



Guidelines for Board Electronic Remote Meetings

Governor Whitmer issued an Executive Order that authorizes the Grand Haven Charter Township Board to conduct remote meetings and suspending compliance with Section 3 of the Open Meetings Act to alleviate physical presence requirements in recognition of the threat imposed by the COVID-19 virus.

In order to comply with existing Executive Orders and to best meet the intent of the Open Meetings Act, the Charter Township of Grand Haven shall:

- ✓ Notify local media outlets of all Board meetings at least 18 hours in advance of the meeting; and,
- ✓ Post the full agenda at least 18 hours before the meeting, with the packet received by the elected officials with all support documents available at <http://www.gh.t.org/boards/meeting-packets/>; and,
- ✓ Live stream audio and video content on a streaming platform with closed captioning capabilities available (*i.e.*, *Facebook Live*); and,
- ✓ The Township shall accept written feedback at bcargo@gh.t.org to be publicly shared during the Public Comment periods as noted on the Board agenda; and,
- ✓ Public may make comments via Facebook live text feed found at <https://www.facebook.com/GHTownship/> and such comments shall be read aloud during the Public Comment periods as noted on the Board agenda; and,
- ✓ Public may call in on the telephone at (616) 402-0350 during Public Comment periods as noted on the Board agenda. (*Comments through the phone are limited to three minutes.*); and,
- ✓ All votes shall be taken by roll call to ensure all votes are heard and properly recorded; and,
- ✓ The Township Clerk shall take complete minutes of all meetings of the Township Board and minutes shall also be taken by the recording secretary of all boards or commissions meeting under this policy.

This policy may be amended at any time by the Township Board in order to comply with the Open Meetings Act and pertinent Executive Orders.

GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, MAY 11, 2020

According to the Attorney General, interrupting a public meeting in Michigan with hate speech or profanity could result in criminal charges under several State statutes relating to Fraudulent Access to a Computer or Network (MCL 752. 797) and/or Malicious Use of Electronics Communication (MCL 750.540). According to the US Attorney for Eastern Michigan, Federal charges may include disrupting a public meeting, computer intrusion, using a computer to commit a crime, hate crimes, fraud, or transmitting threatening communications. Public meetings are monitored, and violations of statutes will be prosecuted.

WORK SESSION – Cancelled

REGULAR MEETING – Remote Electronic Meeting – 7:00 P.M.

- I. CALL TO ORDER
- II. ROLL CALL
- III. APPROVAL OF MEETING AGENDA
- IV. REVIEW OF “GUIDELINES FOR REMOTE ELECTRONIC MEETINGS”
- V. PUBLIC COMMENTS – (*Agenda Items Only*)
Please go to <http://www.gh.t.org/boards/meeting-packets/> to view the complete packet for tonight's Board meeting. If you would like to comment on an Agenda item only, you may now text your comments via Facebook live stream found at <https://www.facebook.com/GHTownship/> ; email bcargo@gh.t.org ; or call (616) 402-0350 when prompted. Comments through the phone are limited to three (3) minutes.
- VI. CONSENT AGENDA
 1. Approve March 23, 2020, Regular Board Minutes
 2. Approve Payment of Invoices in the amount of \$2,077,087.26 (*A/P checks of \$1,603,572.44 and payroll of \$473,514.82*)
 3. Approve “Guidelines for Remote Electronic Meetings”
- VII. OLD BUSINESS
 1. Resolution 20-05-01 – Allied Waste Hauler License (*Staffed by Cargo*)
 2. PUD Amendment Discussion for Lakeshore Flats Apartments (*Staffed by Fedewa*)
- VIII. NEW BUSINESS
 1. Review/Discussion of COVID-19 Plan (*Staffed by Dumbrell*)
 2. Discussion of Township Participation with Brucker Street Shoreline Erosion Project (*Staffed by Cargo*)
 3. Discussion – No Wake Emergency Orders (*PA 70 – 72 of 2020*) (*Staffed by Cargo*)
- IX. REPORTS AND CORRESPONDENCE
 1. Committee Reports
 2. Manager’s Report
 - a. March Public Services Report
 - b. February Legal Review (*Board only*)
 - c. March Legal Review (*Board only*)
 3. Others

X. PUBLIC COMMENTS (*Non-Agenda Items*)

If you would like to comment on an non-agenda item, you may now text your comments via Facebook live stream found at <https://www.facebook.com/GHTownship/>, email bcargo@ght.org, or call (616) 402-0350 when prompted. Comments through the phone are limited to three (3) minutes.

XI. ADJOURNMENT

**GRAND HAVEN CHARTER TOWNSHIP BOARD
MONDAY, MARCH 23, 2020**

REGULAR MEETING

I. CALL TO ORDER

Supervisor Reenders called the regular meeting of the Grand Haven Charter Township Board to order at 7:00 p.m.

II. PLEDGE TO THE FLAG

III. ROLL CALL

Board members present: Behm, Larsen, Kieft, Reenders, Redick, Meeusen, Gignac

Board members absent:

Also, present was Manager Cargo

IV. APPROVAL OF MEETING AGENDA

Motion by Clerk Larsen and seconded by Trustee Meeusen to approve the meeting agenda. **Which motion carried.**

V. APPROVAL OF CONSENT AGENDA

1. Approve March 9, 2020, Regular Board Minutes
2. Approve Payment of Invoices in the amount of \$240,786.88 (*A/P checks of \$113,434.95 and payroll of \$127,351.93*)
3. Approve Engineering Agreement with Prein & Newhof for Manhole Inspections and Condition Assessment (*Not-to-Exceed \$20,750*)
4. Approve Low Bid from Tiles Excavating, Inc. of Nunica for Lakeshore Drive Pathway Reconstruction (*\$397,200.38*)
5. Approve Low Bid from DeSar Excavating, Inc. for DDA Project 172nd Avenue Storm Water (*\$127,537.75*)
6. Approve Sale of Surplus Equipment - 1994 Pierce Fire Engine with Associated Loose Equipment (*e.g., hoses, valves, nozzles, etc.*) through Fenton Fire

Motion by Treasurer Kieft and seconded by Trustee Gignac to approve the items listed on the Consent Agenda. **Which motion carried.**

VI. JOINT PUBLIC HEARING –MNRTF Land Development Grant Application & MNRTF Land Acquisition Application

Supervisor Reenders opened the public hearing at 7:02 p.m.

Manager Cargo presented two memoranda on the proposed grant applications. The Land Development application is for an \$874,400 project with the proposed MNRTF grant covering \$300,000 of the total. The Land Acquisition application is for \$328,400 project with the proposed MNRTF grant covering \$246,300 of the total.

There being no further public comments, Supervisor Reenders closed the public hearing at 7:04 p.m.

VII. OLD BUSINESS

1. **Motion** by Clerk Larsen supported by Trustee Behm to approve and adopt Resolution 20-03-02 that supports the submission of a Michigan Natural Resources Trust Fund development application for Hofma Park and Preserve. **Which motion carried** pursuant to the following roll call vote:

Ayes: Larsen, Gignac, Kieft, Meeusen, Redick, Behm, Reenders

Nays:

Absent:

2. **Motion** by Treasurer Kieft supported by Trustee Meeusen to approve and adopt Resolution 20-03-03 that supports the submission of an application of a Michigan Natural Resources Trust Fund land acquisition to expand Hofma Park and Preserve. **Which motion carried** pursuant to the following roll call vote:

Ayes: Behm, Gignac, Meeusen, Redick, Kieft, Reenders, Larsen

Nays:

Absent:

VIII. NEW BUSINESS

1. **Motion** by Treasurer Kieft supported by Trustee Behm to approve Resolution 20-03-04, which placed a ballot proposal on the August 2020 primary election for a 0.25 mill tax to be levied on-behalf and collected for the North Ottawa Recreation Authority. **Which motion carried** pursuant to the following roll call vote:

Ayes: Kieft, Reenders, Meeusen, Behm, Gignac, Larsen, Redick

Nays:

Absent:

2. **Motion** by Clerk Larsen supported by Trustee Gignac to approve the hire of Robert Whitaker as a Full-Time Firefighter/Paramedic, effective immediately. **Which motion carried.**

IX. REPORTS AND CORESPONDENCE

a. Committee Reports

- i. Trustee Redick noted that the NORA Committee meeting was cancelled due to the COVID-19 pandemic.
- ii. Clerk Larsen noted that the Election workers are considered essential under the Governor's Stay-at-Home Executive Order and will work to prepare for the May School elections.
- iii. Trustee Gignac noted that 1021 was approved by the State of Michigan for ALS services and was placed into service.

b. Manager's Report, which included:

- i. February Public Services Report
- ii. Discussion was held regarding the April 13th Board meeting. **Without objection**, the Board instructed staff to cancel this meeting.

- iii. Discussion was held regarding waiving water shut-off during the COVID-19 pandemic. **Without objection**, the Board instructed staff to waive shut-off of water for non-payment during the COVID-19 emergency response.
- iv. Manager Cargo noted that due to the cancellation of the April 13th Board meeting and limited availability of certain key staff during the Stay-at-Home EO that difficulties will arise with the timely payment of invoices. **Without objection**, the Board authorized invoices that are due to be paid with the authorization of the Manager and Finance Director – which claims shall be post audited at the next Board meeting.

c. Others

X. PUBLIC COMMENTS

Laird Schaefer (*12543 Wilderness Trail*) commented on the Governor’s Stay-at-Home Executive Order that was issued.

XI. ADJOURNMENT

Motion by Clerk Larsen and seconded by Trustee Meeusen to adjourn the meeting at 7:26 p.m. **Which motion carried.**

Respectfully Submitted,



Laurie Larsen
Grand Haven Charter Township Clerk



Mark Reenders
Grand Haven Charter Township Supervisor



Manager's Memo

DATE: May 5, 2020
TO: Township Board
FROM: Cargo
RE: Allied Waste - 2020 Waste Hauling License

Attached, please find a proposed resolution authorizing Allied Waste's application to operate within GHT. Their proposed fee is a maximum of \$20.00 per month with a cart, which includes the recycling. (*This is about a 14% increase[↑] over their last license renewal in 2019.*) Recycling is every other week with a cart.

The company also offers yard waste at a maximum of \$12.00 per month with a cart – which is the same as previous.

A copy of their application and supporting documentation will be available at the meeting for those interested.

To approve the application, the following motion can be offered:

Move to approve Resolution 20-05-01 approving a one-year license agreement with Allied Waste (dba Republic Services of Muskegon) for waste collection and hauling services in Grand Haven Charter Township.

If there are any questions or comments, please contact me at your convenience.



At a regular meeting of the Township Board of the Charter Township of Grand Haven, Ottawa County, Michigan, held at the Township Hall at 13300 – 168th Avenue, Grand Haven Charter Township, Ottawa County, Michigan, on the 11th day of May 2020, at 7:00 p.m., local time.

After certain matters of business had been completed, Supervisor Reenders announced that the next order of business was the consideration of a license to operate in the Township for Allied Waste Systems (*dba Republic Services of Muskegon*).

The proposed license agreement was discussed by the members of the Board, and after discussion was completed the following resolution was offered by _____ and seconded by _____:

**GRAND HAVEN CHARTER TOWNSHIP
RESOLUTION 20-05-01**

APPROVING THE LICENSE APPLICATION OF ALLIED WASTE SYSTEMS (*DBA REPUBLIC SERVICES OF MUSKEGON*) TO OPERATE WITHIN GRAND HAVEN CHARTER TOWNSHIP AND THE SCHEDULE OF FEES FOR SERVICE.

WHEREAS, Grand Haven Charter Township adopted and amended Ordinance No. 334 which provides for the licensing of garbage, trash, and recyclable collectors or haulers; and

WHEREAS, Allied Waste Systems (*dba Republic Services of Muskegon*) applied for a license to operate within Grand Haven Charter Township pursuant to said Ordinance; and

WHEREAS, Allied Waste Systems (*dba Republic Services of Muskegon*) meets all of the requirements of said Ordinance for operating within the Township, as shown by their license application, which has been reviewed and approved by the Township Superintendent; and

WHEREAS, Allied Waste Systems (*dba Republic Services of Muskegon*) provided a schedule of fees to be charged for said services, which is included within said application.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- 1) The application of Allied Waste Systems (*dba Republic Services of Muskegon*) to provide trash and recyclable collection and hauling services pursuant to Ordinance No. 334, as amended, within the Charter Township of Grand Haven is hereby approved until February 1, 2021.
- 2) That the attached schedule of fees, which indicates the maximum rate that can be charged, is approved until February 1, 2021, at which time a new schedule of rates must be submitted for review and approval by the Township Board. (*Any change of the rates prior to February 1, 2021 must be submitted to the Township Board for approval pursuant to Ordinance No. 334, as amended.*) It is noted that applicant will be providing recycling services every other week but will be supplying a large cart.
- 3) That a copy of this resolution will be forwarded by the Township Clerk to Allied Waste Systems (*dba Republic Services of Muskegon*) and that it shall be considered to be a license to operate waste and recyclable collection and hauling within Grand Haven Charter Township until February 1, 2021.

AYES:
NAYS:
ABSENT:

RESOLUTION DECLARED: Adopted.
ADOPTED ON MAY 11, 2020

Laurie Larsen
Grand Haven Charter Township Clerk

CERTIFICATE

I, the undersigned, the duly qualified and Township Clerk of the Charter Township of Grand Haven, Ottawa County, Michigan, certify that the foregoing is a true and complete copy of the resolution adopted by the Township Board at a regular meeting of the Township Board held on the 11th day of May 2020. I further certify that public notice of the meeting was given pursuant to and in full compliance with Michigan Act 267 of 1976, as amended, and that the minutes of the meeting were kept and will be or have been made available as required by the Act.

Laurie Larsen
Grand Haven Charter Township Clerk



Community Development Memo

DATE: May 7, 2020
TO: Township Board
FROM: Stacey Fedewa, AICP – Community Development Director
RE: Minor PUD Amendment – Lakeshore Flats Apartments – Entrance Sign

BACKGROUND

In August 2018, the Township approved a 156-unit apartment complex on the former Tysman landscaping property. Construction is well underway, and the complex is beginning to receive occupancy permits. To view the Lakeshore Flats website, visit www.lakeshoreflats.com.

You may also recall there was a hiccup during this project. Initially, **the developer indicated the units would be “affordable.”** However, as the project progressed and neared approval the developer stated the units would be market-rate rent, which is not “affordable.”

As a result of the “affordable” nature, the Township did not pursue higher architectural standards that would bring the quality of the buildings to the same standard as Timberview Apartments, Piper Lakes and 43 North Apartments. The reason being—the higher construction costs would be passed along to the tenants and increase the rental rates; and the Township wanted to support the “affordable” nature described by the developer.

However, the end result has been upscale luxury amenities in the apartments, which has made them among the **least affordable apartments in the Township** in terms of the rental price per square foot.

Complex	Unit Size Range	Rent Price Range	Price/Sqft Range
Flats	496 - 1,035	\$700 - \$1,219	\$1.18 - \$1.41
Timberview	830 - 1,189	\$826 - \$1,357	\$0.89 - \$1.19
43 North	759 - 1,256	\$919 - \$1,588	\$0.91 - \$1.38
Piper Lakes	605 - 1,106	\$965 - \$1,345	\$1.17 - \$1.60

WHY IS THE BOARD INVOLVED?

The standard process for a Minor PUD Amendment is receiving approval via email from the Supervisor and Planning Commission Chair. However, if either object the next step is to forward the matter to the Township Board to make one of the following decisions:

1. Request is Minor – Approve
2. Request is Minor – Deny
3. Request is Minor – Send to PC for Report Before Making Decision
4. Request is Major – Complete Approval Process (*public hearings required*)

REQUEST FOR MINOR PUD AMENDMENT

The developer has requested a Minor PUD Amendment to change the entryway sign that was approved as part of the PUD.

Approved Sign = 18 sqft



Proposed Sign = 31.5 sqft



The proposed sign is also too large, the maximum size is 24 sqft, so if the amendment request is approved the size will need to decrease.

Developer's Position

As background, the sign concept included in the PUD was taken from The Apartments at Sauk Trail, which is a community we built in Coldwater which was wrapping up when Lakeshore Flats was going through its approvals (Marc from Sign Center did the Sauk Trail sign for us also).

The Sauk Trail was a Native American trade route that connected Detroit to Chicago and ran through Coldwater. The top of the Sauk Trail sign is irregular and uneven because it's meant to be a visual representation of the path from Chicago to Detroit. The inclusion of the compass is in keeping with this navigation theme.

As we made the switch from Lakeshore Gardens to Lakeshore Flats and thought about developing an identify for Lakeshore Flats, it became clear that the symbolism embedded in the Sauk Trail design wasn't applicable.

The concept that we're seeking approval for complements the signage that already exists throughout Lakeshore Flats in terms of fonts, style, imagery, and color scheme and is reflective of contemporary, upscale apartment living in a lakeshore community.

Staff's Position

The approved sign is attractive and can easily be modified to address the developer's concerns—replace the compass with the circular/wave design that has been created for the Lakeshore Flats and change the “irregular and uneven” top of the stone to a different shape if desired.

Staff is concerned the cost savings provided by the Township during the approval process was used to build upscale luxury units with stainless steel appliances and granite countertops; and are now requesting another cost savings by decreasing the quality of the entryway sign.

Staff recommends the Board deny the Minor PUD Amendment request and require the developer to install the approved entryway sign that can be tailored to fit the Lakeshore Flats identity.

SAMPLE MOTIONS

The Board will need to select one of the four options below:

Motion to **deny** the proposed Minor PUD Amendment to change the entryway signage of the Lakeshore Flats Apartments development.



Motion to **approve** the proposed Minor PUD Amendment to change the entryway signage of the Lakeshore Flats Apartments development.



Motion to **table** and forward to the Planning Commission for a report prior to making a decision at the next Board meeting, on the proposed Minor PUD Amendment to change the entryway signage of the Lakeshore Flats Apartments development.



Motion to **deem the request a Major Amendment** and direct the applicant to reapply for a Major PUD Amendment to pursue the change in entryway signage for the Lakeshore Flats Apartments.

Please let me know if this raises questions.

From: [Terry Nash](#)
To: [Stacey Fedewa](#)
Subject: Lakeshore Flats - Monument Sign Modification Request
Date: Friday, March 20, 2020 11:48:53 AM
Attachments: [Lakeshore Flats - Current Design.pdf](#)
[Lakeshore Gardens Signage \(Sauk Trail Design\).pdf](#)

Good morning, Stacey,

I'm writing to follow up on some recent dialogue you've had with Marc Rizzolo with The Sign Center, who is handling our signage program at Lakeshore Flats. With this e-mail, I'd like to request approval for the attached design in lieu of the one that was originally submitted with the PUD.

As background, the sign concept included in the PUD was taken from The Apartments at Sauk Trail, which is a community we built in Coldwater which was wrapping up when Lakeshore Flats was going through its approvals (Marc from Sign Center did the Sauk Trail sign for us also).

The Sauk Trail was a Native American trade route that connected Detroit to Chicago and ran through Coldwater. The top of the Sauk Trail sign is irregular and uneven because it's meant to be a visual representation of the path from Chicago to Detroit. The inclusion of the compass is in keeping with this navigation theme.

As we made the switch from Lakeshore Gardens to Lakeshore Flats and thought about developing an identify for Lakeshore Flats, it became clear that the symbolism embedded in the Sauk Trail design wasn't applicable. The concept that we're seeking approval for complements the signage that already exists throughout Lakeshore Flats in terms of fonts, style, imagery, and color scheme and is reflective of contemporary, upscale apartment living in a lakeshore community.

If you could please let us know if we're OK to move forward with the revised concept, I would appreciate it. Thanks in advance for your time and consideration, and feel free to give me a call with any questions.

Thanks,

Terry Nash | Managing Director
18000 Cove Street | Suite 201
Spring Lake, Michigan 49456
O: 616.604.2975
M: 616.406.4410





Grand Haven Charter Township COVID-19 Preparedness and Response Plan

Date Implemented: May 4, 2020

Revised: May 5, 2020, for EO 2020-70

**Grand Haven Charter Township
COVID-19 Preparedness and Response Plan
Table of Contents**

Plan

Introduction.....3

 COVID-19 Workplace Coordinator.....3

 Responsibilities of Department Directors and Supervisors.....4

 Responsibilities of Employees.....4

COVID-19 Preparedness and Response Plan.....5

 Essential Workers Necessary to Perform Critical Infrastructure Functions.....5

Protective Safety Measures.....6

 Sick Leave.....6

 Remote Work.....6

 Employee Screening Before Entering the Workplace.....6

 Enhanced Social Distancing.....6

 Enhanced Hygiene.....6

 Enhanced Cleaning and Disinfecting.....7

 Personal Protective Equipment.....7

 Visitors.....7

Employees with Suspected or Confirmed COVID-19 Cases.....7

 Suspected Cases.....7

 Confirmed Cases.....8

Business Continuity Plan.....9

Classification of Workers Exposure.....9

Emergency Communication Plan.....9

Appendices

A: Critical Infrastructure Workers.....10

B: Sample Employee Entry Screening Questionnaire.....14

C: Employee Return to Work Plan.....15

D: Visitor Screening Form.....16

E: Sign for Buildings.....17

F: Other Resources.....18

G: Certification by Responsible Public Official.....19

COVID-19 PREPAREDNESS AND RESPONSE PLAN

GRAND HAVEN CHARTER TOWNSHIP (“Township”) takes the health and safety of our employees seriously. With the spread of COVID-19 and the need for certain employees to continue in-person work, either because they are critical infrastructure workers or they are needed to conduct minimum basic operations for the Township, the Township is committed to reducing the risk of exposure to COVID-19 at the Township’s workplace(s) and to providing a healthy and safe workplace for our employees.

This Plan is based on information and guidance from the Centers for Disease Control (CDC) and Occupational Safety and Health Administration (OSHA) at the time of its development, and is subject to change based on further information provided by the CDC, OSHA, and other public officials. The Township may also amend this Plan based on operational needs.

The Township has identified the following potential sources to spread COVID-19 in the workplace:

- The general public
- Customers/clients/patients/residents
- Co-workers
- Vendors/visitors

Our employees fall into one or more the following categories:

- Lower exposure risk (the work performed does not require direct contact with people known or suspected to be infected with COVID-19 or frequent close contact with the public).
- Medium exposure risk (the work performed requires frequent and/or close contact with people who may be infected with COVID-19 but who are not known COVID-19 patients, or contact with the general public in areas where there is ongoing community transmission).
- High exposure risk (first responders moving known or suspected COVID-19 patients into enclosed vehicles).

COVID-19 WORKPLACE COORDINATOR

The Township has designated the following individual as its COVID-19 Workplace Coordinator: Andrea Dumbrell, Human Resources Director. The Coordinator is responsible for staying abreast of federal, state and local guidance and incorporating those recommendations into the Township’s workplace. The Coordinator is also responsible for reviewing human resources policies and practices to make sure that they are consistent with this Plan and existing federal, state and local requirements. If the Coordinator is unavailable, another designee will be communicated to staff. The Coordinator can be reached at the following:

Phone numbers: 616.604.6309, 616.215.2082

Email address: adumbrell@ght.org

RESPONSIBILITIES OF DEPARTMENT DIRECTORS AND SUPERVISORS

All department directors and supervisors must be familiar with this Plan and be ready to answer questions from employees. Department directors and supervisors must set a good example by following this Plan at all times. This involves practicing good personal hygiene and jobsite safety practices to prevent the spread of the virus. Department directors and supervisors must encourage this same behavior from all employees. Due to the varying work of Township employees, this plan cannot cover all work situations an employee may encounter on a daily basis. Therefore, it is a shared responsibility of the department directors, supervisors, and COVID-19 Workplace Coordinator to address concerns that may arise and determine appropriate solutions to ensure employee safety.

RESPONSIBILITIES OF EMPLOYEES

The Township is asking every one of our employees to help with our prevention efforts while at work. In order to minimize the impact of COVID-19 at our worksite(s), everyone must play their part. As set forth below, the Township has instituted various housekeeping, social distancing, and other best practices at our workplace(s) to minimize exposure to COVID-19 and prevent its spread in the workplace. All employees must follow these best practices at all times for them to be effective. Beyond these best practices, the Township requires employees to report immediately to their department directors or supervisors if they are experiencing signs or symptoms of COVID-19, as described below. If employees have a specific question about this Plan or COVID-19, they should ask their department director, supervisor or contact the Human Resources Department.

OSHA and the CDC have provided the following control and preventative guidance for all workers, regardless of exposure risk:

- Frequently wash your hands with soap and water for at least 20 seconds. When soap and running water are unavailable, use an alcohol-based hand rub with at least 60% alcohol.
- Avoid touching your eyes, nose, or mouth with unwashed hands.
- Follow appropriate respiratory etiquette, which includes covering for coughs and sneezes.
- Avoid close contact with people who are sick.
- While there is community spread of COVID-19, maintain appropriate social distance of six feet to the greatest extent possible.

In addition, employees must familiarize themselves with the symptoms and exposure risks of COVID-19. The primary symptoms of COVID-19 include the following:

- Dry cough, and/or
- Shortness of breath or difficulty breathing.

Individuals with COVID-19 may also have early symptoms such as:

- Fever (either feeling feverish or a temperature of 100.4 degrees or higher),
- Chills or repeated shaking with chills,
- Muscle pain,
- Sore throat,

- Headache, and/or
- New loss of taste or smell.

If employees develop a fever and symptoms of respiratory illness, such as an atypical cough or shortness of breath, they must not to report to work, notify their supervisor immediately, and consult their healthcare provider. Likewise, if employees come into close contact with someone showing these symptoms, without CDC recommended Personal Protective Equipment (PPE), they must notify their supervisor immediately and consult their healthcare provider. The Township will also work to identify any employees who have close contact with individuals with COVID-19 symptoms.

“Close contact” is not brief or incidental contact with a person with COVID-19 symptoms. Instead, the CDC defines “close contact” as either:

- Being within approximately six feet of a COVID-19 infected person or a person with any COVID-19 symptom(s) for a “prolonged period of time;” or
- Having direct contact with infectious secretions of a COVID-19 infected person or a person with any COVID-19 symptom(s) (e.g., being coughed on).

There is no precise definition of “prolonged period of time.” CDC estimates range from 10 to 30 minutes. To protect employees, the Township uses the lower end of this range and considers a prolonged period to be 10 to 15 minutes of exposure.

COVID-19 PREPAREDNESS AND RESPONSE PLAN

In order to respond to the current state of emergency related to COVID-19 and to comply with relevant state and local orders related to COVID-19, the Township has prepared the following COVID-19 Preparedness and Response Plan (“Plan”). This Plan may be updated as this situation evolves or as state or local orders related to COVID-19 are issued or amended.

Essential Workers Necessary to Perform Critical Infrastructure Functions or Conduct Minimum Basic Operations

Executive Order 2020-70 prohibits businesses or operations to operate a business or conduct operations that requires workers to leave their homes except to the extent those workers are necessary to sustain or protect life (*i.e.*, critical infrastructure workers) or to conduct minimum basic operations. Appendix A contains a list of critical infrastructure workers as described by the U.S. Cybersecurity and Infrastructure Security Agency in its March 19, 2020, guidance as well as additional categories of such workers identified by Governor Whitmer in Executive Order 2020-70.

Under Executive Order 2020-70, workers who are necessary to conduct minimum basic operations are “those workers whose in-person presence is strictly necessary to allow the business or operation to maintain the value of inventory and equipment, care for animals, ensure security, process transactions (including payroll and employee benefits), or facilitate the ability of other workers to work remotely.”

Only “critical infrastructure workers”, employees required to conduct minimum basic operations, employees permitted to resume work activities, and employees who are necessary to support the work of employees allowed to work under Executive Order 2020-70 may perform in-person activities so long as any in-person work is performed consistently with the social distancing and mitigation measures required under any relevant executive order or public health order.

All Grand Haven Charter Township employees are considered “critical infrastructure workers”, unless directed otherwise.

PROTECTIVE SAFETY MEASURES

Sick Leave

Employees are permitted to take paid leave consistent with the Families First Coronavirus Response Act and the Township’s applicable vacation, sick and personal time policies. Any onsite employee who appears to have a respiratory illness may be separated from other employees and sent home.

Remote Work

All employees who are not essential to operations, and whose job duties reasonably to allow them telework, will work remotely.

Employee Screening Before Entering the Workplace

Employees should not report to the workplace, if he/she displays any of the symptoms. A sample Employee Entry Screening Questionnaire is attached as Appendix B. A screening questionnaire should be completed by all employees within 30 minutes of entering the workplace for the start of work each day and should comply with any required screening process required by the state or local jurisdiction in which the business is located. Once the screening questionnaire is completed, the employee should report to Human Resources, or assigned designee for the day, for a temperature check. Any individual taking employee temperatures will be required to wear gloves and a mask covering his/her mouth and nose. If an employee fails the screening process, he or she will be sent home until allowed to return to work under the relevant executive orders or public health orders, which requirements are explained in detail in the Return to Work Plan, attached as Appendix C.

Enhanced Social Distancing

Supervisors will direct employees to perform their work in such a way so as to reasonably avoid coming within six feet of other individuals. Where possible, employees may be relocated or provided additional resources in order to avoid shared use of offices, desks, telephones, and tools/equipment. The number of employees permitted in any break room or lunch room shall be limited to ensure social distancing restrictions can be followed. Employees should remain in their assigned work areas as much as possible. Employees whose job duties regularly require them to be within six feet of members of the public will be provided with appropriate PPE or physical barriers commensurate with their level of risk of exposure to COVID-19.

Enhanced Hygiene

Employees are instructed to wash their hands frequently, to cover their coughs and sneezes with tissue, and to avoid touching their faces. Employees will be provided with access to places to

frequently wash hands or to access hand sanitizer. Employees will also be provided with access to tissues and to places to properly dispose of them. Signs regarding proper hand washing methods will be posted in all restrooms. Hand shaking, or other physical contact, is also prohibited to ensure good hygiene.

Enhanced Cleaning and Disinfecting

Increased cleaning and disinfecting of surfaces, equipment, and other elements of the work environment will be performed at a minimum of once a day using products containing EPA-approved disinfectants. Employees will be provided with access to disposable disinfectant wipes so that any commonly used surfaces can be wiped down before each use. In the event that an employee that has been in the workplace in the past 14 days tests positive for COVID-19, the work area and/or vehicle will be thoroughly sanitized, using EPA-approved disinfectants and/or CDC guidelines.

Personal Protective Equipment (PPE)

Due to the varying nature of the Township's employees' work, the PPE provided to employees will be dependent on the recommendations of their Department Director and the COVID-19 Workplace Coordinator. At the minimum, the Township will provide gloves and cloth masks to employees who are identified as low-risk and medium-risk to COVID-19 exposure; and, employees will be advised to wash the cloth masks in between each daily use. Employees with the potential of a high-risk exposure to COVID-19 (i.e. first responders) will be provided N95 masks, Nitrile gloves, face shield or goggles, and gown or Tyvek suits.

Visitors

No visitors should be allowed in the workplace, beyond the lobby, unless they are deemed essential to address an issue related to critical infrastructure functions. All visitors entering the workplace shall be screened, in the lobby, by the COVID-19 Workplace Coordinator or designee, prior to entering the workplace. A screening questionnaire should be utilized to decide if the visitor can enter the workplace. If a visitor presents with symptoms of COVID-19 or answers yes to any of the screening questions do not allow them into the workplace. Provide visitor handout with staff contact information and information regarding what to do if you might have COVID-19.

The number of visitors in the lobby will be limited to practice safe social distancing. Six-foot distances will be marked in the lobby where visitors might gather/wait. Face-to-face contact with visitors will be limited by promoting the use of drop boxes, emails and phone calls.

EMPLOYEES WITH SUSPECTED OR CONFIRMED COVID-19 CASES

Suspected Cases

An employee will be considered to have a Suspected Case of COVID-19 if:

- They are experiencing any of the following COVID-19 symptoms:
 - Fever;
 - Shortness of breath; and/or
 - Continuous cough.
- They have been exposed to a COVID-19 positive person, meaning:

- An immediate family member has tested positive for or exhibited symptoms of COVID-19; or
- In the last 14 days, the employee came in close contact, (being within approximately six feet for a prolonged period of time without CDC recommended PPE) with someone who has tested positive for COVID-19.

If an employee believes that he or she qualifies as a Suspected Case (as described above), he or she must:

- Immediately notify supervisor and/or Human Resources;
- Self-quarantine for 14 days; and
- Seek immediate medical care or advice.

If an employee qualifies as a Suspected Case, then the Township will:

- Notify all employees who may have come into close contact (being within approximately six feet for a prolonged period of time without CDC recommended PPE) with the employee in the past 14 days (while not disclosing the identity of the employee to ensure the individual's privacy); and
- Ensure that the employee's work area is thoroughly cleaned.

Confirmed Cases

An employee will be considered a Confirmed Case of COVID-19 if the employee has been performing in-person operations in the past 14 days and that person tested positive for COVID-19.

If an employee believes that he or she qualifies as a Confirmed Case (as described above), he or she must:

- Immediately notify supervisor and/or Human Resources of his/her diagnosis; and,
- Remain out of the workplace until they are cleared to return to work by Human Resources, following the Employee Return to Work Plan in Appendix C.

If an employee qualifies as a Confirmed Case, then Grand Haven Charter Township will:

- Notify all employees who may have come into close contact with the employee (being within approximately six feet for a prolonged period of time without PPE) in the past 14 days (while not disclosing the identity of the employee to ensure the individual's privacy);
- Ensure that the entire workplace, or affected parts thereof (depending on employee's presence in the workplace), is thoroughly cleaned and disinfected;
- If necessary, close the work area or workplace, until all necessary cleaning and disinfecting is completed; and,
- Communicate with employees about the presence of a confirmed case, the cleaning/disinfecting plans, and when the workplace will reopen.

BUSINESS CONTINUITY PLANS

The COVID-19 Workplace Coordinator will: (1) work with management to cross-train employees to perform essential functions so the workplace can operate even if key employees are absent; (2) identify alternate supply chains for critical goods and services in the event of disruption; and (3) develop an emergency communication plan to communicate important messages to employees and constituents.

Classification of Workers Exposure

Following OSHA Standards for classifying workers exposures the Township's employees have been categorized as below:

- Fire Chief, Fire Captain, Lieutenants, Firefighter/Paramedics, Crew Leaders, and Part-Time Firefighters: While performing their daily routine activities the immediate health risk is high.
- Asst. Director of Public Services, Public Services Foreman, Public Services Worker, and Public Services Coordinator; Building Official and Building Inspector; Admin. Asst. – Accounting and Finance Clerk, Admin. Asst. – Community Development/Admin.; Deputy Clerk/Admin. Asst., Election Inspectors, and Election workers: While performing their daily routine activities, the immediate health risk is medium.
- All other Grand Haven Charter Township Employees: Are considered low risk.

Emergency Communication Plan

The Township Superintendent/Manager is the Public Information and Communication officer and all communications will be funneled through the Township Superintendent/Manager's office.

APPENDIX A

CRITICAL INFRASTRUCTURE WORKERS

Consistent with the March 19, 2020, [2020 CISA Guidance Document](#), critical infrastructure workers include some workers in each of the following sectors:

1. Health care and public health.
2. Law enforcement, public safety, and first responders.
3. Food and agriculture.
4. Energy.
5. Water and wastewater.
6. Transportation and logistics.
7. Public works.
8. Communications and information technology, including news media.
9. Other community-based government operations and essential functions.
10. Critical manufacturing.
11. Hazardous materials.
12. Financial services.
13. Chemical supply chains and safety.
14. Defense industrial base.

For purposes of Executive Order 2020-70, critical infrastructure workers also include¹:

¹ Under Executive Order 2020-70, necessary government activities may continue, which includes activities performed by critical infrastructure workers as well as the following government activities including, but not limited to, building inspections, public transit, trash pick-up and disposal (including recycling and composting), activities necessary to manage and oversee elections, operations necessary to enable transactions that support the work of a business's or operation's critical infrastructure workers, and the maintenance of safe and sanitary public parks so as to allow for outdoor activity permitted under Executive Order 2020-70. In-person government activities are subject to the same social distancing and mitigation measures proscribed under the executive order for businesses.

- a. Child care workers (including workers at disaster relief child care centers), but only to the extent necessary to serve the children or dependents of critical infrastructure workers, workers who conduct minimum basic operations, workers who perform necessary government activities, or workers who perform resumed activities. This category includes individuals (whether licensed or not) who have arranged to care for the children or dependents of such workers.
- b. Workers at suppliers, distribution centers, or service providers, as described below.
 - 1. Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate another business's or operation's critical infrastructure work may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - 2. Any suppliers, distribution centers, or service providers whose continued operation is necessary to enable, support, or facilitate the necessary work of suppliers, distribution centers, or service providers described in subprovision (1) of this subsection may designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - 3. Consistent with the scope of work permitted under subprovision (2) of this subsection, any suppliers, distribution centers, or service providers further down the supply chain whose continued operation is necessary to enable, support, or facilitate the necessary work of other suppliers, distribution centers, or service providers may likewise designate their workers as critical infrastructure workers, provided that only those workers whose in-person presence is necessary to enable, support, or facilitate such work may be so designated.
 - 4. Suppliers, distribution centers, and service providers that abuse their designation authority under this subsection shall be subject to sanctions to the fullest extent of the law.
- c. Workers in the insurance industry, but only to the extent that their work cannot be done by telephone or remotely.
- d. Workers and volunteers for businesses or operations (including both religious and secular nonprofit organizations) that provide food, shelter, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities.
- e. Workers who perform critical labor union functions, including those who administer health and welfare funds and those who monitor the well-being and safety of union members who are critical infrastructure workers, provided that any administration or monitoring should be done by telephone or remotely where possible.
- f. Workers at retail stores who sell groceries, medical supplies, and products necessary to maintain the safety, sanitation, and basic operation of residences or motor vehicles,

including convenience stores, pet supply stores, auto supplies and repair stores, hardware and home maintenance stores, and home appliance retailers.

- g. Workers at laundromats, coin laundries, and dry cleaners.
- h. Workers at hotels and motels, provided that the hotels or motels do not offer additional in-house amenities such as gyms, pools, spas, dining, entertainment facilities, meeting rooms, or like facilities.
- i. Workers at motor vehicle dealerships who are necessary to facilitate remote and electronic sales or leases, or to deliver motor vehicles to customers, provided that showrooms remain closed to in-person traffic.

For purposes of this order, workers who perform resumed activities are defined as follows:

- a. Workers who process or fulfill remote orders for goods for delivery or curbside pick-up.
- b. Workers who perform bicycle maintenance or repair.
- c. Workers for garden stores, nurseries, and lawn care, pest control, and landscaping operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.
- d. Maintenance workers and groundskeepers who are necessary to maintain the safety and sanitation of places of outdoor recreation not otherwise closed under Executive Order 2020-69 or any order that may follow from it, provided that the places and their workers do not provide goods, equipment, supplies, or services to individuals, and subject to the enhanced social-distancing rules described in section 11(h) of this order.
- e. Workers for moving or storage operations, subject to the enhanced social-distancing rules described in section 11(h) of this order.
- f. Effective at 12:01 am on May 7, 2020, and subject to the enhanced social-distancing rules described in section 11(h) of this order, workers who perform work that is traditionally and primarily performed outdoors, including but not limited to forestry workers, outdoor power equipment technicians, parking enforcement workers, and similar workers.
- g. Effective at 12:01 am on May 7, 2020, workers in the construction industry, including workers in the building trades (plumbers, electricians, HVAC technicians, and similar workers), subject to the enhanced social-distancing rules described in section 11(i) of this order.
- h. Effective at 12:01 am on May 7, 2020, workers in the real-estate industry, including agents, appraisers, brokers, inspectors, surveyors, and registers of deeds, provided that:
 - 1. Any showings, inspections, appraisals, photography or videography, or final walk-throughs must be performed by appointment and must be limited to no more than four people on the premises at any one time. No in-person open houses are permitted.
 - 2. Private showings may only be arranged for owner-occupied homes, vacant homes, vacant land, commercial property, and industrial property.

- i. Effective at 12:01 am on May 7, 2020, workers necessary to the manufacture of goods that support workplace modification to forestall the spread of COVID-19 infections.

APPENDIX B

**COVID-19
WORKPLACE HEALTH SCREENING**

Employee Name: _____

Date: _____ Time in: _____

In the past 24 hours, have you experienced:

New or worsening cough:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Shortness of breath or difficulty breathing:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Subjective fever (felt feverish)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Chills or repeated shaking with chills:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Muscle pain:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Headache:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Sore Throat:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
New loss of taste or smell:	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Current temperature:	_____	

If you answer “yes” to at least two of the symptoms listed above, or your temperature is 100.4 degrees Fahrenheit or higher, do not go into work. Self-isolate at home and contact your primary care physician’s office for direction. See Appendix C - Employee Return to Work Plan.

- You should isolate at home for a minimum of seven days since symptoms first appear.
- You must also have three days without fever and improvement in respiratory systems, to return to work.

In the past 14 days, have you:

Had close contact with an individual diagnosed with COVID-19? Yes No

Travelled internationally or domestically via plane, bus, and/or train? Yes No

If you answer “yes” to either of these questions, do not go into work (unless exempt). Self-quarantine at home for 14 days.

After completing this form each day, submit it to Human Resources for record and placement in your medical file.

APPENDIX C

EMPLOYEE RETURN TO WORK PLAN

Consistent with Executive Order 2020-36, employees who fail entrance screening will only be permitted to return to work under the following circumstances.

Employees who test positive for COVID-19 or display one or more of the principal symptoms of COVID-19 (fever, atypical cough, or atypical shortness of breath) will not be permitted to return to work until either:

1. Both 3 days have passed since their symptoms have resolved *and* 7 days have passed since their symptoms first appeared or since they were swabbed for the test that yielded the positive result or,
2. They receive a negative COVID-19 test.

Employees* who have been in “close contact” (being within approximately six feet for a prolonged period of time) with an individual who tests positive for COVID-19 or who displays one or more of the principal symptoms of COVID-19 will not be permitted to return to work until either:

1. 14 days have passed since the last close contact with the sick or symptomatic individual or,
2. The symptomatic individual receives a negative COVID-19 test.

*The “close contact” rule does not apply to the following classes of workers: health care professionals; workers at a health care facility (including hospitals, surgical centers, health maintenance organizations, nursing homes, hospice, and veteran’s facilities); first responders (*e.g.*, police officers, fire fighters, paramedics); child protective service employees; workers at child caring institutions, as defined in MCL 722.111; and workers at correctional facilities.

APPENDIX D
COVID-19
VISITOR HEALTH SCREENING

Department visiting: _____

Visitor's name: _____

Appointment date: _____ Time in: _____

In the past 24 hours, have you experienced any of the following symptoms:

Fever (100.4 degrees Fahrenheit or higher)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
New or worsening cough?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Shortness of breath or difficulty breathing?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Current temperature:	_____	

In the past 14 days, have you:

Had close contact (within approximately six feet for a prolonged period of time with an individual diagnosed with COVID-19?

Yes No

Travelled internationally or domestically via plane, bus, and/or train?

Yes No

If the visitor answered “yes” to any of these questions, the visitor is not allowed access to the Township workplace. Visitor will be handed the CDC Handout: Sick with COVID-19 Fact Sheet.

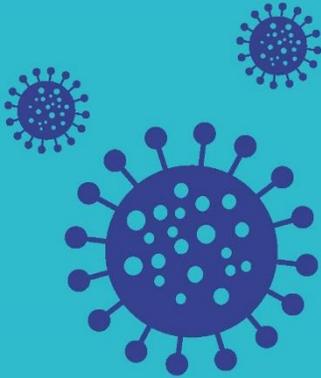
Township Employee: _____

Contacted Human Resources and informed them the visitor was not allowed into the workplace.

Date: _____ Time: _____ Spoke to: _____

APPENDIX E

SIGN FOR BUILDINGS



Keeping Michigan Informed

Novel Coronavirus 2019 (COVID-19)

Symptoms



FEVER



COUGH



BREATHING DIFFICULTY

Prevention—Start With Washing Your Hands



WET HANDS



LATHER



SCRUB: 20 SECONDS



RINSE



DRY HANDS

- Washing your hands often with soap and water for 20 seconds is one of the easiest and most effective ways to prevent the spread of germs.
- Avoid contact with people who are sick.
- Cover your cough and sneeze with tissue.
- Avoid touching eyes, nose and mouth.
- Clean and disinfect surfaces and objects frequently.
- Stay home when you are sick, except to get medical care.



Seeking Care

Call your doctor if you experience symptoms, or our COVID-19 hotline at **616.391.2380** to schedule a free virtual screening.*
If your symptoms are life-threatening, call 911.

**Free screening available for all individuals in the state of Michigan.*

For more information visit spectrumhealth.org/covid19.

X23507 RMD5458 © Spectrum Health 3.10.2020

APPENDIX F

OTHER RESOURCES

Governor Whitmer's Executive Order 2020-70:

https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-527847--,00.html

FAQs from Governor Whitmer on Executive Order 2020-70:

https://www.michigan.gov/coronavirus/0,9753,7-406-98178_98455-528027--,00.html

Governor Whitmer's Executive Order 2020-36:

https://www.michigan.gov/whitmer/0,9309,7-387-90499_90705-524136--,00.html

Helpful CDC Guidance:

<https://www.cdc.gov/coronavirus/2019-ncov/community/guidance-business-response.html>

CDC Handwashing Fact Sheet:

<https://www.cdc.gov/handwashing/pdf/hand-sanitizer-factsheet.pdf>

CDC Fact Sheet and Poster on Preventing the Spread of Germs:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/prevention-H.pdf>

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/stop-the-spread-of-germs-11x17-en.pdf>

CDC Fact Sheet on What to Do if You Are Sick:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/sick-with-2019-nCoV-fact-sheet.pdf>

CDC Poster for Entrance Reminding Employees Not to Enter When Sick:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/stayhomefromwork.pdf>

**APPENDIX G
GRAND HAVEN CHARTER TOWNSHIP
COVID-19 PREPAREDNESS AND RESPONSE PLAN**

Certification by Responsible Public Official

This is to certify that I have reviewed Grand Haven Charter Township's COVID-19 Preparedness and Response Plan attached hereto and to the best of my knowledge and belief:

- 1) It complies with Michigan Executive Order #2020-70 dated Friday, May 1, 2020.
- 2) The plan is consistent with the guidance from U. S. Department of Labor, Occupational Health and Safety Administration publication OSHA 3990-03-2020, Guidance on Preparing Workplaces for COVID -19.
- 3) The plan is available on Grand Haven Charter Township's website www.ghc.org and at each Grand Haven Charter Township facility where in-person operations take place during the COVID-19 emergency.

I declare that the foregoing is true and correct.

Municipality/Entity: Grand Haven Charter Township

Signature:

Name of Official: William Cargo

Title: Township Superintendent/Manager

Date: May 1, 2020

SUPERINTENDENT'S MEMO

DATE: May 6, 2020
TO: Township Board
FROM: Bill
SUBJECT: Brucker Street – Erosion Control

The Township has been asked to participate with regard to a proposed shoreline erosion project at the Brucker Street Road End – and, the adjacent parcels owned by the Township and City. (*See attached map.*) The road end and public parcels have a width of about 130 linear feet.

Additional photos showing existing conditions at this road end are also attached.

The request is being made by Don Lipinsky – representing a group of seven (7) lakefront property owners in the South Highland Beach area. The property owners have property both south and north of the Brucker Street Road End. The property owners believe that without the Township’s participation, shoreline erosion that could occur on the road end and municipal properties could negatively impact their residential properties.

At this stage, Manager Cargo has agreed to support the permitting request to EGLE (*i.e., would sign the permit as a property owner*); but, has not made any commitment with regard to financially supporting either design, permitting or construction of the proposed shoreline erosion project. (*See attached information regarding the proposed project.*)

This request was referred to the Public Works and Transportation Committee – but, due to the COVID-19 pandemic, have not met. Further, there are changes that might impact the Board’s decision to refer this matter, which include:

- ✓ The Township has now received twenty-four (24) emails and ten (10) letters from nearby residents opposed to the proposed project.
- ✓ The Township’s finances – in terms of monies available for “optional” projects such as this proposed shoreline erosion project – are expected to be significantly eroded due to the impacts of the COVID-19 virus on State Shared Revenues and construction permit fees.

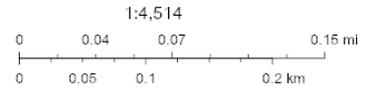
Based upon the aforementioned, this item was placed on the agenda as a discussion item.

Ottawa County Property Viewer



2/19/2020, 4:03:29 PM

- Real Parcel ID: Last Six Numbers
- Right of Way



County of Ottawa, Michigan, Ottawa County GIS

Ottawa County Geospatial Insights & Solutions
Ottawa County GIS | County of Ottawa, Michigan |

From the beginning of the road-end facing West:



From about halfway to the water facing West:



From drop-off facing North:



From drop-off facing South:



Legislative Analysis



TEMPORARY WATER REGULATIONS DURING HIGH WATER CONDITIONS

Phone: (517) 373-8080
<http://www.house.mi.gov/hfa>

House Bills 5401 and 5402 as enacted
Public Acts 70 and 71 of 2020
Sponsor: Rep. Gary R. Eisen

Analysis available at
<http://www.legislature.mi.gov>

House Bill 5463 as enacted
Public Act 72 of 2020
Sponsor: Rep. Jim Lilly

1st House Committee: Natural Resources and Outdoor Recreation
2nd House Committee: Ways and Means
Senate Committee: Natural Resources
Complete to 4-8-20

BRIEF SUMMARY: House Bills 5401 and 5402 allow the Department of Natural Resources (DNR), county emergency management coordinator, or county sheriff to set temporary vessel speed limits during high water conditions and establish fines for violations. House Bill 5463 allows a local political subdivision to request a special rule or temporary ordinance for the use of vessels and other devices on a water body subject to its jurisdiction.

FISCAL IMPACT: The bills may increase costs for the DNR or local units of government. (See **Fiscal Information**, below, for a detailed discussion.)

THE APPARENT PROBLEM:

Michigan is currently experiencing near-record water levels statewide, and projections are that these water levels will continue to rise in 2020. In the 1980s, the state experienced similar high water levels, which devastated waterfront properties. Local communities with homes, roads, and businesses on the water are currently experiencing the destructive effects of the high water levels as waves erode shorelines and crash over breakwalls and revetments. While nothing can stop waves caused by wind or storms, speed restrictions can keep vessels from creating wakes that, in high water conditions, can also damage public and private waterfront property. Unfortunately, local communities are currently unable to impose temporary speed restrictions to ensure that boats and other watercraft do not create potentially damaging wakes. Legislation has been offered to give local communities the option of establishing temporary regulations for boats and other vessels and devices during emergency high water conditions.

THE CONTENT OF THE BILLS:

Under the Natural Resources and Environmental Protection Act (NREPA), the DNR may establish boating speed limits for Michigan waters. Any area of water that does not have a speed limit established by the DNR has a default speed limit of 55 miles per hour. However, a local unit of government that has jurisdiction over waters in Michigan can request that the DNR reduce the boating speed limits on those waters to 40 miles per hour or less.

House Bill 5401 amends Part 801 (Marine Safety) of NREPA to change “motorboat” to “vessel” for purposes of these provisions. (As defined in the act, “vessel” means every watercraft used or capable of being used for transportation on water). The bill allows a county or municipality, to protect life and property during emergency high water conditions, to request the DNR or applicable county emergency management coordinator or sheriff to establish by order a temporary reduced maximum vessel speed limit for Michigan waters located in or adjacent to the county or municipality. A request or order cannot prohibit the use of any type of vessel. If an order is granted, the DNR, county emergency management coordinator, or sheriff must do all of the following:

- Specify a maximum fine for violating the temporary speed limit of up to \$100 for a first violation and up to \$500 for a second or subsequent violation.
- Notify the other authorities authorized to issue temporary speed limits under the act.
- Post the temporary speed limit, maximum fine, and a description of the affected waters on its website.
- Subject to section 80159 of the act,¹ place buoys sufficient to advise vessel operators of the temporary speed limit.

A temporary speed limit remains in effect for up to 14 days and can be reissued once per calendar year. A temporary speed limit can be reissued twice in a calendar year only if, before adopting the resolution requesting the second reissuance, the county or municipality submitted to the DNR an application and resolution for a temporary ordinance under section 80112a (added by HB 5463; see below) in lieu of the temporary speed limit described above.

A temporary speed limit described above can only be in effect during the period from September 1 to June 20. However, a temporary speed limit can be in effect from June 21 to June 30 if it is the first or second reissuance of a temporary speed limit and if, before adopting the resolution requesting the second reissuance, the county or municipality submitted to the DNR an application and resolution for a temporary ordinance under section 80112a in lieu of the temporary speed limit described above.

During a state of emergency or disaster declared by the governor, the governor may establish restricted wake zones if necessary and appropriate to address emergency or disaster conditions.

A person who *violates a speed limit established by the DNR* under the above provisions is responsible for a state civil infraction and subject to a civil fine as specified above. A person who *violates a temporary vessel speed limit established by an emergency management coordinator or sheriff* is responsible for a municipal civil infraction and subject to a civil fine as specified above.

MCL 324.80146

House Bill 5402 amends the Revised Judicature Act to update its definitions of “civil infraction” and “municipal civil infraction” to include a violation of an *ordinance*, which is itself defined to include a temporary vessel speed limit established by a county emergency management coordinator or sheriff under NREPA, as described above.

¹ MCL 324.80159: <http://legislature.mi.gov/doc.aspx?mcl-324-80159>

Additionally, under the act, the plaintiff in a municipal civil infraction action is the political subdivision whose ordinance has been violated. The bill adds that, for an ordinance that is a temporary vessel speed limit established by the county emergency management coordinator or sheriff under NREPA, the county or municipality that requested the speed limit is considered the political subdivision whose ordinance was violated.

MCL 600.113, 600.8701, and 600.8703

House Bill 5463 amends Part 801 of NREPA to allow a local political subdivision to request a special rule or temporary ordinance for the use of vessels and other devices on a water body subject to its jurisdiction.

Under the act, the DNR can allow a *political subdivision* to issue special local rules for the use of vessels, water skis, water sleds, aquaplanes, surfboards, or other similar devices. These rules apply to the local bodies of water year-round. The DNR conducts investigations and inquiries into whether these special rules are needed, considering several specified conditions and pieces of information.

Political subdivision means a Michigan county, city, village, township, or metropolitan authority or a combination of those entities.

Previously under the act, denial of a special rule could be appealed to the Michigan Waterways Commission, which would then make the final decision as to whether a rule was needed. Under the bill, appeals are instead made to the director of the DNR, who has the final determination as to whether a rule is needed.

The bill further allows a political subdivision to request a temporary ordinance for the use of vessels on a water body subject to its jurisdiction. A temporary ordinance includes a local watercraft control or administrative rule.

Under new section 80112a, a political subdivision may submit an application and a resolution for a temporary ordinance to the DNR. The application must contain all of the following information:

- The resolution and a copy of the public notice listing the adoption of the resolution on the agenda.
- The information required for the DNR to conduct investigations and inquiries into whether special rules are needed.
- The circumstances that justify a temporary ordinance rather than a special rule.
- A complete list of all local ordinances, regulations, and rules concerning the water body and how they are enforced.
- How the political subdivision plans to provide for and fund the public notice of the temporary ordinance, including buoy placement and signage, and how it will be enforced.
- Any other information the political subdivision believes is relevant or necessary.

The DNR must review the application within 10 days after receiving it. For a complete application, the DNR must conduct an investigation and inquiry within 10 days into the need for a temporary ordinance. For an application requiring additional information, the DNR must

request that information and conduct the investigation and inquiry within 10 days after receiving it.

Within 10 days after completing its investigation and inquiry, if the DNR determines that there is a need for a temporary ordinance, the DNR must propose a temporary ordinance affecting all boats or boat types on the water body. The DNR must submit the proposed temporary ordinance to the political subdivision. Notwithstanding any charter provision or other provision of law, the proposed temporary ordinance takes effect when both of the following requirements are met, which must occur within 30 days after the DNR submits the proposed temporary ordinance to the political subdivision:

- The governing body of the political subdivision adopts the ordinance at a public meeting.
- The political subdivision notifies the DNR of the adoption.

If the political subdivision fails to notify the DNR of its adoption of the proposed temporary ordinance, the proposed temporary ordinance is considered disapproved and no further action can be taken.

If the DNR determines that there is not a need for a temporary ordinance, the DNR must notify the political subdivision and provide the specific reasons for this determination. A denial of a temporary ordinance may be appealed by the political subdivision to the director of the DNR, who makes the final agency decision on the need for a temporary ordinance.

A temporary ordinance granted under the bill expires after six months and can be extended or renewed in consecutive years only if the political subdivision is going through the process of adopting a proposed special rule under sections 80110 and 80111² of the act, and the public hearing required under section 80110(4) has occurred. However, if the DNR determines that a special rule is not needed under section 80110(5), and the director denies the appeal under 80110(6), the political subdivision cannot extend or renew a temporary ordinance in consecutive years.

MCL 324.80104, 324.80110, and 324.80112a

The bills took effect April 2, 2020.

FISCAL INFORMATION:

House Bill 5401 may increase law enforcement costs for the DNR by providing for the implementation and enforcement of temporary motorboat speed limits during high water conditions; however, these limits would not be mandatory under the bill. The bill allows for temporary speed limit enforcement “on water of this state;” the department’s conservation officers are responsible for enforcing laws and regulations related to outdoor recreation activities in Michigan. The extent of this potential cost increase is unclear; departmental law enforcement is already monitoring state waters and enforcing watercraft regulations. There are 235 conservation officers funded by a gross appropriation of \$44.8 million in FY 2019-20. The department may also incur additional costs related to notification of speed limits in the form of

² MCL 324.80111: <http://legislature.mi.gov/doc.aspx?mcl-324-80111>

signs or buoys publicizing temporary speed limits. The bill is unlikely to generate revenue for the department.

Local governments may realize additional costs similar to the aforementioned for DNR. Local law enforcement agencies vary in the extent to which they patrol waters adjacent to their respective jurisdictions and the bill allows these local agencies to be assisted by the department.

House Bill 5402 would have no fiscal impact on state or local government.

House Bill 5463 is likely to increase administrative costs for the DNR and local units of government if a temporary ordinance is formally considered as provided under the bill. Both state and local government officials may incur these additional costs in the course of following the application and notification procedures outlined in HB 5463. The extent of a potential cost increase is unclear and likely to vary by application. The bill is unlikely to affect revenues and does not provide additional funding to state or local governments to support additional costs. The department's FY 2019-20 funding is \$438.7 Gross (\$47.0 million GF/GP) and 2,340.1 FTE positions.

ARGUMENTS:

For:

Supporters of the bills argued that temporary reduced speed restrictions on vessels are needed to protect local property interests. During high water conditions, such as Michigan's current near-record levels, wakes created from vessels in the water can damage docks, piers, homes, yards, parks, roads, businesses, and anything else near the waterfront. Restoration and rebuilding efforts can be costly, especially when added to preventative measures that already take place. Supporters argued that temporary speed restrictions are themselves a worthwhile preventative measure. Temporary speed restrictions are also better suited to Michigan's current high water predicament, as the water levels could recede next year or the year after. Water levels can and do fluctuate, both over time and from one community to the next, so a temporary speed restriction that local communities can enforce is a fitting response to fluctuating water levels.

Against:

Critics of the bills argued that a temporary reduced speed restriction is not needed, even with the current near-record high water levels, since current law allows for graduated speed restrictions that can take effect during high water conditions. Even though the speed restrictions are permanent, the graduated levels would only be enforced when the water levels reached a critical level, a solution that would also take into account Michigan's ever-fluctuating water levels.

Legislative Analyst: Emily S. Smith
Fiscal Analysts: Austin Scott
Robin Risko

■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.

**PUBLIC SERVICES DEPARTMENT
END OF THE MONTH REPORT
2020**

WATER

MONTH	WORK ORDERS	METER		REPLACED METERS	REPLACED MXU'S	NEW TAPS		MAIN INSTALLED IN FEET	MILLION GALLONS OF NOWS WATER	MILLION GALLONS OF G.R. WATER	G.R. SUPPLIMENTAL WATER
		3/4"	1"			3/4"	1"				
JANUARY	100	4	6	20	2	4	2	0	32.04	0.82	0.00
FEBRUARY	170	1	5	2	121	2	1	0	28.69	0.69	0.00
MARCH	131	3	1	2	84	1	2	0	28.16	0.96	0.00
APRIL								0	0.00	0.00	0.00
MAY								0	0.00	0.00	0.00
JUNE								0	0.00	0.00	0.00
JULY								0	0.00	0.00	0.00
AUGUST								0	0.00	0.00	0.00
SEPTEMBER								0	0.00	0.00	0.00
OCTOBER								0	0.00	0.00	0.00
NOVEMBER								0	0.00	0.00	0.00
DECEMBER								0	0.00	0.00	0.00
TOTAL YTD	401	8	12	24	207	7	5	0	88.90	2.46	0.00
TOTALS			20				12	5437		2.46	
									91.36		

NOTES: Installed 1 1/2" & 2" meters - Building E Lakeshore Flats

WASTEWATER

MONTH	WORK ORDERS	NEW TAPS	MAIN INSTALLED IN FEET	MILLION GALLONS OF WASTE PUMPED
JANUARY	3	2	0	9.64
FEBRUARY	3	4	0	8.41
MARCH	1	2	0	10.85
APRIL			0	0.00
MAY			0	0.00
JUNE			0	0.00
JULY			0	0.00
AUGUST			0	0.00
SEPTEMBER			0	0.00
OCTOBER			0	0.00
NOVEMBER			0	0.00
DECEMBER			0	0.00
TOTAL YTD	7	8	0	28.89
TOTALS		866		

NOTES: