent with Ottawa National Forest Land and Resource Management Plan goals and objectives, which include expanding access for recreation opportunities and emphasizes acquisition in WSR corridors to facilitate restoration, protection, and management of resources.

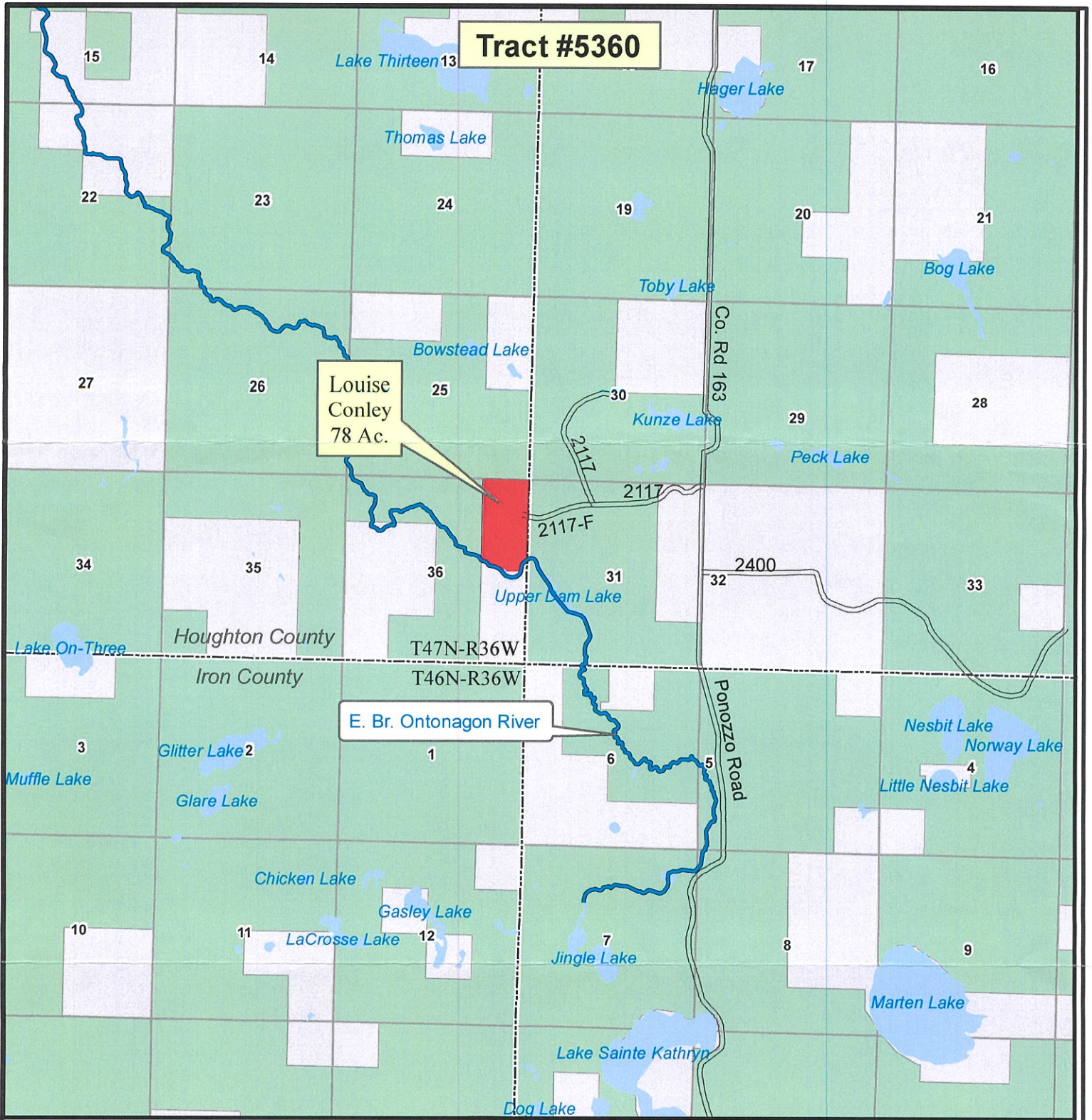
The 77.43-acre property is currently owned by Ms. Louise (Lisa) Conley and is located within the proclamation boundary of the Ottawa National Forest in Duncan Township, Houghton County, Michigan. Please see the enclosed map. The land is to be acquired under the authority of the Weeks Act of March 1, 1911 (36 Stat. 962), as amended, using FY2021 Recreation Access appropriated dollars. The parcel is bounded by Forest Service lands on three sides and the river on the other.

Acquiring this parcel will increase the number of miles the Forest Service manages along the East Branch of the Ontonagon River. This parcel provides additional access to the river itself for increased dispersed recreation opportunities for the public, including fishing, wildlife viewing, canoeing, and kayaking.

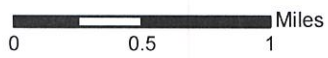
Forest Service management allows for the protection of wetland and floodplain Ecological Land Type Phases (ELTP) that are adjacent to the said river. Acquiring the property would provide ideal access to the "Upper Dam" located on the river. After removal of the Lower Dam scheduled in 2023, the Upper Dam is the last barrier to a free-flowing condition on the entire East Branch of the Ontonagon River. Possible removal of both dams will promote movement of trout and will allow broadening of the gene pool with fish located elsewhere in the watershed, thereby avoiding the risk of population decline. This parcel also has high potential for wood turtle habitat and breeding. Wood turtles are increasingly threatened by habitat loss and human encroachment.







- Legend**
- Forest Service Ownership
  - Proposed Acquisition Parcels
  - National Forest Boundary



Map Created 04/20/2018; Updated 8/29/2019

<b>Louise Conley: Tract #5360</b>	
T47N R36W, Section 36 Houghton County, Michigan 78 Acres	
	State of Michigan U.S. Forest Service - Region 9 Ottawa National Forest
U.S. Congressional District 1	
<small>The USDA Forest Service makes no warranty, expressed or implied, regarding the data displayed on this map, and reserves the right to correct, updated, modify, or replace this information without notification.</small>	



File Code: 2700  
Date: January 23, 2023

Forest Neighbor

Dear Forest Neighbor:

The Ottawa National Forest is proposing a special use authorization project on the Kenton, Iron River and Watersmeet Ranger Districts, for which we are seeking public comment. The proposed activities would involve amending a current special use authorization for a utility company for the installation, use and maintenance of fiber optic line that is proposed within an existing, cleared road right-of-way.

The proposed project is for Midway Telephone Company to install 27.73 miles of fiber optic line within an 10' existing permitted right-of-way for copper telephone within an road right-of-way, to improve phone and internet service to private landowners and the public. No tree clearing is expected and the installation will adhere to industry accepted standards by using a knife to plow into the ground or bore under obstacles and wetlands.

- Iron River Ranger District – the proposed project is to install 19.76 miles fiber optic cable within an already permitted row on Forest Service System lands at the following locations and roads in Iron County, Michigan:

Road	Legal Description	Length	Width	Acres
Old US2	T44N, R37W, Section 3, 4, 5, and 10	13,747.27	10	3.15
FR3940	T44N, R37W, Section 5	603.43	10	0.19
FH16	T44N, R37W, Section 11, 14, 24, 36	18,725.66	10	4.3
FR3270	T44N, R37W, Section 14	2,408.58	10	0.55
FR3275	T44N, R37W, Section 23	4,003.04	10	0.92
FR3256	T44N, R37W, Section 24	801.2	10	0.18
FH16	T45N, R37W, Sec 13, 24, 23, 26, 1	14,704.68	10	3.38
Non-System Road	T45N, R37W, Sec 13	190.1	10	0.04
FR3400	T45N, R37W, Section 6, 9, 8, 7	19,649.40	10	4.51
FR3407	T45N, R36W, Section 8, 7	1206.5	10	0.28
FR3426	T45N, R36W, Section 4, 5, 8	8915.21	10	2.05
Non-System Road	T45N, R36W, Section 1	109.42	10	0.03
FH16	T46N, R37W, Section 25, 36	7178.44	10	1.65



I anticipate the preparation of a Decision Memo for these special use authorizations. The Decision Memo will also document required measures needed to prevent adverse environmental effects of the proposed activities. If you have comments about this proposed action, please submit them no later than May 1<sup>st</sup>, 2023. Comments should be specific to the proposed locations. These comments will be reviewed by the Responsible Official and used to determine whether or not there are any unresolved conflicts with the proposed action. Comments may be addressed to: USDA Forest Service, Attn: Barbara Van Alstine, 4810 East State Highway M28, Kenton, MI 49967. They may alternately be sent to [barbara.vanalstine@usda.gov](mailto:barbara.vanalstine@usda.gov), or by fax to (906) 852-3618.

If you have any questions or would like more information about the project, please contact Shawn Brown, Realty Specialist, at (906) 366-0076 or [shawn.brown@usda.gov](mailto:shawn.brown@usda.gov).

Sincerely,

  
BARBARA C. VAN ALSTINE  
District Ranger

Project Proposal Maps





March 7, 2023

Elizabeth Bjorn  
Houghton County Administrator  
401 E Houghton Ave 5th Floor  
Houghton, MI 49931

Helping to keep the lights on,  
businesses running  
and communities strong®

***Winona-Atlantic Rebuild Project***

Dear Ms. Bjorn:

The enclosed letter was mailed to landowners along a portion of the Winona-Atlantic transmission line which is scheduled for construction beginning in 2023. As a local official, I thought you may be interested in the project.

We will continue to update you on the construction schedule and activities, and any other issues related to this project. If you have questions, comments or concerns, please feel free to contact me at 608-877-3680 or by e-mail at [mwhite@atcllc.com](mailto:mwhite@atcllc.com).

Sincerely,

Michael White  
Local Relations Consultant





March 7, 2023

Helping to keep the lights on,  
businesses running  
and communities strong®

***Winona-Atlantic Rebuild Project***

Dear Neighbor:

American Transmission Co. (ATC) builds, maintains, owns and operates the high-voltage electric transmission system in most of Michigan's Upper Peninsula. To address constraints on the current transmission system and make needed improvements, we will be rebuilding the 69,000 volt transmission line that crosses on or near your property. The roughly 23-mile line runs from the Winona substation in the township of Elm River to the Atlantic substation in the township of Adams (please see map on reverse side).

In the coming months you may see contractors continuing pre-construction activities such as transporting construction matting and materials. There is no anticipated interruption of the electrical service to your property. Below is an anticipated timeline for the project:

**Pre-Construction Activities: Spring 2023**  
**Vegetation Management: Spring 2023 - Fall 2024**  
**Construction Begins: Summer 2023**  
**Project Complete/Restoration: Fall 2024**

Our employees and contractors carry proper identification. If vehicle or crew access is needed outside the right-of-way, a construction contractor will contact you (or may already have contacted you) directly for permission to access through your property. In a few cases, existing easements were deficient. If your parcel is impacted, you will be receiving a package in the mail within next several weeks with information.

We will keep you updated as the project progresses. If you have questions, please contact me. Thank you in advance.

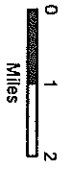
Sincerely,

Michael White  
ATC Local Relations  
608-877-3680  
mwhite@atcllc.com

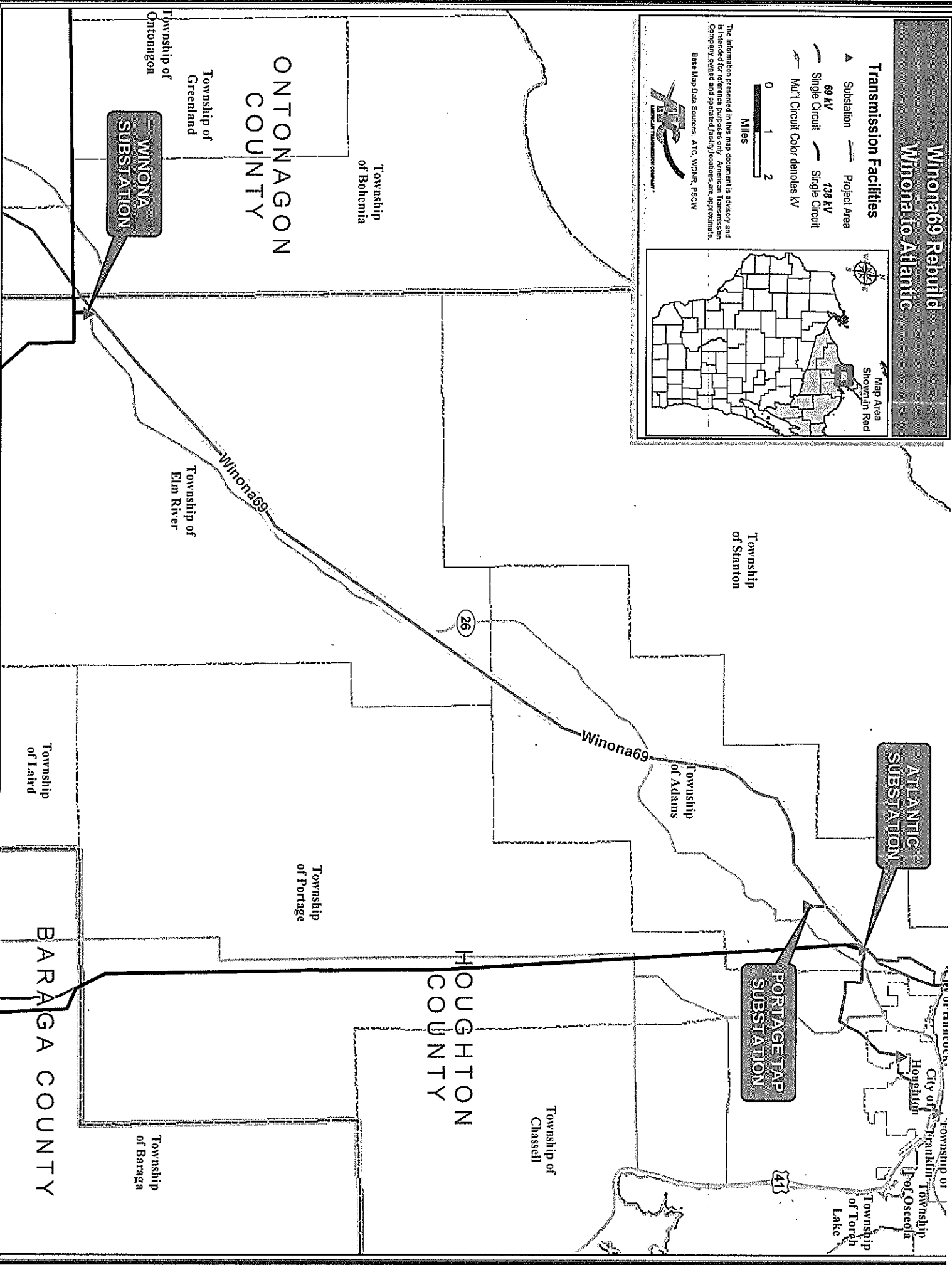
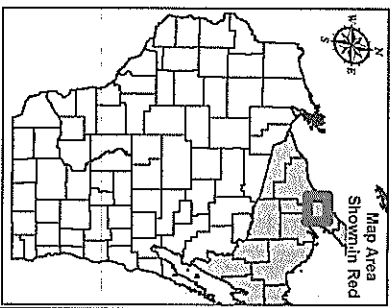
# Winona69 Rebuild Winona to Atlantic

## Transmission Facilities

- ▲ Substation
- Project Area
- 69 KV Single Circuit
- 138 KV Single Circuit
- Multi Circuit Color denotes KV



The information presented in this map document is advisory and is intended for reference purposes only. American Transmission Company owned and operated facility locations are approximate. Base Map Data Sources: ATC, WDJR, PSCW



**FIRST AMENDMENT TO  
INDUSTRIAL WASTE SERVICES & DISPOSAL AGREEMENT**

This First Amendment to the Industrial Waste Services & Disposal Agreement (the "First Amendment") is entered into on February 16, 2023 by and between K & W Landfill, Inc. ("K&W") and Houghton County ("Customer").

**Recitals**

- A. Customer and K&W entered into an Industrial Waste Services & Disposal Agreement effective April 1, 2020 (the "Agreement"); and,
- B. Customer and K&W desire to amend the Agreement, as discussed below.

**Agreement**

The parties agree to amend the Agreement in the following manner:

- 1) The following subsections (a) and (b) shall be removed from Section 3 of Exhibit A.
  - a. **Right of First Refusal**. Customer agrees not to sell or otherwise transfer any or all of its hauling operations to a third party unless it first provides the Company with the opportunity to match any written offer to purchase received by Customer. Customer will provide a copy of any such written offer to the Company and the Company will have 30 days to notify Customer that it will purchase the operations subject to such offer upon the terms of such written offer.
  - b. **Sale or Transfer**. In the event the Company does not exercise its right of first refusal, the Customer will not sell or otherwise transfer any or all of its hauling operations unless the purchaser specifically agrees to honor Customer's obligation to deliver Solid Waste to the appropriate Company facility under the terms of this Agreement and obtain written confirmation thereof in a form reasonably satisfactory to the Company.
- 2) Except as modified herein, the terms and conditions of the Agreement shall continue in full force and effect.

The parties have caused this First Amendment to be executed by their duly authorized representatives effective as of the day and year first above written.

**K & W Landfill, Inc.**

**Houghton County**

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

2/28/2023 Amendments to the U.P. Environmental Health Code

The Board approved amendments as per the 2/28/2023 BOH Meeting:

- Update Effective date 4/15/2023 on coversheet
- 1-2 Purpose....habitants of the counties of the Western Upper Peninsula Health Department jurisdiction and persons entering therein.
- 1-5 B Add MCL reference. It shall be unlawful for any person to molest, willfully oppose, verbally abuse, or otherwise obstruct the Department, or any other person charged with enforcement of these regulations, during, or as a result of performing, his or her professional duties. (Mich. Comp. Laws § 333.1291).
- 1-10 Add February 27, 2023 as the approval date by Board of Health and changed effective date to April 15, 2023.
- 6-4 Change may to shall. The Department shall require such complaints to be submitted in writing and signed.
- 14-7 Strike/Delete Section due to redundancy. It shall be unlawful for any person to molest, willfully appose, or otherwise obstruct the Health Officer.

Suggested minor corrections as per Houghton County attorney letter dated, 2-24-2023.

- Corrected typographical error in section 1-3 on page 1. MCL citation was missing a number. Citation correction to 333.2441.
- Grammar error in section 6-5, page 35, added the word “it”. The Department, upon receipt of a complaint concerning a public health nuisance, may consider the information provided and may conduct such investigations, as it deems necessary.
- Corrected typographical error in section 7-2, page 36, changed “of” to “or”. No jurisdiction or authority shall issue a construction permit or building permit for a structure proposed to be used as a food service establishment without prior approval from the Department.
- Corrected typographical error in section 12.1 (B)(2) on page 37, add “ed” to “numbered.” A scaled site plan with five-foot (5’) contour intervals, numbered lots, and the location of test holes.
- Clarified wording on Section 3-16, bullet #3 on page 27, by adding the language “after the effective date of this code” .

## NEW CODE LANGUAGE

### PROPOSED LANGUAGE ADDITIONS TO THE U.P. ENVIRONMENTAL HEALTH CODE

#### **Applicability**

This article shall apply to single and two-family On-Site Sewage Treatment and Disposal Systems (OSTDS) and OSTDS other than private single or two-family residences, which utilize septic tanks and absorption system for peak daily flows less than 1,000 gallons per day.

Appeals on all sites which serve buildings other than single and two-family residences, including those with peak daily flows of less than 1,000 gallons per day evaluated under these regulations, shall be made to the Michigan Department of Environment Great Lakes and Energy or current State agency responsible under the Michigan Criteria for Subsurface Sewage Disposal, as written by the Division of Environmental Health, Bureau of Environmental and Occupational Health, Michigan Department of Public Health, April 1994, By authority of Act 368, P.A. 1978, as amended (Mich. Comp. Laws Ch. 333) and Act 451, P.A. 1994, as amended (Mich. Comp. Laws § 324.101 – 324.90106), or current State requirement.

Appeals on all sites where an OSTDS is proposed to be located on a parcel of less than one acre as created after July 28, 1997, a parcel within a subdivision, a parcel which is classified as a site condominium, or a parcel that was otherwise created in excess of the allowable number of exempt parcel splits under the Land Division Act, Act 288, PA 1967, (Mich. Comp. Laws Section 560) shall be made to the Michigan Department of Environment Great Lakes and Energy or current State agency responsible under the rules entitled Part 4. Department of Environmental Quality On-site Water Supply and Sewage Disposal for Land Divisions and Subdivisions, being R560.401- R560.428 of the Michigan Administrative Code, or current State statute.

#### **Definitions**

- Board of Appeals -** A board appointed by the Board of Health whose purpose is to hear, pass judgment and make recommendations upon enforcement actions under these regulations that have been appealed above the Health Officer.
- Board of Health -** The Board approved by the Baraga, Gogebic, Houghton, Keweenaw, and Ontonagon County Board of Commissioners to sit as the Western Upper Peninsula Health Department Board of Health.
- Environmental Health -** Per Mich. Comp. Laws § 333.12101, the area of activity that deals with the protection of human health through the management, control, and prevention of environmental factors, which may adversely affect the health of individuals. This activity is concerned with the existence of substances, conditions or facilities in quantities, of characteristics, and under conditions, circumstances, or duration which are or can be injurious to human health.
- Governing Board -** The Board of Health and/or the Board of Commissioners to which the Department reports.

## **NEW CODE LANGUAGE**

- Health Officer -** The administrative officer appointed by the local governing board who is responsible for the operations of the Department and the administration and enforcement of Michigan's Public Health Code, Act 368, P.A. 1978 as amended (Mich. Comp. Laws Ch. 333) and associated statutes within the legal jurisdiction of the Department. Health Officer also includes any employee or designee of the Department acting under the direction of the Health Officer during their normal course of duties.
- Owner -** Both the owner of title record, and those persons occupying or in possession of any property or premises, or their designated representative.
- Premises -** A tract or parcel of land on which a habitable building or dwelling is, or would be, located and shall include the building or dwelling.
- Fill and Fill Material -** Soil that is placed beneath the absorption system of an OSTDS for the purpose of improving the infiltrative capacity of the native soil or to elevate the absorption system above a limiting layer to improve system performance. Fill shall consist of clean medium sand uncontaminated by other soil texture classes or debris of any kind, unless otherwise specified as part of a permit condition and approved by the Department. Fill may also refer to any non-native soil deposited above natural grade.
- High Strength Wastewater-** Sanitary wastewater from structures other than a single or two family dwelling including, but not limited to, food service establishments, campgrounds, etc. that generate wastewater that exceeds the parameters of typical residential dwelling wastewater. High-strength wastewater is determined by the use of the structure served and the influent contaminant load. High strength wastewater exceeds the following parameters: 1. A monthly average of 30 mg/L fats, oil and grease. 2. A monthly average of 220 mg/L BOD5. 3. A monthly average of 150 mg/L TSS. 3. Or other constituent that interferes with biological action in the treatment facilities.
- Install -** To alter, construct, place, or repair an OSTDS or any component thereof, or to provide labor or oversight under formal contract or informal agreement including excavation work, installation of fill material, placement of a tank or installation of associated piping.



## **NEW CODE LANGUAGE**

<b>Native Soil -</b>	Naturally occurring soil deposited through geologic processes and undisturbed by human activity. Native soil does not include soil deposited as fill. Also referred to as “insitu soil”.
<b>New or Increased Use -</b>	The connection of a new structure to an existing OSTDS or the addition to a structure of at least one bedroom, or a change to a structure resulting in an increase in one bedroom or increased sewage flow rate of 150 gallons per day or more.
<b>Riser -</b>	A watertight attachment to the top of a septic tank or dose chamber that allows at grade access to the tank for inspection and maintenance.
<b>Sewage Lagoon –</b>	A lagoon is a treatment method that utilizes a septic tank for primary treatment with the clarified effluent from the tank being discharged into a lagoon where sunlight, temperature, and wind provide the final treatment.

### **Inspections and Investigations**

The Department may request the assistance of law enforcement agencies when necessary to fulfill the Department’s duty in a manner prescribed by law.

### **Severability**

If any section, subsection, clause or phrase of these regulations is for any reason declared unconstitutional or invalid, it is hereby provided that the remaining portions of these regulations shall not be affected.

### **Other Laws and Regulations**

These regulations are supplemental to the Michigan Public Health Code, Act 368, and P.A. 1978 as amended (Mich. Comp. Laws Ch. 333) and to other statutes duly enacted by the State of Michigan relating to public health and safety. These regulations shall be liberally construed for the protection of the health, safety, and welfare of the people of Western Upper Peninsula Health Department and shall control and prevail over a less stringent or inconsistent provision enacted by a local governmental entity for the protection of public health.

### **Amendments**

The Department, through approval by the Western Upper Peninsula Health Department Board of Health and the Baraga, Gogebic, Houghton, Keweenaw, and Ontonagon Board of Commissioners, may amend, supplement or change these regulations or portions thereof.

### **Construction Permits**

- The Department shall not issue a construction permit for any commercial OSTDS having a sewage flow rate of greater than 1,000 gallons per day, which does not meet the minimum criteria set forth in the Michigan Criteria for Subsurface Sewage Disposal, D48 Rev. 4/94, By authority of Act 368, P.A. 1978, as amended (Mich. Comp. Laws Ch. 333) and Act 451, P.A. 1994, as amended (Mich. Comp. Laws § 324.101 – 324.90106), or current State of Michigan requirement governing the installation of subsurface sewage disposal and

## **NEW CODE LANGUAGE**

treatment systems designed to handle sanitary sewage. The reasons for denial shall be furnished to the applicant in writing.

- The OSTDS installation contractor shall have a valid permit in possession on-site at the time of construction.

### **Authorization to Use an Existing OSTDS**

Approval of a new/increased use is not required for the following:

- A permit with a final inspection indicating OSTDS approval is on file and Department documentation indicates the water supply meets the required isolation distances and the proposed dwelling was not constructed and a new or increased use is not proposed.
- A permit with a final inspection indicating OSTDS approval was performed within the past five years and Department documentation indicates the water supply meets the required isolation distances, the proposed dwelling was constructed, and new or increased use does not occur.
- New or increased use was approved within the past two years, through the performance of an existing system evaluation by the Department, and an additional new or increased use has not occurred and is not proposed.

### **Connection of Discharges**

The following shall not be connected to an OSTDS:

- A swimming pool, hot tub (spa) or its appurtenances.
- Chemical solutions or other wastes, which would interfere with biological action in the treatment facilities.
- Non-sanitary wastewater from commercial facilities.

The Department may require suitable provisions for the proper discharge or disposal of liquid wastes listed above.

### **Site and System Evaluations**

The Department may require as part of a soil evaluation, information including but not limited to engineering plans or drawings, topographic maps of a site indicating surface relief and/or grade elevations, soil analyses, additional soil test borings, groundwater elevations, flood elevations, information specific to easements, rights-of-way, parcel boundaries, wetland delineation, etc.

### **Construction Inspections**

After Department final approval inspection of the construction of a newly installed OSTDS, or any newly installed component thereof, backfilling/covering shall be completed within 3 working days unless otherwise approved by the Health Officer.

### **Construction Requirements**

The soil depth between the limiting zone and the aggregate/soil interface shall not be less than: thirty-six inches (36") for an OSTDS that provides uniform distribution through pressure distribution.

## **NEW CODE LANGUAGE**

### **Absorption System Distribution**

Installation of technologies not comprising a conventional stone aggregate and perforated pipe design shall obtain approval of the Department prior to permitting and installation, or shall be designed specifically in accordance with the Department's technical manual.

### **Privies/Outhouses**

A composting toilet may be used as an alternative to a privy, if all conditions of 3-15 (A) are met.

- No drains shall emanate from the composting toilet.
- The composting toilet shall be of adequate capacity for the intended use.
- Composting toilets shall meet NSF/ANSI Standard 41 Non-Liquid Saturated Treatment Systems

### **Certified Pool Operator**

All facilities operating and/or housing a public swimming pool or hot tub shall employ an operator possessing the National Swimming Pool Foundation (NSPF) Certified Pool Operator (CPO) credential or equivalent. The certified swimming pool operator shall be available for immediate response to the facility within 15 minutes.

### **Board of Appeals**

- Appeals on all sites which serve buildings other than single and two-family residences, including those with peak daily flows of less than 1,000 gallons per day evaluated under these regulations, shall be made to the Michigan Department of Environment Great Lakes and Energy or current State agency responsible under the Michigan Criteria for Subsurface Sewage Disposal, as written by the Division of Environmental Health, Bureau of Environmental and Occupational Health, Michigan Department of Public Health, April 1994, By authority of Act 368, P.A. 1978, as amended (Mich. Comp. Laws Ch. 333) and Act 451, P.A. 1994, as amended (Mich. Comp. Laws § 324.101 – 324.90106), or current State requirement.
- Appeals on all sites where an OSTDS is proposed to be located on a parcel of less than one acre as created after July 28, 1997, a parcel within a subdivision, a parcel which is classified as a site condominium, or a parcel that was otherwise created in excess of the allowable number of exempt parcel splits under the Land Division Act, Act 288, PA 1967, (Mich. Comp. Laws Section 560) shall be made to the Michigan Department of Environment Great Lakes and Energy or current State agency responsible under the rules entitled Part 4. Department of Environmental Quality On-site Water Supply and Sewage Disposal for Land Divisions and Subdivisions, being R560.401-R560.428 of the Michigan Administrative Code, or current State statute.
- Appeals against specific language referenced in State act, law, or statute shall be referred to the State regulatory authority having oversight over that specific act, law, or statute.

# UPDATES TO CODE

## UPDATED LANGUAGE TO EXISTING CODE SECTIONS

### **Title**

The Upper Peninsula Environmental Health Code

### **Inspections and Investigations**

- To assure compliance with the provisions of this regulation, the Department may conduct investigations and inspections as provided for by Section 2446 of the Michigan Public Health Code, Act 368, P.A. 1978 as amended. (Mich. Comp. Laws § 333.2446).
- It shall be unlawful for any person to molest, willfully oppose, verbally abuse, or otherwise obstruct the Department, or any other person charged with enforcement of these regulations, during, or as a result of performing, his or her professional duties.

### **Policy and Guidelines**

- The Department is hereby granted the authority to adopt guidelines, not in conflict with the purpose and intent of these regulations, for the purpose of carrying out the responsibilities herein delegated to the Department by law and as necessary to conduct associated duties as required by contract with the State of Michigan and the minimum program requirements of the contracts.
- All such guidelines shall be in writing and shall be kept in a policy file available for public inspection upon request.

### **Licensure**

Nothing in this code shall preclude a property owner, who is not a licensed OSTDS installer, from installing an OSTDS for his own use under a valid permit.

### **Technical Definitions**

#### **Absorption System -**

The part of an OSTDS in which septic tank effluent is distributed by arrangement of trenches or beds that allows the effluent to be absorbed and treated by the surrounding soil.

#### **Absorption Bed -**

An absorption system with a minimum of two lateral lines in a distribution system wider than three feet installed below natural grade, at natural grade, or above natural grade on fill.

#### **Absorption Trench -**

An absorption system twelve to thirty-six (12-36") inches in width with one distribution line and installed below grade. Native soils shall remain in place between trenches in multiple trench systems.

#### **Alternative Sewage System -**

Any on-site sewage treatment system that is not a conventional sewage system. Any OSTDS that is not a conventional sewage system and meets NSF/ANSI Standard 40 or equivalent; or a sewage lagoon.

#### **Conventional Sewage System -**

An on-site sewage system containing a septic tank used in conjunction with absorption trenches or an absorption bed that utilized gravity distribution. An OSTDS containing a septic tank used in conjunction with an absorption system.

## **UPDATES TO CODE**

<b>Dwelling -</b>	Any house, building, structure, tent, watercraft, shelter, mobile home, camper vehicle, or portion thereof which is occupied or adopted in whole or in part as a home, residence, or living or sleeping place for one or more occupants.
<b>Effluent Filter -</b>	A commercially produced filter designed to be installed in the outlet of a septic tank, or other approved location, for the purpose of preventing the discharge of solid material from the septic tank to the absorption system.
<b>Failing System -</b>	An OSTDS is considered to be failing if any one of the following conditions exists: (4) Any part of the OSTDS is bypassed; the system is the source of an illicit discharge; there is an absence of an absorption system and/or a septic tank, or there is a structural failure of a septic tank or other associated appurtenances. (5) The OSTDS is creating or contributing to a threat to public health or the environment.
<b>Holding Tank -</b>	A watertight receptacle designed to receive and store sanitary sewage effluent to be pumped, hauled, and disposed of in an approved manner by a licensed septage hauler.
<b>Limiting Zone -</b>	Any horizon or condition in the soil profile or underlying strata, which will interfere in any way with the treatment and/or infiltration of sewage effluent before entering the groundwater table. Such horizons include hardpans, fragipans, clay layers, compacted soils, bedrock, clayey soils, permanent and perched groundwater tables, and seasonal high water table.
<b>Natural Grade -</b>	The ground elevation as it exists in the natural state prior to the placement of any fill.
<b>Sewage System-</b>	The method and devices, including septic tanks, pipes, pumps, vents, absorption systems, and privies used to treat and/or dispose of all sewage.
<b>OSTDS -</b>	An On-Site Sewage Treatment and Disposal System having the primary design that incorporates a septic tank and an absorption system, or a privy.
<b>OSTDS Installer</b>	A person qualified to engage in sewage system installation, alteration, or repair. A person licensed to alter, install or repair an OSTDS.

## **UPDATES TO CODE**

- Permeability -** The quality of the soil, which enables it to transmit water or air. Permeability values in these regulations are based upon standard estimates derived from the United States Department of Agriculture (USDA) established soil texture classes.
- Privy -** An enclosed non-portable toilet into which non-water-carried human wastes are disposed. Privies may be of earth pit or vaulted design.
- Public Sewer -** A sanitary sewer or combined sanitary and storm sewer used or intended for use by the public for the collection and transportation of sanitary sewage. Commonly known as a municipal sewage system.
- Sanitary Sewage -** Human wastes discharging from any plumbing fixture within a residence, building, commercial establishment, or other place, including toilets, kitchen, sinks, bath, showers, dish-washing, laundry wastes, and/or other associated fixtures.
- Sewer line -** That part of the system of drainage piping which conveys sanitary sewage into a septic tank or other treatment facility from a building or dwelling into an OSTDS or public sewer.
- Site and Soils Evaluation -** An investigation to evaluate the suitability of a tract or parcel of land to support an adequate sewage system. An on-site investigation to evaluate the suitability of a site (i.e., a specific location on each parcel) to support a functional, legally compliant, and environmentally sound OSTDS.
- Stream -** A river, watercourse, creek, gully, ravine, or ditch, natural or manmade, which may or may not be serving as a drain, having definite banks, a bed, and visible evidence of flow, either continuous or intermittent, for a period of greater than two months in any one year.
- Surface Water -** Any natural or manmade body of water that exists on the ground surface for greater than two months in any one-year an extended period of time.
- Vaulted Privy -** A structure used for the disposal of human waste, which is discharged into a watertight receptacle designed and constructed for the purpose of receiving sanitary sewage.

### **Premises Occupancy/Condemnation**

It shall be unlawful for any person to occupy, or permit to be occupied, any premises not equipped with an approved OSTDS for the disposal of sanitary sewage unless properly connected to a public sewer.



## **UPDATES TO CODE**

### **Public Sewer Connection**

All facilities from which sanitary sewage flows shall be connected to an available sewer. When the Department has determined a lack of an available sewer, all facilities from which sanitary sewage flows shall be connected to an approved OSTDS.

### **Permits Required**

An application for a permit to construct, alter, extend or replace a residential or commercial OSTDS shall be submitted by the property owner or his authorized representative using the appropriate form provided by the Department.

### **Authorization to Use an Existing Sewage System OSTDS**

- No person shall connect any habitable structure to an existing sewage system OSTDS except where allowed, in writing, by the Department.
- Sewage flow to an existing OSTDS shall not be increased beyond the original design capacity of the existing system except where permitted in writing by the Department.
- Approval of a new/increased use is not required for the following:
  - A permit with a final inspection indicating OSTDS approval is on file and Department documentation indicates the water supply meets the required isolation distances and the proposed dwelling was not constructed and a new or increased use is not proposed.
  - A permit with a final inspection indicating OSTDS approval was performed within the past five years and Department documentation indicates the water supply meets the required isolation distances, the proposed dwelling was constructed, and new or increased use does not occur.
  - New or increased use was approved within the past two years, through the performance of an existing system evaluation by the Department, and an additional new or increased use has not occurred and is not proposed.

### **Existing OSTDS of Permit Record**

When a permit record with a final inspection conducted by the Department is available for the existing OSTDS in question, the new or increased use of the system may be granted when the following conditions are met:

- A system evaluation, conducted by the Department reveals no signs of system failure.
- The septic tank shall have been pumped and evaluated by a septage hauler within the last three years. A written report shall be provided by the septage hauler to the Department on forms provided. The report shall include information regarding the tank's materials and construction, condition, volume, and presence or absence of an outlet baffle.
- The proposed new/increased use is no greater than a one-bedroom increase for residential structures or 150 gallons per day in the projected sanitary sewage flow for commercial structures.
- When the projected sanitary sewage flow is greater than 150 gallons per day or a one-bedroom increase, the OSTDS shall be modified or replaced to meet the requirements of these regulations. Permits shall be obtained for any modification or replacement.

## **UPDATES TO CODE**

### **Existing OSTDS of No Record or Permitted Systems with No Record of a Final Inspection Performed by the Department.**

When a permit record is not available, or when no record of a final inspection conducted by the Department is available, for the existing OSTDS in question, the new or increased use of the OSTDS may be granted when the following conditions are met:

- When adequate site and soil information, including water table information, is not recorded in the permit file, or when no permit exists, a site and soils evaluation shall be performed in the area of the existing OSTDS by the Department. It shall be the applicant's responsibility to provide excavations for the purpose of evaluation of soil conditions.
- Minimum of twenty-four inches (24") of soil exists between the limiting zone and the bottom of the absorption system.
- Isolation distances meet the requirements of this code as specified in Table 3-14.2A.
- Existing septic tank and absorption system is sized adequate to meet the current sanitary sewage flows from the structure.
- The proposed new or increased use is no greater than a one-bedroom increase for residential structures or 150 gallons per day in the projected sanitary sewage flow for commercial structures.
- When the projected sanitary sewage flow is greater than 150 gallons per day or a one-bedroom increase, the OSTDS shall be modified or replaced to meet the sizing requirements of this code. Permits shall be obtained for any modification or replacement.

### **Construction Permits**

- No person shall construct, alter, extend, or replace a residential or commercial OSTDS without first having been issued a construction permit from the Department.
- Any permit issued pursuant to the requirements of this code shall be valid for the term of 24 months from the date of issuance unless declared void as provided in this code. After the expiration of the construction permit, a 30-day grace period shall exist for an extension request. A construction permit may be extended for a period of 12 months following a site evaluation conducted by the Department that determines no change in the site conditions.
- Any variance to the requirements of these regulations shall be documented by the Health Officer.

### **Priority Over Building Permits**

No municipality, township, county, or other governing body shall issue a building permit for, or allow commencement of construction of, any addition to or alteration of any habitable building which would result in an increase in the number of bedrooms and/or additional sewage flows for any habitable building located on any land not served by an available sewer until a permit has first been obtained for construction of an OSTDS or acceptance of continued use of existing OSTDS has been obtained from the Department.

A municipality, township, or other agency or an officer or employee thereof shall not issue an occupancy permit for any newly constructed or placed habitable structure until final approval of the structure's water supply and sanitary sewage connection has been granted by the Department.

## **UPDATES TO CODE**

### **Site and System Evaluations**

- Prior to the issuance of a permit to install a commercial or residential OSTDS, the Department shall conduct a site and soils evaluation to determine the ability of the parcel to meet the minimum requirements of these regulations. The depth, number, type and location of soil excavations required to evaluate site suitability for the installation of a permitted OSTDS shall be determined by the Department and shall be consistent with the contract requirements of the State.
- A site and soil approval for the suitability of installation of an OSTDS shall be valid for not more than 24 months.
- Approval or denial of a site proposed for the installation of an OSTDS shall be provided in writing to the applicant.

### **Seasonal/Weather Restrictions**

- A site and soils evaluation shall not occur when depth of snow cover, frost, or other impeding condition prohibits adequate evaluation of a parcel of land to determine the suitability of a site proposed for the installation of an OSTDS.
- Installation of an OSTDS shall not occur when it is reasonable to assume that weather and site conditions will result in a compromise to the construction, installation, and/or long-term operation of the proposed system.
- The health officer may grant written permission for an emergency situation on an individual basis during the restricted seasons if weather conditions are suitable and total installation shall be completed within forty-eight hours.

### **Final Construction Inspections**

Installation contractors shall notify the department 3 working days in advance of the date of completion of the OSTDS to schedule the final construction inspection. The Department shall perform the final inspection of the OSTDS within 3 working days of completion of installation, if advanced notification is provided as required.

### **Residential Single and Two-family On-site Sewage Treatment and Disposal System (OSTDS) Construction**

The following requirements shall apply to the construction and installation of all OSTDS.

- Deep cut excavations to remove undesirable soil horizons shall be made to a soil horizon meeting the requirements of Section 3.14.1.A.1 and 2.
- The site of the proposed system shall not be located in a floodplain of 100 years or less, or in an area subject to seasonal flooding, runoff, or ponding of surface waters. It shall be the property owner's responsibility to document the 100-year flood plain as recognized by the Michigan Department of Environment Great Lakes and Energy (EGLE), or appropriate agency, at the request of the Department.

### **Construction Requirements**

- The soil depth between the limiting zone and the aggregate/soil interface shall not be less than: forty-eight inches (48") for an OSTDS that provides non-uniform distribution through gravity flow.
- The absorption system shall not be sized for less than two bedrooms have a minimum absorption area of 400 ft<sup>2</sup> for a bed system, or 300 ft<sup>2</sup> for a trench system.

## **UPDATES TO CODE**

### **Table 3-14.2 A. Isolation Distances**

An absorption system shall satisfy the minimum isolation distances: foundation wall footing drains 10 feet.

### **Water Wells**

- A permit may be rescinded or declared void by the Department when one or more of the following conditions exists: issuance of the permit, and/or the construction of facilities thereunder, may create a condition that constitutes a nuisance, or a threat to public health or the environment.
- The well driller/contractor shall have a valid permit in possession and on-site at the time of construction, unless operating under emergency conditions per Section 5-11.

### **Availability of Public Water Supply**

The existence or availability of a public water supply shall not preclude the issuance of an individual water supply construction permit under this Code unless prohibited by other regulations.

### **Rental Properties**

Water supplies serving rental properties may be condemned and ordered corrected by the Department when any one of the following conditions exists: The Department determines that continued use of a well represents a potential health hazard.

### **Criminal Enforcement**

By authority of Michigan's Public Health Code, Act 368, P.A. of 1978, Section 2443, as amended (Mich. Comp. Laws § 333.2443), a misdemeanor committed under this code is punishable by imprisonment for not more than six months, or a fine of not more than \$200 or both.

### **Civil Enforcement**

The notice shall be in writing and include the following information:

- The nature of the violation, stated with particularity, including reference to the section alleged to have been violated.

### **Schedule of Civil Penalties**

Monetary civil penalties shall be imposed according to the following schedule for subsequent violations occurring within a rolling 24-month period. Violations occurring beyond 24 months of the initial violation will be considered first violation.

### **Board of Appeals**

In order to provide for reasonable and equitable interpretations of the provisions of this code and associated technical manual, a board of appeals may be formed to hear appeals. The board shall have not less than three but not more than five members, appointed by the board of health.

## **LANGUAGE REFERENCES FROM OTHER DOCUMENTS**

### **LANGUAGE ADDED TO CODE FROM OTHER EXISTING DOCUMENTS: WUPHD BOARD APPROVED TECHNICAL MANUAL, MICHIGAN WELL CONSTRUCTION CODE, MICHIGAN PLUMBING CODE, WUPHD BOARD APPROVED POLICY, STATE MINIMUM PROGRAM REQUIREMENTS, ETC.)**

#### **Connection of Discharges**

All facilities such as flush toilets, urinals, lavatories, sinks, bathtubs, showers, laundry or any other facility from which sanitary sewage flows shall be connected to an OSTDS, except that any such facilities hereafter installed on a premise where public sewer is available, shall be connected to said sewer.

#### **Site and System Evaluations**

- Backhoe cut excavations may be required and shall be provided at the expense of the applicant.
- A complete site and soil evaluation shall include, but shall not be limited to, the following information:
  - Soil permeability, based upon soil texture and structure in the native soil profile to a depth of at least four feet below the proposed infiltrative surface beneath the absorption system.
  - A determination of the seasonal high water table elevation and limiting zone.
  - Slope limitations.
  - Location of the site in relationship to flooding or seasonal ponding of surface water.
  - Availability of sufficient area to install an adequate compliant OSTDS and an area for a replacement OSTDS when required.
  - Adequate area to maintain all required isolation distance.
  - A determination of any other limiting factor to the installation and performance of the proposed OSTDS.

#### **Residential Single and Two-family OSTDS Construction**

The following requirements shall apply to the construction and installation of all OSTDS.

- The natural slope in the proposed infiltrative area of the system shall not exceed twelve percent (12%). When natural slopes are greater than 12% but less than 25%, the department shall require a detailed development plan to be submitted for review and approval by the Department.

Development plans shall be drafted by a licensed professional engineer, a professional surveyor, a registered sanitarian, a registered environmental health specialist, or other professional approved by the health department.

Development plans shall be to scale with a maximum two-foot (2') contour interval, with both the existing and proposed contours indicated. The development plan shall show the proposed design for the initial and replacement OSTDS, and shall indicate the location of the existing or proposed dwelling and water supply well. Locations of the OSTDS and the water supply well shall facilitate ease of access for future maintenance and/or replacement.

## LANGUAGE REFERENCES FROM OTHER DOCUMENTS

### **Table 3-14.2 A. Isolation Distances**

A pressurized sewer or effluent line shall satisfy the minimum isolation distances from these types of drinking water wells: Residential 50 feet, Type IIB and Type III public water supply 75 feet, Type IIA and Type I public water supply 200 feet.

An earth pit privy shall satisfy the minimum isolation distances: Residential well 50 feet, Type IIB and Type III public water supply well 75 feet, foundation wall footing drains 10 feet, embankments 20 feet.

### **Absorption System Distribution**

Trenches shall be installed so that a minimum of thirty-six inches (36") of undisturbed soil remains between each trench.

### **Aggregate/Stone**

Aggregate/Stone Material. Aggregate shall be washed stone ranging in size from three-eighths inch (3/8") to two and one-half inches (2 1/2") with a total fines content not exceeding five-tenths percent (0.5%) loss by washing. Stone aggregate shall rate three or more on Moh's scale of hardness. Sizing and hardness specifications and testing methodology shall be defined in the technical manual.

### **Aggregate Cover**

The septic system shall be backfilled with a minimum of six inches (6") and a maximum of thirty inches (30") of sand-based soil cover.

### **Absorption System Distribution**

The septic tank effluent line shall be solid schedule 40 PVC and connect to the header at a ninety (90°) degree angle between the centermost laterals.

Distribution line laterals for absorption bed installations shall be placed a minimum of three feet (3') and a maximum of four feet (4') on center unless otherwise approved by the Department.

### **Septic Tanks**

- The sewer line from the building to the septic tank shall be constructed of schedule 40 PVC plastic with water tight joints or other approved material.
- Septic tanks shall be equipped with an approved effluent filter installed in the outlet baffle, or other approved location.
- Septic tanks shall be equipped with a water tight access riser installed to grade to facilitate maintenance. Risers shall be installed with dual lids, leaving the concrete lid in place, or shall be equipped with other Department approved safety device to preclude accidental tank entry.
- All septic tanks shall be installed to be level and to flow in accordance with the manufacturer's design intent.
- All systems receiving sewage from a grinder pump shall be equipped with a minimum of two 1,000-gallon septic tanks. The first septic tank shall be installed in series to allow the settling of sewage discharged by the pump and shall be equipped with an outlet baffle.

## LANGUAGE REFERENCES FROM OTHER DOCUMENTS

- When septic tanks, privies, temporary privies, or portable toilets are cleaned or serviced, the agency performing such service shall comply with Part 117 P.A. 451 of 1994 (Mich. Comp. Laws § 324.11701 et seq.), as amended, or current State of Michigan requirement, and 40 CFR, Part 503 or current Federal requirements.

### **Privies/Outhouses / Permitting of Privies**

- Privies may be permitted for public or private use.
- Privies shall not be installed where not compliant with State of Michigan construction codes, associated Technical bulletins, policies, and advisories.
- Privies shall not be permitted in lieu of the installation of a septic system for structures served by pressurized plumbing, or otherwise generating water carried sewage.
- Vaulted or earth pit privies may be permitted if there is no available sewer for connection.
- Privies shall not be permitted within a 100-year floodplain boundary. The property owner shall be responsible for documenting the 100-year floodplain elevation as recognized by the Michigan Department of Environment Great Lakes and Energy upon the Department's request.

### **Earth Pit Privies**

Prior to an earth pit privy construction permit being issued the proposed location shall meet the following site requirements:

- Soil permeability rates of the native soil in the proposed infiltrative area of the absorption system shall be between 3 and 45 minutes per inch, as estimated by the USDA soil texture class.
- The effective soil depth shall be a minimum of sixty inches (60") from natural grade.

### **Privy Construction**

- All privies shall be constructed and maintained in accordance with Section 12771 of Act 368, P.A. of 1978 (Mich. Comp. Laws § 333.12771) and R 325.421 et seq. of the Michigan Administrative Code promulgated there under, or current State requirement.
- The bottom of the pit of an earth pit privy shall terminate a minimum of forty-eight inches (48") above the limiting zone.
- Vault privies shall have a minimum tank capacity of 1,000 gallons, shall be of water tight construction, and shall be located to facilitate pumping of waste.
- Privies shall be located at least fifty feet (50') from all habitable buildings other than that which they serve.
- Privies shall be located as prescribed in Table 3-14.2.A of these regulations.

### **Abandonment of OSTDS**

When an OSTDS is abandoned, it shall be rendered to prevent a potential safety hazard. Abandoned septic tanks shall be pumped and the contents disposed of by a licensed septage waste hauler according to law. The septic tank shall then be collapsed and filled with an approved material or shall be removed and transported and disposed of at a Type II landfill in accordance with law.



## LANGUAGE REFERENCES FROM OTHER DOCUMENTS

**Abandoned Well** - A well which has its use discontinued, has been left uncompleted, is a threat to the groundwater resource, is or may be a health or safety hazard, or that is in such disrepair, or its construction is such, that its use for the purpose of obtaining groundwater is impractical.

### **Water Well Construction Permits**

Pressurized water shall not be plumbed to a building without an approved connection to an OSTDS, or available sewer.

### **Well Inspection and Approval**

A completed "Water Well and Pump Record", and the associated "Abandoned Well Plugging Record" if applicable, has been submitted, reviewed, and approved.

### **Hydraulic Fracturing**

All wells that have been hydraulically fractured shall be tested for the presence of coliform bacteria after completion of the hydraulic fracturing process and the disinfection/chlorination of the well.

### **Geothermal Wells**

Vertical closed-loop geothermal wells shall be permitted as a water well and shall be constructed in accordance with Michigan Water Well Construction and Pump Installation Code, Ground Water Quality Control (R325.1601 et seq.), by authority provided in Part 127, Act 368, PA 1978 as amended (Mich. Comp. Laws § 333.12714) and rules, the Michigan Department of Natural Resources and Environment, Best Practices for Geothermal Closed-Loop Installations, April 2010, and the Upper Peninsula of Michigan Geothermal Technical Guidance document, or current State and regional technical guidance and/or statute.

## PUBLIC HEALTH CODE REFERENCES

### PUBLIC HEALTH CODE REFERENCES WERE ADDED TO THE CODE FOR PUBLIC TRANSPARENCY PURPOSES TO IDENTIFY THE OTHER ENVIRONMENTAL HEALTH PROGRAMS ALL IN ONE REFERENCE DOCUMENT

- Article III – On-site Sewage Treatment and Disposal
  - Section 3-12 Commercial OSTDS
  - Section 3-13 Lots less than 1 Acre, Subdivisions and Site Condominiums
- Article IV – Commercial OSTDS 1,000 gallons/day to 10,000 gallons/day
- Article V – Section 5-15 Lots Less than 1 acre, Subdivisions, and Site Condominiums
- Article V – Section 5-16 Well Abandonment and Plugging
- Article VI – Public Health Nuisance/Imminent Danger
- Article VII – Food Service
- Article VIII – Public Swimming Pools and Hot Tubs
- Article IX – Campgrounds
- Article X – Septic Tank Pumping and Land Application of Septage
- Article XI – Body Art
- Article XII – Cemeteries and Burials
- Article XIII – Clandestine Drug Related Contamination



## Contact Information

Eric Waara, Houghton City Manager  
(906) 482-1700  
eric.waara@cityofhoughton.com

**FOR IMMEDIATE RELEASE: February 23, 2023**

# **Walmart's tax appeal and breach jeopardize local schools, veteran, and public services in small Michigan community**

## **Rural Upper Peninsula city makes Walmart the area's largest retailer and depends on its vital tax revenue in return**

HOUGHTON, Mich. – The City of Houghton, a small northern town (pop. 8,200), located in Michigan's rural Upper Peninsula, is facing a potentially devastating property tax appeal by Walmart, the world's largest corporation. The global company seeks a lowered valuation on its local store, spurring a six-year retroactive \$1.2 million refund and a reduction in future property taxes. If successful, these actions would force the town to make difficult budget cuts for critical public services to accommodate reduced future city tax revenues.

If Walmart wins the case, it will result in dramatically reduced future budgets to local K-12 schools, veterans' services, county medical care facilities, the local library, and the City of Houghton. These cuts will jeopardize important programs and services that benefit people, including Walmart employees and customers.

In addition to a 60% reduction of the community's property taxes, Walmart's appeal violates a development agreement it made with the City of Houghton. The City provided Walmart with land and other costly infrastructure to accommodate its store expansion. In return, Walmart agreed to increase the store's assessed value to cover these and other ongoing expenses. The breach of the development agreement makes this case unique and serves as a caution to other local units that have provided financial benefits to Walmart. The City of Houghton has sued Walmart for the breach in federal district court.

Today, community leaders convened in the City of Houghton Council Chamber to discuss the ramifications of Walmart's appeal and the breach of its development agreement. The City is seeking coordination with the affected local units in what is likely to be a long and expensive litigation. During the meeting, Houghton City Manager Eric Waara and the City's legal counsel laid out the history of the agreement, explained Walmart's tax avoidance strategy, and prepared stakeholders for the budget cuts.

"Walmart is important to our community, but this doesn't privilege them from property tax responsibilities," said Waara. "Our local Walmart store employs veterans and hard-working parents who rely on city services, so it is disheartening that they are not willing to negotiate a solution to avoid negatively impacting public budgets and services for their customers and employees."

CONT...

Walmart is the world's largest corporation by revenue (\$543 billion) held by the wealthiest family on the planet. However, the company is using a legal strategy called "dark store theory" to reduce its tax burden and jeopardize services in a small rural community that supports its thriving store. The theory asserts that for tax assessment purposes, an open, bustling store — such as the Walmart property on M-26 highway's shopping corridor — should be valued at the same rate as older, vacant stores in markets where the retailer no longer operates. Walmart's goal is to reduce the property's value and lower their tax responsibility, which will cost taxpayers well over one million dollars in lost tax revenue and legal fees.

The lawsuit filed on behalf of the City of Houghton stems from an agreement the City made with Walmart when it expanded the local store in 2004. The City transferred the property to Walmart, created a public roadway, funded the relocation of utilities, and agreed to wetland mitigation work to help accommodate the expansion. In return, Walmart agreed to increase the taxable property value to \$4,780,000, which allowed the city to justify these infrastructure investments.

A local task force has been assembled in Houghton to increase public awareness and understanding of the situation and to prepare for potential future property tax reductions. The group includes city leaders, public school administrators, veterans' service groups, the public library, local economic development experts, and many other community stakeholders. The task force will ensure that the community understands the consequences of Walmart's desire to mitigate property tax expenses at the cost of vital community services.

"I am very disappointed by Walmart's actions," said Anders Hill, superintendent of Houghton-Portage Township Schools. "We have limited resources and strive to be responsible with what we have to impact students. Loss of these funds forces us to make some very tough decisions that will not be what is best for kids. Walmart's actions do not reflect being a partner with our community."

The task force and the City of Houghton hope that their efforts encourage Walmart to respond to numerous settlement overtures and salvage a relationship that has benefited both Walmart and the people of the community.

####

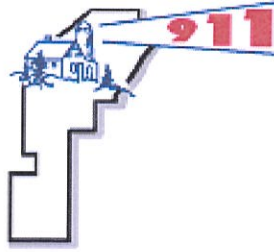
####

## **About the City of Houghton**

Referred to as the Gateway to the Keweenaw, the City of Houghton is the fastest growing, most exciting city in the Upper Peninsula of Michigan. With a population of 8,386, Houghton is home to Michigan Tech University, a vibrant downtown, numerous family-friendly parks, recreation trails, and great dining options. Houghton's distinct four seasons and mix of shopping, lodging, and entertainment make it a great place to live and play for visitors seeking a basecamp for trips to Isle Royale National Park, Copper Harbor, and Porcupine Mountains Wilderness State Park.

*High resolution photo assets are available at [www.cityofhoughton.com/walmartbreach](http://www.cityofhoughton.com/walmartbreach).*





## Houghton County 9-1-1 & Addressing

Jon Giachino  
Houghton County 9-1-1  
Undersheriff / 911  
Coordinator  
403 E. Houghton Ave.  
Houghton, MI 49931  
906-482-0055 phone  
906-487-5949 fax

03/08/2023

To: Houghton County Board of Commissioners  
CC: Sheriff Saaranen  
CC: Elizabeth Bjorn  
RE: Houghton County 911 Advisory Board Recommendations

**On 03/08/2023 the 911 Advisory Board met and approved the following items to be paid out of the Houghton County 911 fund.**

- (1) Hancock City Police Department requests 3 portable 800 radios, 2 mobile 800 in car radios. 2 tablets, along with docking station and stand. (\$48,000)
- (2) Mercy Ambulance Service requests 1 mobile 800 radio (\$7,000)
- (3) Approved pay raise to Assistant 911 Coordinator Todd LaRoux of \$3.00 an hour while he is assisting the 911 Coordinator.

The 911 Coordinator seeks the Houghton County Board of Commissioners approval on the above requests.

**On 03/08/2023 the 911 Advisory Board met and recommended that the Houghton County Board of Commissioners review the following:**

Tele-Rad's bid for \$100,385 to put new Houghton County equipment affixed to the potential new site near Centennial along with State required foundation modifications. The summary of the bid from Tele-Rad will be provided along with Mission One's design of the modification and breakdown of the work that is being conducted.

The 911 Advisory Board wanted clarification about the foundation modification that was listed as an "estimate" for \$42,000. The 911 Coordinator spoke with Jon Schultz from Mission One who advised the \$42,000 is a firm/set price for the modification that needed for the Tower in Centennial.

- It must be noted The 911 Coordinator spoke with representatives from Elcom Systems(Marquette) in the fall of 2022 and asked them to put together a bid for the Centennial Project with no response.
- All costs incurred with this project will be paid out of the Houghton County 911 Fund.

Respectfully,

Jon Giachino  
Undersheriff/911 Coordinator  
Houghton County Sheriff's Office



# DEBBIE STABENOW

United States Senator *for* Michigan

## FY 2024 Appropriations Requests

### PART I: INFORMATION for the MICHIGAN ENTITY REQUESTING FUNDING

*Please note that you will not be able to save and return to a draft of your application. Have your application prepared in advance so that you can submit it in one session. Please ensure any fields marked with a "\*" are filled in, as the asterisk denotes a required field.*

\* Access Code  
Required

Required

#### Organization

\* Official Name of Entity to Receive Funding

County of Houghton

\* Address Line 1

401 E Houghton Ave

Address Line 2

Houghton County Courthouse, 5th Floor

\* City

Houghton

\* State

Michigan

\* Zip

49931

\* Email

controller@houghtoncounty.net

\* Website Address

www.houghtoncounty.net

\* Please provide the recipient organization's Employer Identification Number (EIN).

38-6004855

\* Senator Stabenow Office Contact:

Jay Gage

**PART II: CONTACT INFORMATION for the PERSON SUBMITTING THIS REQUEST**

*The Requestor contact should be the individual who will be most closely managing this application.*

Requestor

\* First Name

ELIZABETH

\* Last Name

BJORN

\* Title

County Administrator

\* Organization

County of Houghton

\* Address Line 1

401 E Houghton Ave

Address Line 2

Houghton County Courthouse, 5th Floor Controller's Office

\* City

Houghton

\* State

Michigan

\* Zip

49931

\* Email

controller@houghtoncounty.net

\* Office Phone

(906) 482-8307

Cell Phone

(906) 281-7390

**PART III: CONTACT INFORMATION for a MICHIGAN CONTACT at the ENTITY REQUESTING FUNDING**

*The organization contact should be a Michigan-based leader from within the organization requesting funding, if different than the contact in Part II (Executive Director, Chairperson, President, Manager).*

## Organization Contact

\* First Name

Tom

\* Last Name

Tikkanen

Title

Chairman, Board of Commissioners

\* Email

tom.tikkanen@houghtoncounty.net

\* Office Phone

(906) 482-8307

Cell Phone

(906) 369-0022

## PART IV: APPROPRIATIONS DETAIL

*Please note that the Senate Appropriations Committee requires additional questions to be answered if applying for money in certain accounts. These additional questions will appear in the application after an account is selected. All additional questions are required.*

\* Appropriations Bill

Transportation and Housing and Urban Development

\* Account

Highway Infrastructure Program (HIP)

\* Please provide the Tax Identification Number for the recipient Organization.

38-6004855

\* Please provide the status of the planning and environmental work for the project.

Community Leader discussions held concerning a Feasibility Study for a secondary crossing on the Portage Canal.

\* Please provide a web link to the relevant Statewide Transportation Improvement Program (STIP) or Transportation Improvement Program (TIP) that includes the project. For transportation projects that are not currently on one of the identified planning documents, you may alternatively provide a letter from the respective Michigan DOT supporting the project. This support letter should affirm that the project is eligible under Title 23, United States Code, that the State DOT is willing to carry out the project if funding is enacted, AND that the State DOT will include the project on the STIP or TIP once funding for the project is enacted.

MDOT Support Letter

\* Please provide the STIP or TIP ID number for the project as it appears on the STIP or TIP website.



This project is not currently listed on the STIP or TIP planning documents

\* Amount Requested:

800000

\* What is the total dollar amount to complete the project? (Will the project require funding beyond the upcoming fiscal year? If so, please provide an annual breakdown of funding needed in future years):

\$600,000 to \$800,000 dollars to fully complete a Feasibility Study for a second-crossing of the Portage Canal.

\* What is the minimum amount of appropriation funding needed to begin, complete, or sustain this project for the upcoming fiscal year, in the event the full amount requested cannot be appropriated?

600000

\* Are funds being requested for this project through a different appropriations bill this upcoming fiscal year? If so, which bill and how much?

No. Funds are not being requested through a different appropriations bill for this upcoming fiscal year FY 2024.

\* Are funds being requested for this project through another Member of Congress this upcoming fiscal year? If so, please identify the Member, bill and the amount of the request?

No. Funds are not being requested through another Member of Congress for this upcoming fiscal year FY 2024.

\* List any funding partners as well as pending requests for other federal, state, local, or private funding. (Please include amount):

There are no funding partners or pending requests with other Federal, State or Local or Private funding sources.

\* If matching funds are required for this project, please provide a description of the funds that will be used to meet this requirement:

There are no matching funds available to conduct a feasibility study for a second-crossing on the Portage Canal.

\* Describe the county or geographic area served or impacted by this project:

The Northern-most point of the Keweenaw Peninsula serving Houghton, Baraga and Keweenaw Counties.

## PART V: PROJECT INFORMATION

\* Type of Entity

Government Entity

\* Brief Description of Entity:

Each side of the Portage Canal has units of local government and community service facilities that are separated by the Portage Canal body of water that currently has only 1 crossing. The two area hospitals are UP Health Systems Portage and Aspirus hospital that are located on the northern side of the only bridge on the Canal, along with the Municipal Airport which hosts Guardian Flight, area Health Department, Road Commission, Veterans Affairs, Mercy Ambulance and four Medical Care Facilities.

\* Project Name:

Portage Canal Second-Crossing Feasibility Study

\* What is the purpose or goal of the project?

To allow the experts to determine if a second crossing on the Portage Canal would be economically and environmentally possible. It will also ensure that the project would be beneficial for the citizens and visitors of Houghton along with our neighboring counties of Keweenaw and Baraga.

\* What will the funding be used for (staffing, equipment, construction, program development)?

The funding will be used to conduct a Feasibility Study for a second-crossing on the Portage Canal.

\* How does the project meet a local, state, or national need (e.g. economic, health & safety, environmental)?

The Portage Lift-Bridge is the only crossing of the Portage Canal for Emergencies, Tourism and Travel.

\* Is the project new, or does it expand or continue an existing program? What is the project phase or status?

This is a new project as there has not been a second-crossing feasibility study conducted for the Portage Canal.

\* How would you justify this project as a good use of taxpayer money? (For example, does it create jobs, improve the economy, foster energy independence, protect the Great Lakes, etc.)

This study will allow local leaders to identify and focus their community-wide emergency response efforts and ensure that the residents and visitors of Houghton, Keweenaw and Baraga Counties have access to the northern side of the canal for medical, transportation and recreational facilities regardless of the status of the Portage Lift Bridge.

\* Describe other local, state, private or federal entities supporting this request:

Michigan Department of Transportation, 110th District Representative Gregory Markkanen, Houghton County Highway Engineer, Kevin Harju, PE, Houghton County Board of Commissioners, Thomas Tikkanen, Chairman, Keweenaw Tourism Council Director, Brad Barnette, Jeff Ratcliffe, Executive Director, Keweenaw Economic Development Alliance

## PART VI: PROJECT BUDGET DETAIL

Please break down the amount of money requested for this project by purpose. If no funds are requested for an indicated purpose, please enter 0:

\* Property Acquisition

0

\* Design, Permitting, and Planning

0

\* Site Work

0

\* Construction and Renovation

0

\* Equipment

0

\* Staffing

0

\* Program Development

0

\* Other

800000

Please describe the current status of each phase of the project.

\* Property Acquisition

Not Yet Begun



\* Design, Permitting, and Planning

Not Applicable



\* Site Work

Not Applicable



\* Construction and Renovation

Not Applicable



\* Equipment

Not Applicable

\* Staffing

Not Applicable

\* Program Development

Not Applicable

Other - If funds are requested for a purpose not listed above, or if you'd like to clarify any of the above fields, please elaborate here.

Funds are being requested to allow environmental and engineering experts conduct a feasibility study to determine if a second crossing of the Portage Canal is recommended.

Please describe any other sources of funding already committed or received for this project.

Federal Sources (eg: EPA Brownfields Funding, HOME funding, federal tax credits, Clean Water or Drinking Water State Revolving Funds, etc.)

No other Federal Sourced funding has been committed or received for this project.

Local or State Government Funding (eg: grants, loans, bond votes, tax credits, etc.)

No other grants, loans or bond funding has been committed or received for this project.

Private or Nonprofit Funding (Foundation grant programs, United Way, individual donations, etc.)

No Private or Nonprofit Funding has been committed or received for this project.

Project Income (Fees, ratepayers, etc.)

No Project Income or Fees have been committed or received for this project.

Other Sources

To date there are no other sources of funding that have been committed or received for this project.

**PART VII: PAST APPLICATIONS**

\* Has this organization previously requested or been awarded Congressionally Directed Spending/Community Project Funding in FY22 or FY23? If yes, please list the fiscal year, project name, amount requested, award status, and the requesting Congressional offices for each project.

No. Houghton County has not previously requested or been awarded Congressionally Directed Spending for the FY22 or FY23 appropriations for this project.

## PART VIII: LETTERS OF SUPPORT

Please upload three letters of support for your project from community leaders, government entities or other stakeholders.

Only one file can be submitted through this form, so please combine your support letters into one document before uploading. (Allowed File Extensions: .doc, .docx, .pdf, .txt)

If you do not have letters of support at the time of submission, your confirmation email will include instructions on submitting support letters after your application is submitted.

Upload Support Letter(s) Here:

Maximum File Size (in bytes, 2000000 = 2MB) Allowed File types: .doc, .docx, .pdf, .txt

Upload File

No file chosen

**IMPORTANT:** Please wait for your files to fully upload before hitting Submit.

Submit



**Houghton County Courthouse**  
401 East Houghton Avenue  
Houghton, Michigan 49931  
Phone: (906) 482-5420  
Fax: (906) 482-7492

**STATE OF MICHIGAN**



**TWELFTH JUDICIAL CIRCUIT COURT**  
BARAGA, HOUGHTON AND KEWEENAW COUNTIES

**CHARLES R. GOODMAN**  
12TH CIRCUIT JUDGE

March 1, 2023

**Laura Lamerand, Administrator**  
laura@houghtoncounty.net  
**LeAnn Pulda, Court Reporter**  
leann.pulda@houghtoncounty.net

Houghton County Board of Commissioners  
401 E. Houghton Avenue  
Houghton, MI 49931

Dear Commissioners:

It has come to my attention that the terms of Joan Antila, Becky Bruin-Slot, and Linda Neumann as members of the Houghton County Jury Board are about to expire. The aforementioned individuals have admirably performed their duties and responsibilities as members of the Jury Board and, fortunately, all have advised that they are willing to continue as board members.

Pursuant to MCL 600.1301, please be advised that the Court recommends that Joan Antila, Becky Bruin-Slot, and Linda Neumann be reappointed to the Houghton County Jury Board to serve a term of six years as set forth by statute.

Thank you for your attention to this matter.

Yours Very Truly,

A handwritten signature in blue ink, appearing to read "Charles R. Goodman".

Charles R. Goodman  
12th Circuit Judge

CRG/lap

c: Jennifer Kelly, Houghton County Clerk

Quarterly Budget Amendment Requests  
 Quarter Ending 03/31/2023

Description	Fund/Program Name	Fund/Dept/Acct	Revenue	Expense	Increase	Decrease
General Fund	Treatment Court Fund	233-000-637.000	x		50,400.00	
	SWT Fund	517-000-934.114		x	2,500.00	
		517-000-934.102		x		\$ 2,500.00

Initials: \_\_\_\_\_ Date: \_\_\_\_\_



P.O. Box 606  
2501 14th Avenue South  
Escanaba, MI 49829

906.786.4701 • Fax 906.786.5853  
[www.upcap.org](http://www.upcap.org)

**February 13, 2023**

**TO: Elizabeth Bjorn  
Houghton County Administrator  
401 E. Houghton Avenue  
Houghton, MI 49931**

**FROM: Upper Peninsula Association of County Commissioners  
P.O. Box 606  
Escanaba, MI 49829**

---

**INVOICE FOR UPACC DUES - 2023:**

**\$174.00**

February 24, 2023

Elizabeth Bjorn  
Administrator  
Houghton County Courthouse  
401 E. Houghton Avenue  
Houghton, MI 49931

RE: Proposal for Professional Service  
Houghton County – New Offices/Courthouse

Dear Ms. Bjorn:

Thank you for contacting us to provide professional services to Houghton County for new offices and district courthouse. We have prepared this letter proposal based on the information provided and discussions with you. This proposal represents our understanding of the project, work plan, schedule, and cost of services.

#### **Statement of Understanding**

The Houghton County Board of Commissioner's recently purchased a parcel of land in Portage Township off of Sharon Avenue. The parcel currently has a structure that is used as a church. The long-term vision of the County Board is to locate a portion of the County Courts and Offices at this site and eventually the County Jail. OHM has been asked to review the existing building and site and provide a schematic site plan as well as a potential phasing plan for the building development. The focus of this project is to remodel the existing building to house new offices for various county departments, and a new district court.

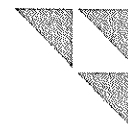
#### **Work Plan**

Our work plan includes the tasks required to complete the study, programming, and schematic design of the project. Specific tasks to complete this project are as follows:

#### **Programming and Schematic Design**

During programming, OHM will work closely with representatives of the user groups that will be using the new facility. It is imperative at this stage that the users' needs be clearly defined to assure that the design incorporates spaces that function efficiently and provide aesthetic appeal for years into the future. During Schematic Design, we will further develop the conceptual plans to include more detailed information on the construction of the building and overall site layout.

- ▼ Schedule and attend a project initiation meeting. The meeting will be held in person at either the Courthouse or the Sharon Ave building. The purpose of the meeting will be to discuss the goals of the project, introduce team members, identify stakeholders, and develop milestone dates.
- ▼ Develop an electronic floor plan of the existing Sharon Ave building based on existing drawings.
- ▼ Perform field verification of the existing building to verify overall building size, major structural element sizes and locations, opening locations, existing mechanical equipment locations and capacity, and electrical service.
- ▼ Revise existing floor plan to reflect field verification information.
- ▼ Review programming documents from the 2010 Jail Study as a starting point for developing a new



program for District Court Programming. The county also desires to locate the friend of the court and family court to the new location, so we will develop programming for those spaces since they were not in the 2010 study.

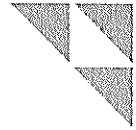
- ▼ Meet with Court staff and stakeholders to review program and update it to meet current and projected needs. We anticipate we will discuss the cons of the existing courthouse spaces and desires for the new spaces so the proposed floor plan can be assembled with them in mind.
- ▼ Revise the program to incorporate the information gathered from the users. The program document will provide information on each space and will be a useful tool to refer to as we work through the schematic design phase.
- ▼ Develop a block diagram of the proposed District Court and office spaces placed in the existing Sharon Ave building to determine if accommodating required sizes and adjacencies are possible in the existing building.
- ▼ Meet with District Court staff/stakeholders to review block diagram. Discuss space sizes and adjacencies. Review unused space in the building and determine if other County functions could utilize that space.
- ▼ Revise block diagram per meeting discussion.
- ▼ Perform preliminary code review to determine egress, fire protection requirements, and fire rating requirements.
- ▼ Develop proposed floor plan based on comments from revised block diagram.
- ▼ Review existing utility sizes and conditions (or age if not visible) and make recommendations for possible upgrades.
- ▼ Investigate structural implications of proposed floor plan and concerns with existing roof structure. Develop narrative to identify structural concerns and proposed solutions.
- ▼ Develop mechanical and electrical narratives to indicate new and/or use of existing equipment and systems.
- ▼ Review the existing parking and sidewalk areas for ADA compliance, traffic flow, storm water/drainage concerns, and site lighting. Develop narrative to identify site/civil concerns and possible solutions.
- ▼ Schedule and attend a meeting to review the proposed floor plan and narratives.
- ▼ Revise floor plan per meeting comments.
- ▼ Develop a preliminary construction cost estimate for the major elements included in the proposed project. We envision this to include proposed architectural features, structural upgrades, recommended mechanical/electrical/plumbing upgrades, and proposed site upgrades.
- ▼ Submission of the project plan, including the vision, goals, and the process used to develop the plan, the cost estimate, and the drawings will be in report form. Digital and large format boards for the project will also be available.

#### **Additional Services**

The following services are not included in our compensation but may be desired. Fees for these services can be negotiated later if deemed necessary. Additional services that may be needed are as follows:

- ▼ Master Planning for the Jail, Work Camp, and Circuit Court
- ▼ Environmental Testing and Abatement
- ▼ Interior and Exterior 3-dimensional renderings
- ▼ Interior color sketches (2-dimension) to illustrate finishes





- 4 Fire alarm and fire sprinkler design
- 4 Electronic as-built drawings
- 4 Planning/Zoning review meetings
- 4 Title search
- 4 Topographic and Boundary Survey
- 4 Construction Documents
- 4 Bidding and Construction Administration

**Schedule**

The following table outlines the anticipated major project milestones:

TASK	TENTATIVE DATES
Kickoff Meeting and Site Visit	March
Programming and Existing Conditions	March/April
Programming Review Meeting	April
Develop Block Diagram	April
Block Diagram Meeting	April/May
Develop Schematic Floor Plan and Perform Code Review	May
Schematic Floor Plan Review Meeting	May
Final Schematic Plans and Narratives	May/June

Potential schedule related items that may impact task durations are as follows:

- 4 Client review times

We are prepared to commence work on this project on upon receipt of your written authorization to proceed.

**Compensation**

OHM Advisors will provide the above-outlined professional services in accordance with the following fee schedule. Our professional services will be performed on a lump sum, basis.

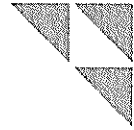
Phase/Task	Cost
Programming and Schematic Design	\$25,000

**Notes:**

1. Fees were determined based on the noted assumptions. OHM Advisors proposes to confirm these assumptions with Houghton County prior to commencing services.
2. The cost associated with each task assumes authorization and execution of all the tasks.
3. “Lump Sum” fees, as proposed, shall be invoiced at the exact number shown.
4. Items under the Additional Services Task will only be performed if agreed upon with Houghton County and prior written authorization is provided by Houghton County.

**Client Responsibilities**

- 4 Houghton County will provide a single point of contact to OHM Advisors who is knowledgeable about the project needs and desired outcomes.
- 4 Houghton County will provide the following, if available, to assist us with the project: prior as-builts and existing plans, plat maps, site surveys indicating site boundaries, existing topography, access to structures, easements and utility line information, utility availability, building information, etc.



### Authorization and Acceptance

If this proposal is acceptable to you, your signature on this letter with a copy returned to me will serve as our authorization to proceed. Upon execution, this Proposal, the Terms & Conditions, and the other attachments will form our agreement.

Thank you for giving us the opportunity to be of service. We look forward to working with you on this project. This proposal is valid for 30 days. If you have any questions or comments, please contact me at [jared.hyrkas@ohm-advisors.com](mailto:jared.hyrkas@ohm-advisors.com) or (906) 281-5126.

Sincerely,  
OHM Advisors

Acceptance  
Houghton County

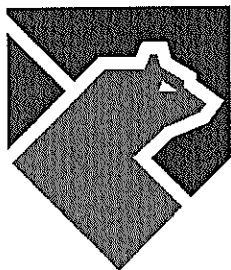
Jared Hyrkas, PE  
Senior Project Manager

---

Elizabeth Bjorn  
Administrator

Attachments: Terms and Conditions

cc: Becky Ylitalo, CMX Airport  
Tom Tikkanen, Houghton County  
Roy Britz, Houghton County



# KARHU CYBER

Karhu Cyber  
9062124100  
204 Higgins St  
Howell, Michigan  
48843  
United States

Billed To  
Houghton County  
401 E Houghton Ave  
Houghton, Michigan  
49931  
United States

Date of Issue  
03/02/2023  
  
Due Date  
04/01/2023

Invoice Number  
0000025

Amount Due (USD)  
**\$8,809.30**

Description	Rate	Qty	Line Total
Threat Hunting	\$150.00	22	\$3,300.00
Vulnerability Scanning	\$150.00	17	\$2,550.00
Email Phishing	\$150.00	1	\$150.00
Elastic Cloud January	\$2,809.30	1	\$2,809.30

Subtotal 8,809.30

Tax 0.00

Total 8,809.30

Amount Paid 0.00

Amount Due (USD) \$8,809.30

## Notes

\*The Elastic Invoice populates with a delay, so we will charge for the software with a one-month delay unless conditions change. The Elastic Cloud January invoice is attached for your review.

Invoice written for services rendered:  
1-28 February 2023  
A sincere thank you for your business!

Terms



**STATEMENT**

Copper Country Community Mental Health  
 901 W. Memorial Drive  
 Houghton MI 49931

(906) 482-9400 Ext. 0114

<b>Date:</b>	2/28/2023
<b>Account:</b>	00052

<b>Amount Paid:</b>	
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**HOUGHTON COUNTY TREASURER**

401 E HOUGHTON AVENUE  
 HOUGHTON MI 49931

Payment Terms: NET 30

Deposits Received: \$0.00

*^Please return this portion with your payment^*

Document No.	Date	Code	Description	Amount	Balance
INV00000030000000145	12/28/2022	SLS	1/12th Appropriation	\$13,707.91	\$13,707.91
INV00000030000000146	1/28/2023	SLS	1/12th Appropriation	\$13,707.91	\$27,415.82
INV00000030000000147	2/28/2023	SLS	1/12th Appropriation	\$13,707.91	\$41,123.73
				<b>Amount Due:</b>	<b>\$41,123.73</b>

<u>Current</u>	<u>1-30 Days</u>	<u>31 - 60 Days</u>	<u>61 - 90 Days</u>	<u>Over 90 Days</u>
\$13,707.91	\$13,707.91	\$13,707.91	\$0.00	\$0.00

Codes: SLS = Sales / Invoices  
 DR = Debit Memos

CR = Credit Memos  
 RTN = Returns

PMT = Payments